2144. Authorizing certain technical correction to Adopted Resolution No. 934-2010. (Co. Exec.) WAYS & MEANS

2145. Adopting Local Law No. -2010, A Local Law to regulate the sale of tattoo equipment in Suffolk County. (Barraga) HEALTH & HUMAN SERVICES

2146. To extend the deadline for the Task Force to Study the Feasibility of Suffolk County Community College assuming the operation of the Vanderbilt Museum. (Horsley) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

2147. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Valena Haye (SCTM No. 0100-058.00-06.00-019.000). (Co. Exec.) WAYS & MEANS

2148. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (Incorporated Village of East Hampton) (SCTM No. 0301-002.00-01.00-016.000). (Co. Exec.) WAYS & MEANS

2149. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Janice Cooke-Giugliano (SCTM No. 0400-245.00-02.00-017.000). (Co. Exec.) WAYS & MEANS

2150. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Jocelyn Jean (SCTM No. 0500-122.00-03.00-004.000). (Co. Exec.) WAYS & MEANS

2151. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Rose Lacascia, as surviving tenant by entirety (SCTM Nos. 0100-020.00-03.00-002.000 and 0100-020.00-03.00-003.000). (Co. Exec.) WAYS & MEANS

2152. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Frank Catalfamo and Mary A. Catalfalmo, his wife (SCTM No. 0200-980.50-01.00-048.001). (Co. Exec.) WAYS & MEANS

2153. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Estate of Donald Humel, by Christine Humel as administrator as to a 60% interest and Philip Humel, as heir to the estate of Elsie Humel per Suffolk County Surrogate's Court File 381-A-1970 as to a 20% interest and Bruce Humel, as heir to the estate of Elsie Humel per Suffolk County Surrogate's Court File 381-A-1970 as to a 20% interest (SCTM No. 0500-213.00-02.00-011.000). (Co. Exec.) WAYS & MEANS

2154. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Angela Bowman (SCTM No. 0700-025.00-01.00-058.000). (Co. Exec.) WAYS & MEANS

2155. Updating Resolution No. 1045-2008 requiring identification of County purchasing personnel pursuant to New York General Municipal Law Section 104-b(f). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2156. Adopting Local Law No. -2010, A Local Law to alert consumers to the health risks associated with energy drinks. (Nowick) HEALTH & HUMAN SERVICES

2157. Approving the Vector Control Plan of the Department of Public Works Division of Vector Control pursuant to Section C8-4(B)(2) of the Suffolk County Charter. (Co. Exec.) HEALTH & HUMAN SERVICES

2158. Transferring Escrow Account Revenue Funds to the Capital Fund, amending the 2010 Capital Budget and Program and appropriating funds for improvements to Suffolk County Sewer District No. 7 – Medford (CP 8150). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2159. Transferring Escrow Account Revenue Funds to the Capital Fund, amending the 2010 Capital Budget and Program and appropriating funds for improvements to Suffolk County Sewer District No. 7 – Medford (CP 8119). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2160. Transferring Escrow Account Revenue Funds to the Capital Fund, amending the 2010 Capital Budget and Program and appropriating funds for improvements to Suffolk County Sewer District No. 11 – Selden (CP 8117). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2161. Appropriating funds in connection with the safety improvements at the police firearms shooting range in Westhampton (CP 3111). (Co. Exec.) PUBLIC SAFETY

2162. Appropriating funds in connection with the replacement of existing fireworks burn pits (CP 3016). (Co. Exec.) PUBLIC SAFETY

2163. Amending the Adopted 2010 Capital Budget and Program and appropriating funds in connection with the Water Quality Model - Phase V (CP 8237). (Co. Exec.) HEALTH & HUMAN SERVICES

2164. Accepting and appropriating Federal funding in the amount of $17,202 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the FBI Joint Terrorism Task Force with 83.37% support. (Co. Exec.) PUBLIC SAFETY

2165. Accepting and appropriating supplemental funding in the amount of $63,157.49 in reimbursement funds from Sprint Nextel for federally mandated rebanding of Suffolk County Public Safety Communications Network with 100% support. (Co. Exec.) PUBLIC SAFETY

2166. Accepting and appropriating Federal funding in the amount of $17,202 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department's participation in the Tactical Diversion Task Force FY11 with 83.37% support. (Co. Exec.) PUBLIC SAFETY

2167. Authorizing the sales of surplus property sold at the October 20 and 21, 2010 Auction pursuant to Local Law No. 13-1976 as per Exhibit "A" (Omnibus Resolution). (Co. Exec.) WAYS & MEANS

2168. Reappointing George Proios as a member of the Suffolk County Soil and Water Conservation District. (Losquadro) ENVIRONMENT, PLANNING & AGRICULTURE

2169. 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 Reeves Bay Watershed Management Plan Stormwater Remediation Component (CP 8240.325). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

2170. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 3 - Southwest (CP 8180). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2171. Appropriating funds in connection with dredging of County waters (CP 5200). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2172. Appropriating funds in connection with construction and rehabilitation of highway maintenance facilities (CP 5048). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2173. Appropriating funds in connection with the rehabilitation of parking lots, drives and curbs at County facilities (CP 1678). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2174. Appropriating funds in connection with the improvements to County environmental recharge basins (CP 5072). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2175. Appropriating funds in connection with building safety improvements (CP 1603). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2176. Appropriating funds in connection with safety improvements at various intersections (CP 3301). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2177. Appropriating funds in connection with traffic signal improvements (CP 5054). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2178. Appropriating funds in connection with intersection improvements on CR 94, Nugent Drive (Center Drive) at CR 51, East Moriches-Riverhead Road and CR 63, East Moriches-Riverhead Road at CR 104, Quogue-Riverhead Road and NYS Route 24, Flanders Road, Towns of Riverhead and Southampton (CP 5557). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2179. Amending the 2010 Capital Budget and Program and appropriating funds in connection with the County share for participation in the replacement of CR 16, Horseblock Road over the LIRR Bridge, Town of Brookhaven (CP 5850). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2180. Amending the 2010 Capital Budget and Program and appropriating funds in connection with the County share for the replacement of Smith Point Bridge over Narrow Bay, Town of Brookhaven (CP 5838). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2181. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Nazzarena Console and Michael Console, as tenants by the entirety (SCTM No. 0100-021.00-01.00-079.000). (Co. Exec.) WAYS & MEANS

2182. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Estate of Grasilda M. Angelo, by Veronica Angelo-Heizman, as administrator (SCTM No. 0200-700.00-02.00-006.000). (Co. Exec.) WAYS & MEANS

2183. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 840-2010). (Co. Exec.) BUDGET & FINANCE

2184. Accepting and appropriating Federal funding in the amount of $51,606 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Safe Streets Task Force FFY11 with 83.37% support. (Co. Exec.) PUBLIC SAFETY

2185. Accepting and appropriating Federal funding in the amount of $17,202 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Long Island Cyber Crime Task Force (LICCTF) with 83.37% support. (Co. Exec.) PUBLIC SAFETY

2186. Accepting and appropriating a grant in the amount of $800,000 from the United States Department of Justice, Office on Violence Against Women, for Project SCOPE (Suffolk County Orders of Protection Enforcement) administered by the Suffolk County Police Department with 98.46% support. (Co. Exec.) PUBLIC SAFETY

2187. Approving a license agreement for Polly Weigand to reside at Black Duck Lodge at Hubbard County Park, Flanders. (Co. Exec.) PARKS & RECREATION

2188. Authorizing First Amendment of a License Agreement with Long Island Greenbelt Trail Conference for Blydenburgh-Weld House, Smithtown and Pine Barrens Trailside Information and Exhibit Center, Manorville. (Co. Exec.) PARKS & RECREATION

2189. Accepting and appropriating Federal funding in the amount of $16,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in the Regional Fugitive Task Force with 83.37% support. (Co. Exec.) PUBLIC SAFETY

2190. Accepting and appropriating 100% Federal funds awarded by the FBI to the Suffolk County Department of Probation and authorizing the County Executive to execute related agreements. (Co. Exec.) PUBLIC SAFETY

2191. Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 3 – Southwest (Sludge Management Plan) (CP 8180). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2192. Authorizing the County Comptroller and County Treasurer to close certain capital projects and transfer funds. (Co. Exec.) BUDGET & FINANCE

2193. Amending the map of the County Road System to remove County System Road No. 38, North Sea Road-Noyac Road (from a point located approximately 500± feet north of Millstone Brook Road, northerly and easterly ending at the westerly boundary of the Village of Sag Harbor) and authorizing the County Executive to execute an agreement with the Town of Southampton transferring ownership and maintenance of said roadway to the Town of Southampton. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2194. Amending the 2010 Capital Budget and Program, appropriating funds and accepting a Community Capital Assistance Program (CCAP) grant in the amount of $165,000 from the Dormitory Authority of the State of New York for the installation of a concealed fire sprinkler system at the main house at Deepwells County Park (CP 7510). (Co. Exec.) PARKS & RECREATION

2195. Amending the Adopted 2010 Capital Budget and appropriating 100% State Grant Funds from the New York State Department of Health and the Dormitory Authority of the State of New York to the Suffolk County Department of Health Services for construction and renovations for the Mental Health Integration Project (CP 4043). (Co. Exec.) HEALTH & HUMAN SERVICES

2196. Appropriating funds in connection with the purchase of equipment for the John J. Foley Skilled Nursing Facility (CP 4041). (Co. Exec.) HEALTH & HUMAN SERVICES

2197. Accepting and appropriating 100% Federal grant funds passed through the New York State Division of Criminal Justice Services, to the Department of Health Services for a DNA Burglary Backlog Reduction Initiative. (Co. Exec.) HEALTH & HUMAN SERVICES

2198. Amending the 2010 Adopted Operating Budget to accept and appropriate 100% Federal grant funds passed through the New York State Department of Health to the Suffolk County Department of Health Services for the CDC Expanded HIV Testing Program. (Co. Exec.) HEALTH & HUMAN SERVICES

2199. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Beechwood Moriches Building Corp. property – Forge River watershed addition (Town of Brookhaven). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

2200. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Fergus Shaw III and Arthur Shaw property - Forge River Watershed - Town of Brookhaven (SCTM Nos. 0200-675.00-04.00-019.000, 0200-675.00-04.00-032.000, 0200-675.00-04.00-033.000, 0200-675.00-04.00-035.001 and 0200-675.00-04.00-035.002). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

2201. Authorizing a lease agreement with Joe Burns Contracting for use of property at Francis S. Gabreski Airport. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

2202. Appropriating funds in connection with rehabilitation of plumbing system at the Suffolk County Vanderbilt Museum (CP 7447). (Cooper)

2203. Appropriating funds in connection with the rewiring of historic structures at the Suffolk County Vanderbilt Museum (CP 7445). (Cooper)

2204. Appropriating funds in connection with restoration of facades at the Suffolk County Vanderbilt Museum (CP 7441). (Cooper)

2205. Authorizing the County Executive to enter into an agreement with Heritage-Riverhead Retail Developers, LLC and accepting a payment of money in lieu of performance of certain mitigation measures, constructed under Capital Project 5529, Old Country Road, Riverhead, and placing this payment into a debt reserve account to pay down the debt service on Capital Project 5529. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2206. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Barbara Sukowa (SCTM No. 0500-497.00-03.00-048.000). (Co. Exec.) WAYS & MEANS

2207. Amending the 2010 Capital Budget and Program and appropriating funds in connection with expansion of the Sheriff's Enforcement Division at the Criminal Court Building (CP 3013). (Co. Exec.) PUBLIC SAFETY

2208. Adopting Local Law No. -2010, A Local Law implementing the Charter Commission's recommendation regarding the terms of the Presiding Officer and Deputy Presiding Officer. (Romaine) WAYS & MEANS

2209. Appointing a member of the Suffolk County Vocational, Education, and Extension Board (Dr. Alan B. Groveman). (Stern) PUBLIC SAFETY

2210. Adopting Local Law No. -2010, A Local Law to ban the sale of energy drinks to minors in Suffolk County. (Nowick) HEALTH & HUMAN SERVICES

2211. Levying Unpaid Water Rents. (Pres. Off.)

2212. Implementing Budget, Staff, and Taxes for the year 2011 (Discretionary). (Pres. Off.)

2213. Implementing Budget, Staff, and Taxes for the year 2011 (Mandated). (Pres. Off.)

2214. Authorizing that the Tax Warrants be signed by the Presiding Officer and Clerk of the County Legislature and that they be annexed to the tax rolls for the collection of taxes. (Pres. Off.)

2215. Approving the return of the fund balance of the general fund, police district fund, and District Court District Fund to the taxpayers of the towns of Suffolk County. (Pres. Off.)

2216. Approving the tabulations of Town Charges and fixing the tax levies and charges to the towns under the County Budget for fiscal year 2011. (Pres. Off.)

2217. Amending Resolution No. 1061-2010, Determining Equalized Real Property Valuations for the Assessment Rolls of the 10 Towns. (Pres. Off.)

2218. Adopting Local Law No. -2010, A Local Law requiring the posting of "Cash Only" signs at restaurants. (Co. Exec.) CONSUMER PROTECTION

2219. Adopting Local Law No. -2010, A Local Law requiring store closure on Thanksgiving Day. (Co. Exec.) CONSUMER PROTECTION

2144

Intro. Res. No. -2010 Laid on Table 12/7/2010
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 934-2010

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 934-2010; and

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

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

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

Resolution No. 934-2010

Change the 6th RESOLVED clause the Project No.:

FROM:

525-CAP-8710.128

TO:

525-CAP-8710.**129**

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

2145

Intro. Res. No. -2010 Laid on Table 12/7/10
Introduced by Legislator Barraga

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW TO REGULATE THE SALE OF TATTOO EQUIPMENT IN SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010, a proposed local law entitled, "**A LOCAL LAW TO REGULATE THE SALE OF TATTOO EQUIPMENT IN SUFFOLK COUNTY**" now, therefore, be it

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

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

A LOCAL LAW TO REGULATE THE SALE OF TATTOO EQUIPMENT IN SUFFOLK COUNTY

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the SUFFOLK COUNTY SANITARY CODE strictly regulates the tattoo and body art industry to protect public health and safety.

This Legislature also finds and determines that professional tattoo artists use tattoo machines, also known as "guns" and "irons", and other equipment to apply tattoos.

This Legislature further finds and determines that the improper use of tattoo equipment in the application of a tattoo can cause injury, bacterial infection, or transmission of blood-borne diseases, like Hepatitis C and HIV.

This Legislature finds that some suppliers of tattoo equipment sell tattoo machines to persons untrained in their use, even opening kiosks at shopping malls to sell their products directly to the public.

This Legislature determines that the sale of tattoo equipment to persons without professional tattooing credentials increases the risk to public health and safety, as these individuals may apply tattoos on others without following important regulations to protect both the customer and artist from harm.

This Legislature also finds that Suffolk County should regulate the sale of tattoo equipment to ensure that it is available only to trained professionals who will use it in a safe manner.

Therefore, the purpose of this law is to prohibit the sale of tattoo equipment to persons who are not certified as professional tattoo artists in Suffolk County.

Section 2. Definitions.

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

"CERTIFIED TATTOO ARTIST" shall mean any individual who applies tattoos and has been certified by the Suffolk County Department of Health Services as a Certified Body Artist or has been certified, registered or otherwise licensed by another jurisdiction and has written documentation of same.

"CERTIFIED TATTOO ARTIST APPRENTICE" shall mean any individual who is supervised in the application of tattoos by a certified tattoo artist and who has been certified by the Suffolk County Department of Health Services as a Certified Body Artist Apprentice.

"TATTOO EQUIPMENT" shall mean any machine or mechanical instrument manufactured and used solely to apply tattoos.

"PERSON" shall mean any individual, firm, partnership, corporation, company, society, association, or any organized group of persons whether incorporated or not.

Section 3. Requirements.

No person shall sell tattoo equipment to another person within Suffolk County unless the prospective purchaser provides written documentation that they are a certified tattoo artist or certified tattoo artist apprentice.

Section 4. Penalties.

Persons selling tattoo equipment in violation of any portion of this law shall be guilty of an unclassified misdemeanor, punishable by a fine not to exceed $1,000 and/or up to one year in jail.

Section 5. Applicability.

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

Section 6. Severability.

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

Section 7. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to

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

Section 8. Effective Date.

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\l-sale tattoo machines

Body Designs International Inc.
1755 Sunrise Hwy
Bay Shore, NY 11706
631-968-0141

2145

October 16, 2010

Legislator Thomas Barraga
187 Sunrise Hwy Suite C
West Islip, NY 11795

Dear Legislator Barraga,

I would like to take a moment to thank you for the warm reception that you extended to us yesterday. This is a very important matter and we are thankful for your help.

This three fold problem is something that needs addressing before it reaches epidemic proportions.

1. The Tattoo Industry is a regulated industry. There are many unscrupulous suppliers out there who will sell to anyone; including the general public. As this is a regulated industry I propose to you a bill that would make it a criminal offence to sell equipment to anyone except licensed artists. Here in Suffolk County wallet sized licenses could be issued along with our current certification program.
2. There are kiosks in both the Roosevelt Field Mall and Green Acres Mall that are selling tattoo and body piercing equipment to anyone without any verification. I personally purchased equipment from both. Copies of their business cards are attached. Please do not let this come into our county; as we have already seen an increase of the number of severe infections coming out of private homes, with the work being done by unlicensed people, who do not have any idea of what they are doing.
3. Although it is against Health Department Codes, people are working unlicensed out of their homes. I ask that we propose a bill that would take this matter away from the Health Department and make it a Penal Law, under Suffolk County Statutes with severe penalties.

Again, I would like to thank you again for your concerns in this matter.

Sincerely,

Michael Fenn
Body Designs Int. Inc.

C 631-871-8560
H 631-666-8245

OFFICE OF THE COUNTY LEGISLATURE

2145

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: DECEMBER 2, 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. 2145-2010; A LOCAL LAW TO REGULATE THE SALE OF TATTOO EQUIPMENT IN SUFFOLK COUNTY

SPONSOR: LEGISLATOR BARRAGA

DATE OF RECEIPT BY COUNSEL:	11/22/2010	PUBLIC HEARING:	12/21/2010
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

This proposed local law would require that tattoo equipment[1] be sold in Suffolk County only to persons providing written documentation that they are a certified tattoo artist[2] or certified tattoo artist apprentice[3].

Violation of this law shall constitute an unclassified misdemeanor, punishable by a fine of up to one thousand dollars ($1,000) and/or up to one year in jail.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-sale-tattoo-machines

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[1] "Tattoo equipment" is defined as "any machine or mechanical instrument manufactured and used solely to apply tattoos."

[2] "Certified tattoo artist" is defined as "any individual who applies tattoos and has been certified by the Suffolk County Department of Health Services as a Certified Body Artist or has been certified, registered or otherwise licensed by another jurisdiction and has written documentation of same."

[3] "Certified tattoo artist apprentice" is defined as "any individual who is supervised in the application of tattoos by a certified tattoo artist and who has been certified by the Suffolk County Department of Health Services as a Certified Body Artist Apprentice."

2146

Intro. Res. No. -2010 Laid on Table 12/7/10
Introduced by Legislator Horsley

RESOLUTION NO. –2010, TO EXTEND THE DEADLINE FOR THE TASK FORCE TO STUDY THE FEASIBILITY OF SUFFOLK COUNTY COMMUNITY COLLEGE ASSUMING THE OPERATION OF THE VANDERBILT MUSEUM

WHEREAS, Resolution No. 122-2009 established a Task Force to Study the Feasibility of Suffolk County Community College Assuming the Operation of the Vanderbilt Museum; and

WHEREAS, the Task Force is required to issue a written report to the members of the County Legislature and the County Executive containing its findings and determinations, along with any recommendations for action; and

WHEREAS, Resolution No. 804-2009 amended Resolution No. 122-2009 to extend the deadline for submission of the Task Force's written report to December 31, 2010; and

WHEREAS, the Task Force has determined that it needs additional time to complete the inquiry and establish its findings and recommendations; and

WHEREAS, Suffolk County seeks to ensure that the Task Force is provided with sufficient time to thoroughly review the issues it has been entrusted to examine; now, therefore be it

1st **RESOLVED**, that the 12th RESOLVED clause of Resolution No. 122-2009 is hereby amended as follows:

> **12th RESOLVED**, that this special Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than December 31, 2011 [2010] for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

and be it further

2nd **RESOLVED**, that the 13th RESOLVED clause of Resolution No. 122-2009 is hereby amended as follows:

> **13th RESOLVED**, that the Task for shall expire, and the terms of office of its members terminate, as of December 31, 2011 [2010] at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

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.

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-extend Vanderbilt feasibility task force

Introductory Resolution No. 2147-10 Laid on Table 12/7/10

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 VALENA HAYE (SCTM NO. 0100-058.00-06.00-019.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 058.00 Block 06.00 Lot 019.000 and acquired by Tax Deed on July 10, 2003 from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003 in Liber 12260 at CP 584 and described as follows, known and designated as Lots 9 & 10 in Block 35 on a certain map entitled "Map of Colonial Springs", and filed in the Office of the Clerk of the County of Suffolk on March 16, 1926 as Map No. 223,

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, Valena Haye., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $3,500.00. 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 $3,500.00, 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 $3,500.00, 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 Valena Haye, 69 Lake Drive, Wyandanch, New York 11798.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

2147

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

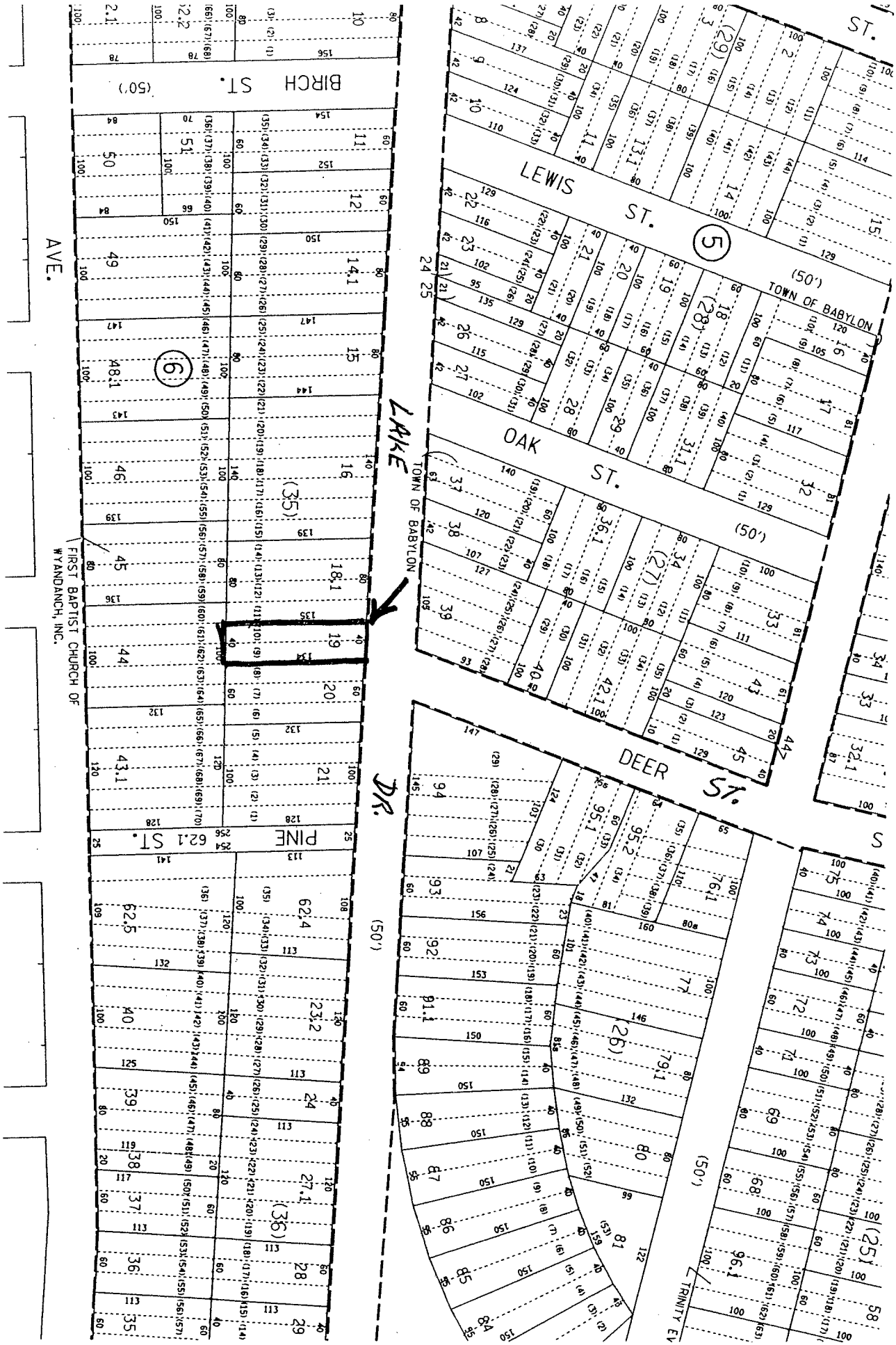
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0100-058.00-06.00-019.000

ADJOINING OWNER	BID	BID	BID
Valena Haye 69 Lake Drive Wyandanch, New York 11798 0100-058.00-06.00-018.001	$3,500.00		
Henry Cunningham 93A Rutland Road Brooklyn, New York 11225 0100-058.00-06.00-020.000	$0		
Jeffrey Mendoza P.O. Box 16 Amityville, New York 11701 0100-058.00-06.00-044.000	$0		

SIZE OF PARCEL: 40' x 135'
APPRAISED VALUE: $3,500.00
COMMENT: Direct Sale to Adjacent Owner

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



247

TM# 0100-058.00-06.00-019.000

2147

Irving Ave
Lewis St
Oak St
Deer St
Lake Dr
Lake Pl
Birch St
Jefferson Ave
Walnut St
Cypress
Pine St
Cedar St
Hickory St
0100-058.00-06.00-019.000

2147

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 | RJ Bhatt | 11/18/10

COUNTY OF SUFFOLK

2147

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

November 18, 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: 0100-058.00-06.00-019.000

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

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

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

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

Introductory Resolution No. 2148-10 Laid on Table 12/7/10

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
(INCORPORATED VILLAGE OF EAST HAMPTON)
(SCTM 0301-002.00-01.00-016.000)

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 Incorporated Village of East Hampton, Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0301 Section 002.00, Block 01.00 Lot 016.000 and acquired by Tax Deed on July 3, 2008 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 9, 2008 in Liber 12557 at CP 356 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of East Hampton under Suffolk County Tax Map No. District 0301 Section 002.00, Block 01.00 Lot 016.000; and

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

WHEREAS, the Incorporated Village of East Hampton, has requested that the County of Suffolk convey the parcel described in Exhibit A annexed hereto; and

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

1st **RESOLVED,** that Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Incorporated Village of East Hampton, for the sum of $538.89 plus the pro rata share of the current tax adjustment due at closing; and be it further

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

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

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

DATED: _____

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

Exhibit "A"

2148

THE HOOK MILL

ONE OF THE EARLY LONG ISLAND MILLS USED BY EARLY SETTLERS TO GRIND WHEAT, CORN AND OTHER GRAIN. BUILT IN 1806, IS STILL OPERATED. OPEN TO THE PUBLIC.

VILLAGE OF EAST HAMPTON

Settled 1648 - Incorporated 1920

86 MAIN STREET

EAST HAMPTON, N.Y. 11937-2730

WWW.EASTHAMPTONVILLAGE.ORG

631-324-4150

FAX 631-324-4189

OFFICE OF

VILLAGE ADMINISTRATOR

"HOME SWEET HOME"

DEDICATED TO THE MEMORY OF JOHN HOWARD PAYNE AND HIS FAMOUS SONG "HOME SWEET HOME". MAINTAINED BY THE VILLAGE AS A MUSEUM.

CERTIFICATE OF RECORDING OFFICER

THIS IS TO CERTIFY THAT, at a legally convened meeting of the Board of Trustees duly held on October 7, 2010, a motion was made by Trustee Elbert T. Edwards, seconded by Trustee Barbara S. Borsack and carried unanimously by the Board of Trustees of the Inc. Village of East Hampton to adopt Resolution #26-2010 (below); and further that such Resolution #$26-2010 has been fully recorded in the Board of Trustees Minutes in my office.

RESOLUTION #26-2010

Resolved, the Village of East Hampton is interested in acquiring title to tax map #301-002.00-01.00-016.000 from Suffolk County for purpose of maintaining said parcel for open space, drainage, or public highway purposes.

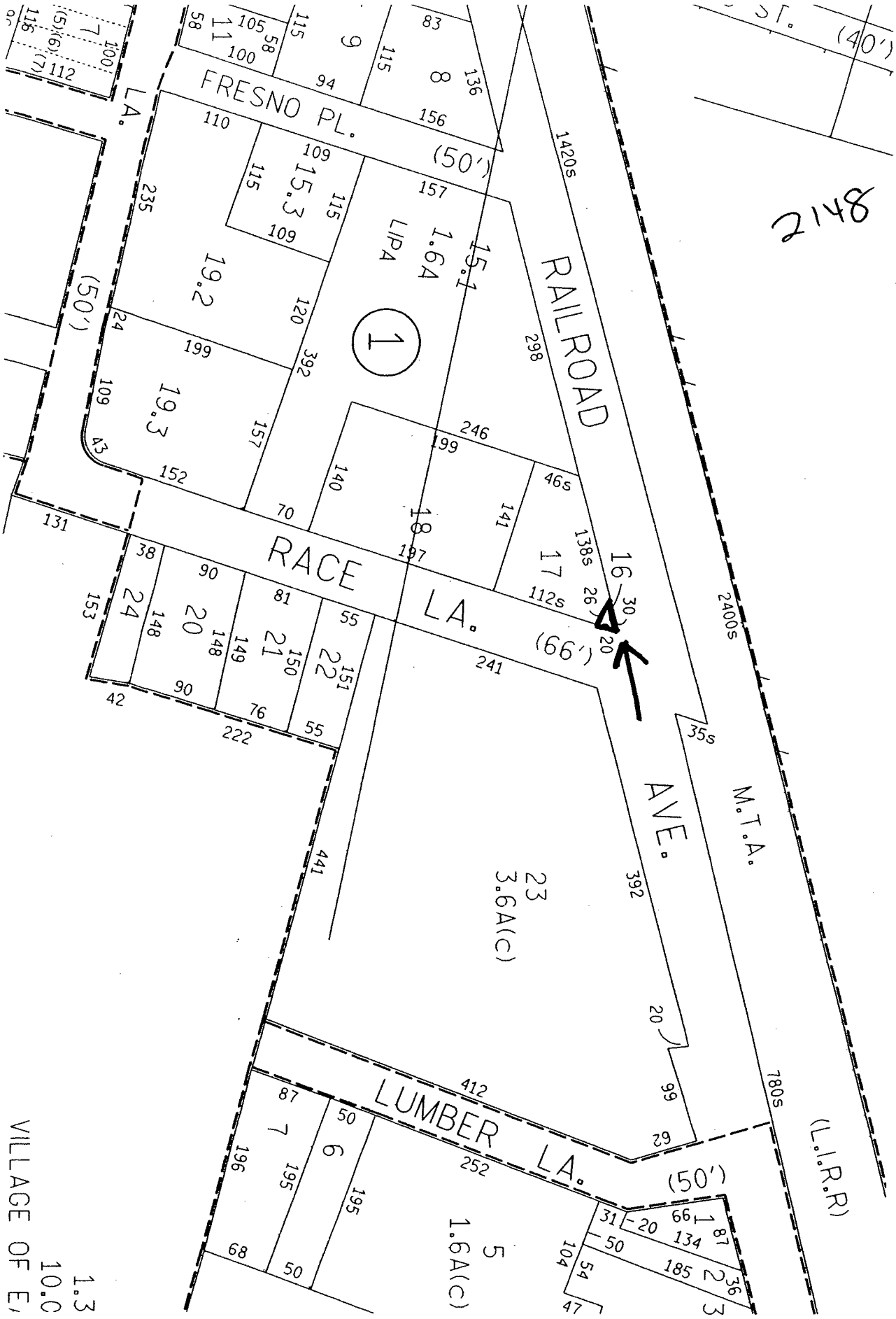
ADOPTED: October 7, 2010

Paul F. Rickenbach, Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Board of Trustees of the Village of East Hampton this 7th day of October, 2010

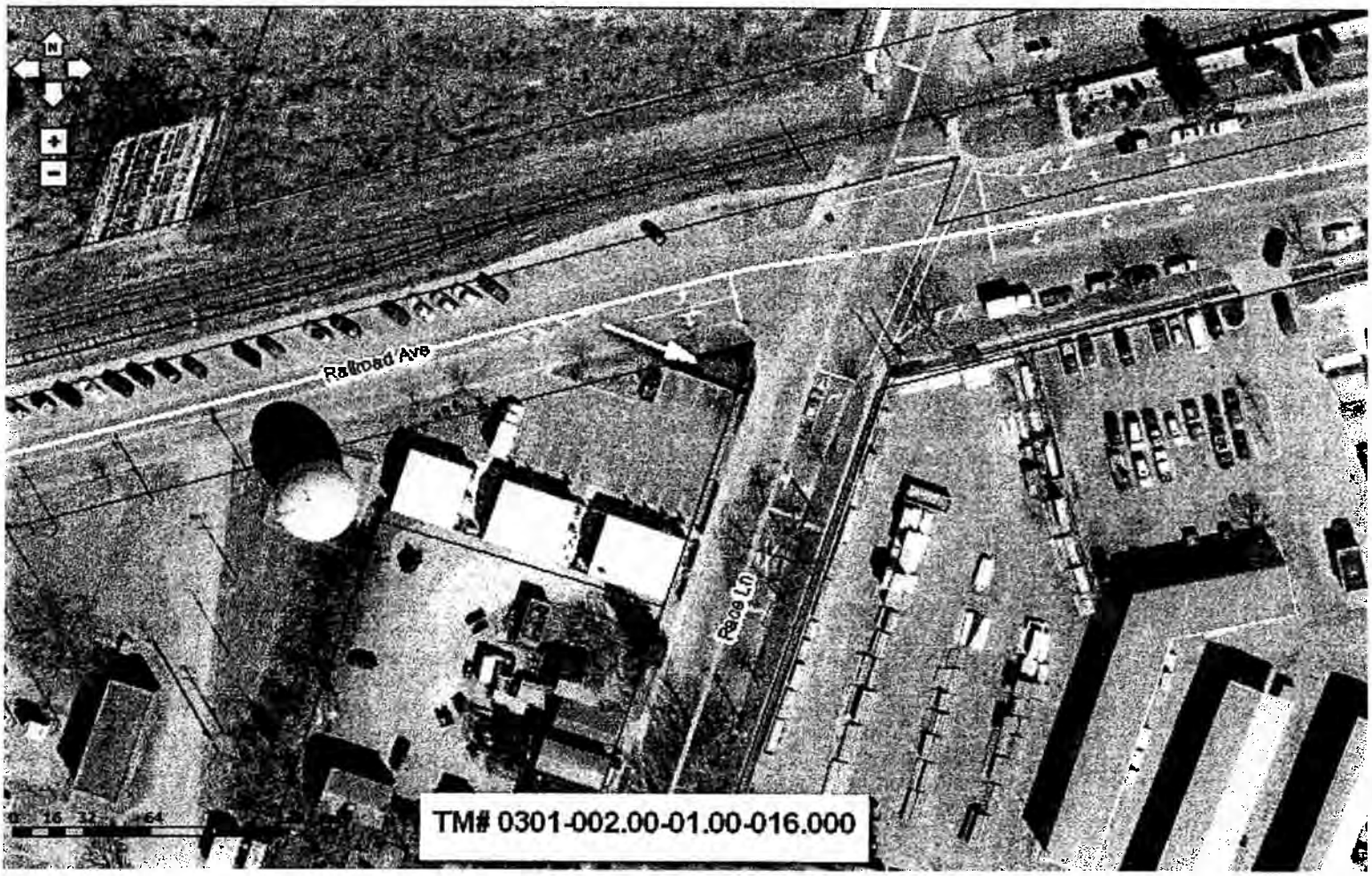
(SEAL)

Larry Cantwell
Village Administrator



TM # 0301-002.00-01.00-016.000

2148



2148

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

   Convey County owned parcel to the Incorporated Village of East Hampton, for highway purposes

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

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

   __X__County ____Town ____Economic Impact

   ____Village ____School District ____Other (Specify):

   ____Library District ____Fire District

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

   Loss of sale at public auction

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

   Unknown

8. Proposed Source of Funding

   Unknown

9. Timing of Impact

   2010

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

    R.J. Bhatt-LMS IV | RJ Bhatt | 11/18/10

COUNTY OF SUFFOLK

2148

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

November 18, 2010

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

Re: Tax Map No.: 0301-002.00-01.00-016.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to a Municipality, State, or Federal Government.

Dear Mr. Crannell:

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

Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Incorporated Village of East Hampton, for municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,

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

PJG:WRT:slb

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

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

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

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

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

Introductory Resolution No. 2149-10 Laid on Table 12/7/10

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 JANICE COOKE-GIUGLIANO (SCTM NO. 0400-245.00-02.00-017.000)

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 Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400 Section 245.00 Block 02.00 Lot 017.000 and acquired by Tax Deed on October 2, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 6, 2003 in Liber 12276 at CP 223 and described as follows, known and designated as Lots 42 and 43 in Block E on a certain map entitled "Map of Locust Park", and filed in the Office of the Clerk of the County of Suffolk on August 23, 1909 as Map No. 428 ,

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, Janice Cooke-Giugliano, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $3,800.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $3,800.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of $3,800.00, pursuant to said purchase offer; and

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

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

2nd **RESOLVED,** that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any 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 Quitclaim Deed to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Janice Cooke-Giugliano, 37 Ida Court, Dix Hills, New York 11746.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

2149

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

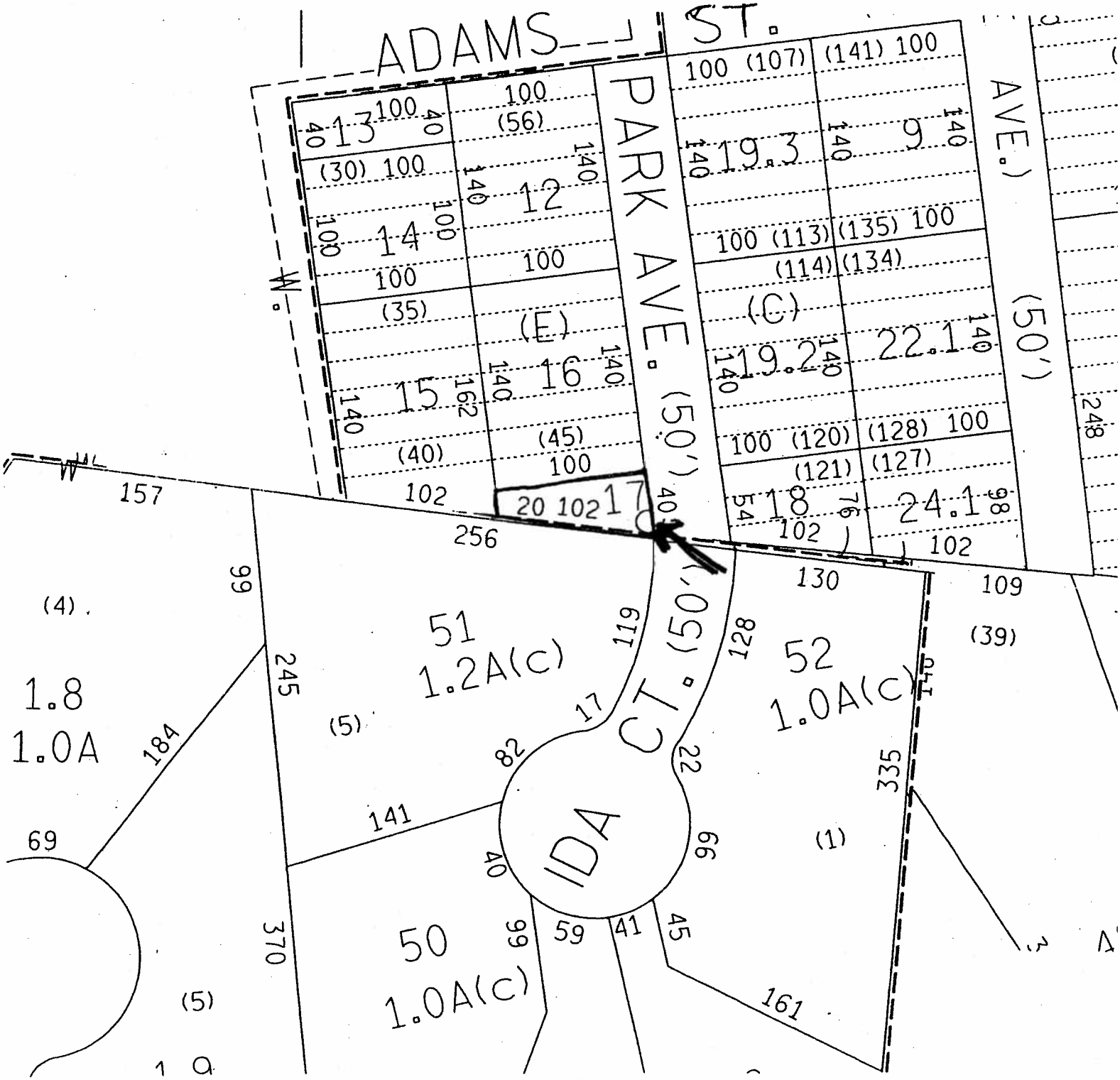
DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0400-245.00-02.00-017.000

ADJOINING OWNER	BID	BID	BID
Janice Cooke-Giugliano 37 Ida Court Dix Hills, New York 11746 0400-245.00-02.00-15.000 & 016.000	$3,800.00		
Giuseppina & Pietro Libardi 39 Ida Court Dix Hills, New York 11746 0400-243.00-02.00-051.000	$0		

SIZE OF PARCEL: 40' x 102' x 20' x 100'
APPRAISED VALUE: $3,800.00
COMMENT: Direct Sale to Adjacent Owner

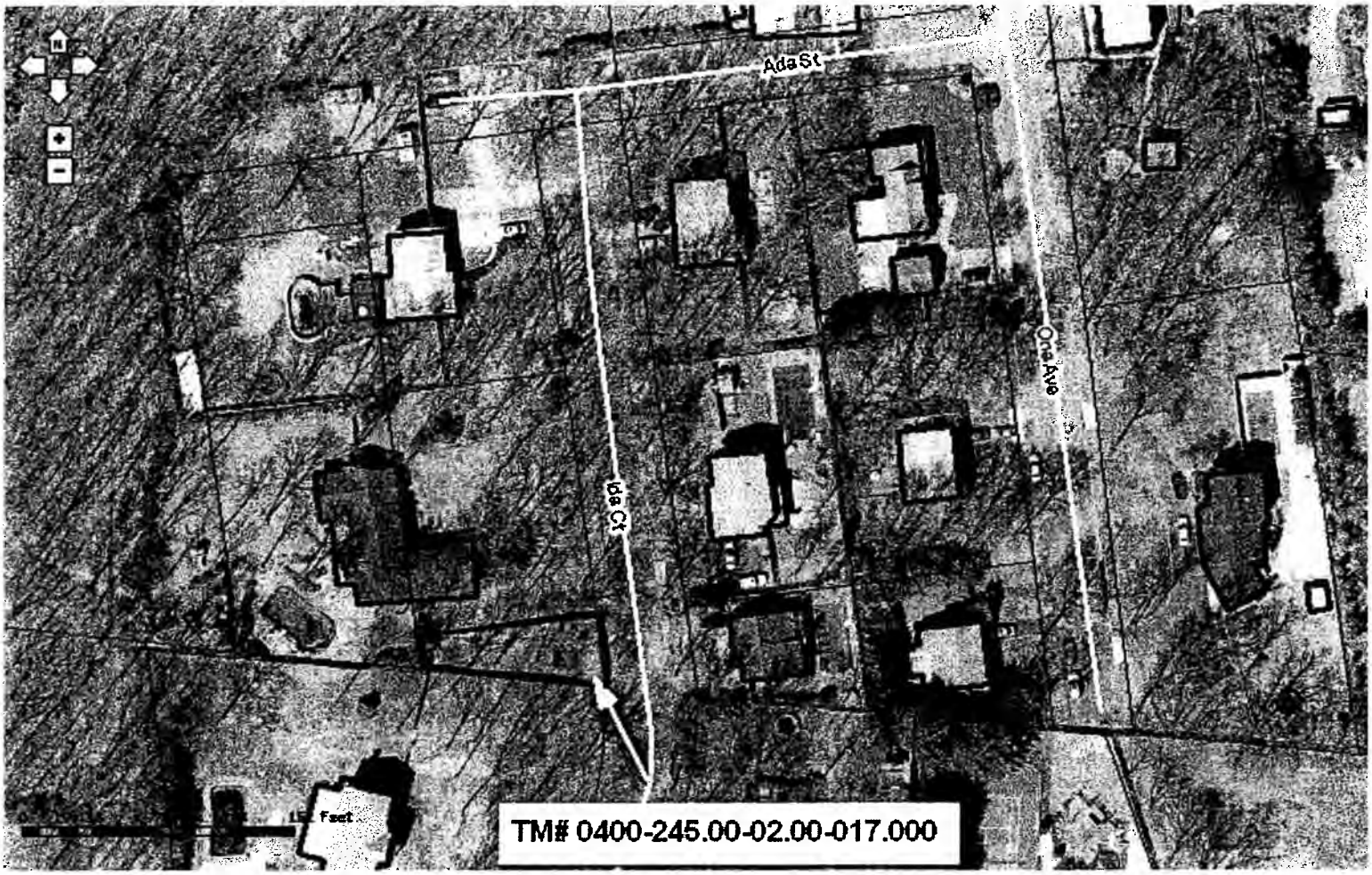
Wayne R. Thompson
Property Manager
(631) 853-5971

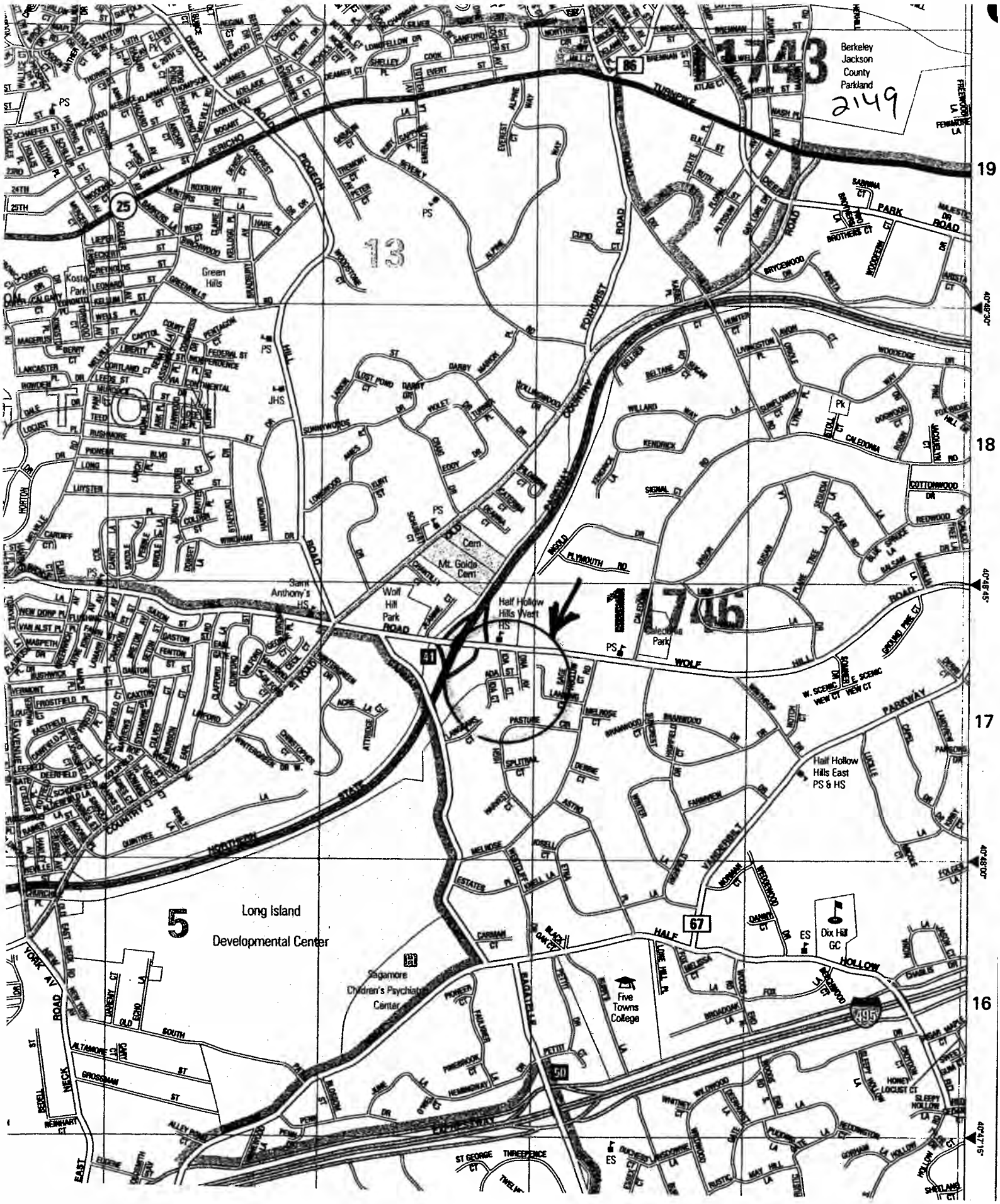
2149



Tm # 0400-245.00-02.00-017.000

2149





Tm# 0400-245.00-02.00-017.000

2149

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 RJ Bhatt 11/18/10

COUNTY OF SUFFOLK

2149

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

November 18, 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: 0400-245.00-02.00-017.000

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

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

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

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

Introductory Resolution No. 2150-10 Laid on Table 12/7/10

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
JOCELYN JEAN
0500-122.00-03.00-004.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 122.00, Block 03.00, Lot 004.000, and acquired by tax deed on September 28, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 29, 2009, in Liber 12601, at Page 425, and otherwise known and designated by the Town of Islip, as part of Lot 33 on a certain map entitled "Map of Pinewood Manor", filed in the Office of the Suffolk County Clerk on June 18, 1926 as Map No. 252; and

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

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

WHEREAS, JOCELYN JEAN has made application of said above described parcel and JOCELYN JEAN has paid the application fee and has paid $1,452.89, 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 JOCELYN JEAN, 19 South Lane, Huntington NY 11743, 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

2150

November 16, 2010

Tax Map No.: 0500-122.00-03.00-004.000
Name of Last Legal Fee Owner: JOCELYN JEAN

TREASURER'S COMPUTATION.....	$1,452.89
Taxes.....2009/2010.....	OPEN
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
TOTAL.....	$1,452.89
Monies Received.....	$1,452.89
RESOLUTION AMOUNT.....	$1,452.89

APPROVED:

Karen Blatter 11/16/10
Accounting
LS:lag

PREPARED BY:
Lori Sklar
Lori Sklar
Redemption Unit
(631)853-5937

COMPUTATION BY SUFFOLK COUNTY TREASURER

2150

DISTRICT	SECTION	BLOCK	LOT
0500	122.00	03.00	004.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	455.23
2007/08	472.92
2008/09	348.06

2009/10 PROPERTY TAXES PAID BY BAC TAX SERVICES

TOTAL: 1276.21

B. INTEREST DUE	107.49
C. TOTAL	1383.70
D. 5% LINE C	69.19
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $1,452.89

11/16/10

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. 27-Aug-10

Diane M. Stuke
Deputy County Treasurer

*Interest and penalty computed to and including 02/23/11

z

2150

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0500-122.00-03.00-004.000

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

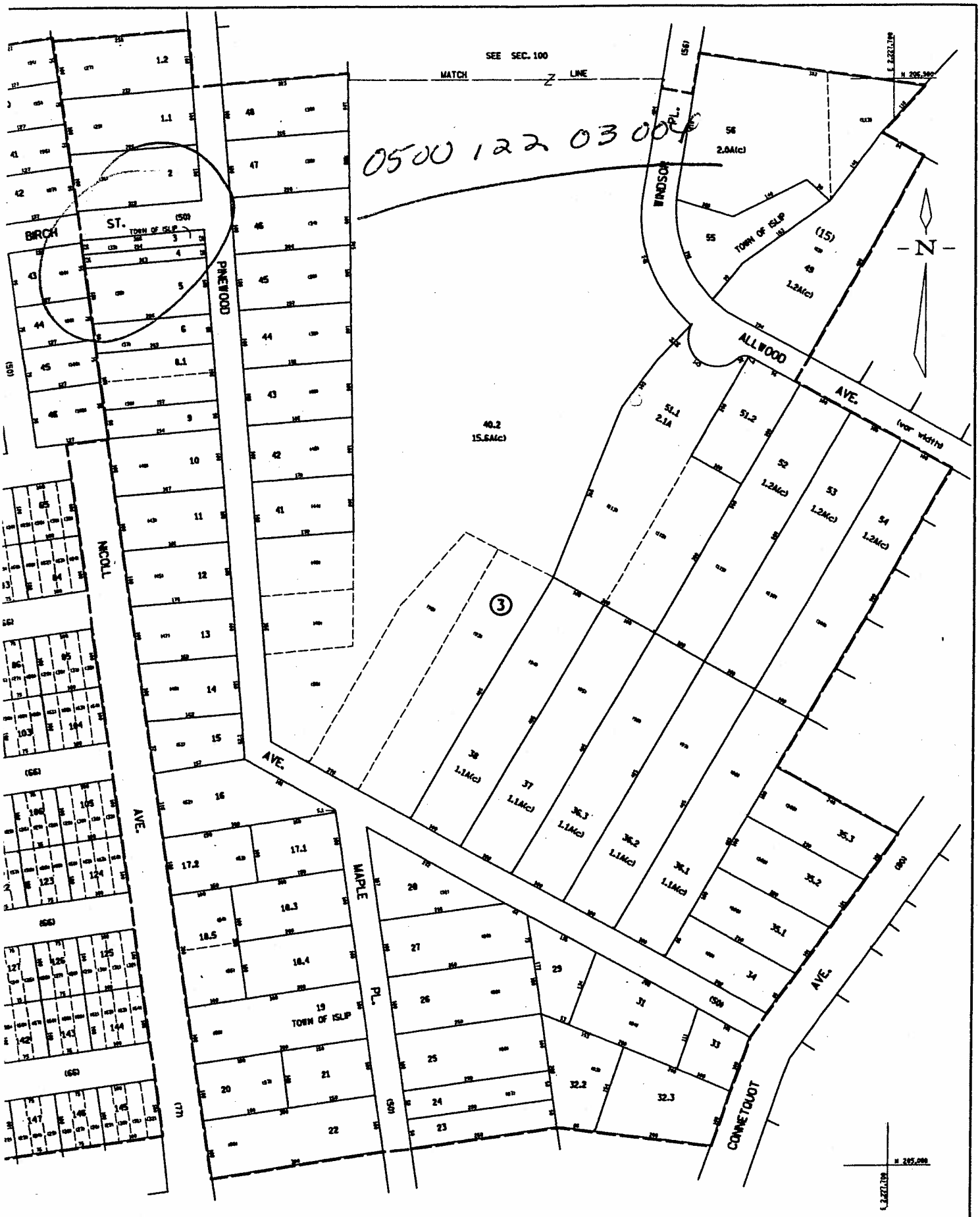
9. Timing of Impact

2010

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

Lori Sklar Lori Sklar 11/16/10

2150

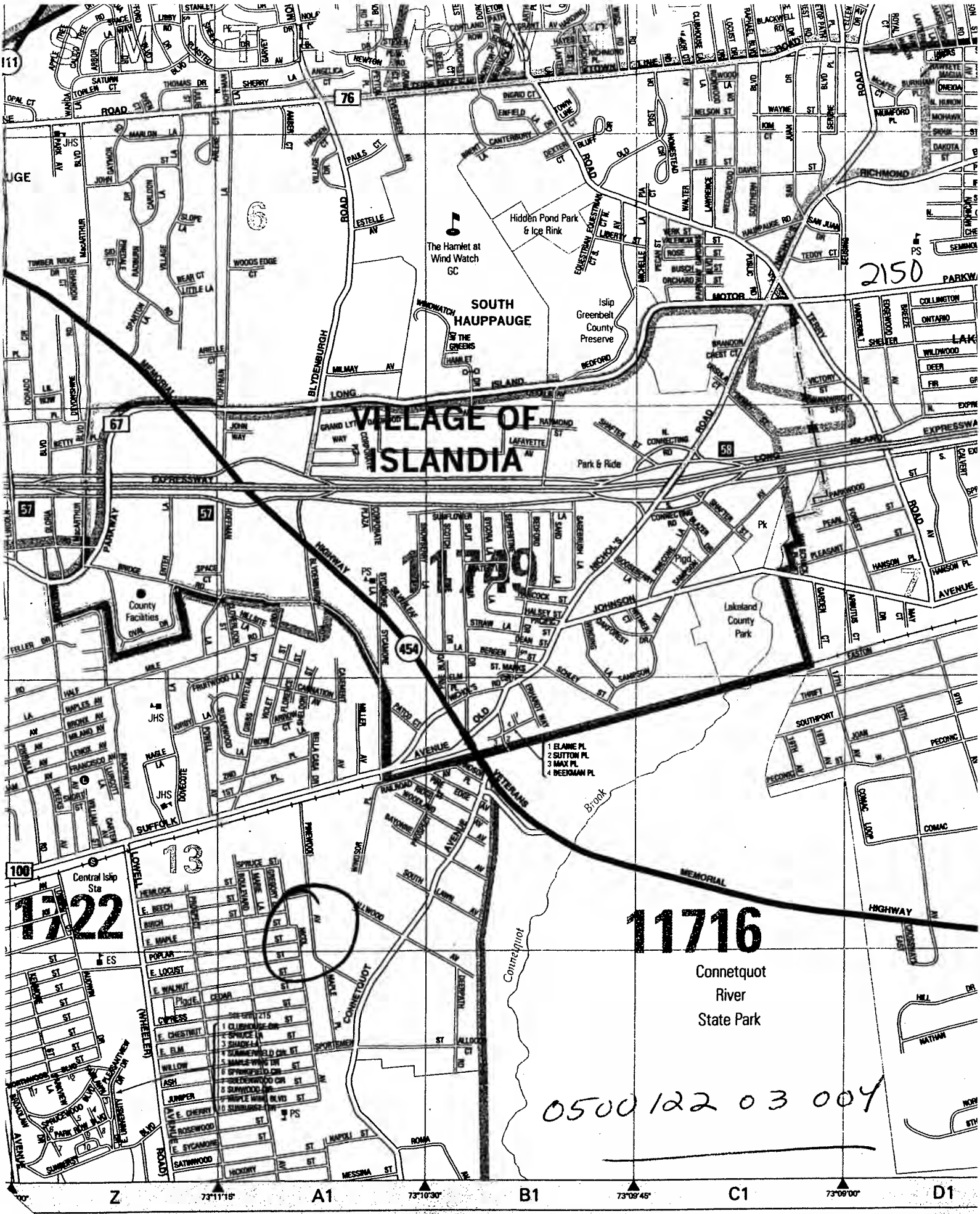


NOTICE
MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE

COUNTY OF SUFFOLK ©
Real Property Tax Service Agency

TOWN OF ISLIP
VILLAGE OF

SECTION NO
122



VILLAGE OF ISLANDIA
SOUTH HAUPPAUGE
The Hamlet at Wind Watch GC
Hidden Pond Park & Ice Rink
Islip Greenbelt County Preserve
Park & Ride
County Facilities
Lakeland County Park
Central Islip Sta
11749
11722
11716
Connetquot River State Park
1 ELAINE PL
2 SUTTON PL
3 MAX PL
4 BEEKMAN PL
2150
0500 122 03 004
Z
A1
B1
C1
D1
73°11'15"
73°10'30"
73°09'45"
73°09'00"
Joins Map 16
©Hagstrom Map

Introductory Resolution No. 2151-10 Laid on Table 12/7/10

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
ROSE LACASCIA, AS SURVIVING TENANT BY ENTIRETY
0100-020.00-03.00-002.000
0100-020.00-03.00-003.000

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 020.00, Block 03.00, Lot 002.000, 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,

Parcel I – 0100-020.00-03.00-002.000
Lots p/o 11 and p/o 12 in Block 11 on a certain map entitled "Map of Deer Park Terrace, Section 6", filed in the Office of the Suffolk County Clerk on June 20, 1927 as Map No. 653;

Parcel II – 0100-020.00-03.00-003.000
Lots p/o 13 and p/o 14 in Block 11 on a certain map entitled "Map of Deer Park Terrace, Section 6", filed in the Office of the Suffolk County Clerk on June 20, 1927 as Map No. 653; 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, ROSE LACASCIA, AS SURVIVING TENANT BY ENTIRETY has made application of said above described parcel and ROSE LACASCIA, AS SURVIVING TENANT BY ENTIRETY has paid the application fee and has paid $585.76, 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 ROSE LACASCIA, AS SURVIVING TENANT BY ENTIRETY, 11 Kenmore Street, Huntington 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

2151

November 16, 2010

Tax Map No.: 0100-020.00-03.00-002.000
0100-020.00-03.00-003.000
Name of Last Legal Fee Owner: ROSE LACASCIA, AS SURVIVING TENANT BY ENTIRETY

TREASURER'S COMPUTATION.....	$585.76
Taxes.....2009/2010.....	OPEN
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
TOTAL.....	$585.76
Monies Received.....	$585.76
RESOLUTION AMOUNT.....	$585.76

PREPARED BY:

Lori Sklar
Redemption Unit
(631)853-5937

APPROVED:

Karen A Slater 11/16/10
Accounting
LS:lag

COMPUTATIC BY SUFFOLK COUNTY TRE SURER

2151

DISTRICT	SECTION	BLOCK	LOT
0100	020.00	03.00	002.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	89.97
2007/08	94.27
2008/09	46.09
2009/10	47.51
TOTAL:	277.84
B. INTEREST DUE	23.69
C. TOTAL	301.53
D. 5% LINE C	15.08
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$316.61

11/16/10

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. 26-Oct-10

Diane M. Stuke
Deputy County Treasurer

*Interest and penalty computed to and including 04/24/11

z

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2151

1. Type of Legislation

Resolution X
Tax Map Number 0100-020.00-03.00-002.000
0100-020.00-03.00-003.000

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

Lori Sklar Lori Sklar 11/16/10

COMPUTATIC BY SUFFOLK COUNTY TRE SURER

2151

DISTRICT	SECTION	BLOCK	LOT
0100	020.00	03.00	003.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	78.87
2007/08	82.33
2008/09	36.88
2009/10	37.99
TOTAL:	236.07
B. INTEREST DUE	20.26
C. TOTAL	256.33
D. 5% LINE C	12.82
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$269.15

11/16/10

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. 26-Oct-10

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 04/24/11

dz

SCH.D. 16
L.D. 55
F.D. 14
EMERSON ST.
RUTLAND
DEER ST.
BREVOORT PL.
WELLINGTON
CAMBRIDGE
ELISE PL.
CLINTON PL.
PARK AVE.
WARWICK ST.
TOWN OF BABYLON
LEON PL.
JOHN PL.
DEER PARK BLVD.
CLAREMONT ST.
OLD COUNTRY ROAD
S.R. 231
SCH.D. 16
SCH.D. 7
MADISON AVE.
JEFFERSON AVE.
GLASGOW AVE.
NEW YORK AVE.
MORRISSEY PL.
PEARL ST.

0100-000-03-002.003

Suffolk Co.

Joins Map 9

Introductory Resolution No. 2152-10 Laid on Table 12/7/10

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
FRANK CATALFAMO AND MARY A. CATALFALMO, HIS WIFE
0200-980.50-01.00-048.001

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 980.50, Block 01.00, Lot 048.001, 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 04, 2007, in Liber 12520, at Page 725, and otherwise known and designated by the Town of Brookhaven, Lot No. 2821 as designated on a certain map entitled, "Fifth Map of Mastic Beach, Suffolk County, Long Island, NY" and filed in the Office of the Suffolk County Clerk on September 2, 1930 as File No. 1005; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 04, 2007 in Liber 12520 at Page 725.

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, FRANK CATALFAMO AND MARY A. CATALFALMO, HIS WIFE have made application of said above described parcel and FRANK CATALFAMO AND MARY A. CATALFALMO, HIS WIFE have paid the application fee and STEWART TITLE INSURANCE COMPANY has paid $925.82, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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 FRANK CATALFAMO AND MARY A. CATALFALMO, HIS WIFE, 41 Bay Road, Patchogue NY, 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: _____

2158

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

November 17, 2010

Tax Map No.: 0200-980.50-01.00-048.001
Name of Last Legal Fee Owner: FRANK CATALFAMO AND MARY A. CATALFALMO, HIS WIFE

TREASURER'S COMPUTATION.....	$925.82
Taxes.....2009/2010.....	INCLUDED
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
TOTAL.....	$925.82
Monies Received.....	$925.82
RESOLUTION AMOUNT.....	$925.82

APPROVED:

Karen A Slater 11/18/10
Accounting
DB:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

2150

DISTRICT	SECTION	BLOCK	LOT
0200	980.50	01.00	048.001

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	159.35
2005/06	170.23
2006/07	112.81
2007/08	120.29
2008/09	93.61
2009/10	94.30
TOTAL:	750.59
B. INTEREST DUE	131.15
C. TOTAL	881.74
D. 5% LINE C	44.09
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$925.82

.01 short
DG
11/18/10

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 03-Nov-10

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 05/02/11

dz

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2150

1. Type of Legislation

Resolution X
Tax Map Number 0200-980.50-01.00-048.001

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

4. Will the Proposed Legislation have a fiscal impact? Yes X No____

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

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

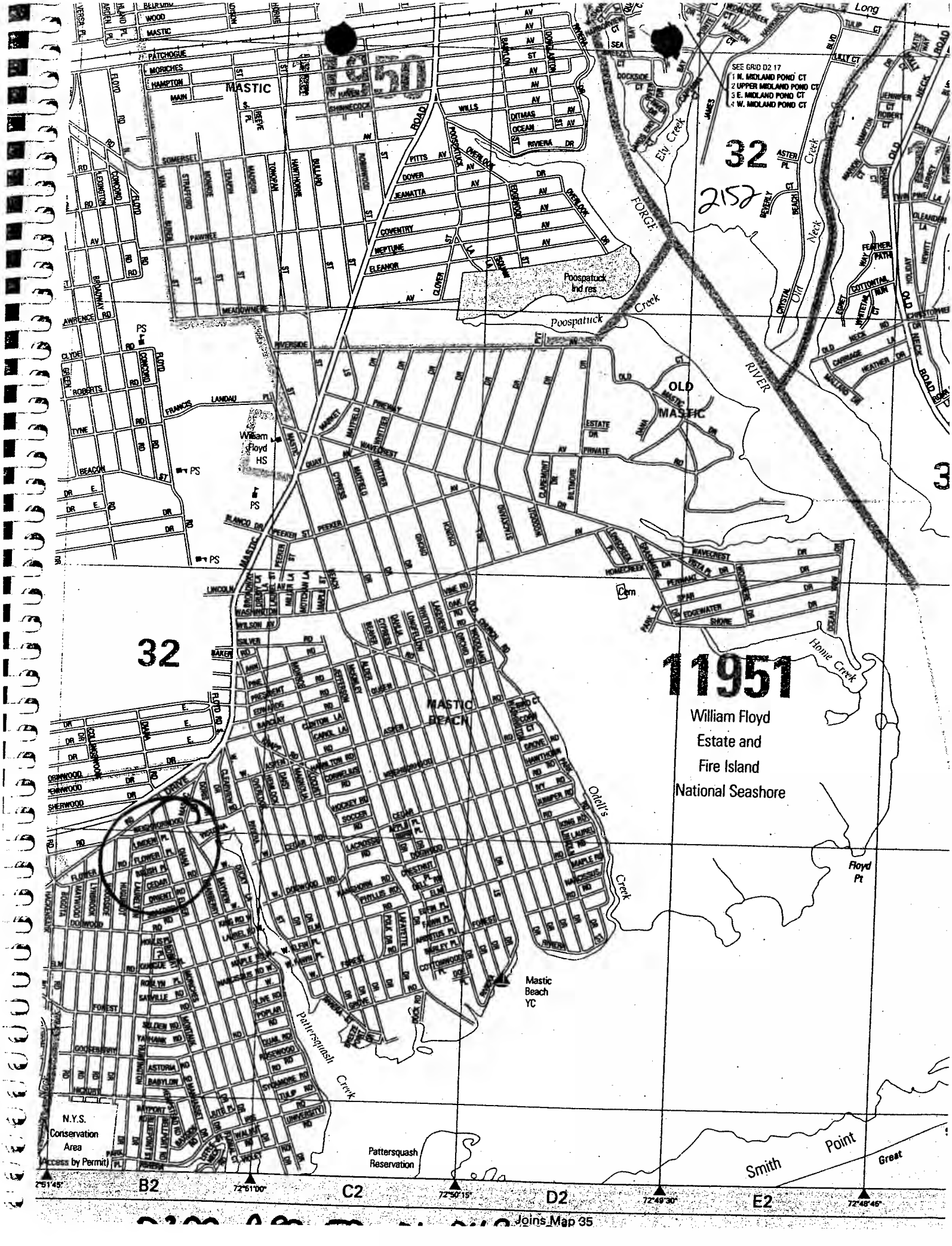
N/A

9. Timing of Impact

2010

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

Diane Bishop Diane Bishop 11/17/10



11951
William Floyd
Estate and
Fire Island
National Seashore
32
2152
SEE GRID D2 17
1 N. MIDLAND POND CT
2 UPPER MIDLAND POND CT
3 E. MIDLAND POND CT
4 W. MIDLAND POND CT
MASTIC
OLD MASTIC
MASTIC BEACH
Poospatuck Ind res
Poospatuck Creek
Ely Creek
Old Neck Creek
FORGE RIVER
Flome Creek
Odell's Creek
Pattersquash Creek
Pattersquash Reservation
Smith Point
Great
Floyd Pt
Mastic Beach YC
William Floyd HS
N.Y.S. Conservation Area (Access by Permit)
Cem
PS
B2
C2
D2
E2
72°51'45"
72°51'00"
72°50'15"
72°49'30"
72°48'45"
Joins Map 35

01.048.001

2152

Revisions
10-26-98
11-10-98
05-05-99
12-10-99
03-01-00
08-23-00
01-08-01
11-15-01
05-02-02
05-13-02
03-26-03
12-23-03
02-14-05
04-07-05
08-07-06
03-02-07

Frank & Mary Catalfamo

9971 thru 9978

211 Hugenot

VACANT WOODED

FIRE Hydrant

24 B

Property or RR Line		Subdivision Lot No.		Block Limit		School District Line — SCH —	Hydrant District Line — H —
Denotes Common Owner		Subdivision Block/Bldg. No.	(21)	Block No.	②	Fire District Line — F —	Refuse District Line — R —
Subdivision Lot Line		Deed Dimension		County Line		Water District Line — W —	Historical District Line — HST —
Stream / Shore		Scaled Dimension		Town Line		Light District Line — L —	Ambulance District Line — A —
Parcel No.	23	Deed Area	12.1 A(c)D or 12.1A			Park District Line — R —	

UNLESS DRAWN OTHERWISE, AL
ARE WITHIN THE FOLLOWING
SCHOOL 32 SEWER
FIRE FS2 HYDRANT
LIGHT LX1 WATER
PARK REFUSE

Introductory Resolution No. 2153-10 Laid on Table 12/7/10

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
ESTATE OF DONALD HUMEL, BY CHRISTINE HUMEL AS ADMINISTRATOR AS TO A 60% INTEREST AND PHILIP HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST AND BRUCE HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST
0500-213.00-02.00-011.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 213.00, Block 02.00, Lot 011.000, and acquired by tax deed on July 18, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 22, 2008, in Liber 12558, at Page 867, and otherwise known and designated by the Town of Islip, Suffolk County Tax Map Number District 0500, Section 213.00, Block 02.00, Lot 011.000; and

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

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

WHEREAS, MORTGAGEE, ERNEST E. RANALLI, ESQ. RETIREMENT PLAN & TRUST has made application of said above described parcel and MORTGAGEE, ERNEST E. RANALLI, ESQ. RETIREMENT PLAN & TRUST has paid the application fee and has paid $7,884.39, 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 ESTATE OF DONALD HUMEL, BY CHRISTINE HUMEL AS ADMINISTRATOR AS TO A 60% INTEREST AND PHILIP HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST AND BRUCE HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST, 45 Sarah Drive, Farmingdale, New York 11735 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

2153

November 08, 2010

Tax Map No.: 0500-213.00-02.00-011.000
Name of Last Legal Fee Owner: ESTATE OF DONALD HUMEL, BY CHRISTINE HUMEL AS ADMINISTRATOR AS TO A 60% INTEREST AND PHILIP HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST AND BRUCE HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST

TREASURER'S COMPUTATION.....	$6,870.56
Taxes.....2009/2010.....	$1,013.83
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
TOTAL.....	$7,884.39
Monies Received.....	$7,884.39
RESOLUTION AMOUNT.....	$7,884.39

APPROVED:

Karen A. Slater 11/10/10
Accounting
DB:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

2153

DISTRICT	SECTION	BLOCK	LOT
0500	213.00	02.00	011.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	1535.09
2006/07	1610.14
2007/08	1270.23
2008/09	1324.49

2009/10 PROPERTY TAXES $1,013.83 NOT INCLUDED IN COMPUTATION

TOTAL:	5739.95
B. INTEREST DUE	803.44
C. TOTAL	6543.39
D. 5% LINE C	327.17
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$6,870.56

11/10/10

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. 18-Aug-10

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 02/14/11

dz

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2153

1. Type of Legislation

Resolution X
Tax Map Number 0500-213.00-02.00-011.000

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

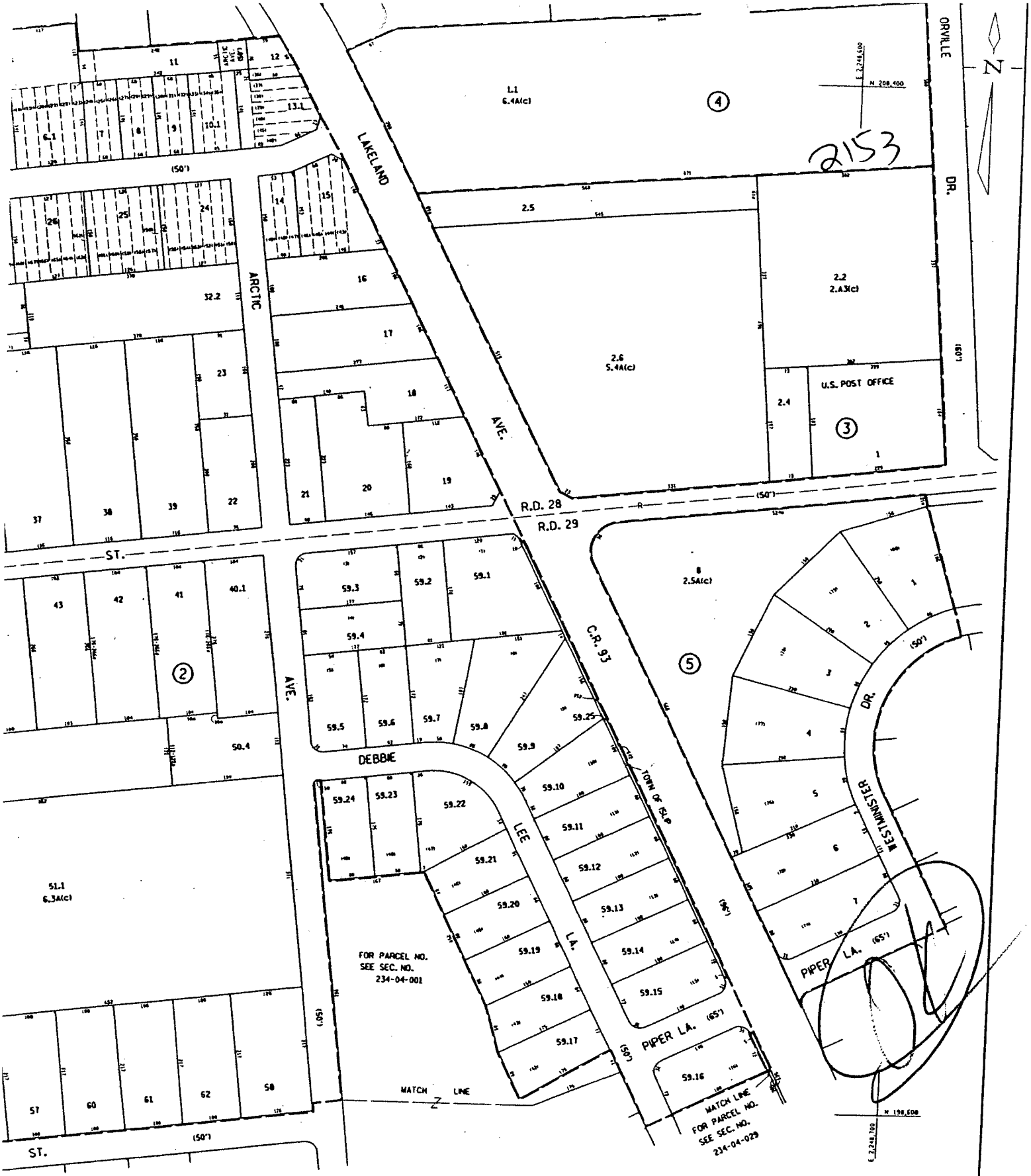
N/A

9. Timing of Impact

2010

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

Diane Bishop | Diane Bishop | 11/9/18



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

190	191	192
212	213	214
233	234	235

TOWN OF ISLIP
VILLAGE OF
DISTRICT NO 0500

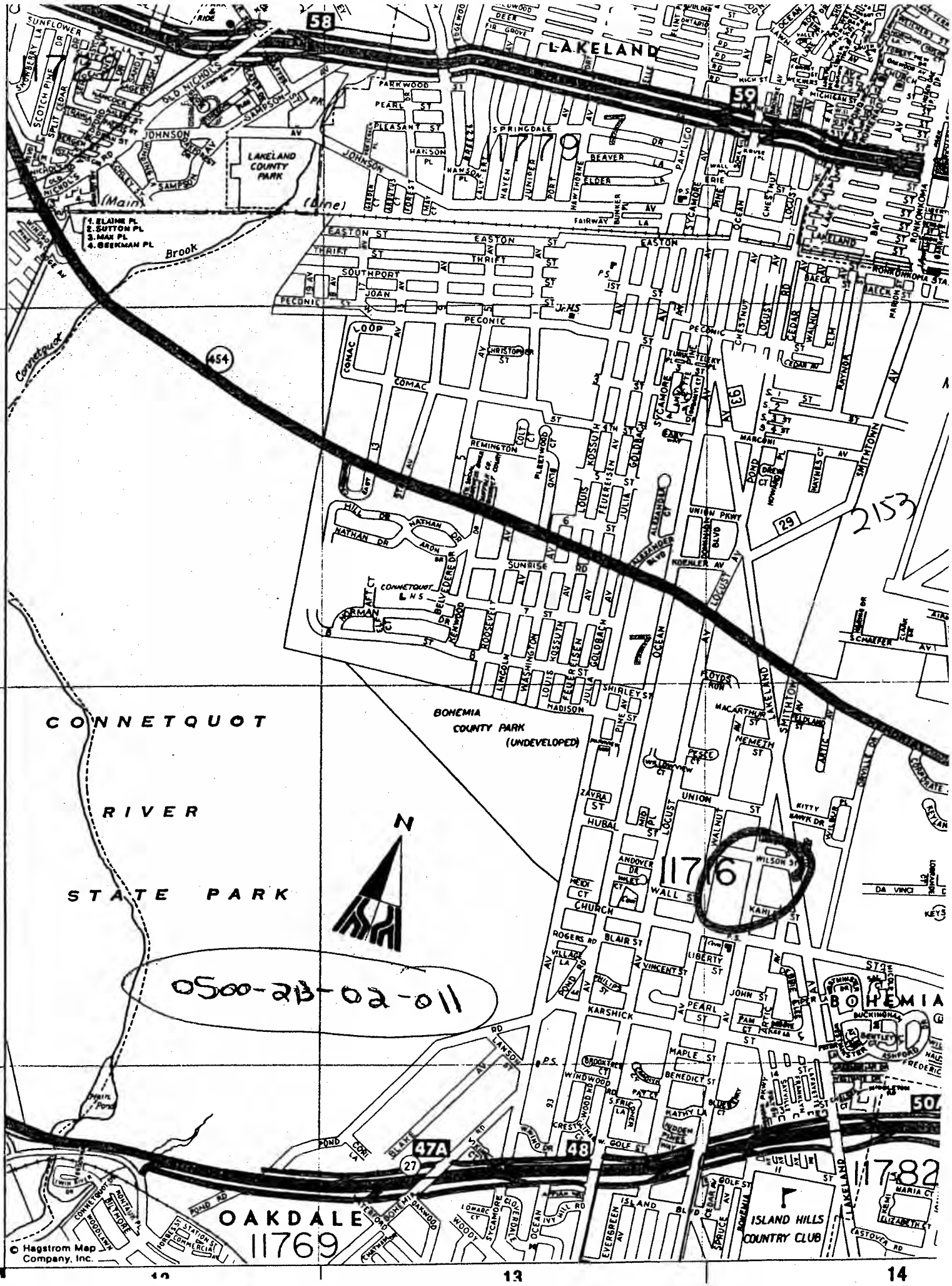
SECTION NO 213

PROPERTY MAP

CONVERSION DATE: Aug. 19, 1996

0500-213-02-011

FOR ADJOINING AREA SEE MAP NO.9 | SEE MAP NO.8



Introductory Resolution No. 2154-10 Laid on Table 12/7/10

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
ANGELA BOWMAN
0700-025.00-01.00-058.000

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 Shelter Island, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0700, Section 025.00, Block 01.00, Lot 058.000, and acquired by tax deed on March 05, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on March 05, 2010, in Liber 12618, at Page 360, and otherwise known and designated by the Town of Shelter Island, as Plot No. 8, 34 & 35, in Block No. 7 as shown on a certain map entitled, "Map of Section One, Silver Beach" and filed in the Office of the Clerk of Suffolk County, on July 27, 1929 as Map No. 191; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on March 05, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on March 05, 2010 in Liber 12618 at Page 360.

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, ANGELA BOWMAN has made application of said above described parcel and ANGELA BOWMAN has paid the application fee and has paid $20,728.95, 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 ANGELA BOWMAN, 18 Coves End Lane, Sag Harbor NY 11963, 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: _____

2154

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

November 18, 2010

Tax Map No.: 0700-025.00-01.00-058.000
Name of Last Legal Fee Owner: ANGELA BOWMAN

TREASURER'S COMPUTATION	$16,728.95
Taxes.....2009/2010	INCLUDED
License/Storage Fee	$4,000.00
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$20,728.95
Monies Received	$20,728.95
RESOLUTION AMOUNT	$20,728.95

APPROVED:

Karen A Slater 11/19/10
Accounting
DB:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

2154

DISTRICT	SECTION	BLOCK	LOT
0700	025.00	01.00	058.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	3024.78
2006/07	2334.27
2007/08	4273.74
2008/09	3884.43
2009/10	1569.72
TOTAL:	15086.94
B. INTEREST DUE	845.39
C. TOTAL	15932.33
D. 5% LINE C	796.62
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$16,728.95

11/19/10

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 02-Sep-10

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 03/01/11

dz

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0700-025.00-01.00-058.000

2154

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

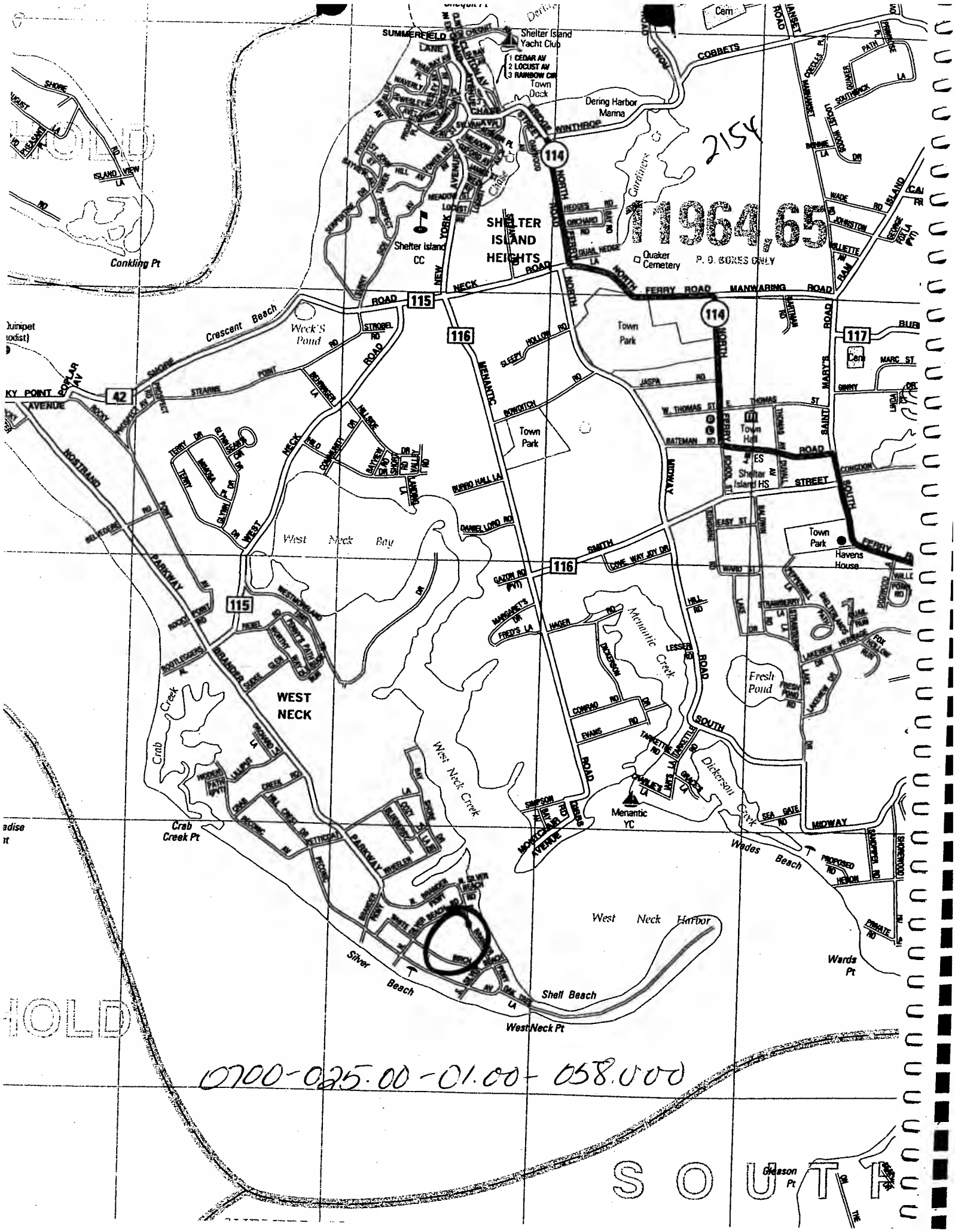
N/A

9. Timing of Impact

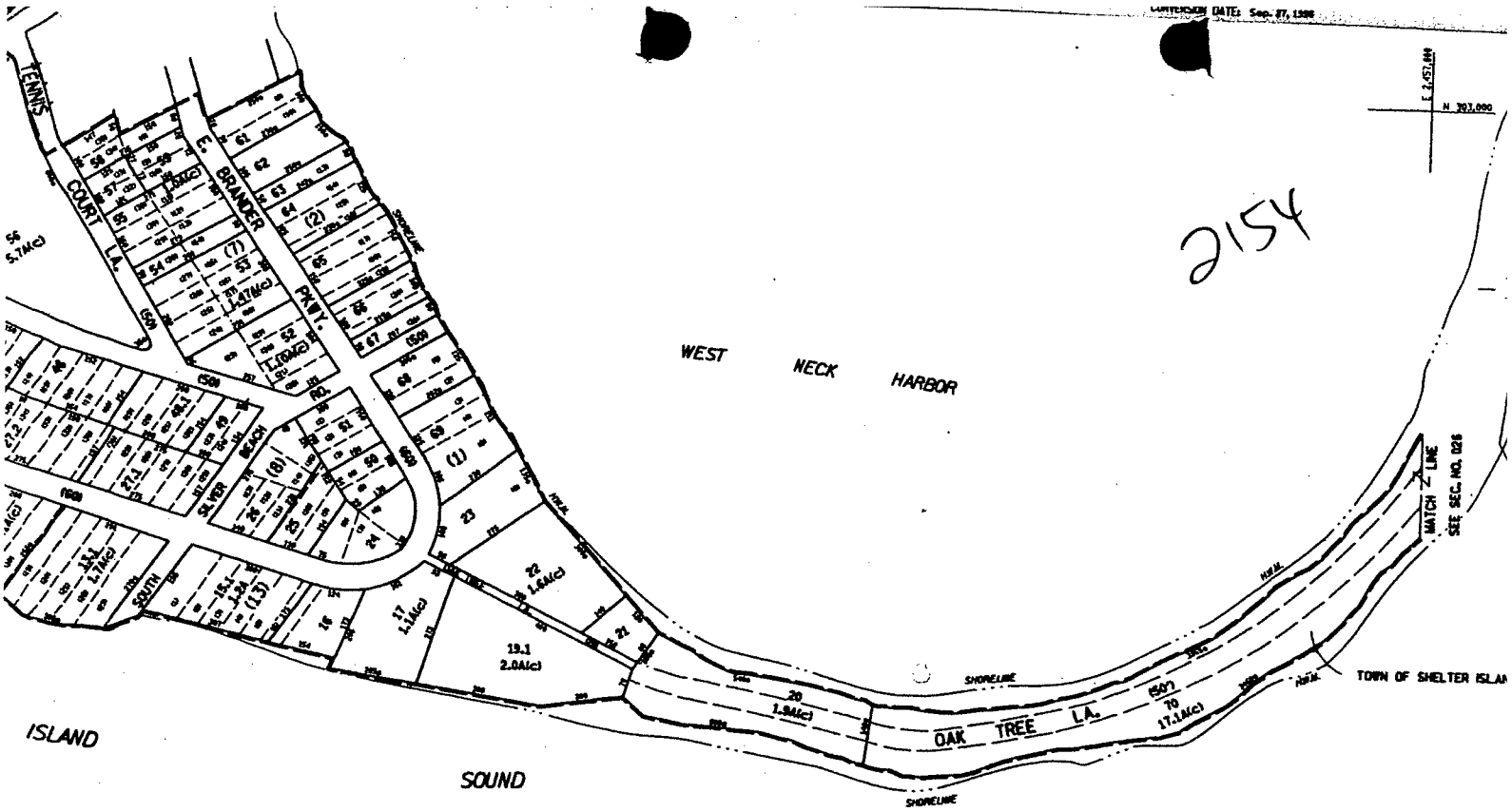
2010

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

Diane Bishop | Diane Bishop | 11/18/10


Shelter Island Yacht Club
1 CEDAR AV
2 LOCUST AV
3 RAINBOW CIR
Town Dock
Dering Harbor Marina
SHELTER ISLAND HEIGHTS
Shelter Island CC
Quaker Cemetery
P. O. BOXES ONLY
Conkling Pt
Crescent Beach
Weck'S Pond
Town Park
Town Hall
Shelter Island HS
Havens House
West Neck Bay
WEST NECK
Crab Creek
Crab Creek Pt
West Neck Creek
Menantic Creek
Fresh Pond
Menantic YC
Dickerson Creek
Wades Beach
West Neck Harbor
Silver Beach
Shell Beach
West Neck Pt
Wards Pt
Gleason Pt
1964,65
2154
0700-025.00-01.00-058.000
HOLD
SOUTH

CONVERSION DATE: Sep. 27, 1996



0700-025.00-01.00-058.000

OTHERWISE, ALL PROPERTIES FOLLOWING DISTRICTS: SEWER ___ HYDRANT ___ WATER ___ REFUSE ___ WASTEWATER ___	NOTICE MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.	COUNTY OF SUFFOLK © Real Property Tax Service Agency County Center Riverhead, N Y 11901 SCALE IN FEET:	KEY MAP	TOWN OF SHELTER ISLAND VILLAGE OF DISTRICT NO 0700	SECTION NO 025 PROPERTY MAP

CONVERSION DATE: Apr. 01, 1997

2155

12/7/10

Intro. Res. No. -2010 Laid on the Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010, UPDATING RESO. NO. 1045-2008 REQUIRING IDENTIFICATION OF COUNTY PURCHASING PERSONNEL PURSUANT TO NEW YORK GENERAL MUNICIPAL LAW SECTION 104-b

WHEREAS, Legislative Resolution No. 1045-2008, "Requiring Identification Of County Purchasing Personnel to the County's Procurement Policies and Procedures," identified the individual or individuals responsible for purchasing and their respective titles as required by section 104-b(f) of the General Municipal Law; and

WHEREAS, General Municipal Law Section 104-b(f) also requires such information be updated biennially; now therefore be it

1st **RESOLVED,** that the following County personnel are herby authorized, empowered and directed to implement the foregoing County procurement policies and procedures:

a.) Kathleen Koppenhoefer, General Services Manager, Department of Public Works;

b.) Gilbert Anderson, Commissioner, Department of Public Works;

c.) Anita S. Katz, Commissioner Board of Elections; and

d.) Wayne Rogers, Commissioner Board of Elections.

and be it further

2nd **RESOLVED,** this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Park 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

2156

UPDATED AS OF 12/1/2010

Intro. Res. No. -2010 Laid on Table 12/7/10
Introduced by Legislator Nowick

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW TO ALERT CONSUMERS TO THE HEALTH RISKS ASSOCIATED WITH ENERGY DRINKS

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 ALERT CONSUMERS TO THE HEALTH RISKS ASSOCIATED WITH ENERGY DRINKS**" 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 ALERT CONSUMERS TO THE HEALTH RISKS ASSOCIATED WITH ENERGY DRINKS

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 energy drinks are very popular, particularly among young people.

This Legislature also finds and determines that energy drinks are classified as dietary supplements and are not currently regulated by the FDA.

This Legislature further finds and determines that energy drinks contain up to 800 milligrams of caffeine per serving, the equivalent of eight cups of coffee. The exact caffeine content of these drinks is not required to be disclosed as nutritional information.

This Legislature finds that energy drinks also contain a blend of herbal supplements, vitamins and amino acids, such as glucose, guarana, taurine, vitamin B6, vitamin B12, yerbamate, bitter orange, ginger, ginkgo, St. John's wort, and ginseng, the exact contents of which are also not disclosed.

This Legislature determines that the potent combination of caffeine, sugar, carbohydrates, herbs, vitamins and amino acids found in energy drinks can pose significant health risks to consumers.

This Legislature also finds that consuming energy drinks can have significant adverse effects, including aggravating heart conditions, cause headaches, rapid heartbeat, nervousness, irritability, sleeplessness, dehydration, abnormal heart rhythms, and stomach upset and even death.

This Legislature finds that consuming energy drinks can be particularly dangerous for individuals with heart problems and may interfere with medications prescribed for certain conditions, including attention deficit disorder, allergies, asthma, and birth control pills.

This Legislature also determines that energy drinks are frequently combined with alcohol, which can mask an individual's intoxication level, leading to increased alcohol consumption and additional health risks.

This Legislature finds that most consumers are unaware of the serious health risks posed by consuming energy drinks.

Therefore, the purpose of this law is to require retail establishments that sell energy drinks in Suffolk County to post signs informing consumers of the negative effects associated with consuming energy drinks.

Section 2. Definitions.

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

"ENERGY DRINK" shall mean a soft drink that is classified as a dietary supplement not regulated by the Food and Drug Administration and that contains 80 or more milligrams of caffeine per 8 fluid ounces and generally includes a combination of methylxanthines, B vitamins and herbal ingredients and other ingredients which are advertised as being specifically designed to provide or increase energy.

"RETAIL ESTABLISHMENT" shall mean any outlet, store, shop, mercantile establishment or other place of business engaged in the retail sale of goods or merchandise directly to consumers for consumption on or off premises, and shall include vending machines.

Section 3. Sign Requirements.

Any retail establishment in Suffolk County that sells or offers for sale energy drinks shall post a sign or poster which shall have conspicuous lettering in all capital letters and not less than a quarter inch in height on a contrasting background stating:

ENERGY DRINKS WARNING

ENERGY DRINKS MAY CONTAIN LARGE QUANTITIES OF CAFFEINE AND OTHER INGREDIENTS, INCLUDING HERBAL SUPPLEMENTS, AMINO ACIDS AND VITAMINS. CONSUMPTION OF THESE BEVERAGES MAY AGGRAVATE HEART CONDITIONS, CAUSE HEADACHES, RAPID HEARTBEAT, DEHYDRATION, DISRUPTION OF SLEEP PATTERNS AND CONCENTRATION, AND IN RARE CASES, DEATH. THESE EFFECTS MAY BE MAGNIFIED IN CHILDREN UNDER AGE 19. THE INGREDIENTS OF THESE DRINKS MAY INTERFERE WITH CERTAIN PRESCRIPTION MEDICATIONS FOR ATTENTION DEFICIT DISORDER, ASTHMA, ALLERGIES, BIRTH CONTROL AND OTHER CONDITIONS. MIXING ENERGY DRINKS WITH ALCOHOL OR OTHER DRUGS MAY POSE ADDITIONAL HEALTH RISKS.

Section 4. Penalties.

Violation of this law shall be punishable by a civil fine of up to two hundred fifty dollars ($250) for a first violation, with subsequent violations punishable by a fine of up to seven hundred fifty dollars ($750).

Section 5. Rules and Regulations.

The Commissioner of the Department of Health Services is hereby authorized and empowered to promulgate rules and regulations necessary for the implementation of the provisions of this law.

Section 6. Applicability.

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

Section 7. Severability.

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

Section 8. SEQRA Determination.

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

Section 9. Effective Date.

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

DATED:

APPROVED BY:

OFFICE OF THE COUNTY LEGISLATURE

2156

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: DECEMBER 2. 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. 2156-2010; A LOCAL LAW TO ALERT CONSUMERS TO THE HEALTH RISKS ASSOCIATED WITH ENERGY DRINKS

SPONSOR: LEGISLATOR NOWICK

DATE OF RECEIPT BY COUNSEL:	11/29/2010	PUBLIC HEARING:	12/21/2010
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

This proposed local law would require all retail establishments[1] that sell energy drinks[2] in Suffolk County to post signs stating the risks associated with consuming energy drinks.

This law will be enforced by the Department of Health Services. Violation of this law shall be punishable by a civil fine of up to two hundred fifty dollars ($250) for a first violation, with subsequent violations punishable by a fine of up to seven hundred fifty dollars ($750).

This law will take effect 120 days after its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-signs-energy-drinks

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[1] "Retail establishment" is defined as "any outlet, store, shop, mercantile establishment or other place of business engaged in the retail sale of goods or merchandise directly to consumers for consumption on or off premises, and shall include vending machines."

[2] "Energy drink" is defined as "a soft drink that is classified as a dietary supplement not regulated by the Food and Drug Administration and that contains 80 or more milligrams of caffeine per 8 fluid ounces and generally includes a combination of methylxanthines, B vitamins and herbal ingredients and other ingredients which are advertised as being specifically designed to provide or increase energy."

Intro. Res. No. 2157-10 Laid on the Table 12/7/10
Requested by the Commissioner of Public Works
Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. - 2010, APPROVING THE VECTOR CONTROL PLAN OF THE DEPARTMENT OF PUBLIC WORKS DIVISION OF VECTOR CONTROL PURSUANT TO SECTION C8-4(B)(2) OF THE SUFFOLK COUNTY CHARTER

WHEREAS, the Department of Public Works, Division of Vector Control is responsible for the suppression of mosquitoes, ticks and other arthropods which are vectors of human disease and require public action for control; and

WHEREAS, Section C8-4(B)(2) of the Suffolk County Charter requires the annual filing of a Vector Control Plan with the Legislature outlining the work to be done, methods to be employed and general description of lands to be entered to carry out these responsibilities; and

WHEREAS, the Vector Control 2011 Annual Plan of Work was filed with the Clerk of the Legislature; and

WHEREAS, at its meeting on October 20, 2010, the Suffolk County Council on Environmental Quality recommended a determination that the Vector Control 2011 Annual Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions as set forth in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement, as approved by Suffolk County in Resolution No. 285-2007, and that, therefore, no further compliance is required pursuant to Title 6 New York Code of Rules and Regulations (NYCRR) Section 617.10(d)(1) and the State Environmental Quality Review Act, N.Y. Envtl. Conserv. Law Art. 8 (SEQRA); and

WHEREAS, this Legislature, being the SEQRA lead agency, has independently considered the FGEIS, Findings Statement, Environmental Assessment Form (EAF) and relevant testimony and materials concerning the same; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that, as demonstrated in the Environmental Assessment Form and relevant documents and testimony, the Vector Control 2011 Annual Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement as approved by Suffolk County in Resolution No. 285-2007; and, be it further

2nd RESOLVED, and determined that, pursuant to Title 6 New York Code of Rules and Regulations Section 617.10(d)(1), implementation of this action requires no further SEQRA compliance; and, be it further

3rd 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; and be it further

4th RESOLVED, that the Vector Control 2011 Annual Plan of Work is hereby approved in its entirety.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

2157

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. –2010, APPROVING THE VECTOR CONTROL PLAN OF THE DEPARTMENT OF PUBLIC WORKS DIVISION OF VECTOR CONTROL PURSUANT TO SECTION C8-4(B)(2) OF THE SUFFOLK COUNTY CHARTER

3. Purpose of Proposed Legislation

APPROVAL IS REQUIRED UNDER THE COUNTY CHARTER TO CONTINUE THE VECTOR CONTROL PROGRAM.

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

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

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

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

FUNDING IS INCLUDED IN THE OPERATING BUDGET.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

Upon Approval.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		November 15, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2157

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.

To be completed by the Executive Budget Office

SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS
DIVISION OF VECTOR CONTROL

2011 ANNUAL PLAN OF WORK

The Suffolk County Department of Public Works, Division of Vector Control, is responsible under the County Charter for controlling mosquito infestations that are of public health importance. The Division's responsibility is to control mosquito infestations that significantly threaten public health, or create social or economic problems for the communities in which they occur. The Division meets its responsibilities in consultation with the Suffolk County Department of Health Services (SCDHS) and the appropriate federal, state and local agencies. This Plan of Work has been prepared pursuant to and in compliance with the Vector Control and Wetlands Management Long Term Plan and Generic Environmental Impact Statement (the Long Term Plan). The Long Term Plan was approved by the County Legislature as Resolution 285-2007 on March 20, 2007 and signed by the County Executive on March 22, 2007. The 2011 Annual Plan of Work is therefore governed by State Environmental Quality Review Act (SEQRA) Regulation 617.10(d)(1) which provides the following: "When a final generic EIS has been filed under this part (1) no further SEQR compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement." This issue is also discussed in the Findings, appended hereto, pages 7 and 58. This Annual Plan complies with the reporting requirements in Executive Order 15-2007 (Suffolk County Vector Control Pesticide Management Committee) and Resolution 285-2007 (which adopts the Findings Statement for the Long-Term Plan). The reporting requirements of Resolution 285-2007 are satisfied within this Annual Plan, and the Pesticide Management Committee will submit a report to CEQ independently to satisfy Executive Order 15-2007.

2011 SUMMARY

1. Water Management: Water Management activities will conform to the guidelines outlined in the Long Term Plan and Finding statement's Wetlands Best Management Practices (BMP's). Because the Wetlands Stewardship Program is in its initial phases, 2011 water management will be consist primarily of maintenance of existing structures as described in BMP's 2, 3 and 4 in the Findings Statement and Long Term Plan. Other water management activity will depend on the guidance of the Wetlands Stewardship Program as it develops definitions of wetlands health and guidance for additional BMP's. Any water management work, other than measures specified in BMP's 2, 3, and 4, would have to undergo review under SEQRA, and would be subject to Suffolk County's Council of Environmental Quality (CEQ) review, as well. As per the attached Findings, machine ditch maintenance will be minimal (a maximum of 50,000 linear feet, and probably significantly less). Notice of all machine maintenance work will be provided to CEQ, prior to commencing the work.

2. Larval Control: Perform approximately 15,000 inspections of larval sites. Treat approximately 30,000 acres with Vectobac (*Bacillus thuringiensis israelensis* or *Bti)*, Vectolex (*Bacillus sphaericus*) or Altosid (methoprene).

3. Adult Control: Conduct adult control when infestations are severe and widespread and/or necessary to respond to the presence of pathogens.

4. Research and Surveillance: Collect and process 10,000-12,000 larval and adult mosquito samples, depending on mosquito populations and viral activity. Collect and process approximately 50,000 mosquitoes for arbovirus surveillance. Evaluate the effectiveness of treatments. Perform special studies of problem areas, such as identifying the sources of unusual infestations or finding larval habitats of problem species.

Technical and Institutional Framework for Vector Control

To achieve this goal, the Division employs an integrated control program. Control measures are employed in a hierarchical manner that emphasizes prevention, and are guided by a surveillance program to ensure that control measures are only directed to address a clear need. Control proceeds from the more permanent, generally more "environmentally friendly" measures such as water management and biological control through the highly specific larvicides, and uses chemical controls such as adulticides only after other measures prove to be either insufficient or not feasible. This integrated approach is recognized as the most effective and environmentally sound manner in which to conduct a mosquito control program.

Because mosquitoes are of public health importance, the Division works closely with SCDHS. SCDHS operates the Arthropod-Borne Disease Laboratory, with operational support provided by the Division. The laboratory conducts surveillance for mosquito populations and disease activity. The results of this surveillance are used to guide and evaluate the Division's control work. During times of a public health threat, the Division comes under the operational control of SCDHS. SCDHS is also responsible for other activities related to mosquitoes and the public health, such as medical surveillance, sanitation, environmental monitoring, community outreach and public education.

The New York State Department of Health (DOH) provides important support to the program by analyzing mosquito samples for pathogens, providing technical advice and determining when a public health threat exists. DOH also provides significant assistance with public education, as well as financial aid for vector surveillance and control. Because mosquito control involves work in environmentally sensitive areas and the use of pesticides, environmental compliance and protection are important components of the program. The Division is heavily regulated and subject to inspection under a series of New York State Department of Environmental Conservation (DEC) permits, as well as regulations pertaining to the use of pesticides and licensing of applicators. Close contact is maintained with DEC, United States Fish and Wildlife Services (USFWS) and other agencies throughout the year to ensure that all work is conducted to a high environmental standard.

2011 PROGRAM COMPONENTS

WATER MANAGEMENT: All field personnel (36), 20 trucks, 6 trailers, 6 tracked vehicles and 2 drainage pipe cleaners conduct this component. It is performed from January 1 to April 30, and October 1 to December 31 (approximate dates).

Water management is a functional way to reduce the need for pesticide applications. The Division expects to conduct water management in each of the County's ten towns. The work will be performed on a priority, as needed basis. Highest priority is assigned to larval habitats where infestations have the greatest potential for negative impact. In particular, areas that showed unexpectedly high infestations in 2010 will have high priority over the coming winter. Water management activities will be carried out in such a manner so that the primary goal of the work will be to protect the health of the marsh.

The purpose of water management is to minimize mosquito production through maintaining existing systems of ditches, culverts and other structures that drain off surface water and/or allow access to potential larval habitats by predatory fish. In some cases, the current ditch system has become an important component of the wetland as it exists today, and maintenance of the system is necessary to maintain tidal flow, fish habitat, or existing vegetative patterns. Much of this is maintenance work that may not require a permit, but is nonetheless conducted after consultation with the New York State Department of Environmental Conservation (DEC) to ensure consistency with conservation of the wetland. Sometimes, work to restore a system, even within its original configuration, requires a permit. In such cases, work is performed under permit and in cooperation with the DEC. Now that the Long Term Plan has been approved, all water management activities will be conducted with appropriate notification to and oversight by-the Wetlands Stewardship Committee and Council for Environmental Quality (CEQ), as outlined in the Findings Statement of the Suffolk County Legislature that was adopted by Suffolk County Resolution 285-2007. Because the Wetlands Stewardship Committee has not yet completed its work in establishing standards for BMP's, water management in 2011 will probably be limited to maintenance activities described in the Wetlands Best Management Practices (BMP's). Existing pipes and culverts may be replaced in place and in kind (BMP 2). There will be cleaning of a maximum of 200,000 linear feet of upland and freshwater wetland ditches with hand labor to maintain the flow of water in mosquito habitats (BMP 3). Machine maintenance of ditches in tidal wetlands will be limited to the minimum needed to maintain those ditches or other structures that provide tidal flow or otherwise serve a critical ecological or public health need, and will total no more than 50,000 linear feet (BMP 4). If the Wetlands Stewardship approves the use of additional BMP's they will be used, subject to appropriate approval process that they will define.

CONTROL OF MOSQUITO LARVAE: All field personnel conduct larval control during the active mosquito season. Most crews conduct ground larviciding, while a heavy equipment crew assists in helicopter larvicide applications. This component is conducted during the active mosquito season of May 1 to September 30 (approximate dates). Larval control is most often

employed when water management has not been able to completely prevent mosquito production. It also is used when water management has not been conducted or is not appropriate. Larval control is the Division's second most important control method. Ground crews visit known larval habitats, check for the presence of larvae, obtain larval specimens for identification in the laboratory and apply larvicide if necessary. Field crews also eliminate larval habitats by unclogging pipes, removing containers or otherwise eliminating standing water. While the acreage of these sites is small, their proximity to residential areas makes them important. Ground crews also respond to complaints from the public. Over 90% of the larvicide used by the Division is applied in the major salt marshes and other wetlands, by helicopter. These marshes are surveyed at least weekly, or after flood tides. If larvae are discovered, a contract helicopter applies larvicide. For salt marshes and similar habitats, either liquid Bti (*Bacillus thuringiensis israelensis*) or liquid Altosid (methoprene) is applied, based on larval stage, temperature, and weather conditions. Larval control is used only if inspection of a site reveals or has the potential for significant larval production.

The larval control products to be used in 2011 and the conditions under which they are used are described as follows:

Altosid Liquid Larvicide concentrate (methoprene, EPA 2724-446) – Aerial application to tidal and freshwater marshes.

Altosid Liquid Larvicide (methoprene, EPA 2724-392) – Ground application to tidal and freshwater marshes, as well as other temporarily flooded areas.

Altosid Pellets (methoprene, EPA 2724-448) – Ground application to intermittently or permanently flooded areas such as freshwater swamps, catch basins, drainage areas and recharge basins, provided that they are not fish habitats.

Altosid XR-G (methoprene, EPA 2724-451) – Ground or aerial application to tidal wetlands; ground application to intermittently flooded freshwater areas; aerial application in freshwater areas in response to Eastern Equine Encephalitis (EEE) or West Nile Virus (WNV) with case-by-case approval by DEC.

Altosid XR Briquets (methoprene, EPA 2724-421) – Catch basins and other drainage or artificial structures that are not fish habitats. XR briquets will be used in May and June, with follow up treatments using Vectolex or Altosid pellets as necessary.

Valent BioSciences Vectobac CG (Bti, EPA 73049-19) – Ground application to intermittently flooded freshwater and tidal areas.

Valent BioSciences Vectolex CG (*B. sphaericus*, EPA 73049-20) – Aerial or ground application to freshwater and tidal areas that hold water for more than 7 days, such as ditches, impounded marshes, swamps, ponds; catch basins in July and August.

Valent BioSciences Vectobac 12 AS (Bti, EPA 73049-38) – Aerial application to tidal and freshwater marshes; ground application to intermittently flooded areas such as tidal and freshwater marshes.

Summit B.t.i. Briquets (Bti, EPA 6218-47) – Catch basins, ground depressions, artificial sites.

Fourstar Briquets 90 (Bti plus *B. sphaericus*, EPA 83362-3) – Trial use in catch basins, artificial sites.

The equipment to be used for larval control includes various trucks for crew transportation, samplers such as dippers and mosquito traps, truck-mounted hydraulic sprayers, backpack sprayers and granular blowers, plus specially-equipped helicopters for larvicide applications on areas too large or inaccessible for ground treatment. All pesticide applications will use DEC-registered materials and be conducted under appropriate DEC permits and in accordance with label directions and other relevant State and Federal law.

The Division has developed technical guidelines for larval surveillance and control that determine where and when larvicides are used and what materials are chosen for a particular situation. These guidelines emphasize the use of bacterial products when possible and reserve methoprene for those situations where bacterial products are unlikely to be effective. As per the Findings for the Long Term Plan and Executive order 15-2007, the Pesticide Management Committee will report on the results of its review of literature on methoprene and potential impacts, as well as on research sponsored by the County. The County is committed to implementing a Pesticide Reduction Action Plan, that will seek to further accelerate pesticide reduction. As part of this Pesticide Reduction Action Plan, the County will continue to work with technical experts to further refine protocols related to larval monitoring and larvicide usage, consistent with the Long-Term Plan and GEIS. The County is not aware of any new data, studies or reports which contravene research, reports and Findings of the Long Term Plan with respect to larval treatment guidelines or thresholds. Therefore, those Findings are still valid, and control this Annual Plan.

In accordance with the Division's priorities and goals, approximately 1,500 of the 2,077 major larval habitats known to the Division will be surveyed and controlled if necessary throughout the active season. These known habitats consist primarily of freshwater wetlands and salt marshes, as well as roadside ditches, recharge areas and other non-wetland sites. The remaining major larval habitats and the 100,000+ artificial larval sites will be controlled on a complaint basis, as resources permit. Maps showing major larval habitats requiring control are on file at the Division's office in Yaphank.

CONTROL OF ADULT MOSQUITOES: This control method is conducted from approximately June 1 through September 15. It is done on an overtime basis; because the need for it is so highly variable it is not efficient to dedicate staff full time to it. This is a tertiary form of control, and the smallest component of the program. It is carried out only when adult infestations constitute an immediate threat of mosquito-borne disease (as determined by SCDHS) or there is a severe and widespread infestation of vector species, as determined by surveys and/or public complaints, in consultation with SCDHS. When virus has not been detected in a community, adulticiding is conducted when the Division can identify an area where there is 1) evidence of mosquitoes biting residents (such as complaints to the Division or requests by public officials); 2) the Division can confirm the existence of a problem by trap counts, landing rates or other staff observations; 3) control is technically and environmentally feasible and 4) the problem is unlikely to resolve itself (through dispersal or weather changes) or may spread without intervention. While the need for adult control can be reduced by the other program components, it is not possible to control all larval sites in Suffolk County for several reasons. Higher than normal rainfall can increase the need for adult control and some sites cannot be expeditiously treated due to independent

permitting requirements, as is the case for larval habitats in the Wilderness portions of Fire Island. In addition, new or unexpected larval habitats always seem to occur, despite the best efforts of the program. It is not appropriate to treat for adult mosquitoes in every area where residents express a concern. Adult control is conducted only when it is clear, based on complaints, Division surveillance and SCDHS consultation that a substantial portion of a community is infested with vector species or there is a threat of mosquito-borne disease. Then, the entire affected area is treated. This strategy treats relatively few areas, but those that are treated receive sufficient control to reduce the problem. The guidelines for adult control will be those described in the GEIS Findings Statement.

Adult control can be deemed to be necessary under two separate operational scenarios. One is defined as a "Vector Control" (public health nuisance) application; the other is defined a "Health Emergency" application. In either case, pesticide use decisions are only made on the basis of scientifically-determined surveillance data.

Vector Control adulticide applications are made to reduce large numbers of human biting mosquitoes. Criteria for conducting a Vector Control treatment include:

1. Evidence of mosquitoes biting residents (there is no problem unless people are affected):
   - Service requests from public - mapped to determine extent of problem.
   - Requests from community leaders, elected officials.
2. Verification of problem by SCVC (service requests must be confirmed by objective evidence):
   - New Jersey trap counts higher than generally found for area in question (at least 25 females of human-biting species per night).
   - Centers for Disease Control (CDC) portable light trap counts of 100 or more.
   - Landing rates of one per minute over a five minute period.
   - Confirmatory crew reports from problem area or adjacent larval habitats.
3. Control is technically and environmentally feasible (pesticides should only be used if there will be a benefit):
   - Weather conditions predicted to be suitable (no rain, winds to be less than 10 mph, temperature to be 65°F or above).
   - Road network adequate and appropriate for truck applications.
   - Legal restrictions on the treatment of wetlands, open water buffers, and no-spray list members in the treatment zone will not create untreated areas that would prevent adequate coverage to ensure treatment efficacy.
   - There are no issues regarding listed or special concern species in the treatment area.
   - Meeting label restrictions for selected compounds will not compromise expected treatment efficacy.
4. Likely persistence or worsening of problem without intervention (pesticides should not be used if the problem will resolve itself):
   - Considerations regarding the history of the area, such as the identification of a chronic problem area.
   - Determination if the problem will spread beyond the currently affected area absent intervention, based on the life history and habits of the species involved.
   - Absent immediate intervention, no relief from the problem can be expected.

- Crew reports from adjacent larval habitats suggest adults will soon move into populated areas.
- Life history factors of mosquitoes present – i.e., if a brooded species is involved, determining if the brood is young or is naturally declining.
- Seasonal and weather factors, in that cool weather generally alleviates immediate problems, but warm weather and/or the onset of peak viral seasons exacerbate concerns.
- Determining, if the decision is delayed, if later conditions will prevent treatment at that time or not. Conversely, adverse weather conditions might remove most people from harm's way.

In essence, criteria 1 and 2 are necessary thresholds which must be met, prior to a treatment being considered, while criteria 3 and 4 are countervailing factors that would indicate treatment is not required despite the presence of an infestation. With enhanced surveillance, there will be rigorous, numeric validation of mosquito control infestation near a potentially affected population in all cases. Treatment will not occur unless criteria 1 and 2 are satisfied through a combination of surveillance indicators, although not all surveillance techniques may be feasible in every setting and situation. The County is not aware of any new data, studies or reports which contravene research, reports and Findings of the Long Term Plan with respect to adulticide treatment guidelines or thresholds. Therefore, those Findings are still valid, and control this Annual Plan.

Vector Control applications will normally be made by truck. Necessary public notices will be issued in a timely manner (normally, at least 24 hours pre-application), and appropriate precautions will be made to meet DEC restrictions on applications, and to avoid "No Spray" properties. If necessary to protect sensitive resources, buffer areas will be provided between the sensitive area and the application equipment. A 150-foot buffer from freshwater wetlands will be provided to avoid the need for DEC Article 24 (Freshwater Wetlands) permits unless a permit or other authorization from DEC has been received. For this and future Annual Plans of Work, the County will continue to review the issue of buffers, in cooperation with DEC and CEQ.

The need for Health Emergency treatments is determined by the New York State Department of Health West Nile Virus Response Plan for mosquito-borne disease. Because of the persistent presence of WNV in the County, the County perpetually begins each year in Risk Category 2. The New York State Department of Health has determined that there is an ongoing threat to the public health from West Nile Virus, and no longer declares health threats on a year-by-year basis for WNV. As indicators of pathogen presence accumulate (positive dead birds, positive pools of mosquitoes), the Commissioner of the SCDHS determines the need for control measures. If the risk assessments made by SCDHS indicate that risks to the residents of an area of the County are no longer tolerable, the Commissioner will, in conjunction with DEC and SCVC, determine the optimal treatment area to reduce risks of disease transmission to people. In 2009 and previous years, an Emergency Authorization were requested from DEC if freshwater wetlands were involved to eliminate the need for an Article 24 (Freshwater Wetlands) permit. In 2010, NYSDEC issued an Article 24 permit to allow adulticide applications in freshwater wetlands or adjacent areas if necessary to protect the public health and replace the use of Emergency Authorizations. This permit controls the use of adulticides in and adjacent to freshwater

wetlands in 2011. The permit covers Health Emergency applications throughout the County and will also allow Vector Control applications in and adjacent to some freshwater wetlands in heavily developed areas of southern Brookhaven. Appropriate required public notices will be issued. Pre-application mosquito sampling will be conducted (for efficacy determinations). If, as is almost always the case for Health Emergency applications, an aerial application is proposed, a helicopter using the Adapco Wingman guidance system will be used to optimize the delivery of the pesticide.

Efficacy measurements will be made following as many adulticide applications as weather conditions and resources allow. The Long-Term Plan also calls for the establishment of resistance testing for the more commonly used compounds.

The Long-Term Plan proposed a general reliance on resmethrin, a synthetic pyrethroid, as the adulticide pesticide. Resmethrin has been found to be an effective pesticide for mosquito control, can be used for ultra-low volume applications for truck and aerial delivery, undergoes rapid decay in the environment, and, as discussed below, has few identified non-target effects when applied as proposed under the Long-Term Plan. Sumithrin, a similar pyrethroid, is proposed to be the primary back-up to resmethrin, and the primary pesticide for any hand-held applications. The Long-Term Plan also identifies two other pyrethroids, permethrin and natural pyrethrins, as potential adulticide compounds. Neither is preferred; however, permethrin is a more widely available product that is manufactured by more than one company, and so may continue to be available under conditions when the patented, less-widely used pyrethroids may not be. Natural pyrethrins are identified as a potentially useful compound because its label allows for use over agricultural areas. In addition to the pyrethroids, malathion, an organophosphate pesticide, was identified as a potential adulticide. Malathion would be used under very specialized conditions, such if thermal fogging were needed, daylight applications were called for, or if resistance testing indicated pyrethroid applications would be ineffective in meeting the goals of the application. All of these pesticides would be applied at the maximum label rate, as that is the best way of achieving effective mosquito control and is helpful in avoiding the development of pesticide resistance. The adulticides included in this Annual Plan have been fully evaluated in the GEIS for the Long-Term Plan, and this Annnual Plan is fully consistent with the attached Findings. For future Annual Plans of Work, the County will continue to review available pesticides and alternatives.

PUBLIC EDUCATION: Mosquito problems resulting from larval habitats around homes and yards, containers, drains and the like, is generally brought to the Division's attention through residents' requests for service. Control of these "domestic" mosquitoes is promoted through education and appeal to individual property owners. Given the WNV threat posed by these mosquitoes, especially *Culex pipiens*, SCDHS has taken on a leading role in public education. SCDHS has an Educator to assist in this effort, and Sanitarians are utilized to require property owners to clean up potential mosquito larval sites. Public education includes the distribution of pamphlets, telephone contact, site visits, media exposure and presentations to various citizens' groups and associations. In addition, the Division offers assistance to residents in eliminating sources of mosquitoes on their property, and leaves "door hangers" with educational information

at properties they visit. Upgrades to the Division computer systems and cooperation with Health Services and MIS have allowed the establishment of a Web page on the Internet. The appearance of the exotic, container-breeding species *Aedes japonicus and Aedes albopictus* means this component will take on increasing importance, since the public's cooperation will be needed to control these larval habitats.

PUBLIC NOTIFICATION AND THE "NO-SPRAY" REGISTRY: In 2000, the County passed new laws to improve required public notification for adult mosquito control. As a result, there is now an increased use of the media and extensive outreach to local officials. The Health Services Web site is used to post spray maps. For each adulticide application, over 150 faxes are sent to various officials and other interested parties. Newsday and News12 post spray schedules and maps. It is important to recognize that adulticide applications are very sensitive to the weather, especially aerial pyrethroid applications. The need to inform the public will need to be balanced with the need to conduct operations promptly, within weather windows and before the problem spreads and more acreage needs treatment. It is usually not appropriate to provide more than 24 hours notice in most cases, because beyond that time, weather forecasts are not very reliable. Attempts to provide more than 24-hour notice often result in many spray operations being announced and then cancelled. These cancellations are very confusing to the public. Despite these difficulties, the County provides 48-hour notice for aerial adulticide applications whenever possible.

In addition to the standard public notification procedures, the County is exploring the use of its "Code Red" automated calling and messaging system as a means of providing more thorough public notice for adulticiding. This system allows automated phone calls to be placed to all telephones in an area designated for treatment. The system would ensure that nearly everyone in the area knows about the operation. Technical and operational details of exactly how the system would work have not yet been determined.

The Division maintains a "no-spray" registry of residences where adult mosquito control is not desired. During ground applications the application unit is shut off 150 feet prior to passing such a residence and not turned on until 150 feet after. For aerial control, a system has been devised for identifying and avoiding areas with a minimum radius of ¼ mile, more than 65% of the area is residential and where more than 35% of the residences are on the registry. This registry represents an effort to balance the desires of those residents who want control of adult mosquitoes with those who oppose the use of pesticides. At this writing, the "no-spray" registry lists several hundred properties, most of which are in areas where serious infestations are rare. When control is required to deal with a public health emergency, the Commissioner of SCDHS can override the list. Even then list members are telephoned prior to applications in their area. In addition to this legally required registry, the Division maintains listings of beekeepers and organic farms. Beekeepers' properties are generally avoided or beekeepers are notified before treatments so that they can protect their hives.

SURVEILLANCE AND RESEARCH: All control operations are based on information obtained from surveillance and research. This operation will be performed by one Health Services Laboratory Chief, one DPW Entomologist, one DPW Biologist, two Health Services

Entomologists, one Programmer/Analyst, one Vector Control Supervisor, two DPW Laboratory Technicians, two auto equipment operators and eight vehicles. The two Automotive Equipment Operators become part of this activity from May through September. Two student interns will also provide valuable assistance during the summer. Knowledge of mosquito populations, species composition and arbovirus activity is used to guide and evaluate control measures. Arbovirus surveillance allows the Division, in cooperation with the County and State Health Departments, to gauge the potential for disease transmission and take appropriate action.

A) Mosquito population surveillance: Approximately 12,000 larval and adult mosquito surveys are analyzed each year. These surveys are necessary for locating infestations, directing control efforts and evaluating the effectiveness of those efforts. The mosquito species that breed in various locations are determined from larval samples. Numbers of adult mosquitoes in residential areas are estimated from a network of approximately 29 New Jersey light traps in fixed locations throughout the County. New Jersey traps provide a dead sample three to five times per week. Some 50,000 mosquitoes per year from these traps are identified and counted. In addition, virus surveillance is based on live mosquitoes captured in portable CDC traps (see below).

B) Arbovirus surveillance in mosquitoes: Viral surveillance will be directed primarily at two pathogens, EEE and WNV. Surveillance will be conducted according to the latest CDC and State DOH guidelines, modified for Suffolk County's unique environment. To monitor virus activity, CDC light traps and gravid traps are placed on a weekly or rotating basis at various locations throughout the County. These sites are chosen based on their history of viral activity or the presence of viral indicators such as the finding of birds with WNV in the area. The Division collects and processes approximately 50,000 live, adult mosquitoes annually for viral analysis. In 2010, the samples will be sorted by species, frozen, and sent to Albany for arbovirus analysis in the State DOH laboratory.

C) Bird and other surveillance: SCDHS, State DOH, DEC and CDC monitor other WNV indicators such as unusual bird deaths or the number of dead birds sighted in an area. The presence of WNV-positive birds is a strong indicator of virus activity in an area. The County picks up selected dead birds for WNV testing. The County conducts a rapid, field test (the RAMP test) and sends the birds to a NY State DEC lab for necropsy and more sophisticated virus testing. There are also indications that the number of dead bird sightings in an area is a surrogate indicator of risk. There will also be SCDHS monitoring of hospitals and outreach to physicians to quickly detect any human cases.

D) Efficacy monitoring: While the Division has always monitored the effectiveness of the control program in a variety of ways, there will be an increased effort in this area, based on trial work to develop methods conducted in 2007. In particular, trapping of adult mosquitoes before and after adulticide events will be conducted using carbon dioxide baited CDC light traps. While the number of adult mosquitoes in New Jersey traps and other traps is a key indicator of the overall success of the larval control program, additional effort will be directed toward before and after sampling of treated areas to confirm the efficacy of the treatment methods used. For methoprene applications, this requires bringing pupae from the

treated areas back to the laboratory to determine if they emerge, something that is very labor intensive.

E) Special surveys and field investigations: The Entomologist and other staff also conduct special surveys to determine the source of mosquito problems when these turn up in places where they are not expected. For instance, a survey was conducted that found the larval habitats causing an early season infestation in Belle Terre, allowing larval crews to prevent further trouble through the summer. Likely upcoming work includes determining the causes of late-season increases in salt marsh mosquitoes in certain parts of the County such as Heckscher State Park and factors leading to the increase in the southern salt marsh mosquito, *Aedes taeniorhynchus* in recent years. Given the somewhat unpredictable ways mosquitoes seem to find to cause problems for Suffolk residents, it is important that the Division retain a flexible ability to investigate issues as they come up.

F) Support for Wetlands Stewardship activities: Vector Control continues to provide support for monitoring and other investigations related to Wetlands Stewardship activities. In particular, Division staff assists in the monitoring of the Integrated Marsh Management (IMM) project at Wertheim National Wildlife Refuge. In addition, the Division will assist the Wetlands Stewardship Program in identifying and evaluating prospective sites for future IMM projects, particularly those that will help meet Long Term Plan goals for pesticide use reduction.

G) Other provisions of the Work Plan notwithstanding, Vector Control may participate in limited research, monitoring, and demonstration projects in cooperation with other levels of government such as the State, Towns or federal agencies such as the US Fish and Wildlife Service or Army Corps of Engineers. These activities, which are not part of this Plan, will be subject to separate permitting and SEQRA compliance, and would be subject to CEQ and Wetlands Stewardship Committee review as well.

2157

Pesticide Use in 2010

The Findings Statement for the Long Term Plan requires Vector Control to provide an annual report of pesticide use to the Legislature. In compliance with this requirement, the table below summarizes the use of pesticides by the Division in 2010. The acres treated are compiled by multiplying the total used by the standard dose. In a Duplex treatment, the same acres are treated with both products. The corrected acres represent the total actually treated by subtracting acres of Duplex mix from the total larvicide use to avoid counting the same treatment twice.

Suffolk County Pesticide Acreage Estimates for 2010

Product	Active ingredient	Amount used	Units	Air/Ground Application	2010 Acreage
Larvicides					
Altosid Liquid Larvicide (5% methoprene)	Methoprene	11.63	gal	Ground	180
Altosid Liquid Larvicide concentrate (20%methoprene)	Methoprene	146.5	gal	Aerial	11008
Altosid pellets	Methoprene	313	lbs	Ground	43
Altosid XR-G	Methoprene	320	lbs	Ground	34
Valent BioSciences Vectobac 12 AS	Bti	3191	gal	Air/Ground	15752
Summit Bti briquets	Bti	660	ea	Ground	1
Valent BioSciences Vectobac CG	Bti	3105	lbs	Ground	362
Valent BioSciences Vectolex CG	*B. sphaericus*	15146	lbs	Ground	768
Altosid XR briquets	Methoprene	34887	ea	Ground	84
Larvicide total					28232
Duplex Vectobac 12AS + Altosid 20%	methoprene+Bti tank mix (included above)			Aerial	5500
Corrected acreage	Total - Duplex				22732
Adulticides					
Scourge 18/54	resmethrin	117	gal	Ground/Air	51840
Anvil 10+10 ULV	sumithrin	16.5	gal	Ground	2667
Adulticide acreage					54507

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2157

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannel, Deputy County Executive

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

DATE: October 28, 2010

RE: **Resolution to Adopt the Vector Control Annual Plan of Work – Year 2011**

By memorandum dated September 28, 2010 our Year 2011 Vector Control Annual Plan of Work was filed with the Clerk of the Suffolk County Legislature pursuant to Article VIII, Section C8-4,B (2) of the Suffolk County Administrative Code and distributed to the members of the Suffolk County Legislature for appropriate review.

I have attached a draft resolution and hereby request that you initiate the process to have a resolution introduced to the Legislature to adopt the 2011 Work Plan. The Council on Environmental Quality (CEQ) met on October 20, 2010 and approved a resolution determining that the proposed 2011 Vector Control Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions as set forth in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement as approved by Suffolk County in 2007. Therefore, no further SEQR compliance is required pursuant to 6 NYCRR, Part 617.10(d)(1).

If you have any questions, please do not hesitate to contact me.

Enclosures
cc: Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations (2 hard copies)
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Carrie Meek Gallagher, Commissioner, Department of Environment and Energy
Dominick Ninivaggi, Vector Control Superintendent
CE Reso Review (e-mail)

2158

Intro. Res. No. -2010 Laid on Table 12/7/ 2010

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2010, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD (CP 8150)

WHEREAS, the sewage conveyance system of Sewer District No. 7 – Medford requires improvement; and

WHEREAS, the Administrative Head of Sewer District No. 7 - Medford has requested that previously received connection fees, which are deposited in escrow accounts, be appropriated to cover costs associated with the improvements to the sewer system; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has 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, sufficient funds are available in the escrow accounts established and containing connection fees to cover the costs of the construction; and

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-seven (67) is eligible for approval in accordance with the provisions of Resolution 471-1994 as revised by Resolution 461-2006; and be it further

2nd **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

From Escrow Account	**To Capital Fund Sewer Revenues**	**Amount**	**Accrued Interest**
Springhill Suites	527-8122	$320,970	Yes
BR 1608			
Total SCSD #7		**$320,970**	Yes

and be it further

3rd **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed $320,970 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

4th **RESOLVED,** that the 2010 Capital Budget be and it hereby is amended as follows:

Program No.: **8150**
Project Name: **IMPROVEMENTS TO COUNTY SEWER DISTRICT NO. 7 - MEDFORD**

	TOTAL EST'D COST	CURRENT 2010 CAPITAL BUDGET & PROGRAM	REVISED 2010 CAPITAL BUDGET & PROGRAM
3. Construction	$845,990	$225,000	$25,000-A $200,000-X $320,970-E
TOTAL	**$845,990**	**$225,000**	**$545,970**

E – Escrow Funds
X – Serial Bonds

and be it further

5th **RESOLVED**, that the proceeds of $320,970 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

PROJECT NO.	PROJECT TITLE	AMOUNT
527-CAP-8150.315	Improvements to County Sewer District No. 7 - Medford	$320,970+ Accrued Interest

and be it further

6th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (2) in that the resolution concerns the replacement, rehabilitation and or reconstruction of a facility in kind on the same site, and do not commit the agency to commence, engage in or approve such actions, as a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2158

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7-MEDFORD (CP8150)

3. Purpose of Proposed Legislation

To request appropriation of escrow account revenues for the project.

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

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

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

6. If the answer to item 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.

$320,970 plus accrued interest.

8. Proposed Source of Funding

Escrow Account Revenues

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		November 15, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2158

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.

To be completed by the Executive Budget Office

2158

COUNTY OF SUFFOLK

NOV 01 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: October 19, 2010

SUBJECT: **DRAFT RESOLUTION TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD (CP 8150)**

Attached is a draft resolution and appropriate forms with backup for Sewer District No. 7 – Medford improvement funds which is filed as Reso-DPW sd7-Medford Improvements (CP 8150) with backup filed as Backup DPW sd7-Medford Improvements SCIN Form 175a and 175b – (CP 8150). The project is to provide infrastructure improvements to the sewer system. The total requested amount to be transferred is approximately $320,970 plus accrued interest. The requested funds are to be placed in the referenced capital project.

We would appreciate the resolution being laid on the table as soon as possible.

JP:BW:ni
Attachment
cc: Ed Dumas, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Deputy County Attorney
Laura Conway, CPA, Chief Accountant
Carmine Chiusano, Budget Office
Ben Wright, P.E., Principal Civil Engineer
John Donovan, P.E., Principal Civil Engineer
CE Reso Review
jp-bw10-19-10Reso-DPW sd7-Medford escrow CP 8150 memo to KCrannell

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010 FAX (631) 852-4150

2159

Intro. Res. No. -2010 Laid on Table 12/7/2010

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2010, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD (CP 8119)

WHEREAS, the wastewater treatment plant of Sewer District No. 7 – Medford requires improvement; and

WHEREAS, the Administrative Head of Sewer District No. 7 - Medford has requested that previously received connection fees, which are deposited in escrow accounts, be appropriated to cover costs associated with the improvements to the wastewater treatment plant; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has 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, sufficient funds are available in the escrow accounts established and containing connection fees to cover the costs of the construction; and

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-two (72) is eligible for approval in accordance with the provisions of Resolution 471-1994 as revised by Resolution 461-2006; and be it further

2nd **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

From Escrow Account	**To Capital Fund Sewer Revenues**	**Amount**	**Accrued Interest**
Island Builders	527-8122	$36,570.00	Yes
BR 1446			
Enecon/Silveri	527-8122	$4,500.00	Yes
BR 880.1			
Springhill Suites	527-8122	$258,930.00	Yes
BR 1608			
Total SCSD #7		**$300,000.00**	Yes

and be it further

3rd **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed $300,000 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

4th **RESOLVED,** that the 2010 Capital Budget be and it hereby is amended as follows:

Program No.: **8119**
Project Name: **IMPROVEMENTS TO COUNTY SEWER DISTRICT NO. 7 - MEDFORD**

	TOTAL EST'D COST	**CURRENT 2010 CAPITAL BUDGET & PROGRAM**	**REVISED 2010 CAPITAL BUDGET & PROGRAM**
3. Construction	$2,520,380	$0	$300,000-E
TOTAL	**$2,520,380**	**$0**	**$300,000**

E – Escrow Funds

and be it further

5th **RESOLVED**, that the proceeds of $300,000 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

PROJECT NO.	**PROJECT TITLE**	**AMOUNT**
527-CAP-8119.315	Improvements to County Sewer District No. 7 - Medford	$300,000+ Accrued Interest

and be it further

6th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (2) in that the resolution concerns the replacement, rehabilitation and or reconstruction of a facility in kind on the same site, and do not commit the agency to commence, engage in or approve such actions, as a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2159

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7-MEDFORD (CP8119)

3. Purpose of Proposed Legislation

To request appropriation of escrow account revenues for the project.

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

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

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

6. If the answer to item 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.

$300,000 plus accrued interest.

8. Proposed Source of Funding

Escrow Account Revenues

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		November 15, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2159

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

2159

NOV 01 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: October 19, 2010

SUBJECT: **DRAFT RESOLUTION TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD (CP 8119)**

Attached is a draft resolution and appropriate forms with backup for Sewer District No. 7 – Medford improvement funds which is filed as Reso-DPW sd7-Medford Improvements (CP 8119) with backup filed as Backup DPW sd7-Medford Improvements SCIN Form 175a and 175b – (CP 8119). The project is to provide infrastructure improvements to the wastewater treatment plant. The total requested amount to be transferred is approximately $300,000 plus accrued interest. The requested funds are to be placed in the referenced capital project.

We would appreciate the resolution being laid on the table as soon as possible.

JP:BW:ni
Attachment
cc: Ed Dumas, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Deputy County Attorney
Laura Conway, CPA, Chief Accountant
Carmine Chiusano, Budget Office
Ben Wright, P.E., Principal Civil Engineer
John Donovan, P.E., Principal Civil Engineer
CE Reso Review
jp-bw10-19-10Reso-DPW sd7-Medford escrow CP 8119 memo to KCrannell

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010 FAX (631) 852-4150

2160

Intro. Res. No. -2010 Laid on Table 12/7/2010

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2010, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 – SELDEN (CP 8117)

WHEREAS, the sewage conveyance and wastewater treatment plant of Sewer District No. 11 – Selden requires improvements; and

WHEREAS, the Administrative Head of Sewer District No. 11 - Selden has requested that previously received connection fees, which are deposited in escrow accounts, be appropriated to cover costs associated with improvements to the wastewater treatment plant and sewer system; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has 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, sufficient funds are available in the escrow accounts established and containing connection fees to cover the costs of construction; and

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy (70) is eligible for approval in accordance with the provisions of Resolution 471-1994 as revised by Resolution 461-2006; and be it further

2nd **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

From Escrow Account	**To Capital Fund Sewer Revenues**	**Amount**	**Accrued Interest**
Nelin Property	527-8122	$176,744.40	Yes
BR 1552			
Seeley Subdivision	527-8122	$11,910.00	Yes
BR 1567			
Royal Health & Racquet	527-8122	$63,591.46	Yes
BR 1565			
Samantha Drive	527-822	$4,764.00	Yes
BR 1568			
Seeley Subdivision	527-822	$11,910.00	Yes
BR 1567			
Total SCSD #7		**$268,919.86**	Yes

and be it further

3rd **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed $268,919.86 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

4th **RESOLVED,** that the 2010 Capital Budget be and it hereby is amended as follows:

Program No.: **8117**
Project Name: **IMPROVEMENTS TO COUNTY SEWER DISTRICT NO. 11 - SELDEN**

	TOTAL EST'D COST	**CURRENT 2010 CAPITAL BUDGET & PROGRAM**	**REVISED 2010 CAPITAL BUDGET & PROGRAM**
3. Construction	$6,522,245	$0	$268,919.86 - E
TOTAL	**$6,522,245**	**$0**	**$268,919.86**

E – Escrow Funds

and be it further

5th **RESOLVED**, that the proceeds of $268,919.86 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

PROJECT NO.	**PROJECT TITLE**	**AMOUNT**
527-CAP-8117.312	Construction Improvements to County Sewer District No. 11 - Selden	$268,919.86+ Accrued Interest

and be it further

6th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (2), in that the resolution concerns the replacement, rehabilitation and or reconstruction of a facility in kind on the same site, and do not commit the agency to commence, engage in or approve such actions, as a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

2160

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 11-SELDEN (CP8117)

3. Purpose of Proposed Legislation

To request appropriation of escrow account revenues for the project.

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

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

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

6. If the answer to item 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.

$268,919.86 plus accrued interest.

8. Proposed Source of Funding

Escrow Account Revenues

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		November 15, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2160

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

2160

NOV 01 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: October 19, 2010

SUBJECT: **DRAFT RESOLUTION TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 – SELDEN (CP 8117)**

Attached is a draft resolution and appropriate forms with back up for Sewer District No. 11 – Selden improvement funds which is filed as Reso-DPW sd 11-Selden Improvements CP 8117 with backup filed as Backup DPW sd 11-Selden Improvements SCIN Form 175a and 175b - CP 8117. The project is to provide infrastructure improvements to the wastewater treatment plant and sewer system. The total requested amount to be transferred is approximately $270,000 plus accrued interest. The requested funds are to be placed in the referenced capital project.

We would appreciate the resolution being laid on the table as soon as possible.

JP:BW:ni
Attachment
cc: Ed Dumas, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Deputy County Attorney
Laura Conway, CPA, Chief Accountant
Carmine Chiusano, Budget Office
Ben Wright, P.E., Principal Civil Engineer
John Donovan, P.E., Principal Civil Engineer
CE Reso Review
jp-bw10-19-10 Reso-DPW sd11-Selden escrow CP 8117 memo to KCrannell

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010
FAX (631) 852-4150

-Intro. Reso. No. 2161-10 Laid on Table 12/7/10
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, APPROPRIATING FUNDS IN CONNECTION WITH THE SAFETY IMPROVEMENTS AT THE POLICE FIREARMS SHOOTING RANGE IN WESTHAMPTON (CP 3111)

WHEREAS, the Police Commissioner has requested funds to plan the replacement of the existing roof and sound buffers at the firearms shooting range in Westhampton; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said planning under Capital Project No. 3111; and

WHEREAS, Resolution No. 471-1994, as amended 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, the County Legislature, by resolution of even date herewith, has authorized the issuance of $30,000 in Suffolk County Serial Bonds; now therefore be it

1st RESOLVED, that it is determined that this program with a priority ranking of fifty-four (54) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Env. Con. Law Art. 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5(c)(20),(21) and (27), in that the resolution concerns conducting concurrent environmental, engineering, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, and adoption of a local legislative decision in connection with same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of $30,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Proj. No.	JC	Project Title	Amount
525-CAP-3111.110 (Fund 001-Debt Service)	21	Firearms Shooting Range, Safety Improvements	$ 30,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2161

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2010, APPROPRIATING FUNDS IN CONNECTION WITH THE SAFETY IMPROVEMENTS AT THE POLICE FIREARMS SHOOTING RANGE IN WESTHAMPTON (CP 3111)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		November 11, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2161

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	$6,365	$0.01		$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	$6,365	$0.01		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2161

Term of Bonds	5
Amount to Bond:	$30,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	1.500%	$5,764.75	$600.00	$6,364.75	$6,364.75
			$242.35	$242.35	
5/1/2012	2.000%	$5,880.05	$242.35	$6,122.40	$6,364.75
			$183.55	$183.55	
5/1/2013	2.000%	$5,997.65	$183.55	$6,181.20	$6,364.75
			$123.58	$123.58	
5/1/2014	2.000%	$6,117.60	$123.58	$6,241.18	$6,364.75
			$62.40	$62.40	
5/1/2015	2.500%	$6,239.95	$62.40	$6,302.35	$6,364.75
		$30,000.00	$1,823.76	$31,823.76	$31,823.76

COUNTY OF SUFFOLK

NOV 01 2010

2161

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

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

FROM: **Richard Dormer, Police Commissioner**

DATE: **October 27, 2010**

SUBJECT: **INTRODUCTORY RESOLUTION REQUEST**

Per the 2010 Adopted Capital Budget, the Police Department requests the introduction of a revised resolution to appropriate funds in connection with safety improvements at the firearms shooting range in Westhampton for 2010 under Capital Project No. 3111. The $300,000 in construction was deleted for 2010.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-C.P. 3111R-2010"; "Backup-POL-C.P. 3111-SCIN 175A.2"; "Backup-POL-C.P. 3111-SCIN 175B.2"; and "Back-up POL-C.P. 3111-cover letter2-2010.

If you have any questions, please contact Edward Webber, Chief of Support Services Division, at 852-6230.

/ms
Att.

cc: Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations
Roger K. Shannon, Deputy Police Commissioner
Robert Anthony Moore, Chief of Department
Edward Webber, Chief, Support Services Division
Robert Scharf, Lieutenant, C.O., Staff Services Bureau
Jack Ozer, Sergeant, C.O., Firearms Training Section
Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau

Intro. Reso. No. 2162-10 Laid on Table 12/7/10
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF EXISTING FIREWORKS BURN PITS (C. P. 3016)

WHEREAS, the Police Commissioner has requested funds for a study to determine the best alternatives for the disposal of fireworks seized by the Suffolk County Police Department; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said study under Capital Project No. 3016; 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, the County Legislature, by resolution of even date herewith, has authorized the issuance of $60,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that it is determined that this program 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

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Env. Con. Law Art. 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5(c)(20),(21) and (27), in that the resolution concerns conducting concurrent environmental, engineering, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, and adoption of a local legislative decision in connection with same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of $60,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Proj. No.	JC	Project Title	Amount
525-CAP-3016.110 (Fund 115-Debt Service)	21	Replacement Existing Fireworks Burn Pits	$60,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

2162

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2010, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF EXISTING FIREWORKS BURN PITS (CP 3016)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		November 11, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2162

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**	**$0.01**		$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	**$12,730**	**$0.03**		$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	**$12,730**	**$0.04**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2162

Term of Bonds	5
Amount to Bond:	$60,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	1.500%	$11,529.50	$1,200.00	$12,729.50	$12,729.50
			$484.70	$484.70	
5/1/2012	2.000%	$11,760.09	$484.70	$12,244.80	$12,729.50
			$367.10	$367.10	
5/1/2013	2.000%	$11,995.30	$367.10	$12,362.40	$12,729.50
			$247.15	$247.15	
5/1/2014	2.000%	$12,235.20	$247.15	$12,482.35	$12,729.50
			$124.80	$124.80	
5/1/2015	2.500%	$12,479.91	$124.80	$12,604.70	$12,729.50
		$60,000.00	$3,647.52	$63,647.52	$63,647.52

COUNTY OF SUFFOLK

2162 NOV 01 2010

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

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

FROM: **Richard Dormer, Police Commissioner**

DATE: **October 27, 2010**

SUBJECT: **INTRODUCTORY RESOLUTION REQUEST**

Per the 2010 Adopted Capital Budget, the Police Department is requesting again (the original was submitted in February 2010) the introduction of a resolution to appropriate funds in connection with the replacement of existing fireworks burn pits under Capital Project No. 3016.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-C.P. 3016-2010"; "Backup-POL-C.P. 3016-SCIN 175A"; "Backup-POL-C.P. 3016-SCIN 175B.2"; and "Back-up POL-C.P. 3016-cover letter2-2010.

If you have any questions, please contact Edward Webber, Chief of Support Services Division, at 852-6230.

/ms
Att.

cc: Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations
Roger K. Shannon, Deputy Police Commissioner
Robert Anthony Moore, Chief of Department
Edward Webber, Chief, Support Services Division
Stuart Cameron, Deputy Inspector, C.O., Special Patrol Bureau
Robert Scharf, Lieutenant, C.O., Staff Services Bureau
Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau

2163

Intro. Res. No. - 2010 Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of County Executive

RESOLUTION NO. - 2010, AMENDING THE ADOPTED 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE WATER QUALITY MODEL – PHASE V (CP 8237)

WHEREAS, Resolution 983-2009 authorized the payment of $200,000 to Suffolk County by the Suffolk county water Authority (SWCA) for continued studies and implementation of the comprehensive Water Resources Management Plan for Suffolk County (Plan); and

WHEREAS, Resolution No. 983-2009 further authorized any actions or authorization as may have been necessary to effectuate the intent and requirement of said Resolution; and

WHEREAS, the funds authorized for acceptance by resolution 983-2009 have been received by Suffolk County from the SCWA, and two hundred thousand dollars ($200,000) as authorized by Resolution 983-2009 needs to be appropriated to the Water Quality Model – Phase V (Capital Project 8237); and

WHEREAS, the 2010 Adopted Capital Budget and Program does not include funds to cover the full cost of said request under Capital Project 8273 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

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

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further

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

3rd **RESOLVED,** that the 2010 Capital Budget and Program be and is hereby amended as follows:

Project Number: 8237
Project Title: Water Resource Management

Total Est'd	Current 2010 Capital Budget	Revised 2010 Capital Budget

	Cost	& Program	& Program
1. Planning	$1,675,000	$100,000B	$100,000B $200,000S
TOTAL	$1,675,000	$100,000	$300,000

And be it further

4th **RESOLVED**, that the Suffolk County Water Authority funds are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-8237.114	40	Water Quality Model Phase - V	$200,000

5th **RESOLVED,** that the County Comptroller and the County Treasurer be and hereby are authorized to accept and transfer the Suffolk County Water Authority funds to Capital project 8237

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION 2163

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Amending the Adopted 2010 Capital Budget and Program and appropriating funds in connection with the Water Quality Model – Phase V (CP 8237).

3. Purpose of Proposed Legislation

This legislation is needed to transfer and appropriate funds to Capital Project 8237 for continued studies and implementation of the Comprehensive Resources Management Plan for Suffolk County.

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

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

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

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

Not applicable

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

None

8. Proposed Source of Funding

Suffolk County Water Authority

9. Timing of Impact

2010-2011

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Beth A. Reynolds ***Principal Executive Analyst***	Beth A Reynolds	*11/10/10*

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2163

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2167

OCT 26 2010

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 transfer funds from [Budget Office to fill in] to the Water Quality Model – Phase V (CP 8237). This legislation is needed to transfer and appropriate funds to Capital Project 8237 for continued studies and implementation of the Comprehensive Resources Management Plan for Suffolk County. Funding has already been collected from the Suffolk County Water Authority and two hundred thousand dollars ($200,000) needs to be transferred into Capital Project 8237.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Walter Dawydiak at 2-5800. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP 8237 SCWA funds.doc".

Sincerely,

James Tomarken

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
Walter Dawydiak, Chief Public Health Engineer
Diane E. Weyer, Principal Financial Analyst

Public Health
Prevent. Promote. Protect.

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

2163

SUFFOLK COUNTY WATER AUTHORITY

Jeffrey W. Szabo
Chief Executive Officer

Administrative Offices: 4060 Sunrise Highway, Oakdale, New York 11769-0901
(631) 563-0353
Fax (631) 563-0370

August 4, 2010

Ms. Connie Corso
Deputy County Executive for Budget and Finance
H. Lee Dennison Building, 10th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788

Dear Deputy County Executive ~~Corso~~ Connie:

I hope this letter finds you well.

I am writing regarding Resolution 983-2009, which was approved by the Suffolk County Legislature and signed by the County Executive. As you may recall, this resolution provided for 34 easements on Suffolk County owned properties for potential Water Authority use. It also forgave $1.4 million owed under a 2005 Stipulation of Settlement between the County and the Water Authority that favored the Water Authority. Lastly it provided $200,000 from the Water Authority for the completion of the Comprehensive Water Resource Plan.

Since the resolution's approval, it is my understanding the funding for the Comprehensive Water Resource Plan has been not been appropriated. The law specifically states that if funding is not appropriated the $200,000 reverts back to the Water Authority. It is my hope that this can be avoided and the appropriation be made quickly so that this much needed work may be completed. The funds should be appropriated to Fund 525 CAP 8237.114.

I have attached a copy of the Resolution for your review. Please feel free to contact me at (631) 563-0353 should you have any questions.

Sincerely,

Jeffrey W. Szabo
Chief Executive Officer

bcc: M. Trent

Intro. Reso. No. 2164-10 Laid on Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE FBI JOINT TERRORISM TASK FORCE WITH 83.37% SUPPORT.

WHEREAS, the United States Department of Justice, Federal Bureau of Investigation, has made $17,202 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the FBI Joint Terrorism Task Force; 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 reimbursement funding as follows:

REVENUE:	**Amount**
001-4381-Federal Aid: FBI Joint Terrorism Task Force FY11	$17,202

ORGANIZATIONS:

Police Department (POL)
FBI Joint Terrorism Task Force FY11
001-POL-3651

1000-Personal Services	**$17,202**
1120-Overtime Salaries	17,202

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately $3,432 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 Justice, Federal Bureau of Investigation.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 2164

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE FBI JOINT TERRORISM TASK FORCE WITH 83.37% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The resolution provides $17,202. Non-reimbursable benefits totaling $3,432 are included in the operating budget.

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

The operational period of the program is from October 1, 2010 and September 30, 2011. Fringe benefits are included in the operating budget.

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		11-11-10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2164

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

2164

NOV 01 2010

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

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

FROM: **Edward Webber, Chief of Support Services**
Suffolk County Police Department

DATE: **October 28, 2010**

SUBJECT: **Resolution Packets & SCIN Forms for**
The FBI Joint Terrorism Task Force Program (JTTF) FY11

Attached please find two copies of the following for the FBI Joint Terrorism Task Force FY11 Program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Cost Reimbursement Agreement and the Notice of Reimbursement Limit for fiscal year 2011.

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: Evelyn Creen, Federal & State Aid Claims Examiner
Christopher Kent, Chief Deputy County Executive

2164

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 10/28/10
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 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: FBI JTTF (Joint Terrorism Task Force) FY11

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 111-242, Continuing Appropriations Act, 2011, U. S. Department of Justice, Administered by the Federal Bureau of Investigation

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 the FBI Joint Terrorism Task Force.

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: 10/1/10 To: 09/30/11

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE* 10/1/08-9/30/09		*SECOND FUNDING CYCLE* 10/1/09-9/30/10		*THIRD FUNDING CYCLE* 10/1/10-9/30/11	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$16,329	85.14%	$16,903	85.14%	$17,202	83.37%
State	$		$		$	
Private	$		$		$	
County	$2,849	14.86%	$2,950	14.86%	$3,432	16.63%
Total	$19,178	100%	$19,853	100%	$20,634	100%

2164

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$3,432	$	$3,432
A. Cash Contribution	$3,432	$	$3,432
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

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

X YES NO

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

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved _____ Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved _____ Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

2164

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 $17,202 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the FBI Joint Terrorism Task Force with 83.37% support.

3. Purpose of Proposed Legislation
To accept $17,202 from the United States Department of Justice, Federal Bureau of Investigation, to allow the continued participation of the Suffolk County Police Department in the FBI Joint Terrorism Task Force.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

The County will incur approximately $3,432 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will receive $17,202 which will allow the Suffolk County Police Department to participate in the FBI Joint Terrorism Task Force.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:
None

8. Proposed Source of Funding
The United States Department of Justice, Federal Bureau of Investigation

9. Timing of Impact
Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan C. Krause Grants Technician		10/28/10

SCIN FORM NO. 175b (10/95)

2164

U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

26 Federal Plaza
New York, NY 10278

09/22/2010

Zhayde Sinnott SCPD Command 3420
Suffolk County Police Department
Federal & State Aid Claims Unit
Riverhead County Center, Rm N216
300 Center Drive
Riverhead, NY 11901

Dear Ms Sinnott :

The monthly overtime reimbursement for each Task Force Officer assigned t the FBI's Joint Terrorist Task Force is $ 1,433.52 for the fiscal year 2011. This is an increase of $24.92 from the monthly overtime reimbursement for fisca year 2010 of $1,408.60. The increase will take effect for any overtime reimbursement requests from October 2010 to September 2011.

If you have any questions or problems, please do not hesitate to call Administrative Specialist Michael Hayes at 646-696-3065. Thank you very much.

Sincerely,

Gregory A. Fowler
Special Agent in Charge

By: Brad Carpenter
Supervisory Special Agent

Additional back-up material regarding IR 2164 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Reso. No. 2165-10 Laid on Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, ACCEPTING AND APPROPRIATING SUPPLEMENTAL FUNDING IN THE AMOUNT OF $63,157.49 IN REIMBURSEMENT FUNDS FROM SPRINT NEXTEL FOR FEDERALLY MANDATED REBANDING OF SUFFOLK COUNTY PUBLIC SAFETY COMMUNICATIONS NETWORK WITH 100% SUPPORT.

WHEREAS, the Federal Communications Commission has mandated reconfiguration of the 800 MHz band of communications frequencies in Suffolk County in order to minimize harmful interference to public safety radio communications, requiring equipment replacement and 800 MHz frequency reconfiguration; and

WHEREAS, the Federal Communications Commission has directed that Sprint Nextel bear the cost of said frequency reconfiguration; and

WHEREAS, Sprint Nextel made available an initial amount of $1,147,710 in funding to support Suffolk County's efforts to reconfigure the 800 MHz band of communications frequencies; and

WHEREAS, said funding of $1,147,710 was accepted by the Legislative adoption of Resolution Number 21-2009; and

WHEREAS, Sprint Nextel has made available additional funding in the amount of $63,157.49 for a total award of $1,210,867.49; and

WHEREAS, the operational period of the program will be from April 10, 2008 through November 5, 2010; and

WHEREAS, said supplemental reimbursement funds totaling $63,157.49 have not been included in the 2010 Suffolk County Operating Budget; now, therefore, be it

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

REVENUE:	**Amount**
001-2775 - Other Revenue Unspecified: 800 MHz Rebanding	$63,157.49

ORGANIZATIONS:

Police Department (POL)
800 MHz Rebanding
001-POL-3266

1000 Personnel	$52,521.82
1120-Overtime Salaries	52,521.82

Employee Benefits
Retirement
001-EMP-9010

8000-Employee Benefits	$6,617.75
8280-Employee Retirement System	6,617.75

Employee Benefits
Social Security
115-EMP-9030

8000-Employee Benefits	$4,017.92
8330-Social Security	4,017.92

2nd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements between Suffolk County and Sprint Nextel.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

2165

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 SUPPLEMENTAL FUNDING IN THE AMOUNT OF $63,157.49 IN REIMBURSEMENT FUNDS FROM SPRINT NEXTEL FOR FEDERALLY MANDATED REBANDING OF SUFFOLK COUNTY PUBLIC SAFETY COMMUNICATIONS NETWORK WITH 100% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The resolution provides $63,157 for overtime necessary to complete additional work required for this project.

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 April 10, 2008 and November 5, 2010.

8. Proposed Source of Funding

Sprint Nextel

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		11-12-10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2165

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 10/21/2010
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank	2165
Contact Person In Department/Agency Sarah Furey Sr. 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 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title **800 MHz Rebanding**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Federal Communications Commission Report and Orders dated 8/6/04 and 12/22/04, funded by Sprint Nextel per FCC Orders, administered by the 800 MHz Transition Administrator

3. Grant/Contract Status (Check One Box)
A. _ __New Program Application
B. ___Renewal Application
C. _X__Supplemental (Specify) 800 MHz Rebanding Program
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.). Program will provide reimbursement of Suffolk County Police Department costs related to 800 MHz band radio frequency reconfiguration.

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 4/10/08 To: 11/5/2010

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*SUPPLEMENT TO FIRST FUNDING CYCLE*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$	%	$	%	$	%
State	$	%	$	%	$	%
Private	$1,147,710	100%	$63,157.49	100%	$	%
County	$	%	$	%	$	%
Total	$1,147,710	100%	$63,157.49	100%	$	%

SCIN FORM 164

2165

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$0	$0	$0
A. Cash Contribution	$0	$	$
B. In-Kind Contribution	$0	$	$

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.)?

Financial assistance will continue until project is completed to the satisfaction of the Transition Administrator

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

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

4. Comments

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

8. Comments

SCIN FORM 164

COUNTY OF SUFFOLK

2165

NOV 01 2010

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

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

FROM: **Edward Webber, Chief of Support Services**
Suffolk County Police Department

DATE: **October 27, 2010**

SUBJECT: **Resolution Packet & SCIN Forms for 800 MHz Rebanding Program Supplemental Funding**

Attached please find two copies of the following for the Sprint Nextel funded 800 MHz Program supplemental funding:

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the agreement between Suffolk County and Sprint Nextel
6. Copy of Amendment 3, supplemental funding document

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 resolution will allow the County to accept an additional $63,157.49 in funding (an initial amount of $1,147,710 was accepted by Resolution #21-2009) from Sprint Nextel to reimburse the Suffolk County Police Department for costs associated with the reconfiguration of the 800 MHz radio frequency band, to improve public safety radio communications.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, 852-6601.

Thank you for your assistance with this project.

EW/sck
cc: Evelyn Creen, Federal & State Aid Claims Examiner
Christopher Kent, Chief Deputy County Executive

2165

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 SUPPLEMENTAL FUNDING IN THE AMOUNT OF $63,157.49 IN REIMBURSEMENT FUNDS FROM SPRINT NEXTEL FOR FEDERALLY MANDATED REBANDING OF SUFFOLK COUNTY PUBLIC SAFETY COMMUNICATIONS NETWORK WITH 100% SUPPORT.

3. Purpose of Proposed Legislation
To accept funding to reimburse Suffolk County Police Department for costs incurred in reconfiguring radio frequency communications equipment for the 800 MHz frequencies. Mandated reconfiguration of the 800 MHz frequencies will ensure less interference with public safety radio communications from outside sources.

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:
Without the proposed funding from Sprint Nextel, the County would be forced to bear the full burden of the mandated reconfiguration.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision: Project is 100% funded by Sprint Nextel.

8. Proposed Source of Funding
Sprint Nextel, as mandated by Federal Communications Commission

9. Timing of Impact
Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan C. Krause Grants Technician		10/21/2010

SCIN FORM NO. 175b (10/95)

Additional back-up material regarding IR 2165 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Reso. No. 2166-10 Laid on Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE TACTICAL DIVERSION TASK FORCE FY11 WITH 83.37% SUPPORT.

WHEREAS, the United States Department of Justice, Drug Enforcement Administration (DEA), has made $17,202 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the Tactical Diversion Task Force FY2011; and

WHEREAS, said project is part of a multi-agency task force designed to assist the DEA in investigations and enforcement of Federal, State, and Local Laws surrounding controlled substance pharmaceuticals; and

WHEREAS, the operational period of the Program is from 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 reimbursement funding as follows:

REVENUE:	**Amount**
001-4340-Federal Aid: Tactical Diversion Task Force FY11	$17,202

ORGANIZATIONS:

Police Department (POL)
Tactical Diversion Task Force FY11
001-POL-3238

1000-Personal Services	**$17,202**
1120-Overtime Salaries	17,202

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately $3,432 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 Justice, Drug Enforcement Administration.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

216b

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 FEDERAL FUNDING IN THE AMOUNT OF $17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE TACTICAL DIVERSION TASK FORCE FY11 WITH 83.37% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The resolution provides $17,202. Non-reimbursable benefits totaling $3,432 are included in the operating budget.

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

The operational period of the program is from October 1, 2010 and September 30, 2011. Fringe benefits are included in the operating budget.

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		11-11-10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2166

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	DATE 9/30/2010

Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980 2166	
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 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: Tactical Diversion Task Force FY11

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 111-242, Continuing Appropriations Act, 2011, U. S. Department of Justice, Administered by the Drug Enforcement Administration

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 the DEA sponsored Tactical Diversion Task Force FY11, targeting illegal activities surrounding controlled substance pharmaceuticals.

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: 10/1/2010 To: 09/30/2011

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$16,903	83.37%	$17,202	83.37%	$	
State	$		$		$	
Private	$		$		$	
County	$3,372	16.63%	$3,432	16.63%	$	
Total	$20,275	100%	$20,634	100%	$	

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$3,432	$	$3,432
A. Cash Contribution	$3,432	$	$3,432
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

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

X YES NO

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

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved _____ _____ Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved _____ Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

COUNTY OF SUFFOLK

NOV 01 2010

2166

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: ~~**September 30**~~ October 28**, 2010**

SUBJECT: **Resolution Packets & SCIN Forms for**
The Tactical Diversion Task Force FY11 Reimbursement Program

Attached please find two copies of the following for the United States Department of Justice, Drug Enforcement Administration sponsored **Tactical Diversion Task Force FY11** program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Agreement between the United States Department of Justice, Drug Enforcement Administration and the Suffolk County Police Department.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you as always for your assistance with this project.

EW/sck
Att.
cc: Evelyn Creen, Federal & State Aid Claims Examiner
Christopher Kent, Chief Deputy County Executive

2166

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 $17,202 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department's participation in the Tactical Diversion Task Force FY11 with 83.37% support.

3. Purpose of Proposed Legislation
To accept $17,202 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department's participation in the Tactical Diversion Task Force FY11, targeting illegal activities surrounding controlled substance pharmaceuticals.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

The County will incur approximately $3,432 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will receive $17,202 to be used to participate in joint operations designed to enforce and investigate illegal activities surrounding controlled substance pharmaceuticals.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

None

8. Proposed Source of Funding
The United States Department of Justice, Drug Enforcement Administration

9. Timing of Impact
Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan C. Krause Grants Technician		9/30/2010

SCIN FORM NO. 175b (10/95)

Additional back-up material regarding IR 2166 is on file in the Legislative Clerk's Office, Hauppauge.

2167

Introductory Resolution No. -2010 Laid on Table 12/7/10

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

RESOLUTION NO. –2010, AUTHORIZING THE SALES OF SURPLUS PROPERTY SOLD AT THE OCTOBER 20 & 21, 2010 AUCTION PURSUANT TO LOCAL LAW 13-1976 AS PER EXHIBIT "A" (OMNIBUS RESOLUTION)

WHEREAS, in accordance with Suffolk County Local Law 13-1976, provision is made for disposition by Auction of certain County owned real property which is surplus to the needs of said County; and

WHEREAS, pursuant to Section 9 of said Local Law the Department of Environment and Energy, Division of Real Property Acquisition and Management, on October 20 & 21, 2010, offered at auction certain parcels at the minimum upset price set opposite their tax map designation and accepted the highest bid for such parcel set next to said respective upset prices as shown on listing annexed hereto and made a part hereof as Exhibit "A".

WHEREAS, pursuant to Section 11 of said Local Law 13-1976, the Department of Environment and Energy, Division of Real Property Acquisition and Management is authorized to deliver, by a Bargain and Sale Deed, without covenants or such deed as further restricted by the parcel listings in the auction booklet, any deeds which are the subject matter of said Local Law, subject to Legislative approval; and

WHEREAS, section A42-4[G] of the Suffolk County Administrative Code provides that the County Commissioner of Environment and Energy shall deliver to the County Legislature, in resolution for approval, a list of properties proposed to be sold, together with the bid price; and

WHEREAS, the Department of Environment and Energy, Division of Real Property Acquisition and Management, requests authority to execute a Bargain and Sale Deed, without Covenants, or such deed as further restricted by the parcel listing in the auction booklet, on the said designated parcels to the successful bidder thereon; now, therefore, be it

RESOLVED, that the said described parcels are surplus to the needs of Suffolk County; and be it further

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

RESOLVED, that the Director of the Department of Environment and Energy, Division of Real Property Acquisition and Management, be and hereby is authorized to execute and deliver a Bargain and Sale Deed, without Covenants, or such deed as further restricted by the parcel listing in the auction booklet, to each of the listed successful bidders for the tax map parcel, for the bid price set opposite their names, plus or minus usual closing adjustments;

DATED:

APPROVED BY:
County Executive of Suffolk County

Date of Approval: _____

2167

EXHIBIT A

Dist	Sect	Block	Lot	Upset Price	Highest Bid	Successful Bidder
0100	04000	0300	001000	$50.00	$50.00	Fafart Michel
0100	04000	0300	052002	$50.00	$50.00	David Tubens
0100	05600	0200	121000	$50.00	$50.00	David Tubens
0100	05600	0300	007000	$50.00	$900.00	Michel Farfart
0100	07900	0400	013000	$500.00	$500.00	Jean Michel
0100	08000	0100	075000	$1,000.00	$1,000.00	North American Land Holdings, LLC
0100	08300	0200	055000	$1,000.00	$1,000.00	North American Land Holdings, LLC
0100	08300	0200	084000	$1,000.00	$2,100.00	Kevin Bonner
0100	08300	0200	087000	$1,000.00	$1,500.00	North American Land Holdings, LLC
0100	08300	0400	070004	$20,000.00	$25,000.00	Arun Kumar Bahl
0100	08300	0400	070005			
0100	10300	0100	081000	$25.00	$25.00	David Tubens
0100	12400	0400	039000	$88,000.00	$125,000.00	Rakesh Harilall
0100	13300	0400	087000	$50.00	$100.00	Buky Campbell
0100	15200	0200	027000	$50.00	$150.00	Buky Campbell
0100	15200	0200	052000	$25.00	$25.00	Laurie Gage
0100	15200	0200	063000	$250.00	$250.00	Marie Louse Imbry
0100	15700	0200	083000	$500.00	$1,600.00	Michael Catalado
0100	16400	0500	098000	$85,000.00	$99,000.00	Geneva Wilson
0100	17000	0200	067000	$2,000.00	$2,000.00	Stanley Waynedon
0100	17000	0200	082000	$50.00	$80.00	Kenine L. Brody
0100	17000	0300	018000	$50.00	$7,000.00	Jean Michel
0100	17100	0100	035000	$500.00	$500.00	Jean Michel
0100	17400	0200	055000	$75,000.00	$87,000.00	Rahsaan Alexander
0100	17500	0100	036000	$100.00	$500.00	David Tubens
0102	00500	0300	099004	$10.00	$300.00	Michelle Janlewicz
0102	00700	0200	077000	$70,000.00	$70,000.00	Jean Michel

2167

Dist	Sect	Block	Lot	Upset Price	Highest Bid	Successful Bidder
0103	00100	0100	004000	$50.00	$225.00	Jacqueline Dazulme
0200	03300	0400	046000	$1,500.00	$2,800.00	Mark A. Dewling
0200	05900	0100	021000	$50.00	$400.00	Richard Rossi
0200	11000	0400	001000	$500.00	$500.00	Helen Eloriaga
0200	22600	0100	032003	$50.00	$50.00	Helen Eloriaga
0200	28100	0900	017001	$50.00	$600.00	Helen Eloriaga
0200	30800	0200	041000	$1,200.00	$1,200.00	Lynnette Calimano
0200	31700	0100	009000	$50,000.00	$88,000.00	Michael Nelin
0200	33100	0800	042000	$50.00	$550.00	Stanley Waynedon
0200	33100	0800	041000			
0200	33700	0400	040001	$50.00	$50.00	Michelle C. Campbell
0200	36900	0600	001005	$25.00	$25.00	Angela Cremona Gloudon
0200	37300	0100	006000	$50.00	$50.00	North American Land Holdings, LLC
0200	42400	0100	015000	$50.00	$300.00	Stanley Waynedon
0200	49700	0400	002000	$35,000.00	$35,000.00	Pete O'Leary, LLC
0200	49700	0400	025001	$5,000.00	$5,000.00	Pete O'Leary, LLC
0200	52600	0300	020000	$5,000.00	$5,000.00	Louvenia Scott
0200	52600	0400	014000	$1,000.00	$1,000.00	North American Land Holdings, LLC
0200	52700	0200	047001	$1,500.00	$1,500.00	American Land Acquisition Corporation
0200	52700	0200	047002			
0200	58700	0300	024000	$1,000.00	$4,000.00	Pete O'Leary, LLC
0200	66400	0200	019000	$300.00	$5,200.00	Olubunmi O. Ojo
0200	68500	0300	027000	$150.00	$1,200.00	Pete O'Leary, LLC
0200	74900	0600	006000	$1,000.00	$1,100.00	Stanley Waynedon
0200	75600	0100	015000	$10.00	$100.00	Kenine L. Brody
0200	76700	0100	024000	$200.00	$200.00	North American Land Holdings, LLC
0200	77100	0500	046000	$200.00	$500.00*	Dolores F. DiStefano
0200	78300	0200	038000	$10,000.00	$23,000.00	Pete O'Leary, LLC
0200	78600	0200	040002	$100.00	$100.00	Antonio Pace

2167

Dist	Sect	Block	Lot	Upset Price	Highest Bid	Successful Bidder
0200	82200	0200	004000	$100.00	$600.00	Nadine Osanyingbemi
0200	83100	0300	061001	$50.00	$50.00	Dale Javino
0200	84200	0100	029000	$25,000.00	$80,000.00	Pete O'Leary, LLC
0200	85300	0200	043001	$5,000.00	$6,200.00	Pete O'Leary, LLC
0200	87300	0100	078000	$500.00	$500.00	Buky C. Campbell
0200	87600	0200	018001	$1,200.00	$1,200.00	North American Land Holdings, LLC
0200	87600	0200	018002			
0200	95100	0200	031000	$800.00	$950.00	Buky Campbell
0200	96000	0200	036000	$50.00	$275.00	Howard J. Norton
0200	96000	0200	040000	$12,000.00	$12,000.00	Pete O'Leary, LLC
0200	96000	0200	046000	$15,000.00	$15,000.00	Pete O'Leary, LLC
0200	96000	0200	045000			
0200	96000	0200	047000			
0200	97370	0500	013000	$1,500.00	$1,500.00	Clarence Carter
0200	97370	0500	014000			
0200	97390	0200	017000	$800.00	$6,000.00	Pete O'Leary, LLC
0200	97580	0400	011000	$45,000.00	$60,000.00	Pete O'Leary, LLC
0200	97580	0500	030000	$18,000.00	$34,000.00	Pete O'Leary, LLC
0200	97580	0500	031000			
0200	97580	0500	032000			
0200	97580	0500	049000	$1,500.00	$2,600.00	Pete O'Leary, LLC
0200	97590	0100	067002	$18,000.00	$31,000.00	Arun Kumar Bahl
0200	97600	0100	075000	$800.00	$2,500.00	Angela Cremona Gloudon
0200	97680	0400	003000	$35,000.00	$35,000.00	Pete O'Leary, LLC
0200	97890	0300	010000	$30,000.00	$50,000.00	Pete O'Leary, LLC
0200	97900	0500	060000	$22,000.00	$38,000.00	Arun Kumar Bahl
0200	97920	0600	001000	$100.00	$100.00	Richard Rossi
0200	98030	0500	020000	$12,000.00	$22,000.00	Pete O'Leary, LLC
0200	98030	0500	021000			

2167

Dist	Sect	Block	Lot	Upset Price	Highest Bid	Successful Bidder
0200	98060	0500	015009	$79,000.00	$81,000.00	Turan Genc
0200	98060	0500	015010			
0200	98190	0300	016000	$30,000.00	$44,000.00	Pete O'Leary, LLC
0200	98190	0300	029000	$8,000.00	$8,000.00	Pete O'Leary, LLC
0200	98200	0400	059000	$18,000.00	$18,000.00	Pete O'Leary, LLC
0200	98200	0400	060000			
0200	98200	0400	061000			
0200	98320	0700	004000	$8,000.00	$8,000.00	Pete O'Leary, LLC
0200	98330	0300	037000	$3,000.00	$3,000.00	Pete O'Leary, LLC
0300	05800	0800	005000	$25,000.00	$66,000.00	Sukru Ilgin
0300	05800	0800	006001			
0300	05800	0800	006002			
0400	13900	0200	005000	$140,000.00	$225,000.00	Arun Kumar Bahl
0400	14100	0100	045000	$300.00	$500.00	Mark Salese
0400	16000	0100	088000	$100.00	$300.00	Richard Rossi
0400	16100	0100	015000	$60,000.00	$115,000.00	David Tubens
0400	27500	0200	035000	$500.00	$1,000.00	Olubunmi Ojo
0400	27500	0200	036000			
0400	27600	0100	100000	$300.00	$500.00	Clarence Carter
0400	27600	0100	101000			
0400	27600	0100	102000			
0500	02000	0400	053000	$7,000.00	$50,000.00	Sukru Ilgin
0500	03100	0100	042000	$200.00	$400.00	Richard Rossi
0500	03300	0200	089000	$1,500.00	$3,000.00	Mark Salese
0500	03300	0300	066000	$200.00	$200.00	Michael Giovagnoni
0500	04800	0100	006000	$500.00	$2,500.00	Joyce Osanyingbemi
0500	07900	0200	072003	$300.00	$400.00	Paulo J. Rosa
0500	08700	0200	094000	$10,000.00	$10,000.00	Mark Salese
0500	10000	0200	066000	$100.00	$100.00	Clarence Carter

2167

Dist	Sect	Block	Lot	Upset Price	Highest Bid	Successful Bidder
0500	10000	0200	083000	$100.00	$2,500.00	Richard Rossi
0500	11500	0200	102000	$300.00	$300.00	Stanley Waynedon
0500	11600	0300	047000	$200.00	$200.00	Clarence Carter
0500	12000	0200	020000	$2,500.00	$3,900.00	Town of Islip Community Development Agency
0500	13700	0100	079001	$200.00	$200.00	Olubunmi Ojo
0500	17500	0200	076000	$100.00	$100.00	American Land Acquisition Corporation
0500	22300	0300	099000	$25,000.00	$40,000.00	Richard Rossi
0500	22700	0100	029000	$500.00	$700.00	Horacio Burrowes, 3rd
0500	22800	0400	095000	$100.00	$2,100.00	Joyce Osanyingbemi
0500	24600	0100	037000	$100.00	$600.00	Stanley Waynedon
0500	26700	0200	037000	$100.00	$175.00	Arun Kumar Bahl
0500	28100	0300	005006	$500.00	$7,000.00	Elizabeth Marcellus
0500	29000	0200	024000	$2,500.00	$4,100.00	Richard Pearce
0500	29200	0200	147000	$2,500.00	$7,000.00	Richard Pearce & Horacio Burrowes III
0500	29200	0200	148000			
0500	31800	0200	092000	$1,000.00	$1,000.00	Richard Rossi
0500	31900	0100	053000	$1,000.00	$1,000.00	Richard Rossi
0500	35000	0300	072000	$250.00	$3,400.00	Joyce Osanyingbemi
0500	36700	0200	070000	$1,500.00	$3,300.00	Steven Bauer
0500	38400	0100	035000	$100.00	$100.00	Richard Rossi
0501	00700	0200	011002	$500.00	$500.00	Michelle Janlewicz
0504	01300	0400	028000	$100.00	$100.00	Nadine Osanyingbemi
0504	01700	0200	050000	$100.00	$400.00	Mohammed Siagha
0504	02000	0100	010000	$100.00	$3,000.00	Sukru Ilgin
0600	04600	0100	033029	$80,000.00	$80,000.00	William J. Polak III
0600	07500	0200	001000	$200.00	$1,600.00	Michelle Janlewicz
0600	10200	0400	015000	$100.00	$100.00	Kimberly Cioch
0600	11900	0200	008000	$500.00	$29,000.00	GAD Development, Inc.

2167

Dist	Sect	Block	Lot	Upset Price	Highest Bid	Successful Bidder
0800	05300	0200	014005	$500.00	$1,000.00	Daniel Bubb
0900	03500	0200	043000	$100.00	$1,000.00	Lafayette Capital Group, Inc.
0900	04400	0100	057000	$100.00	$100.00	Lafayette Capital Group, Inc.
0900	20500	0200	111000	$500.00	$24,000.00	Richard Rossi
0900	29800	0300	017035	$500.00	$5,200.00	Shawn F. Leonard & George K. Gross
0900	35900	0200	030000	$25,000.00	$56,000.00	Arun Kumar Bahl

2167

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

   RESOLUTION NO. -2010, AUTHORIZING THE SALES OF SURPLUS PROPERTY SOLD AT THE OCTOBER 20 & 21, 2010 AUCTION PURSUANT TO LOCAL LAW 13-1976 AS PER EXHIBIT "A" (OMNIBUS RESOLUTION)

3. Purpose of Proposed Legislation

   Approval of Auction Sales.

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

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

   __X__ County _____ Town _____ Economic Impact

   _____ Village _____ School District _____ Other (Specify):

   _____ Library District _____ Fire District

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

   Reduced County tax burden.

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

   Unknown

8. Proposed Source of Funding

   Not applicable.

9. Timing of Impact

   2011

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

    Wayne R. Thompson
    Property Manager

    Wayne R. Thompson

    10/26/10

2167

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

AUCTION SALES TO PRIVATE INDIVIDUALS AND CORPORATIONS
LOCAL LAW 13-1976

		Amount
County Investment		$1,431,689.61
PURPOSE:		
	A. Affordable Housing	_____
	B. Town Parks	_____
	C. Road/Highway	_____
	D. Drainage/Recharge Basin	_____
	E. Other	X

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

WRT:slb

Gen Dl

COUNTY OF SUFFOLK

2167 NOV 03 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 26, 2010

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

Re: Resolution Authorizing the Sales of Surplus Property
Sold at the October 20 & 21, 2010 Auction
Local Law 13 Resolution Authorizing Sale of
Auctioned Properties as per Exhibit "A"
(Omnibus Resolution)

Dear Mr. Crannell:

We are pleased to enclose for your approval the original and one copy of the above proposed resolution with documentation pursuant to Local Law 13-1976 which authorizes the sale of County owned real estate.

At our October 20 & 21, 2010 auction we sold 129 parcels for $1,919,380.00.

Please have the enclosed resolution introduced at the next meeting so that we may proceed with closings on these parcels sold at auction.

Very truly yours,

Pamela J. Greene

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

CEK:WRT:slb

cc: Christopher Kent, Chief Deputy County Executive
Connie Corso, Budget Director
Brendan Chamberlain, County Executive Assistant (2 hard copies)
CE Reso Review, via e-mail

2168

Intro. Res. No. -2010 Laid on Table 12/7/10

Introduced by Legislators Losquadro and Viloria-Fisher

RESOLUTION NO. –2010, REAPPOINTING GEORGE PROIOS AS A MEMBER OF THE SUFFOLK COUNTY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, the Suffolk County Board of Supervisors established a Soil and Water Conservation District by Resolution No. 245-1964; and

WHEREAS, the term of office of **George Proios** as a member of the Soil and Water Conservation District expired on October 31, 2010; now, therefore be it

1st **RESOLVED**, that **George Proios**, residing at 17 Woodbury Road, Farmingville, New York, 11738, hereby is reappointed as a member of the Suffolk County Soil and Water Conservation District for a term to expire on October 31, 2013, said reappointment having been made pursuant to the provisions of Section 6 of the NEW YORK SOIL & WATER CONSERVATION DISTRICTS LAW.

Dated:

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

s:\res\r-reappt-proios-soil-water-conservation-districts

2168

GEORGE PROIOS

◆ Farmingville, NY 11738 ◆ (631) ◆ Cell: (516)

GOVERNMENT EXECUTIVE

Local/ State government official; Environmental Professional; Water Quality Specialist.

Award-winning, professionally recognized, and accomplished government executive administering environmental programs within agencies, departments, and districts. Facilitates federal, state, and local municipal environmental compliance as ***Assistant County Executive, Board Chairman, Director of Environmental Protection, Chief Environmental Analyst.*** Ability to define complex issues, conduct studies and surveys, obtain and research data, and analyze, formulate, and deliver solution-based, comprehensive advice.

Objective:

Actively seeking a challenging position to develop productive partnerships with governmental agencies, elected officials, the private sector, and citizen organizations within leading environmental, and natural resource protection program development.

Strengthens:

Combined strength in creative problem solving with management program initiatives, blending idealism with political reality, and devising new methods to improve procedural and system efficiency, building relationships among professional, private, public, and government organizations.

TEAM-BASED LEADERSHIP EXPERIENCE

Soil & Water Conservation District Board Chairperson ◆ Water Authority Board Member ◆ State Soil & Water Conservation Committee Chairperson ◆ Brookhaven Town Zoning Board of Appeals, ◆ New York Association of Conservation Districts◆ Resource Conservation & Development Council.

National Urban Run-Off Program ◆ Suffolk County Comprehensive Water Supply Plan ◆ Source Water Assessment Program ◆ Best Management Practices Handbook ◆ Clean Sweep Program ◆ Agricultural Stewardship Program ◆ Farming Grants ◆ Denitrification Plant
Civic / Environmental Groups / Elected Official Presentations ◆ Local / State Media Interviews

CAREER PERFORMANCE QUALIFICATIONS

- Protect, preserve, enhance, and utilize soil and water resources of the county and region; serve farmers, local landowners, and local government.
- Supervised 400 indirect employees at SCWA; i.e., engineers, lab technicians, Geographic Information System (GIS) specialists, comptrollers and attorneys; perform evaluations for CEO and top administrative staffs.
- Analyzed monthly expenditures; approved contracts, and multi-year plans.
- Administer $2MM in grants; and $370M full-budget accountability.
- Coordinate U.S.D.A. Natural Resource Conservation Service Grant Programs; i.e., EQIP, AMA, CSP, WRP, WHIP, et al. Deliver conservation on the land, pesticide and storm water management, and soil erosion protection.
- Lobby the NY State Legislature as Chairman of the legislative committee; i.e., secured $3MM+ for 58 local soil and water districts throughout New York State; and $12MM for agricultural, non-point source pollution projects..
- Secure well permits from N.Y.S. Department of Environmental Conservation
- Identify environmental issues on agricultural lands through Agricultural Environmental Management; develop plans to address those issues; secure state / federal grants to pay for implementation.
- Designed and taught college class at S.U.N.Y at Stony Brook on "The Politics of Water Resource Protection."
- Participated in newspaper interviews: The New York Times, Newsday, and weeklies; cable TV interviews.
- Conduct water resource protection presentations and discussions to environmental organizations, civic groups, state / county legislative bodies, and commissions.

PROFESSIONAL EXPERIENCE

SUFFOLK COUNTY DEPARTMENT OF ENVIRONMENT & ENERGY • Hauppauge, NY **2003 to 7/2008**

Chief Environmental Analyst

Perform analyses of current environmental issues; i.e., energy management, recycling, alkylphenol ethoxylates. Prepare county's annual environmental report; brief legislators on current environmental issues.

- ~ *Wrote proposal for U.S. Department of Homeland Security to retain Plum Island Animal Research Station operations. Federal government subsequently granted $25MM to facility.*
- ~ *Oversaw energy management study & solid waste plan for county facilities.*

SUFFOLK COUNTY SOIL & WATER CONSERVATION DISTRICT (SWCD) • Riverhead. NY **1997 to Present**

Chairperson - Board of Directors

Supervise seven, full-time employees in county district.

- ~ *Dramatically increased federal and state county grant revenues.*
- ~ *Developed and implemented special projects in conjunction with the Agricultural Environmental Management(AEM) Program; i.e., construction of pesticide mixing facilities; the installation of an advanced animal wastewater treatment system removing 99% of the nitrogen from private duck farm - significantly improving water quality in Flanders Bay.*
- ~ *Instituted the Long Island Envirothon for Long Island high schools.*
- ~ *Organized the Mid-Atlantic States RC&D Annual Conference at West Point; assisted with initiation of the Suffolk County Annual Farm Festival & Pumpkin Fest at the County Farm and the Annual Conferences of the New York Association of Conservation Districts (NYACD).*

SUFFOLK COUNTY WATER AUTHORITY • Oakdale, NY **2002 to 2007**

Board Member

One of five voting members of the largest Groundwater purveyor in the Country, servicing 1.2 million residents from 550 high capacity wells. Investigated and evaluated new contaminant issues; i.e. MTBE, perchlorate, pharmaceuticals.

- ~ *Initiated the passing of resolution to cap indirect costs to SUNY research foundation; saved $20M within first year; and, $100M over five-year period.*

SUFFOLK COUNTY EXECUTIVE'S OFFICE • Hauppauge, NY **1992 to 2003**

Assistant County Executive for Environmental Affairs

Managed and coordinated environmental functions for 10 independent, environmental agencies, departments and districts. Interacted with the Suffolk County Legislature, public and private organizations.

- ~ *County Executive's representative for all environmental issues, including studies such as the Peconic & South Shore Estuary Programs.*
- ~ *Chairman of the Central Pine Barrens Commission.*
- ~ *Conducted numerous speaking engagements.*

NEW YORK STATE WATER RESOURCES COMMISSION • Hauppauge, NY **1982 to 1992**

Executive Director

Evaluated condition of Long Island's "Sole Source Aquifer;" i.e., held hearings, and drafted legislation to preserve and protect this critical resource. Supervised staff of 15 environmental analysts and attorneys.

- ~ *Drafted 35+ state laws; i.e., banning of all landfills over Long Island's drinking water supply.*
- ~ *Testified before legislative committees and pubic officials.*
- ~ *Developed environmental education and awareness programs; i.e., initiated K-12 water resources curriculum and poster contest within Nassau / Suffolk county school districts.*
- ~ *Delivered presentations to elected officials, civic groups and business organizations.*

TOWN OF BROOKHAVEN • Brookhaven, NY **1975 to 1982**

Director - Department of Environmental Protection

Developed department from ground up as the first environmental director for largest township on Long Island. Supervised staff of 18, including four law enforcement officers (Harbor Masters).

- ~ *Initiated Bay Management and Wetlands Protection Programs; established Mr. Sinai Marine Sanctuary.*
- ~ *Wrote noise ordinance; wetlands, and petroleum substance disposition laws.*
- ~ *Created nature trails; managed youth conservation corps teams.*

SUFFOLK COUNTY HEALTH SERVICES DEPARTMENT • Hauppauge, NY **1974 to 1975**
Public Health Sanitarian

Inspected, surveyed, and analyzed public water supply sources, streams, lakes and beaches. Maintained liaison among local residents, elected officials, and commercial and industrial facilities.

SACHEM CENTRAL SCHOOL DISTRICT • Holbrook, NY **1972 to 1974**
Science Teacher

EDUCATION

S.U.N.Y at Stony Brook, Stony Brook, NY – M.A. in Science Education,
University of Denver, Denver, CO – B.A. in Biology – Minor, Am. History
Adelphi University, Garden City, NY – Paralegal

CERTIFICATIONS

New York State Health Department Certification – Public Health Sanitarian
New York State Permanent Teaching Certification in Biology, Chemistry, Earth & General Science, 7-12

PROFESSIONAL APPOINTMENTS

Brookhaven Town Board – Appointment: Zoning Board of Appeals
George E. Pataki, Governor – State of New York – Appointment: Member of Brookhaven National Laboratory Local Oversight & Monitoring Committee, 2004
George E. Pataki, Governor – State of New York - Appointment: New York State Soil & Water Conservation Committee (1st Long Island Member), 2003
Mario Cuomo, Governor – State of New York - Appointment: New York State Water Resources Planning Council (1st Only Suffolk County Member), 1986

PROFESSIONAL MEMBERSHIPS & ASSOCIATIONS

New York Association of Conservation Districts, 1nd Vice President
Suffolk County Soil & Water Conservation District, Chairman
Lower Hudson / Long Island Resource Conservation & Development Council, Past President
New York State Association of Environmental Management Councils, Former President
Cornell Cooperative Extension of Suffolk County, Board Member / Farm Advisory Committee, Chairman

PROFESSIONAL ASSOCIATIONS

Friends of Fire Island National Seashore ♦ National Sanitation Foundation's Water Treatment Advisory Group
New York State Non-Point Source Coordinating Committee ♦ American Water Resources Association
American Water Works Association ♦ Long Island Ground Water Resources Institute Advisory Committee

AWARDS

New York State Conservation District Employee's Association – District Director Award, 2006
Long Island Farm Bureau – True Friend of Agriculture Award, 2006
NRCS – Team Excellence Award, 2005
New York Association of Conservation Districts – Distinguished Service Award, 2005
Environmental Protection Agency – Award of Merit

2168

President's Biography

George Proios of Suffolk County represents the Urban, Suburban, and Rural Non-Farm interests on the **NY State Soil & Water Conservation Committee** where he is currently the Vice-chairman. He is the Chief Environmental Analyst for Suffolk County, Chairman of their Soil & Water Conservation District, and a Board Member of the Suffolk County Water Authority. He is a member of the County Agricultural Protection Board and chairs the Peconic Estuary's Agricultural Environmental Management (AEM) Strategy Committee. He is also 2nd Vice President of the NY Association of Conservation Districts.

Previously, George had been the Executive Director of the New York State Legislative Commission on Water Resource needs of Long Island for ten years. He was the first Director of Environmental Protection for Brookhaven, the largest township of Long Island. George has also been a Public Health Sanitarian with the Suffolk County Health Department, working in the Water Quality unit and a science teacher who taught Biology and Earth Science.
He holds a B.A degree in Biology from the University of Denver, an M.A in Science Education from SUNY at Stony Brook, and a Para-legal degree from Adelphi University.

He has been a member of the New York State Water Resources Planning Council, Chairman of the Suffolk County Council on Environmental Quality, and a technical advisor to many studies conducted on Long Island dealing with Natural Resource Protection, including the 208 Study, the National Urban Runoff Program, Suffolk County Comprehensive Water Supply Plan, and Source Water Assessment Program. George has been the recipient of the Environmental Protection Agency's *Special Award of Merit* for the development of environmental programs, *Distinguished Service Award* from the NY Association of Conservation Districts in 2005, and *District Director Award* in 2006 from the NYS Conservation District Employees Association.

2169

Intro. Res. No. -2010 Laid on Table 12/7/10

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 REEVES BAY WATERSHED MANAGEMENT PLAN STORMWATER REMEDIATION COMPONENT (CP 8240.325)

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 implement the Peconic Estuary Program's Subwatershed Management Plan for Reeves Bay in Flanders in accordance with Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the project proposes funding construction of the stormwater remediation projects developed by the Plan; and

WHEREAS, funding for this project is requested through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, the Town of Southampton will commit by Town Resolution 2008-1335 to either the lesser of $500,000 or one half the cost of this project; and

WHEREAS, the Town of Southampton will commit by Town Resolution 2008-1335 to enter into and inter-municipal agreement with Suffolk County for this project; 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 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 the Town of Southampton, having conducted a coordinated review and being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, found as documented in Town Resolution 2010-1099, that this resolution constitutes a Type I action, for which a Negative

Declaration was issued, therefore the SEQRA review is complete and no further action needs to be taken by Suffolk County; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-six (66) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution 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:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$495,000

and be it further

5th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT (Ref. 525-CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	$495,000

and be it further

6th RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240
Project Title: Implementation of the Peconic Estuary Program Reeves Bay Watershed Management Plan Stormwater Remediation Component

	Total Est'd Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
3. Construction	$495,000	$0	$495,000
TOTAL	$495,000	$0	$495,000

and be it further

7th **RESOLVED**, that these Water Quality proceeds in the amount of $495,000 be and hereby is appropriated as follows:

Project Number	JC	Project Title	Amount
525-CAP-8240.325	45	Implementation of the Peconic Estuary Program Reeves Bay Watershed Management Plan Stormwater Remediation Component--Construction	$495,000

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; and be it further

9th **RESOLVED**, that the County Executive is hereby authorized to execute an inter-municipal agreement with the Town of Southampton under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW, which shall include but not be limited to, a provision authorizing implementation of stormwater abatement activities in the Peconic Estuary at Reeves Bay in Flanders; and be it further

10th **RESOLVED**, that Town of Southampton, under terms of an inter-municipal agreement with the County, will adhere to all necessary regulatory requirements including, but not limited to, compliance with the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, applicable to the implementation of stormwater abatement activities in the Peconic Estuary at Reeves Bay in Flanders.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

2169

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. -2010, 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 REEVES BAY WATERSHED MANAGEMENT PLAN STORMWATER REMEDIATION COMPONENT (CP 8240.325)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND- AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8240- STORMWATER REMEDIATION PROJECT.

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 26th, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2169

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.

To be completed by the Executive Budget Office

2169

Southampton Town Board
116 Hampton Road
Southampton, NY 11968

ADOPTED

RESOLUTION 2008-1335

Meeting: 09/23/08 06:00 PM
Department: Public Works
Category: Agreements, Contracts, Leases
Prepared By: Walter Bundy
Initiator: Walter Bundy
Sponsors: Kabot, Graboski, Russo
DOC ID: 7733

Application for Suffolk County Water Quality Protection and Restoration Program through the County's 2008 Water Quality Improvement Projects Program to Continue Implementation of Stormwater Abatement Activities in the Peconic Estuary at Reeves Bay in Flanders

WHEREAS, the Town of Southampton is considering a grant application to the Suffolk County Water Quality Protection and Restoration Program for Nonpoint Source Abatement and Control Project funding assistance through the 2008 Water Quality Improvement (WQI) Projects Program to continue implementation of stormwater abatement activities to reduce runoff to the Peconic Estuary at Reeves Bay in Flanders; and

WHEREAS, Southampton's Stormwater Abatement Proposal presents initiatives which have been identified in a Draft Marine Resource Management Plan prepared by the Southampton Board of Trustees and the Town of Southampton Department of Land Management, funded in part by EPF funding through the 1998 NYDOS LWRP; and the Reeves Bay Watershed Management Plan prepared by Horsley Witten Group, Inc. with funding provided by the U.S. Environmental protection Agency under assistance agreement to the Peconic Estuary Program through the Suffolk County Department of Health Services; and

WHEREAS, Southampton's Stormwater Abatement Proposal represents a project supported by the Regional NYSDEC Office, the Suffolk County Department of Health Services and the Peconic Estuary Program Office; and

WHEREAS, Southampton's Stormwater Abatement Proposal represents a project totaling $1,000,000 in cost requiring fifty percent (50%) local matching funds totaling $500,000 which is anticipated to be required from the Town's 2011 through 2013 Capital Budgets (Clean Water Bond Budget G/L #: 80-30-8020-21-6241-1116); and

WHEREAS, the Town of Southampton, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain stormwater abatement work, as described in its Pre-Application and attachments, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, Article XII of the Suffolk County Code authorizes County assistance to municipalities for water quality improvement projects by means of a contract and the Town of Southampton deems it to be in the public interest and benefit under this law to enter into a contract therewith pursuant to the Suffolk County Water Quality Improvement Program, so therefore be it

RESOLVED, that the Town Board adopts this resolution in support of the submittal of a Pre-Application and Application for Suffolk County Water Quality Improvement funding to implement the proposed stormwater abatement activities; and be it

FURTHER RESOLVED, that the Town Board agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within six (6) months of written approval of its application by Suffolk County; and be it

FURTHER RESOLVED, that the Supervisor of the Town of Southampton, is the representative authorized to act in behalf of the Town of Southampton in all matters related to receiving Suffolk County Water Quality Improvement Program funding assistance and executing the County/Town Agreement and upon approval of said request to enter into and execute the County Assistance Agreement, and that upon executing the County/Town Agreement, the Town Public Works Building Project Coordinator acting as the designated project manager and liaison between Southampton's implementing Departments shall submit Project documentation, and otherwise act for the Town of Southampton and its Town Board in all matters related to the completion of the Town's project

FURTHER RESOLVED, that one (1) certified copy of this Resolution be prepared and sent to the Suffolk County Department of Public Works to support the Town's Application and Award for Suffolk County Water Quality Improvement Program funding assistance; and be it

FURTHER RESOLVED that this Resolution takes affect immediately.

Financial Impact

Supporting capital funding not to exceed $500,000 is intended to be utilized from the Town's 2011 through 2013 Capital Budgets (Stormwater Abatement Projects G/L 80.30.8020.21.6241.1116) for the fifty percent (50%) local matching funds

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Linda Kabot, Supervisor
SECONDER:	Nancy Graboski, Councilwoman
AYES:	Kabot, Russo, Graboski, Throne-Holst, Nuzzi

2169

Southampton Town Board
116 Hampton Road
Southampton, NY 11968

ADOPTED

RESOLUTION 2010-1099

Meeting: 11/09/10 01:00 PM
Department: Town Engineer
Category: SEQRA
Prepared By: Catherine Kovalsky
Initiator: John LaRosa
Sponsors: Councilwoman Graboski, Councilman Nuzzi
DOC ID: 12262

Resolution Adopting Negative Declaration for Purposes of SEQRA in Connection with Suffolk County's 2008 Water Quality Improvement Projects Program to Continue Implementation of Stormwater Abatement Activities in the Peconic Estuary at Reeves Bay in Flanders

WHEREAS, the Town of Southampton has been awarded a grant from the Suffolk County Water Quality Protection and Restoration Program for Nonpoint Source Abatement and Control Project funding assistance through the 2008 Water Quality Improvement (WQI) Projects Program to continue implementation of stormwater abatement activities to reduce runoff to the Peconic Estuary at Reeves Bay in Flanders; and

WHEREAS, the Town Board has reviewed the provisions of the New York State Environmental Quality Review Act (SEQRA) and Chapter 157 (Environmental Quality Review) of the Town Code; and

WHEREAS, the proposed action meets the criteria of a Type I action; and

WHEREAS, pursuant to SEQRA, the coordinated review process was conducted, with no involved agency requesting lead agency status; and

WHEREAS, the Town Board of the Town of Southampton proposes to undertake the action itself and is, therefore, assuming lead agency status; and

WHEREAS, the Town Board has conducted a review of the information contained in the Environmental Assessment Forms prepared by the Department of Land Management; and

WHEREAS, the potential impacts and the magnitude and importance of potential impacts have been considered by the Town Board; and

WHEREAS, the Town Board, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that the proposed stormwater abatement work is desirable, is in the public interest, and will aid the Town in meeting the requirements of its SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems; so therefore be it

RESOLVED, that the Town Board hereby adopts a Negative Declaration pursuant to the State Environmental Quality Review Act and Chapter 157 of the Town Code; and be it further

RESOLVED, that the Town Clerk is hereby directed to maintain a copy of the determination of significance (negative declaration) dated November 9, 2010, and forward same to all involved agencies, the project sponsor, and any person who requested a copy; and be it further

RESOLVED, that the Town Clerk shall cause said determination of significance to be filed in

2169

the Environmental Notice Bulletin (ENB) pursuant to SEQRA (6 NYCRR) Section 617.12.

Financial Impact

None

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Nancy Graboski, Councilwoman
SECONDER:	Anna Throne-Holst, Supervisor
AYES:	Throne-Holst, Malone, Graboski, Fleming, Nuzzi

2169

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

3. Title of Proposed Legislation:

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 REEVES BAY WATERSHED MANAGEMENT PLAN

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

477 Fund – Water Quality Protection and Restoration Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Carrie Meek Gallagher, Commissioner Dept Environment & Energy		

SCIN FORM 175b (10/95)

2169

Proposal for the Suffolk County Water Quality Protection and Restoration Program

Project:
Implementation of the Peconic Estuary Program Reeves Bay Watershed Management Plan

Cost Estimate:
$495,500 is requested in WQPP funds toward the total estimated cost of $1,129,000. Southampton Township will provide the remainder of the total cost as match.

Summary:
This project will completely implement the Peconic Estuary Program's (PEP) Subwatershed Management Plan for Reeves Bay by funding construction of the stormwater remediation projects developed by the Plan. Supporting implementation of the watershed management plan will protect the ecological integrity of this highly valued ecosystem by improving water quality, enhancing critical habitat, and fostering community awareness and understanding of stormwater pollution. The ultimate goal of these projects is re-opening of closed shellfishing waters.

Background:
Reeves Bay (NYSDEC PWL 1701-0272) is a New York State impaired waterbody. The known pollutants are pathogens, and the known contributing source is urban runoff. High levels of various pollutants from stormwater and other nonpoint urban runoff in Reeves Bay (NYSDEC Shellfish Growing Area (SGA) 29), have closed the bay to shellfishing year round. These waters were historically among the most productive bay scallop areas in the state.

The Reeves Bay Watershed Managament Plan was developed using prior PEP and other studies, aerial photography and GIS, as well as field reconnaissance to ground truth land use and drainage information, evaluate habitat, identify potential stormwater pollutant sources, and provide specific management recommendations.

Proposal:
The Reeves Bay Watershed Management Plan describes thirteen (13) stormwater Best Management Practices (BMPs) to reduce the introduction of pollutants to the bay. Southampton Township has already secured funding to construct two of the 13 needed projects through the NYS Water Quality Improvement Project funds. This project will support the implementation of the remaining eleven (11) stormwater best management practices identified in the Reeves Bay Subwatershed Management Plan. Conceptual BMP design plans including detailed descriptions and justifications are included in the Plan available at: http://peconicestuary.org/Reeves_Bay_Final%20report.pdf. The Town of Southampton is providing a 50% match of the remaining project costs to construct the eleven BMPs (grass channels, filter strips, constructed wetlands, dry swales, and sediment forebays). In addition, Southampton has initiated $450,000 of complementary stormwater remediation projects in the Reeves Bay watershed. All of these leveraged funds are available to match Suffolk County funds. A Town Resolution and letter of support will be provided.

Proposal for the Suffolk County Water Quality Protection and Restoration Program

Implementing the Peconic Estuary Program Reeves Bay Watershed Management Plan

Total REQUESTED: $495,500.00

BMP Site #	Estimated Cost*	Secured Funds **	Remaining Need	50% Town Match***	REQUESTED	Other Town RB Watershed Projects****
R-1A	$57,000		$57,000			
R-1B	$20,000		$20,000			
R-1C	$115,000		$115,000			
R-2A	$247,000		$247,000			
R-2B	$65,000		$65,000			
R-2C	$293,000		$293,000			
R-2D	$23,000		$23,000			
R-2E	$41,000		$41,000			
R-4	$20,000		$20,000			
R-6A	$39,000		$39,000			
R-6B	$71,000		$71,000			
R-8A	$66,000	$66,000				
R-8B	$72,000	$72,000				
Totals	$1,129,000	$138,000	$991,000	$495,500	**$495,500**	$450,000

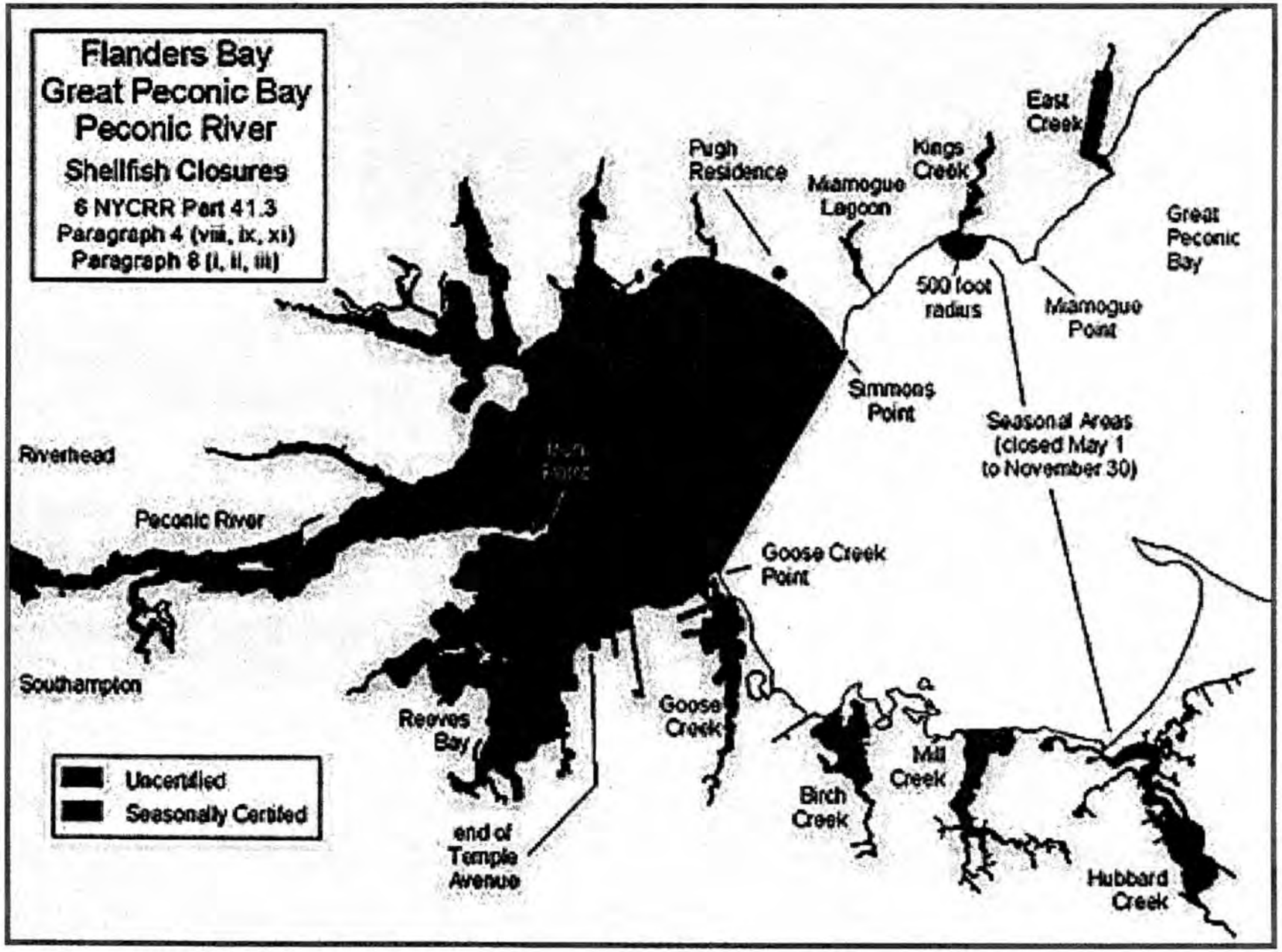
* Cost estimates were provided by Horsley Witten Group and included capital cost, and design, permitting, contingency costs. While these cost estimates were provided based upon conceptual BMP design plans, the Town estimates that minor changes to the designs (with equal if not higher pollutant removal efficiencies) can and should be made to increase effectiveness and minimize expended funds.

** Southampton Town has secured NYSDEC WQIP funding and provided Town match

*** Southampton Town Stormwater Capital Budget

**** Other stormwater abatement/remediation projects within the Reeves Bay watershed. Supported by Southampton Town Stormwater Capital Budget and NYSDEC WQIP funding

2169


Flanders Bay
Great Peconic Bay
Peconic River
Shellfish Closures
6 NYCRR Part 41.3
Paragraph 4 (viii, ix, xi)
Paragraph 8 (i, ii, iii)
Pugh Residence
Mamogue Lagoon
Kings Creek
East Creek
Great Peconic Bay
500 foot radius
Mamogue Point
Simmons Point
Seasonal Areas (closed May 1 to November 30)
Riverhead
Peconic River
Goose Creek Point
Southampton
Reeves Bay
Goose Creek
Birch Creek
Mill Creek
Hubbard Creek
end of Temple Avenue
Uncertified
Seasonally Certified

2169

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2169

COUNTY OF SUFFOLK

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT
AND ENERGY

November 16, 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:

"Reeves Bay Watershed Management Plan"

There are sufficient funds included in the 2010 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its April 24, 2008 meeting, approved "Reeves Bay Watershed Management Plan", 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 $495,000.

After your examination please place this on the Legislative Agenda as soon as possible.

Sincerely,

Carrie Meek Gallagher
Commissioner SC Department of Environment & Energy

Enc.
cc: Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, Intergovernmental Relations
CE Reso Rev (e-mail)

LOCATION.
H LEE DENNISON BUILDING, 12th FLOOR
100 VETERANS MEMORIAL HIGHWAY

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

OFFICE (631) 853-4016
FAX (631) 853-4818

2170

Intro. Res. No. 2010 Laid on Table 12/7/10

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

RESOLUTION NO. , 2010 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (CP 8180)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with this Suffolk County Legislature **("Legislature")** resulting in a public hearing on December 7, 2010 in relation to the engineering assistance to increase and improvement of sludge facilities at Suffolk County Sewer District No. 3 – Southwest; and

WHEREAS, pursuant to Resolution No. 1042-2010, the Clerk of this Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to this Legislature; and

WHEREAS, said public hearing is to be held in Riverhead, New York in this County on December 7, 2010 at 2:30 p.m., Prevailing Time; and

WHEREAS, this Legislature has duly considered the map and plan and estimate of cost for the proposed increase and improvement of Suffolk County Sewer District No. 3 – Southwest that was submitted to it along with evidence presented at the aforesaid public hearing; now therefore be it

1st RESOLVED, by this Legislature, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature hereby finds and determines that, 1) it is in the public interest to perform the engineering tasks of the proposed increase and improvement, 2) the proposed work is adequate and appropriate, 3) the cost of such engineering for the increase and improvement shall be set at a maximum of approximately $200,000; and 4) the increase and improvement will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature further finds that two other projects (Bergen Point Expansion and sewer system improvements, Capital Project Numbers 8183 and 8181, respectively) being implemented for this sewer district, when added to the project will result in an annual unsubsidized increase to the typical property of approximately $65.18 for parcels located in either Town. However, this Legislature further finds and determines that there will be no fiscal impact to the benefited properties since pursuant to the Suffolk County Assessment Stabilization Reserve Fund created by Suffolk County Law (Suffolk County Charter Section 2-12(d)) all residents of sewer district in Suffolk County experience only a 3% annual increase regardless of any improvements performed in such sewer district with the increase per typical property being $18.64; and

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature further finds and determines that all property and property owners within the existing Suffolk County Sewer District No. 3 – Southwest will be benefited by such planning of the increase and improvement of facilities and that no benefited property has been excluded from the increase and improvement of facilities.

2nd **RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA, and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

2170

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

A resolution making certain findings and determinations in relation to the engineering of the increase and improvement of facilities for Sewer District No. 3 – Southwest (CP 8180).

3. Purpose of Proposed Legislation

To make certain findings and determinations for the engineering of sludge system improvements for SCSD No. 3 – Southwest.

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify): Sewer District**

Library District **Fire District**

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

The findings will allow appropriations to be requested. See item No. 7

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

$19,000/year (maximum year), however, $18.64 per year per typical property based on ASRF subsidy.

8. Proposed Source of Funding Serial Bonds

9. Timing of Impact 2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Ben Wright, P.E. Principal Civil Engineer DEBRA Kolyer PRINCIPAL FINANCIAL ANALYST	Ben Wright Debra Kolyer	10/29/10 11/19/10

SCIN FORM 175B (10/95)

jp-bw11-1-10 Backup-DPW 175B sd3 Southwest sludge findings CP 8180

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2170

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

2170

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 3 – Southwest (Sludge) CP 8180**

DATE: November 1, 2010

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8180 - SD 3 – Southwest (Sludge) Improvement 11-1-10 and backup filed as Backup-DPW CP 8180 - SD 3 – Southwest (Sludge) Improvement 11-1-10 for the findings resolution of the increase and improvement of Sewer District No. 3 – Southwest. The public hearing is to be held on December 1, 2010. The project is to provide consultant assistance in various activities related to sludge improvements. The total cost associated of consultant assistance for the project is $200,000 of which is contained in the adopted 2010 Capital Budget.

We appreciate the resolution being laid on the table.

JP:BW:ni
Attachment
cc: Ed Dumas, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Deputy County Attorney
Laura Conway, CPA, Chief Accountant
✓Carmine Chiusano, Budget Office
Ben Wright, P.E., Principal Civil Engineer
John Donovan, P.E., Principal Civil Engineer
CE Reso Review
jp-bw11-1-10 Backup-DPW sd3 Southwest findings CP 8180 memo to KCrannell

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010
FAX (631) 852-4150

2171

Intro. Res. No. - 2010 Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH DREDGING OF COUNTY WATERS (CAPITAL PROGRAM NUMBER 5200)

WHEREAS, the Commissioner of Public Works has requested funds for site improvements in connection with Dredging of County Waters; 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, 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, as the New York State Department of Environmental Conservation is SEQRA lead agency for all dredging projects, this project is not reviewed by the Suffolk County Council on Environmental Quality, and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,000,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

3rd **RESOLVED**, that the proceeds of $1,000,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5200.443 Fund 001 Debt Service	50	Dredging of County Waters	$1,000,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

2171

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. 2010, APPROPRIATING FUNDS IN CONNECTION WITH DREDGING OF COUNTY WATERS (CAPITAL PROGRAM NUMBER 5200)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		November 22, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2171

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$220,228**	**$0.40**		$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	**$220,228**	**$0.40**		$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.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2171

Term of Bonds: 5
Amount to Bond: $1,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2011					
11/1/2011					
5/1/2012	2.500%	$187,228.37	$33,000.00	$220,228.37	$220,228.37
			$13,410.73	$13,410.73	
5/2/2013	3.500%	$193,406.91	$13,410.73	$206,817.64	$220,228.37
			$10,219.52	$10,219.52	
5/2/2014	3.500%	$199,789.34	$10,219.52	$210,008.85	$220,228.37
			$6,922.99	$6,922.99	
5/2/2015	3.500%	$206,382.38	$6,922.99	$213,305.38	$220,228.37
			$3,517.68	$3,517.68	
5/1/2016	3.500%	$213,193.00	$3,517.68	$216,710.69	$220,228.37
		$1,000,000.00	$101,141.86	$1,101,141.86	$1,101,141.86

2171

COUNTY OF SUFFOLK

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: October 26, 2010

RE: Appropriating Funds in Connection with Dredging of County Waters (CP 5200)

Attached is a draft resolution and duplicate copy to appropriate the sum of $1,000,000 site improvements (dredging) in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

These funds will be used for the dredging of the Forge River. It may be necessary to add and/or substitute other waterways due to changes in priorities or other requirements to be determined by this Department.

As the New York State Department of Environmental Conservation is SEQRA lead agency for all dredging projects. This project is not reviewed by the Suffolk County Council on Environmental Quality.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5200.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

Intro. Res. No 2172 - 2010 Laid on the Table 12/7/10
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION AND REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES (CP 5048)

WHEREAS, the Commissioner of Public Works has requested funds for Construction in connection with Construction and Rehabilitation of Highway Maintenance Facilities; and

WHEREAS, there are sufficient funds within the 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 $315,000 in Suffolk County Serial Bonds; now, therefore, be it

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

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of Sixty-two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, 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 $315,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5048.315 (Fund 016 Debt Service)	20	Construction and Rehabilitation of Highway Maintenance Facilities	$315,000

Date:

APPROVED BY:

_____
County Executive of Suffolk County
Date of Approval:

2172

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION AND REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES (CP 5048)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		November 19th, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2172

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$27,708**	**$0.05**		$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	**$27,708**	**$0.05**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2172

Term of Bonds: 15
Amount to Bond: $315,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	$16,105.21	$11,602.50	$27,707.71	$27,707.71
			$5,504.65	$5,504.65	
5/1/2012	3.500%	$16,698.42	$5,504.65	$22,203.06	$27,707.71
			$5,197.12	$5,197.12	
5/1/2013	3.500%	$17,313.47	$5,197.12	$22,510.59	$27,707.71
			$4,878.26	$4,878.26	
5/1/2014	3.500%	$17,951.19	$4,878.26	$22,829.45	$27,707.71
			$4,547.66	$4,547.66	
5/1/2015	3.500%	$18,612.39	$4,547.66	$23,160.05	$27,707.71
			$4,204.88	$4,204.88	
4/30/2016	3.500%	$19,297.95	$4,204.88	$23,502.83	$27,707.71
			$3,849.48	$3,849.48	
4/30/2017	3.500%	$20,008.75	$3,849.48	$23,858.23	$27,707.71
			$3,480.98	$3,480.98	
5/1/2018	3.500%	$20,745.74	$3,480.98	$24,226.73	$27,707.71
			$3,098.92	$3,098.92	
5/1/2019	3.500%	$21,509.88	$3,098.92	$24,608.79	$27,707.71
			$2,702.77	$2,702.77	
4/30/2020	3.500%	$22,302.16	$2,702.77	$25,004.93	$27,707.71
			$2,292.04	$2,292.04	
4/30/2021	3.750%	$23,123.62	$2,292.04	$25,415.66	$27,707.71
			$1,866.18	$1,866.18	
5/1/2022	4.000%	$23,975.34	$1,866.18	$25,841.52	$27,707.71
			$1,424.64	$1,424.64	
5/1/2023	4.500%	$24,858.43	$1,424.64	$26,283.07	$27,707.71
			$966.83	$966.83	
4/30/2024	4.500%	$25,774.05	$966.83	$26,740.88	$27,707.71
			$492.16	$492.16	
4/30/2025	4.500%	$26,723.40	$492.16	$27,215.55	$27,707.71
		$315,000.00	$100,615.62	$415,615.62	$415,615.62

COUNTY OF SUFFOLK

2172

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive (2 copies)

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

DATE: September 24, 2010

RE: CP 5048 – Construction and Rehabilitation of Highway Maintenance Facilities

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Attached for your review is a draft resolution requesting that $315,000 be appropriated for replacement of the salt storage dome at the Yaphank highway maintenance facility. This building suffered from structural deterioration and failure earlier this year and must be replaced in order to maintain sufficient salt stock.

This work is classified as a Type II action as it is a replacement of a structure in kind and will have no significant effect on the environment.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 5048 Resolution.doc.

JP/TG/dk
attachments
cc: Chris 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, Facilities Engineering
Kathy LaGuardia, Executive Assistant for Finance & Administration
Laura Conway, CPA, Chief Accountant
CE RESO Review (e-mail)

2173

Intro. Res. No. - 2010 Laid on the Table 12/7/10

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

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH THE REHABILITATION OF PARKING LOTS, DRIVES AND CURBS AT COUNTY FACILITIES (CP 1678)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with rehabilitation of Parking lots, drives and curbs at County facilities; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; 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 $300,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (1), (2), (4), (20) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), 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

3nd 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; and be it further

4rd RESOLVED, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-1678.320 (Fund 001 Debt Service)	50	Rehabilitation of Parking Lots, Drives and Curbs at County Facilities	$300,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

2173

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH THE REHABILITATION OF PARKING LOTS, DRIVES AND CURBS AT COUNTY FACILITIES (CP 1678)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		October 22nd, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2173

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$26,388**	**$0.05**		$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	**$26,388**	**$0.05**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2173

Term of Bonds: 15
Amount to Bond: $300,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	$15,338.29	$11,050.00	$26,388.29	$26,388.29
			$5,242.52	$5,242.52	
5/1/2012	3.500%	$15,903.25	$5,242.52	$21,145.77	$26,388.29
			$4,949.63	$4,949.63	
5/1/2013	3.500%	$16,489.02	$4,949.63	$21,438.66	$26,388.29
			$4,645.96	$4,645.96	
5/1/2014	3.500%	$17,096.37	$4,645.96	$21,742.33	$26,388.29
			$4,331.10	$4,331.10	
5/1/2015	3.500%	$17,726.09	$4,331.10	$22,057.19	$26,388.29
			$4,004.65	$4,004.65	
4/30/2016	3.500%	$18,379.00	$4,004.65	$22,383.64	$26,388.29
			$3,666.17	$3,666.17	
4/30/2017	3.500%	$19,055.96	$3,666.17	$22,722.12	$26,388.29
			$3,315.22	$3,315.22	
5/1/2018	3.500%	$19,757.85	$3,315.22	$23,073.07	$26,388.29
			$2,951.35	$2,951.35	
5/1/2019	3.500%	$20,485.60	$2,951.35	$23,436.95	$26,388.29
			$2,574.07	$2,574.07	
4/30/2020	3.500%	$21,240.15	$2,574.07	$23,814.22	$26,388.29
			$2,182.90	$2,182.90	
4/30/2021	3.750%	$22,022.50	$2,182.90	$24,205.39	$26,388.29
			$1,777.32	$1,777.32	
5/1/2022	4.000%	$22,833.66	$1,777.32	$24,610.98	$26,388.29
			$1,356.80	$1,356.80	
5/1/2023	4.500%	$23,674.70	$1,356.80	$25,031.50	$26,388.29
			$920.79	$920.79	
4/30/2024	4.500%	$24,546.72	$920.79	$25,467.50	$26,388.29
			$468.72	$468.72	
4/30/2025	4.500%	$25,450.85	$468.72	$25,919.57	$26,388.29
		$300,000.00	$95,824.40	$395,824.40	$395,824.40

COUNTY OF SUFFOLK

2173

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: November 23, 2010

RE: C.P. 1678 – Rehabilitation of Parking Lots, Drives and Curbs at County Facilities

We are forwarding herewith a draft resolution appropriating the sum of $300,000.00 for construction in connection with the above referenced project. There are presently funds included in the 2010 Capital Budget and Program for this project.

Attached are locations tentatively scheduled for rehabilitation in 2010 for the above- referenced project. This project provides for resurfacing, repairing and/or rehabilitating drives, parking fields, curbs and sidewalks at various County office facilities. This work reduces further deterioration, which then requires costly reconstruction. Also, elimination of hazardous conditions reduces the County's liability claims.

An e-mail version was sent to CE RESO REVEIW saved under the title "RESO-REQUEST CP1678 – Rehabilitation of Parking Lots, Drives and Curbs at County Facilities."

JP:CM:mm
attach.
cc: Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Assistant Budget Director
Kathy LaGuardia, Chief Auditor
Linda Brandolf, CPA, Capital Accounting
CE RESO REVIEW

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010
FAX (631) 852-4150

PROJECT 1678
REHABILITATION OF PARKING LOTS, DRIVES AND CURBS AT COUNTY FACILITIES

Yaphank DPW
1st Precinct
3rd Precinct
Probation
Shirley Health
Other Various County Facilities

2174

Intro. Res. No. - 2010 Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH THE IMPROVEMENTS TO COUNTY ENVIRONMENTAL RECHARGE BASINS (CP 5072)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Improvements to County Environmental Recharge Basins; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $250,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), CEQ Resolution No. 12-04 classified the action contemplated by this as a Type II action pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR"), Section 617.5(c) (1), (2), (20) and (27) as the action concerns maintenance or repair involving no substantial changes in an existing structure and/or replacement, rehabilitation or reconstruction of a structure or facility, in-kind; 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 four (44) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as amended by Resolution No. 461-2006; and be it further

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

4th **RESOLVED**, that the proceeds of $250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP 5072.311 (Fund 001 – Debt Service)	50	Improvements to County Environmental Recharge Basins	$250,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

2174

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH THE IMPROVEMENTS TO COUNTY ENVIRONMENTAL RECHARGE BASINS (CP 5072)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		November 24th, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2174

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$21,990**	**$0.04**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$21,990**	**$0.04**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2174

Term of Bonds: 15
Amount to Bond: $250,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	$12,781.91	$9,208.33	$21,990.24	$21,990.24
			$4,368.77	$4,368.77	
5/1/2012	3.500%	$13,252.71	$4,368.77	$17,621.48	$21,990.24
			$4,124.70	$4,124.70	
5/1/2013	3.500%	$13,740.85	$4,124.70	$17,865.55	$21,990.24
			$3,871.63	$3,871.63	
5/1/2014	3.500%	$14,246.97	$3,871.63	$18,118.61	$21,990.24
			$3,609.25	$3,609.25	
5/1/2015	3.500%	$14,771.74	$3,609.25	$18,380.99	$21,990.24
			$3,337.21	$3,337.21	
4/30/2016	3.500%	$15,315.83	$3,337.21	$18,653.04	$21,990.24
			$3,055.14	$3,055.14	
4/30/2017	3.500%	$15,879.96	$3,055.14	$18,935.10	$21,990.24
			$2,762.68	$2,762.68	
5/1/2018	3.500%	$16,464.88	$2,762.68	$19,227.56	$21,990.24
			$2,459.46	$2,459.46	
5/1/2019	3.500%	$17,071.33	$2,459.46	$19,530.79	$21,990.24
			$2,145.06	$2,145.06	
4/30/2020	3.500%	$17,700.13	$2,145.06	$19,845.19	$21,990.24
			$1,819.08	$1,819.08	
4/30/2021	3.750%	$18,352.08	$1,819.08	$20,171.16	$21,990.24
			$1,481.10	$1,481.10	
5/1/2022	4.000%	$19,028.05	$1,481.10	$20,509.15	$21,990.24
			$1,130.66	$1,130.66	
5/1/2023	4.500%	$19,728.92	$1,130.66	$20,859.58	$21,990.24
			$767.32	$767.32	
4/30/2024	4.500%	$20,455.60	$767.32	$21,222.92	$21,990.24
			$390.60	$390.60	
4/30/2025	4.500%	$21,209.04	$390.60	$21,599.64	$21,990.24
		$250,000.00	$79,853.67	$329,853.67	$329,853.67

COUNTY OF SUFFOLK

2174

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: February 1, 2010

RE: **APPROPRIATING FUNDS IN CONNECTION WITH THE IMPROVEMENTS TO COUNTY ENVIRONMENTAL RECHARGE BASINS (CP 5072)**

Attached are a draft resolution and duplicate copy to appropriate the sum of $250,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

This on-going project will improve the functionality, security, appearance and potential public health impacts of the County's recharge basins. The County maintains over 250 recharge basins most of which are over 25 years old. The natural growth of vegetation has encroached into holding areas, reducing the natural recharge ability of the basins. The shedding of needles and leaves from the plantings as well as the materials contained in the runoff from roadways have caused the bottoms of the basins to become silted, limiting the recharge of water back into the ground. The vegetation has also encroached into the security fencing around the basins compromising the safety barriers around these sites. Recommended funding will allow the cleaning and restoration of five to fifteen basins per year

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-Environmental Recharge Basins.doc".

TL:WH:sk
attach.
cc Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Laura Conway, CPA, Chief Accountant
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk
James Bagg, Chief Environmental Analyst

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010
FAX (631) 852-4150

CP 5072 - Proposed Locations for Recharge Basin Maintenance

CR 100, Suffolk Avenue and Washington Avenue

CR 43, Northville Turnpike, vicinity of Middle Road

CR 36, South Country Road and Orchard Road

CR 46, William Floyd Parkway and Winston

It may be necessary to add and/or substitute other roads and/or revise limits of work due to seasonal limitations, changes in priorities, or other requirements as determined by this department.

Intro. Res. No 2175 - 2010 Laid on the Table 12/7/10
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH BUILDING SAFETY IMPROVEMENTS (CAPITAL PROGRAM NUMBER 1603)

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

WHEREAS, there are sufficient funds within the 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, 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 $ 750,000 in Suffolk County Serial Bonds; now, therefore, be it

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

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

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

4th **RESOLVED**, that the proceeds of $750,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP- 1603.311 (Fund 001-Debt Service)	20	Building Safety Improvements	$750,000

Date:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

2175

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH BUILDING SAFETY IMPROVEMENTS (CAPITAL PROGRAM NUMBER 1603)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		November 19, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2175

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$65,971**	**$0.12**		$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	**$65,971**	**$0.12**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2175

Term of Bonds: 15
Amount to Bond: $750,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2011					
11/1/2011					
5/1/2012	2.500%	$38,345.73	$27,625.00	$65,970.73	$65,970.73
			$13,106.30	$13,106.30	
5/2/2013	3.500%	$39,758.13	$13,106.30	$52,864.43	$65,970.73
			$12,374.09	$12,374.09	
5/2/2014	3.500%	$41,222.56	$12,374.09	$53,596.65	$65,970.73
			$11,614.90	$11,614.90	
5/2/2015	3.500%	$42,740.92	$11,614.90	$54,355.83	$65,970.73
			$10,827.76	$10,827.76	
5/1/2016	3.500%	$44,315.21	$10,827.76	$55,142.97	$65,970.73
			$10,011.62	$10,011.62	
5/1/2017	3.500%	$45,947.49	$10,011.62	$55,959.11	$65,970.73
			$9,165.42	$9,165.42	
5/1/2018	3.500%	$47,639.89	$9,165.42	$56,805.31	$65,970.73
			$8,288.05	$8,288.05	
5/2/2019	3.500%	$49,394.63	$8,288.05	$57,682.68	$65,970.73
			$7,378.37	$7,378.37	
5/1/2020	3.500%	$51,213.99	$7,378.37	$58,592.36	$65,970.73
			$6,435.18	$6,435.18	
5/1/2021	3.500%	$53,100.38	$6,435.18	$59,535.56	$65,970.73
			$5,457.25	$5,457.25	
5/1/2022	3.750%	$55,056.24	$5,457.25	$60,513.49	$65,970.73
			$4,443.29	$4,443.29	
5/2/2023	4.000%	$57,084.15	$4,443.29	$61,527.44	$65,970.73
			$3,391.99	$3,391.99	
5/1/2024	4.500%	$59,186.75	$3,391.99	$62,578.74	$65,970.73
			$2,301.97	$2,301.97	
5/1/2025	4.500%	$61,366.79	$2,301.97	$63,668.76	$65,970.73
			$1,171.80	$1,171.80	
5/1/2026	4.500%	$63,627.13	$1,171.80	$64,798.93	$65,970.73
		$750,000.00	$239,561.00	$989,561.00	$989,561.00

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2175

DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive (2 copies)

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

DATE: 23 August 2010

RE: CP 1603 - Building Safety Improvements

Attached for your review is a draft resolution appropriating the sum of $750,000 to fund safety improvements to be made in various County buildings.

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

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

JP/TG/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, Facilities Engineering
Kathy LaGuardia, Executive Assistant for Finance & Administration
Laura Conway, CPA, Chief Accountant
CE RESO Review (e-mail)

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

2176

Intro. Res. No. - 2010 Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CAPITAL PROGRAM NUMBER 3301)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Safety Improvements at Various Intersections; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 and as 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 $100,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that traffic signal improvements constitute a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(16)(20)(21)(27) since the action involves a legislative decision concerning the installation of traffic control devices on existing streets, roads and highways; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-one (51) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th **RESOLVED**, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP 3301.128 (Fund 001 – Debt Service)	50	Safety Improvements at Various Intersections	$100,000

DATED:

APPROVED BY:

_____

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2176

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

APPROPRIATING FUNDS IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CAPITAL PROGRAM NUMBER 3301)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SCHEDULE.

8. Proposed Source of Funding

SERIAL BONDS.

9. Timing of Impact 2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Gina H. Kommer Assistant Executive Analyst		November 17, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

217b

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$21,216**	**$0.04**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$21,216**	**$0.04**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2176

Term of Bonds: 5
Amount to Bond: $100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2011					
11/1/2011					
5/1/2012	1.500%	$19,215.84	$2,000.00	$21,215.84	$21,215.84
			$807.84	$807.84	
5/2/2013	2.000%	$19,600.16	$807.84	$20,408.00	$21,215.84
			$611.84	$611.84	
5/2/2014	2.000%	$19,992.16	$611.84	$20,604.00	$21,215.84
			$411.92	$411.92	
5/2/2015	2.000%	$20,392.00	$411.92	$20,803.92	$21,215.84
			$208.00	$208.00	
5/1/2016	2.500%	$20,799.84	$208.00	$21,007.84	$21,215.84
#VALUE!		$100,000.00	$6,079.20	$106,079.20	$106,079.20

#VALUE!

#VALUE!

#VALUE!

#VALUE!

#VALUE!

#VALUE!

COUNTY OF SUFFOLK

2176

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: October 26, 2010

RE: Appropriating Funds in Connection with Safety Improvements at Various Intersections (CP 3301)

Attached is a draft resolution and duplicate copy to appropriate the sum of $100,000 for engineering in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

The purpose of this appropriation is to have funding available to conduct traffic engineering studies on short notice for the purpose of recommending safety improvements to reduce the accident rates at various intersections. These studies will identify for each location's existing and future problems, and develop both short-range and long-range improvement plans.

Potential locations for these studies are CR 50, Union Boulevard at CR 57, Bay Shore Road and CR 101, Sills Road between Dunton Avenue and CR 99, Woodside Avenue. It may be necessary to add and/or substitute other locations due to seasonal limitations, changes in priorities or other requirements to be determined by this Department.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP3301.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

2176

RESOLUTION SUBMITTAL SHEET

Capital Project	3301	Legislative Districts	var
Operating Fund		Federal Aid %	
Other		State Aid %	

Give a complete description of why we are asking for reso; if aided, state status of aid

Engineering for Safety Improvements at Various Intersections

Previous resolution (list previous reso for the same work)

Resolution Number	Purpose	Amount
389-2008	Engineering for Safety Improvements at Various Intersections	$200,000
1194-2008	Engineering for Safety Improvements at Various Intersections	$100,000

Amounts being requested		Current Unencum Bal w/Quotes	
Planning	$100,000	Planning	$42,591
Site		Site	
Construction		Construction	
Land		Land	
F&E		F&E	

Project Status

Est. planning completion	As Needed	Design consultant	
Est. construction start		Contractor	
Est. construction completion			

State required offsets, their legis. Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

Offset	Legis District	Comments
n/a		

2177

Intro. Res. No. - 2010 Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH TRAFFIC SIGNAL IMPROVEMENTS (CAPITAL PROGRAM NUMBER 5054)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Traffic Signal Improvements; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 and as reivsed 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 $100,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that traffic signal improvements constitute a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(16)(20)(21)(27) since the action involves a legislative decision concerning the installation of traffic control devices on existing streets, roads and highways; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-five (45) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP 5054.112 (Fund 001 – Debt Service)	50	Traffic Signal Improvements	$100,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2177

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

APPROPRIATING FUNDS IN CONNECTION WITH TRAFFIC SIGNAL IMPROVEMENTS (CAPITAL PROGRAM NUMBER 5054)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SCHEDULE.

8. Proposed Source of Funding

SERIAL BONDS.

9. Timing of Impact 2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Gina H. Kommer Assistant Executive Analyst		November 17, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2177

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$21,216**	**$0.04**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$21,216**	**$0.04**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2177

Term of Bonds: 5
Amount to Bond: $100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2011					
11/1/2011					
5/1/2012	1.500%	$19,215.84	$2,000.00	$21,215.84	$21,215.84
			$807.84	$807.84	
5/2/2013	2.000%	$19,600.16	$807.84	$20,408.00	$21,215.84
			$611.84	$611.84	
5/2/2014	2.000%	$19,992.16	$611.84	$20,604.00	$21,215.84
			$411.92	$411.92	
5/2/2015	2.000%	$20,392.00	$411.92	$20,803.92	$21,215.84
			$208.00	$208.00	
5/1/2016	2.500%	$20,799.84	$208.00	$21,007.84	$21,215.84
#VALUE!		$100,000.00	$6,079.20	$106,079.20	$106,079.20

#VALUE!

#VALUE!

#VALUE!

#VALUE!

#VALUE!

#VALUE!

COUNTY OF SUFFOLK

2177

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: October 26, 2010

RE: Appropriating Funds in Connection with Traffic Signal Improvements (CP 5054)

Attached is a draft resolution and duplicate copy to appropriate the sum of $100,000 for engineering services in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

The intent of this project is to reduce the traffic accident rate on County roads through the design and installation of new signals where studies show they are warranted and through modernization of existing signals and signal systems where required. The designation of signal locations to be progressed to construction as a result of these studies is an ongoing process.

Potential locations are identified on the attached list. It may be necessary to add and/or substitute other locations due to seasonal limitations, changes in priorities or other requirements to be determined by this Department.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5054(design).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

2177

Proposed Locations for Traffic Signal Design:

CR 6 @ 108
CR 7 @ Chapel Hill Drive and South Entrance to Brentwood North Middle School
CR 7 @ CR-013
CR 7 @ Heywood
CR 11 @ CR-092
CR 11 @ Larkfield
CR 12 @ Bayview
CR 14 @ Sunken Meadow Ramp/Library
CR 16 @ CR-080
CR 17 @ Clayton
CR 17 @ CR-050
CR 17 @ CR-100
CR 19 @ East & West 3rd
CR 21 @ Everett
CR 21 @ Whiskey
CR 35 @ Woodhull
CR 46 @ CR-080
CR 46 @ Fairlawn
CR 46 @ Victory Avenue
CR 67 @ East of CR-004
CR 80 @ Lake
CR 92 @ West 19th
CR 92 @ West Rogues
CR 99 @ Buffalo
CR 99 @ Harlem
CR 99 @ Hospital
CR 99 @ Sipp
CR 111 @ LIE NSR
CR 111 @ LIE SSR

2178

Intro. Res. No. - 2010 Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 94, NUGENT DRIVE (CENTER DRIVE) AT CR 51, EAST MORICHES-RIVERHEAD ROAD AND CR63, EAST MORICHES-RIVERHEAD ROAD AT CR104, QUOGUE-RIVERHEAD ROAD AND NYS ROUTE 24, FLANDERS ROAD, TOWNS OF RIVERHEAD AND SOUTHAMPTON (CP 5557)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Intersection Improvements on CR 94, Nugent Drive (Center Drive) at CR 51, East Moriches-Riverhead Road and CR 63, East Moriches-Riverhead Road at CR 104, Quogue-Riverhead Road and NYS Route 24, Flanders Road; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $300,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (20) and (21) and of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action and to conduct engineering studies; since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete Intersection Improvements on CR 94, Nugent Drive (Center Drive) at CR 51, East Moriches-Riverhead Road and CR 63, East Moriches-Riverhead Road at CR 104, Quogue-Riverhead Road and NYS Route 24, Flanders Road, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5557.110 (Fund 001 Debt Service)	50	Intersection Improvements on CR 94, Nugent Drive (Center Drive) at CR 51, East Moriches-Riverhead Road and CR 63, East Moriches-Riverhead Road at CR 104, Quogue-Riverhead Road and NYS Route 24, Flanders Road--Engineering and Design	$300,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 2178

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 94, NUGENT DRIVE (CENTER DRIVE) AT CR 51, EAST MORICHES-RIVERHEAD ROAD AND CR63, EAST MORICHES-RIVERHEAD ROAD AT CR104, QUOGUE-RIVERHEAD ROAD AND NYS ROUTE 24, FLANDERS ROAD, TOWNS OF RIVERHEAD AND SOUTHAMPTON (CP 5557)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		November 19th, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2178

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$66,069**	**$0.12**		$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	**$66,069**	**$0.12**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2178

Term of Bonds: 5
Amount to Bond: $300,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	$56,168.51	$9,900.00	$66,068.51	$66,068.51
			$4,023.22	$4,023.22	
5/1/2012	3.500%	$58,022.07	$4,023.22	$62,045.29	$66,068.51
			$3,065.86	$3,065.86	
5/1/2013	3.500%	$59,936.80	$3,065.86	$63,002.66	$66,068.51
			$2,076.90	$2,076.90	
5/1/2014	3.500%	$61,914.72	$2,076.90	$63,991.61	$66,068.51
			$1,055.31	$1,055.31	
5/1/2015	3.500%	$63,957.90	$1,055.31	$65,013.21	$66,068.51
		$300,000.00	$30,342.56	$330,342.56	$330,342.56

COUNTY OF SUFFOLK

2178

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: October 26, 2010

RE: Appropriating Funds in Connection with Intersection Improvements on CR 94, Nugent Drive (Center Drive) at CR 51, East Moriches-Riverhead Road and CR 63, East Moriches-Riverhead Road at CR 104, Quogue-Riverhead Road and NYS Route 24, Flanders Road, Town of Southampton (CP 5557)

Attached is a draft resolution and duplicate copy to appropriate the sum of $300,000 for engineering in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

This appropriation will progress the design improvements that will be identified in the ongoing study. These design improvements will improve traffic safety and pedestrian mobility and reduce accident rates at the above locations.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5557.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

2179

Intro. Res. No. - 2010

Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE REPLACEMENT OF CR 16, HORSEBLOCK ROAD OVER THE LIRR BRIDGE, TOWN OF BROOKHAVEN (CP 5850)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Replacement of CR 16, Horseblock Road over the LIRR Bridge; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

WHEREAS, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request under Capital Project 5850 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN OT2435, under the Federal Highway Administration (FHWA) funding, with a share allocation of eighty percent (80%) Federal funds ($680,000) and twenty percent (20%) County funds ($170,000); and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $850,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (21) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action, since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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 the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the Replacement of CR 16, Horseblock Road over the LIRR Bridge; and be it further

4th **RESOLVED**, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5850
Project Title: Rehabilitation of Various Bridges and Embankments

	Total Est'd Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
1. Planning, Design, Supervision	$925,000	$0	$170,000B $680,000F
TOTAL	$8,565,000	$850,000	$1,700,000

5th **RESOLVED**, that the proceeds of $170,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5850.111 (Fund 001 Debt Service)	50	Replacement of CR 16, Horseblock Road over the LIRR Bridge—Planning & Engineering	$170,000

and be it further

6th **RESOLVED,** that Federal Aid in the amount of $680,000 be and it hereby is appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5850.111	50	Replacement of CR 16, Horseblock Road over the LIRR Bridge—Planning & Engineering	$680,000

7th **RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of $170,000; and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of $680,000; and be it further

9th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of $680,000; and be it further

10th **RESOLVED,** that this resolution will become effective upon receipt of the Federal Authorization; and be it further

11th **RESOLVED,** that no appropriations shall be expended, encumbered, or authorized, until the County is in receipt of the Federal Authorization for this project; and be it further

12th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2179

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE REPLACEMENT OF CR 16, HORSEBLOCK ROAD OVER THE LIRR BRIDGE, TOWN OF BROOKHAVEN (CP 5850)

3. Purpose of Proposed Legislation

See No. 2 above.

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

There are Federal funds available from the Federal Highway Administration (FHWA) for this project, with a share allocation of eighty (80%) percent Federal funds ($680,000) and twenty (20%) percent County funds ($170,000).
Suffolk County must "first instance" fund the entire cost of the project. County Comptroller is authorized to issue bond anticipation notes for the federal share. If short term notes are issued, the county would incur minimal interest costs.

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

N/A

8. Proposed Source of Funding

Federal Funds 80% and Suffolk County Serial Bonds 20%.

9. Timing of Impact

2011 for Suffolk County Serial Bonds.
The appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for this project.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		November 22nd, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2179

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$37,439**	**$0.07**		$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	**$37,439**	**$0.07**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2179

Term of Bonds: 5
Amount to Bond: $170,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	$31,828.82	$5,610.00	$37,438.82	$37,438.82
			$2,279.82	$2,279.82	
5/1/2012	3.500%	$32,879.17	$2,279.82	$35,159.00	$37,438.82
			$1,737.32	$1,737.32	
5/1/2013	3.500%	$33,964.19	$1,737.32	$35,701.51	$37,438.82
			$1,176.91	$1,176.91	
5/1/2014	3.500%	$35,085.01	$1,176.91	$36,261.91	$37,438.82
			$598.01	$598.01	
5/1/2015	3.500%	$36,242.81	$598.01	$36,840.82	$37,438.82
		$170,000.00	$17,194.12	$187,194.12	$187,194.12

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2179

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: October 26, 2010

RE: Amending the 2010 Capital Budget and Program and Appropriating Funds in Connection with the Replacement of CR 16, Horseblock Road over the LIRR Bridge, Town of Brookhaven (CP 5850)

Attached is a draft resolution and duplicate copy to appropriate the sum of $850,000 for engineering in connection with the above referenced project. There are no funds included in the 2010 Capital budget and program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

This appropriation will allow for the design for the replacement of the bridge that carries CR 16, Horseblock Road over the Long Island Railroad. A study completed in 2004 concluded that this bridge structure is in a severely deteriorated state and must be replaced. This has been evident given the fact that in the last 4 years on two occasions the deck experienced failures that required lane closures and emergency repairs. In addition, in March of 2010 the steel fascia girder connection failed due to corrosion and also required emergency repair.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5850(CR16overLIRR).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

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010
FAX (631) 852-4150

2180

Intro. Res. No. - 2010 Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR THE REPLACEMENT OF SMITH POINT BRIDGE OVER NARROW BAY, TOWN OF BROOKHAVEN (CP 5838)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Replacement Smith Point Bridge over Narrow Bay; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

WHEREAS, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request under Capital Project 5838 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN OT2437, under the Federal Highway Administration (FHWA) funding, with a share allocation of eighty percent (80%) Federal funds ($800,000) and twenty percent (20%) County funds ($200,000); and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,000,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (21) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action, since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-seven (57) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the Rehabilitation of CR 46, William Floyd Parkway (Smith Point) Bridge over Narrow Bay; and be it further

4th **RESOLVED**, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5838
Project Title: Rehabilitation of Smith Point Bridge

	Total Est'd Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
1. Planning, Design, Engineering	$4,850,000	$0	$200,000B $800,000F
TOTAL	$10,967,500	$2,100,000	$3,100,000

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

Project No.	J.C.	Project Title	Amount
525-CAP-5838.112 (Fund 001 Debt Service)	50	Replacement of Smith Point Bridge over Narrow Bay—Planning & Engineering	$200,000

and be it further

6th **RESOLVED,** that Federal Aid in the amount of $800,000 be and it hereby is appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5838.112	50	Replacement of Smith Point Bridge over Narrow Bay—Planning & Engineering	$800,000

7th **RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of $200,000; and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of $800,000; and be it further

9th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of $800,000; and be it further

10th **RESOLVED,** that this resolution will become effective upon receipt of the Federal Authorization; and be it further

11th **RESOLVED,** that no appropriations shall be expended, encumbered, or authorized, until the County is in receipt of the Federal Authorization for this project; and be it further

12th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

2180

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR THE REPLACEMENT OF SMITH POINT BRIDGE OVER NARROW BAY, TOWN OF BROOKHAVEN (CP 5838)

3. Purpose of Proposed Legislation

See No. 2 above.

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

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

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

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

There are Federal funds available from the Federal Highway Administration (FHWA) for this project, with a share allocation of eighty (80%) percent Federal funds ($800,000) and twenty (20%) percent County funds ($200,000).
Suffolk County must "first instance" fund the entire cost of the project. County Comptroller is authorized to issue bond anticipation notes for the federal share. If short term notes are issued, the county would incur minimal interest costs.

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

N/A

8. Proposed Source of Funding

Federal Funds 80% and Suffolk County Serial Bonds 20%.

9. Timing of Impact

2011 for Suffolk County Serial Bonds.
The appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for this project.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		November 22nd, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2180

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$44,046**	**$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	**$44,046**	**$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.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2180

Term of Bonds: 5
Amount to Bond: $200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	$37,445.67	$6,600.00	$44,045.67	$44,045.67
			$2,682.15	$2,682.15	
5/1/2012	3.500%	$38,681.38	$2,682.15	$41,363.53	$44,045.67
			$2,043.90	$2,043.90	
5/1/2013	3.500%	$39,957.87	$2,043.90	$42,001.77	$44,045.67
			$1,384.60	$1,384.60	
5/1/2014	3.500%	$41,276.48	$1,384.60	$42,661.08	$44,045.67
			$703.54	$703.54	
5/1/2015	3.500%	$42,638.60	$703.54	$43,342.14	$44,045.67
		$200,000.00	$20,228.37	$220,228.37	$220,228.37

COUNTY OF SUFFOLK

2180

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: October 27, 2010

RE: Amending the 2010 Capital Budget and Program and Appropriating Funds in Connection with the Replacement of CR 46, William Floyd Parkway (Smith Point) Bridge over Narrow Bay, Town of Brookhaven (CP 5838)

Attached is a draft resolution and duplicate copy to appropriate the sum of $1,000,000 for engineering in connection with the above referenced project. There are no funds included in the 2010 Capital budget and program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

This appropriation will allow for the design for the replacement of the existing moveable bascule bridge that carries CR 46, William Floyd Parkway over Narrow Bay (Smith Point Bridge) with a new fixed bridge that will allow for one lane of traffic and one bicycle lane in each direction.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5838(Design).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

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010
FAX (631) 852-4150

Introductory Resolution No. 2181-10 Laid on Table 12/7/10

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
NAZZARENA CONSOLE AND MICHAEL CONSOLE, AS TENANTS BY THE ENTIRETY
0100-021.00-01.00-079.000

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 021.00, Block 01.00, Lot 079.000, and acquired by tax deed on June 05, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 09, 2009, in Liber 12590, at Page 413, and otherwise known and designated by the Town of Babylon, as Lot 77 on a certain map entitled "Map of Babylon Farms", Section 3, filed in the Office of the Suffolk County Clerk on August 20, 1935 as Map No. 1191; 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 05, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 09, 2009 in Liber 12590 at Page 413.

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

WHEREAS, NAZZARENA CONSOLE AND MICHAEL CONSOLE has made application of said above described parcel and NAZZARENA CONSOLE AND MICHAEL CONSOLE has paid the application fee and has paid $79,559.35, 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 NAZZARENA CONSOLE AND MICHAEL CONSOLE, 98 Oak Street, Deer Park NY 11729, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

2181

November 15, 2010

Tax Map No.: 0100-021.00-01.00-079.000
Name of Last Legal Fee Owner: NAZZARENA CONSOLE AND MICHAEL CONSOLE

TREASURER'S COMPUTATION	$79,559.35
Taxes.....2009/2010	INCLUDED
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$79,559.35
Monies Received	$79,559.35
RESOLUTION AMOUNT	$79,559.35

APPROVED:

Karen A Slater 11/22/10
Accounting
LS:lag

PREPARED BY:
Lori Sklar
Lori Sklar
Redemption Unit
(631) 853-5937

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0100	021.00	01.00	079.000

2181

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	15336.76
2005/06	16047.60
2007/08	14761.07
2008/09	11387.85
2009/10	11504.23

2006/07 PROPERTY TAXES PAID BY SILK ABSTRACT COMPANY

TOTAL: 69037.51

B. INTEREST DUE	6733.30
C. TOTAL	75770.81
D. 5% LINE C	3788.54
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $79,559.35

11/22/10

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

dz

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

218

1. Type of Legislation

Resolution X
Tax Map Number 0100-021.00-01.00-079.000

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

Lori Sklar Lori Sklar 11/19/10

09-09-97
11-10-97
06-09-99
10-07-99
11-05-99
10-20-00
03-28-01
01-15-03
03-16-06

0100 021 01 079 2181

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

UNLESS ARE DRAWN WITHIN THE OTHER
SCHOOL 7
FIRE 14
LIGHT 55
PARK
AMBULANCE

Revisions
09-17-97
08-07-98

Joins Map 4

010-010-120-0010

Gen Dis

COUNTY OF SUFFOLK

NOV 24 2010

2181

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER
COMMISSIONER

November 19, 2010

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

Re: Tax Map No. 0100-021.00-01.00-079.000
NAZZARENA CONSOLE AND MICHAEL CONSOLE

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,

Carrie-Meek Gallagher, Commisioner
Department of Environment and Energy

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

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

Introductory Resolution No. 2182-10 Laid on Table 12/7/10

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
ESTATE OF GRASILDA M. ANGELO,
BY VERONICA ANGELO-HEIZMAN, AS ADMINISTRATOR
0200-700.00-02.00-006.000

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 700.00, Block 02.00, Lot 006.000, and acquired by tax deed on October 05, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 06, 2010, in Liber 12639, at Page 481, and otherwise known and designated by the Town of Brookhaven, as Lot 227 as shown on a certain map entitled, "Map of Eagle Estates, Section 4" filed in the Office of the Clerk of Suffolk County, on February 9, 1960 as Map No. 3119; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 05, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 06, 2010 in Liber 12639 at Page 481.

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, ESTATE OF GRASILDA M. ANGELO, BY VERONICA ANGELO-HEIZMAN, AS ADMINISTRATOR has made application of said above described parcel and ESTATE OF GRASILDA M. ANGELO, BY VERONICA ANGELO-HEIZMAN, AS ADMINISTRATOR has paid the application fee and will be paying $26,066.40, 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 ESTATE OF GRASILDA M. ANGELO, BY VERONICA ANGELO-HEIZMAN, AS ADMINISTRATOR, 766 Rogers Road, Bohemia, NY 11716, 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

2182

November 19, 2010

Tax Map No.: 0200-700.00-02.00-006.000
Name of Last Legal Fee Owner: ESTATE OF GRASILDA M. ANGELO, BY VERONICA ANGELO-HEIZMAN, AS ADMINISTRATOR

TREASURER'S COMPUTATION.....	$26,066.40
Taxes.....2009/2010.....	INCLUDED
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
TOTAL.....	$26,066.40
Monies Received to be received.....	$26,066.40
RESOLUTION AMOUNT.....	$26,066.40

APPROVED:

Karen A Slater 11/22/10
Accounting
DB:lag

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

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

DISTRICT	SECTION	BLOCK	LOT
0200	700.00	02.00	006.000

2182

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	4500.15
2006/07	5192.30
2007/08	5123.10
2008/09	5054.24
2009/10	4112.53

TOTAL: 23982.32

B. INTEREST DUE	842.82
C. TOTAL	24825.14
D. 5% LINE C	1241.26
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $26,066.40

11/22/10

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-Nov-10

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 05/14/11

dz

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2182

1. Type of Legislation

Resolution X
Tax Map Number 0200-700.00-02.00-006.000

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

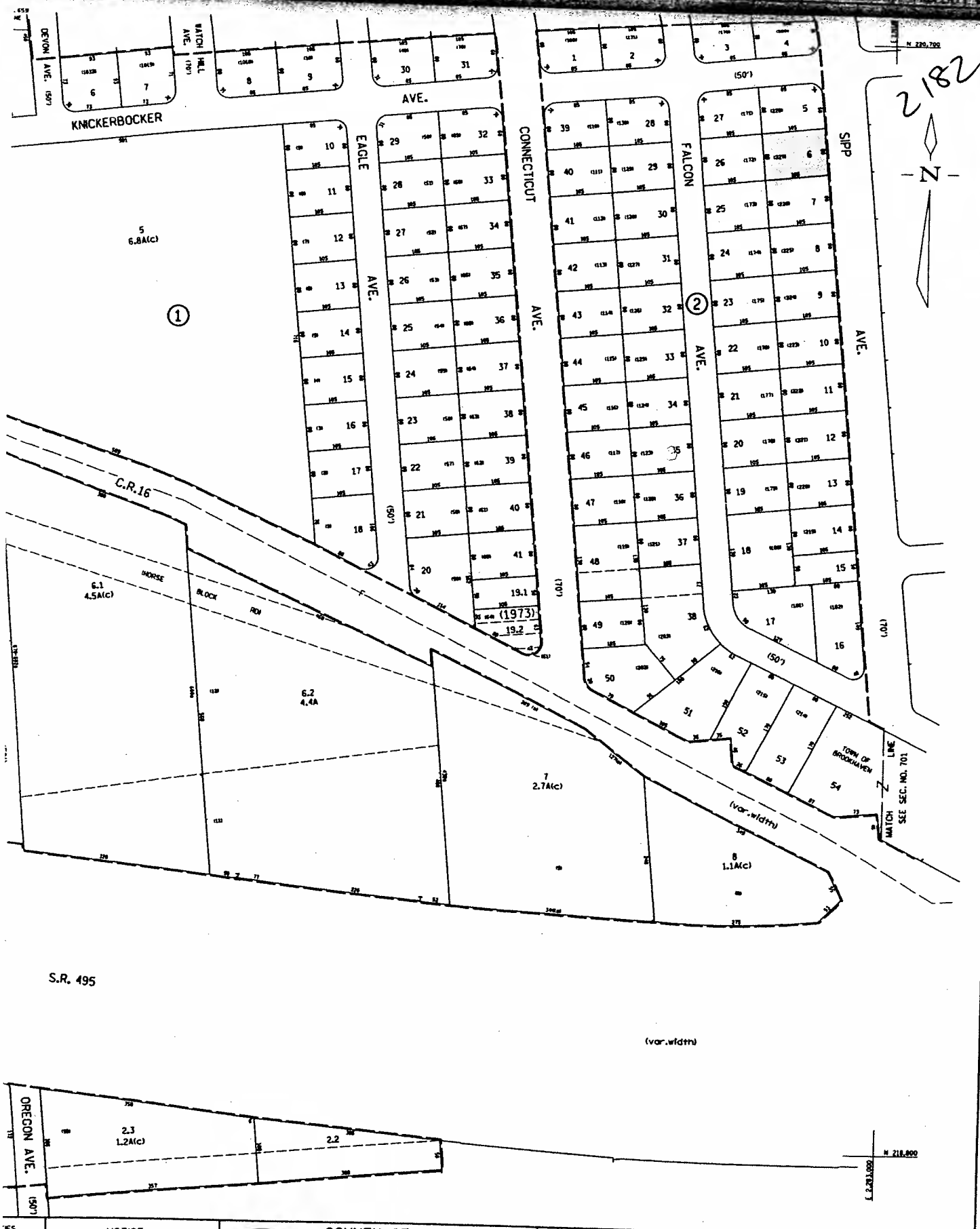
N/A

9. Timing of Impact

2010

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

Diane Bishop | Diane Bishop | 11/19/10



NOTICE

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

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

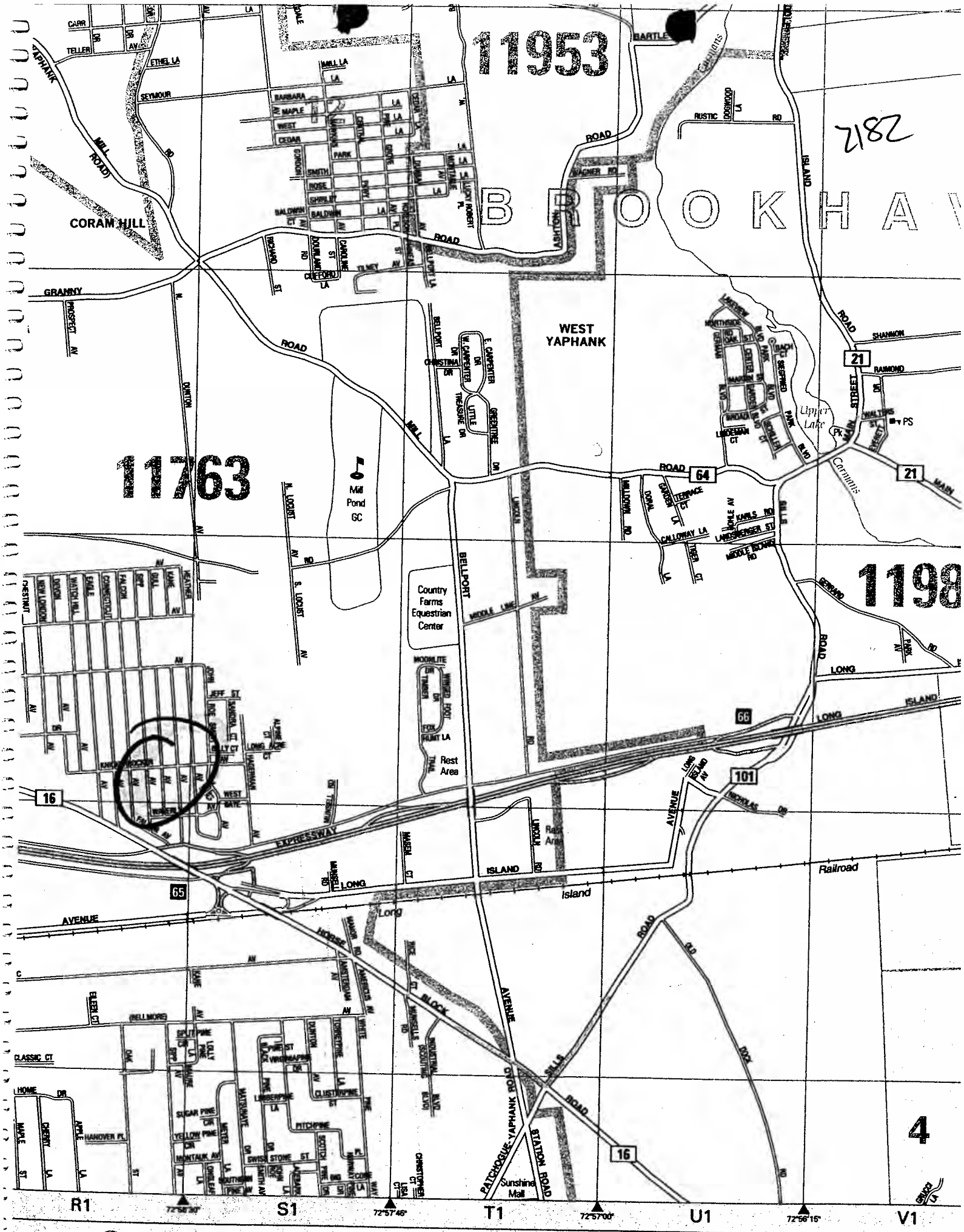
KEY MAP

TOWN OF BROOKHAVEN
VILLAGE OF
DISTRICT NO 0200

SECTION NO 700
PROPERTY MAP

CONVERSION DATE: Oct. 23, 1997

0200 - 7000 - 0200 - 000 000


11953
11763
1198
2182
BROOKHAV
CORAM HILL
WEST YAPHANK
Mill Pond GC
Country Farms Equestrian Center
Rest Area
Upper Lake
Carmans
Sunshine Mall
Long Island Railroad
EXPRESSWAY
LONG ISLAND
AVENUE
HORSE BLOCK
PATCHOGUE-YAPHANK ROAD
STATION ROAD
SILLS ROAD
MAIN STREET
BELLPORT
GRANNY ROAD
MILL ROAD
ROAD
BARTLE
ASHTON
SHANNON
RAIMOND
21
64
66
101
16
65
R1
S1
T1
U1
V1
72°58'30"
72°57'45"
72°57'00"
72°56'15"
4
Joins Map 28

Gen Dib

COUNTY OF SUFFOLK

NOV 24 2010

2182

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER
COMMISSIONER

November 22, 2010

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

Re: Tax Map No. 0200-700.00-02.00-006.000
ESTATE OF GRASILDA M. ANGELO,
BY VERONICA ANGELO-HEIZMAN, AS ADMINISTRATOR

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,

Carrie Meek-Gallagher, Commissioner
Department of Environment and Energy

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

53

RESOLUTION NO. CONTROL#840-2010

Intro. Res. # 2183-10 Laid on Table 12/7/1

INTRODUCED BY THE PRESIDING OFFICER
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____2010
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #840-2010)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL#840-2010

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

RESOLUTION NO. CONTROL#840-2010

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

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
C	BROOKHAVEN	09/10	0200 46900 0200 026000	7081.94	1045.36	6036.58
C	BROOKHAVEN	08/09	0200 58900 0100 007001	5400.07	1130.61	4269.46

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

APPROVED BY:

County Executive of Suffolk County Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2183

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

11. Signature of Preparer

12. Date November 23, 2010

Additional back-up material regarding IR 2183 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Reso. No. 2184-10 Laid on Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $51,606 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE SAFE STREETS TASK FORCE FFY11 WITH 83.37% SUPPORT.

WHEREAS, the United States Department of Justice, Federal Bureau of Investigation, has made $51,606 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the Safe Streets Task Force FFY11; and

WHEREAS, said project is part of a multi-agency task force designed to assist the Federal Bureau of Investigation in investigations and enforcement of Federal, State, and Local Laws; and

WHEREAS, the operational period of the Program is from October 1, 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 reimbursement funding as follows:

REVENUE:	**Amount**
001-4344-Federal Aid: Safe Streets Task Force FFY11	$51,606

ORGANIZATIONS:

Police Department (POL)
Safe Streets Task Force FFY11
001-POL-3652

1000-Personal Services	**$51,606**
1120-Overtime Salaries	51,606

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately $10,295 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 Justice, Federal Bureau of Investigation.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

2184

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 FEDERAL FUNDING IN THE AMOUNT OF $51,606 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE SAFE STREETS TASK FORCE FFY11 WITH 83.37% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The resolution provides $51,606 in grant funds. Fringe benefits are 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 Dept. of Justice, Federal Bureau of Investigation

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		11-25-10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2184

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 11/19/2010
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980 2184	
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 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: **Safe Streets Task Force FFY11**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 111-242, Continuing Appropriations Act, 2011, U. S. Department of Justice, Administered by the Federal Bureau of Investigation (FBI)

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 Narcotics and Homicide Section's participation in the FBI sponsored Safe Streets Task Force FFY11. The task force will focus on the identification and prosecution of organized crime groups engaging in violent and drug related crimes as well as the investigations of violent street gangs and the apprehension of fugitives.

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: 10/1/10 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	$16,903	83.37%	$51,606	83.37%	$	
State	$		$		$	
Private	$		$		$	
County	$3,372	16.63%	$10,295	16.63%	$	
Total	$20,275	100%	$61,901	100%	$	

484

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$10,295	$	$10,295
A. Cash Contribution	$10,295	$	$10,295
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

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

X YES NO

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

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved _____ _____ Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved _____ Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

2184

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 $51,606 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Safe Streets Task Force FFY11 with 83.37% support.

3. Purpose of Proposed Legislation
To accept $51,606 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Safe Streets Task Force FFY11.

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 $10,295 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will receive $51,606 to be used to participate in joint operations designed to investigate and identify organized crime groups, violent street gangs and fugitives.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

None

8. Proposed Source of Funding
The United States Department of Justice, Federal Bureau of Investigation

9. Timing of Impact
Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan C. Krause Grants Technician		11/19/10

SCIN FORM NO. 175b (10/95)

2184

COST REIMBURSEMENT AGREEMENT
BETWEEN
THE FEDERAL BUREAU OF INVESTIGATION (FBI)
AND
Suffolk County Police Department (SCPD)

TASK FORCE FILE # 281D-NY-C285869

Pursuant to Congressional appropriations, the FBI receives authority to pay overtime for police officers assigned to the formalized **Long Island Gang Task Force** as set forth below for expenses necessary for detection, investigation, and prosecution of crimes against the United States. It is hereby agreed between the FBI and the **Suffolk County Police Department (SCPD)** located at **30 Yaphank Avenue Yaphank NY 11980**, Taxpayer Identification Number: 11-6000464, Phone Number: 631-852-6000 that:

1) Commencing upon execution of this agreement, the FBI will, subject to availability of the required funding, reimburse the agency for overtime payments made to the officers assigned full-time to the task force.

2) Requests for reimbursement will be made on a monthly basis and should be forwarded to the FBI field office as soon as practical after the first of the month which follows the month for which reimbursement is requested. Such requests should be forwarded by the Supervisor of the agency to the FBI Task Force Squad Supervisor and Special Agent in Charge for their review, approval, and processing for payment.

3) Overtime reimbursements will be made directly to the agency by the FBI. All overtime reimbursement payments are made by electronic fund transfer (EFT). An ACH Vendor/Miscellaneous Payment Enrollment Form must be on file with the FBI to facilitate EFT.

4) Overtime reimbursements will be calculated at the usual rate for which the individual officer's time would be compensated in the absence of this agreement. However, said reimbursement, per officer, shall not exceed monthly and/or annual limits established annually by the FBI. The limits, calculated using Federal pay tables, will be in effect for the Federal fiscal year running from October 1st of one year through September 30th of the following year, unless changed during the period. The FBI reserves the right to change the reimbursement limits, upward or downward, for subsequent periods based on fiscal priorities and appropriations limits. The FBI will notify the agency of the applicable annual limits prior to October 1st of each year.

5) The number of agency officers assigned full-time to the task force and entitled to overtime reimbursement by the FBI shall be approved by the FBI in advance of each fiscal year. Based on the needs of the task force, this number may change periodically, upward or downward, as approved in advance by the FBI.

6) Prior to submission of any overtime reimbursement requests, the agency must prepare an official document setting forth the identity of each officer assigned full-time to the task force, along with the regular and overtime hourly rates for each officer. Should any officers change during the

09-PO-056

284

year, a similar statement must be prepared regarding the new officers prior to submitting any overtime reimbursement requests for the officers. The document should be sent to the field office for FBI review and approval.

7) Each request for reimbursement will include the name, rank, ID number, overtime compensation rate, number of reimbursable hours claimed, and the dates of those hours for each officer for whom reimbursement is sought. The request must be accompanied by a certification, signed by an appropriate Supervisor or the agency, that the request has been personally reviewed, the information described in this paragraph is accurate, and the personnel for whom reimbursement is claimed were assigned full-time to the task force.

8) Each request for reimbursement will include an invoice number, invoice date, taxpayer identification number (TIN), and the correct banking information to complete the electronic fund transfer. The necessary banking information is the Depositor Account Title, Bank Account Number, Routing Number, and Type of Account (either checking, savings, or lockbox). If the banking information changes, a new ACH Vendor/Miscellaneous Payment Enrollment Form must be submitted to the FBI.

9) Requests for reimbursement must be received by the FBI no later than December 31st of the next fiscal year for which the reimbursement applies. For example, reimbursements for the fiscal year ending September 30, 2008, must be received by the FBI by December 31, 2008. The FBI is not obligated to reimburse any requests received after that time.

10) This agreement is effective upon signature of the parties and will remain in effect for the duration of the agency's participation in the task force, contingent upon approval of necessary funding, and unless terminated in accordance with the provisions herein. This agreement may be modified at any time by written consent of the parties. It may be terminated at any time upon mutual consent of the parties, or unilaterally upon written notice from the terminating party to the other party at least 30 days prior to the termination date.

FOR THE SUFFOLK COUNTY POLICE DEPARTMENT:

11/3/09

Richard Dormer, Date
Police Commissioner

Approved as to legality:

Christine Malafi, Suffolk County Attorney

By: 11/27/09
Samantha McEachin Date
Asst. County Attorney

County of Suffolk

By: 2/18/10
Deputy County Executive Date
Ed Dumas

FOR THE FBI:

Special Agent in Charge Date

Contracting Officer Date
FBI Headquarters

2184

NOTICE OF LIMITS

FOR

FY 2011 STATE AND LOCAL OVERTIME REIMBURSEMENTS

Subject to the availability of funding and legislative authorization, the FBI may reimburse state and local law enforcement agencies (LEA) for the cost of overtime incurred by officers assigned **full-time** to FBI managed task forces provided the overtime expenses were incurred as a result of task force related activities. Consistent with regulation and policy, a separate Cost Reimbursement Agreement (CRA) must be executed between the FBI and the LEA **and** an underlying Memorandum of Understanding (MOU) must exist in support of the task force relationship.

For **Fiscal Year 2011**, the maximum limits for reimbursements under these CRAs are **$1,433.52** per month and **$17,202.25** per year for each officer assigned **full-time** to the task force. These limits are effective for overtime worked on or after October 1, 2010.

FBI field offices and state and local law enforcement agencies may process overtime reimbursement requests under formally executed CRAs in accordance with the authority of this notice. This notice is issued unilaterally by the FBI's Head of Contracting Activity and does not require formal acceptance and signature by FBI field offices and state and local law enforcement agencies.

Walter V. Meslar
Head of Contracting Activity
Federal Bureau of Investigation

6-3-10
Date

B. Chamberlain

2184

COUNTY OF SUFFOLK

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: **November 19, 2010**

SUBJECT: **Resolution Packets & SCIN Forms for**
The FBI sponsored Safe Streets Task Force FFY11

Attached please find two copies of the following for the **Safe Streets Task Force FFY11:**

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Agreement between the FBI and the Suffolk County Police Department and the FFY11 funding document.

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: Evelyn Creen, Federal & State Aid Claims Examiner
Christopher Kent, Chief Deputy County Executive

Additional back-up material regarding IR 2184 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Reso. No. 2185-10 Laid on Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE LONG ISLAND CYBER CRIME TASK FORCE (LICCTF) WITH 83.37% SUPPORT.

WHEREAS, the United States Department of Justice, Federal Bureau of Investigation, has made $17,202 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the LICCTF; and

WHEREAS, said project is a multi-agency task force designed to assist the Federal Bureau of Investigation in the detection, investigation, and prosecution of crimes against the United States; and

WHEREAS, the operational period of the Program 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 reimbursement funding as follows:

REVENUE:	**Amount**
001-4367-Federal Aid: Long Island Cyber Crime Task Force (LICCTF) FFY11	$17,202

ORGANIZATIONS:

Police Department (POL)
Long Island Cyber Crime Task Force (LICCTF) FFY11
001-POL-3618

1000-Personal Services	**$17,202**
1120-Overtime Salaries	17,202

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately $3,432 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 Justice, Federal Bureau of Investigation.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

2185

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 FEDERAL FUNDING IN THE AMOUNT OF $17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE LONG ISLAND CYBER CRIME TASK FORCE (LICCTF) WITH 83.37% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The resolution provides $17,202 in grant funds. Fringe benefits are 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 Dept. of Justice, Federal Bureau of Investigation

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		11-25-10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2185

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	DATE 11/18/2010

Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980 2185	
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 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: **Long Island Cyber Crime Task Force (LICCTF) FFY11**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 111-242, Continuing Appropriations Act, 2011, U. S. Department of Justice, Administered by the Federal Bureau of Investigation.

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 Computer Crimes Unit's participation in the Long Island Cyber Crime Task Force (LICCTF), a task force aimed at the detection, investigation, and prosecution of crimes against the United States.

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: 10/1/2010 To: 9/30/11

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$16,903.25	83.37%	$17,202	83.37%	$	
State	$		$		$	
Private	$		$		$	
County	$3,372.20	16.63%	$3,432	16.63%	$	
Total	$20,275.45	100%	$20,634	100%	$	

2185

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$3,432	$	$3,432
A. Cash Contribution	$3,432	$	$3,432
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

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

X YES NO

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

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved _____ Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved _____ Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

SCIN FORM 164

2185

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ___ Charter Law ___

2. Title of Proposed Resolution
Accepting & appropriating Federal funding in the amount of $16,903.25 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Long Island Cyber Crime Task Force (LICCTF) with 83.37% support.

3. Purpose of Proposed Legislation
To accept $17,202 from the United States Department of Justice, Federal Bureau of Investigation, to reimburse the Suffolk County Police Department's participation in the Long Island Cyber Crime Task Force (LICCTF)FFY11, a task force aimed at the detection, investigation, and prosecution of crimes against the United States.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

The County will incur approximately $3,432 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will receive $17,202 in reimbursement for expenses incurred as a result of the Suffolk County Police Department's participation in the FBI's Long Island Cyber Crime Task Force.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

None

8. Proposed Source of Funding
The United States Department of Justice, Federal Bureau of Investigation

9. Timing of Impact
Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan C. Krause Grants Technician		11/18/10

SCIN FORM NO. 175b (10/95)

B. Chamberlain

COUNTY OF SUFFOLK

2185

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: **November 18, 2010**

SUBJECT: **Resolution Packets & SCIN Forms for**
The Long Island Cyber Crime Task Force (LICCTF) FFY 11 Reimbursement Program

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Attached please find two copies of the following for the **LICCTF FFY11** reimbursement program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Cost Reimbursement Agreement between the FBI and the Suffolk County Police Department, as well as the funding document.

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: Evelyn Creen, Federal & State Aid Claims Examiner
Christopher Kent, Chief Deputy County Executive

Additional back-up material regarding IR 2185 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Reso. No. 2186-10 Laid on Table 12/7/10

Introduced by the Presiding Officer on request of County Executive

RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $800,000.00 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN, FOR PROJECT SCOPE (SUFFOLK COUNTY ORDERS OF PROTECTION ENFORCEMENT) ADMINISTERED BY THE SUFFOLK COUNTY POLICE DEPARTMENT WITH 98.46% SUPPORT

WHEREAS, the United States Department of Justice, Office on Violence Against Women has made $800,000.00 in grant funds available to Suffolk County to implement a multi-agency program to enhance victim safety and offender accountability in cases of domestic violence; and

WHEREAS, the Suffolk County Police Department, the Suffolk County Probation Department, Suffolk County Sheriff's Office, and the Suffolk County Coalition Against Domestic Violence will work together to provide enhanced victim safety and services, improved inter-agency domestic violence information sharing capabilities, and robust enforcement of orders of protection; and

WHEREAS, the operational period of the Program will be from January 1, 2011 through December 31, 2013; and

WHEREAS, said grant funds have not been included in the 2010 Suffolk County Operating Budget; and

WHEREAS, the Project SCOPE grant program includes funding to continue a Probation Investigator (full time) for the Probation Department to provide outreach services to domestic violence victims; and

WHEREAS, the 2011 Recommended Operating Budget for the Probation Department includes funding in the amount of $48,886 for the position of Probation Investigator of which $25,296 will be reimbursable through this grant program; and

WHEREAS, the Probation Department intends that funding be allocated in the 2012 Operating Budget for the position of Probation Investigator of which $25,296 will be reimbursable through this grant program; now therefore be it

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

REVENUE:	Amount
	$ 800,000
001-POL-4385-Federal Aid: SCOPE 2010	611,270
001-SHF-4385-Federal Aid: SCOPE 2010	109,233
001-PRO-4385-Federal Aid: SCOPE 2010	79,497

ORGANIZATIONS:

Police Department (POL)
SCOPE 2010
001-POL-3653

1000-Personal Services	$ 67,850
1120-Overtime Salaries	67,850
4300-Travel	$ 3,752
4340-Travel, Other Contracts	3,752
4900-Contractual Expenses	$538,685
4980-Contracted Agencies	538,685

001-3653-4980-XXXX-Suffolk County Coalition Against Domestic Violence

Employee Benefits
Social Security
001-EMP-9030

8000-Employee Benefits	$ 983
8330-Social Security	983

Sheriff's Office (SHF)
SCOPE 2010
001-SHF-3113

4000-Utilities	$ 105,481
4210-Computer Services	105,481
4300-Travel	$ 3,752
4340-Travel, Other Contracts	3,752

Probation Department (PRO)
Project SCOPE
001-PRO-3195

1000-Personal Services	$50,592
1100-Salaries	50,592
4300 Travel	$ 3,752
4340-Travel, Other Contracts	3,752

Employee Benefits
Retirement
001-EMP-9010

8000-Employee Benefits	$ 3,946
8280-Retirement	3,946

Employee Benefits
Social Security
001-EMP-9030

8000-Employee Benefits	$ 3,870
8330-Social Security	3,870

Employee Benefits
Benefit Fund Contribution
001-EMP-9080

8000-Employee Benefits	$ 2,762
8380-Benefit Fund Contribution	2,762

Interfund Transfer
Transfer to Self Health Insurance
001-IFT-E039

9000-Interfund Transfer	$14,575
9600-Transfer of Funds	14,575

and be it further

2nd RESOLVED, that the following inter-fund revenues for Self Health Insurance be accepted and appropriated as follows:

REVENUE	Amount
039-IFT-R0001 Transfer from General Fund	$14,575

ORGANIZATION

Employee Benefits
Self Health Insurance
039-EMP-9060

8000-Employee Benefits	$ 14,575
8360-Health Insurance	14,575

and be it further

3rd **RESOLVED,** that $12,552 in fringe benefits associated with the overtime salaries for this grant are included in the 2010 Suffolk County Operating Budget and the 2011 recommended budget; and be it further

4th **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 on Violence Against Women; and be it further

5th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of the 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 of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

2186

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 $800,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN, FOR PROJECT SCOPE (SUFFOLK COUNTY ORDERS OF PROTECTION ENFRORCEMENT) ADMINISTERED BY THE SUFFOLK COUNTY POLICE DEPARTMENT WITH 98.46% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The resolution provides $800,000 in grant funds. Fringe benefits are included in the 2010 and 2011operating budget.

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

The funds provided by this grant must be expended between January 1, 2011 and December 31, 2013.

8. Proposed Source of Funding

United States Dept. of Justice, Office on Violence Against Women

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		11-25-10

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 11/19/2010
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank 2186	
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 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: Suffolk County Orders of Protection Enforcement (SCOPE) 2010

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program): Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 3796hh, as amended; Violence Against Women Act of 2000, Public Law 106-386; Violence Against Women and Department of Justice Reauthorization Act of 2005, Title I, Section 102, Public Law 109-162, administered by the United States Department of Justice, Office on Violence Against Women

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.)
Acceptance and approval of this resolution will allow the Suffolk County Police Department, the Suffolk County Probation Department, the Suffolk County Sheriff's Department, and the Suffolk County Coalition Against Domestic Violence to continue their joint effort to provide enhanced victim safety and services, to improve inter-agency domestic violence information sharing capabilities, and to continue the robust enforcement of orders of protection.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) Police, Probation, Sheriff, District Attorney, and Family and District Courts.

II. BUDGET INFORMATION

1. Term of Contract From: 1/01/2011 To: 12/31/2013

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE* (Project SCOPE 05)		*SECOND FUNDING CYCLE* (Project SCOPE 07)		*THIRD FUNDING CYCLE* (Project SCOPE 10)	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	$446,388.00	96.1%	$1,160,107.00	98%	$800,000	98.46%
State	$	%	$	%	$	%
Private	$	%	$	%	$	%
County	$18,118.00	3.9%	$27,925.00	2%	$12,552	1.54%
Total	$464,506.00	100%	$1,188,032.00	100%	$812,552	100%

2186

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$12,552	$0	$12,552
A. Cash Contribution	$12,552	$0	$12,552
B. In-Kind Contribution	$0	$0	$0

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 agencies involved.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

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

4. Comments

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

8. Comments

B. Chamberlain

2186

COUNTY OF SUFFOLK

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: **November 22, 2010**

SUBJECT: **Resolution Packets & SCIN Forms for**
SCOPE 2010 (Suffolk County Orders of Protection Enforcement)
USDOJ, OVW Award Number - 2010-WE-AX-0061

Attached please find two copies of the following for the United States Department of Justice, Office on Violence Against Women sponsored SCOPE 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, Office on Violence Against Women

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 Assistant

2186

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 a grant in the amount of $800,000 from the United States Department of Justice, Office on Violence Against Women for Project Scope (Suffolk County Orders of Protection Enforcement) administered by the Suffolk County Police Department with 98.46% support

3. Purpose of Proposed Legislation
   To accept 800,000 in federal grant funds so that the Suffolk County Police Department, the Suffolk County Probation Department, the Suffolk County Sheriff's Department, and the Suffolk County Coalition Against Domestic Violence may continue their joint effort to provide enhanced victim safety and services, to improve inter-agency domestic violence information sharing capabilities, and to continue the robust enforcement of orders of protection.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:
   The County will have $800,000 available to continue to expand the joint effort of the Police Department, the Probation Department, the Suffolk County Sheriff's Department, and the Suffolk County Coalition Against Domestic Violence to provide enhanced victim safety and services and the pursuit of offender accountability.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision: 2011 - 2013: $12,552 in non-reimbursable fringe benefit costs on overtime for Police Officers.

8. Proposed Source of Funding

   UNITED STATES DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan C. Krause Grants Technician		11/22/2010

SCIN FORM NO. 175b (10/95)

21826

Department of Justice

Office on Violence Against Women

Washington, D.C. 20531

September 15, 2010

Mr. Ed Dumas
County of Suffolk
100 Veterans Memorial Highway
Hauppauge, NY 11788-5402

Dear Mr. Dumas:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office on Violence Against Women has approved your application for funding under the Community-Defined Solutions to Violence Against Women Program in the amount of $800,000 for County of Suffolk. This award provides the opportunity for recipients to develop and strengthen effective responses to violence against women. This grant program encourages communities to treat domestic violence, sexual assault, dating violence and stalking as serious crimes by strengthening the criminal justice response to these crimes and promoting a coordinated community response. Victim safety and offender accountability are the center piece of projects funded under the program.

Enclosed you will find the award package. 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 Nicolette Gantt at (202) 307-3333. For financial grants management questions, contact the OVW Grants Financial Management Division at (202) 514-8556, or by e-mail at ovw.gfmd@usdoj.gov. For payment questions, contact the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or by email at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

Susan B. Carbon
Director

Enclosures

2186

Department of Justice
Office of Justice Programs
Office for Civil Rights

Washington, D.C. 20531

September 15, 2010

Mr. Ed Dumas
County of Suffolk
100 Veterans Memorial Highway
Hauppauge, NY 11788-5402

Dear Mr. Dumas:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

Ensuring Access to Federally Assisted Programs

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at http://www.lep.gov.

Ensuring Equal Treatment for Faith-Based Organizations

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at http://www.ojp.usdoj.gov/ocr/etfbo.htm.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

2186

Enforcing Civil Rights Laws

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

Complying with the Safe Streets Act or Program Requirements

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements:(1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEOP), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

1) Meeting the EEOP Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEOP reporting requirements:

If your organization has received an award for $500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEOP and submit it to OCR for review **within 60 days from the date of this letter**. For assistance in developing an EEOP, please consult OCR's website at http://www.ojp.usdoj.gov/ocr/eeop.htm. You may also request technical assistance from an EEOP specialist at OCR by dialing (202) 616-3208.

If your organization received an award between $25,000 and $500,000 and has 50 or more employees, your organization still has to prepare an EEOP, but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at http://www.ojp.usdoj.gov/ocr/eeop.htm.

If your organization received an award for less than $25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at http://www.ojp.usdoj.gov/ocr/eeop.htm.

2) Submitting Findings of Discrimination

In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEOP, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at http://www.ojp.usdoj.gov/ocr/.

Sincerely,

Michael L. Alston

Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

Additional back-up material regarding IR 2186 is on file in the Legislative Clerk's Office, Hauppauge.

2187

Intro. Res. No. -2010 Laid on Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, APPROVING A LICENSE AGREEMENT FOR POLLY WEIGAND TO RESIDE AT BLACK DUCK LODGE AT HUBBARD COUNTY PARK, FLANDERS

WHEREAS, Article II of Chapter 378 of the Suffolk County Code, enacted through the adoption of Local Law No. 30-2008 ("A Local Law to Protect the County's Historic and Culturally Significant Properties"), established a new process to govern the rental of properties under the jurisdiction of the Department of Parks, Recreation and Conservation; and

WHEREAS, in accordance with the process set forth by the aforementioned Local Law, the Commissioner of the Department of Parks, Recreation, and Conservation recommends that Polly Weigand, Soil District Technician & LINGI Coordinator for the Suffolk County Soil and Water Conservation District, be approved to enter into a license agreement to reside at Black Duck Lodge at Hubbard County Park; and

WHEREAS, Resolution No. 571-2009 adopted the rental charge recommended by the Parks Housing Rental Board and the Commissioner of Parks, Recreation and Conservation for Unit 136, Black Duck Lodge at Southaven County Park; now, therefore, be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered. and directed, to enter into a License Agreement with Polly Weigand to reside at Black Duck Lodge at Southaven County Park, Brookhaven, in accordance with the provisions set forth in Chapter 378 of the SUFFOLK COUNTY CODE and Resolution No. 571-2009; and be it further

2nd RESOLVED, that Unit 136 at Southaven County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

2187

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2010, APPROVING A LICENSE AGREEMENT FOR POLLY WEIGAND TO RESIDE AT UNIT BLACK DUCK LODGE AT HUBBARD COUNTY PARK, FLANDERS

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

Park revenues from rental units are estimated in the 2010 budget under revenue code 2410. Monthly Rent for Unit 136 Black Duck Lodge is $600.

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
Nicholas Paglia Executive Technician		November 26th, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2187

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.

To be completed by the Executive Budget Office

EXHIBIT A

UNIT	Location	Market Rent 2006	Current Rent	New Appraisal 2008	Parks Housing Rental Board Review
	Meadow Croft - Sayville	$1,025.00		$900.00	$750.00
	West Sayville Golf Course Gate house	$1,375.00		$1,125.00	$875.00
	Blydenburgh	$850.00		$800.00	$800.00
	Southaven-Brookhaven	$1,475.00		$1,300.00	$1,050.00
	Cordwood Landing - Miller Place	$1,350.00		$1,050.00	$1,050.00
	Robert Cushman Murphy - Manorville	$1,150.00		$1,000.00	$1,000.00
	Southaven-Brookhaven	$1,575.00		$1,400.00	$1,200.00
	Prosser Pines - Middle Island	$1,300.00		$1,100.00	$1,000.00
	Prosser Pines - Middle Island	$1,150.00		$1,000.00	$800.00
	Froehlich Farm - Huntington	$1,725.00	$1, 501.00	$1,625.00	$1,625.00
	Robinson Duck Farm-Brookhaven	$1,425.00		$1,200.00	$850.00
	Timber Point	$1,600.00		$1,400.00	$1,400.00
	Robert Cushman Murphy - Manorville	$1,450.00		$1,250.00	$1,250.00
	Robert Cushman Murphy - Manorville	$1,375.00		$950.00	$950.00
	West Hills - Huntington Oakley House	$2,600.00		$1,900.00	$1,900.00
	Robert Cushman Murphy - Manorville	$1,850.00		$1,750.00	$1,350.00
	Black Duck Lodge - Flanders	$1,000.00		$900.00	$600.00
	Cedar Point - East Hampton	$1,550.00		$1,500.00	$1,000.00
	Blydenburgh cottage	$1,475.00		$1,250.00	$1,050.00
	1 Belleview Ave. Center Moriches			$1,500.00	$1,500.00
	Cedar Beach House-Southold			$1,050.00	$1,050.00

Gen 64

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

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: NOVEMBER 22, 2010

RE: INTRODUCTORY RESOLUTION APPROVING A LICENSE AGREEMENT FOR POLLY WEIGAND TO RESIDE AT BLACK DUCK LODGE AT HUBBARD COUNTY PARK, FLANDERS

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Approving License for Polly Weigand to reside in at Hubbard County Park.doc".

In accordance with the procedures set forth by Local Law No. 30-2008, I recommend that the County enter into a license agreement with Polly Weigand, who works as a Soil District Technician & LINGI Coordinator for the Suffolk County Soil and Water Conservation District, to reside at Black Duck Lodge at Hubbard County Park in Flanders.

Should you require anything further, please contact my office at 4-4984.

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977
SUFFOLK COUNTY PARKS

2188

Intro. Res. No. -2010 Laid on Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, AUTHORIZING FIRST AMENDMENT OF A LICENSE AGREEMENT WITH LONG ISLAND GREENBELT TRAIL CONFERENCE FOR BLYDENBURGH-WELD HOUSE, SMITHTOWN AND PINE BARRENS TRAILSIDE INFORMATION AND EXHIBIT CENTER, MANORVILLE

WHEREAS, Long Island Greenbelt Trail Conference has provided residents of Suffolk County with interpretive information and opportunities, including guided hikes, in conformance with a Cooperative Use License Agreement dated May 11, 2004 with the County; and

WHEREAS, Long Island Greenbelt Trail Conference is a volunteer not-for-profit organization dedicated to building and maintaining hiking trails; and

WHEREAS, the Suffolk County Department of Parks, Recreation and Conservation has provided space for Long Island Greenbelt Trail Conference in a section of the second floor office at the Blydenburgh-Weld House, Smithtown; and

WHEREAS, the Parks Department, in cooperation with Long Island Greenbelt Trail Conference, has opened a Pine Barrens Trailside Information and Exhibit Center at Robert Cushman Murphy County Park, located at County Road 111, Manorville; and

WHEREAS, the Parks Department and Long Island Greenbelt Trail Conference desire to modify the Agreement to grant a five-year option period, as authorized by the Agreement, update the insurance requirements, add requirements to meet current County standards and make other necessary changes to reflect current needs and uses of County parkland; now, therefore, be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a First Amendment of a Cooperative Use License Agreement, for a term of five (5) years with the Long Island Greenbelt Trail Conference, for the non-exclusive use, maintenance, upkeep, and improvement of the Blydenburgh-Weld House, Smithtown and the Pine Barrens Trailside Information and Exhibit Center, Manorville; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the

same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

2188

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2010, AUTHORIZING FIRST AMENDMENT OF A LICENSE AGREEMENT WITH LONG ISLAND GREENBELT TRAIL CONFERENCE FOR BLYDENBURGH-WELD HOUSE, SMITHTOWN AND PINE BARRENS TRAILSIDE INFORMATION AND EXHIBIT CENTER, MANORVILLE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

Resolution modifies current no cost agreement to grant a five year option period, update insurance requirements, and will add requirements to meet current County standards.

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 and amended agreement.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		November 26th, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2186

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.

To be completed by the Executive Budget Office

Gen E5

2188

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

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: NOVEMBER 22, 2010

RE: INTRODUCTORY RESOLUTION AUTHORIZING FIRST AMENDMENT OF A LICENSE AGREEMENT WITH LONG ISLAND GREENBELT TRAIL CONFERENCE FOR BLYDENBURGH-WELD HOUSE, SMITHTOWN AND PINE BARRENS TRAILSIDE INFORMATION AND EXHIBIT CENTER, MANORVILLE

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS-Authorizing First Amendment of Cooperative License Agreement with LI Greenbelt Trail Conference.doc".

Long Island Greenbelt Trail Conference has been operating under a cooperative use license agreement with the Parks Department since 2004. The Parks Department and the organization desire to modify the Agreement to grant a five-year option period, as authorized by the Agreement, update the insurance requirements, add requirements to meet current County standards and make other necessary changes to reflect current needs and uses of County parkland.

Should you require anything further, please contact my office at 4-4984.

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

Intro. Reso. No. 2189-10 **Laid on Table** 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $16,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, U.S. MARSHALS SERVICE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE REGIONAL FUGITIVE TASK FORCE WITH 83.37% SUPPORT.

WHEREAS, the United States Department of Justice, U.S. Marshals Service, has made $16,000 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the Regional Fugitive Task Force; and

WHEREAS, said the operational period of the program 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 reimbursement funding as follows:

REVENUE:	**Amount**
001-4382-Federal Aid: U.S. Marshals Service Regional Fugitive Task Force FY11	$16,000

ORGANIZATIONS:

Police Department (POL)
U.S. Marshals Service Regional Fugitive Task Force FY11
001-POL-3613

1000-Personal Services	**$16,000**
1120-Overtime Salaries	16,000

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately $3,192 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 Justice, U.S. Marshals Service.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

2189

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 FEDERAL FUNDING IN THE AMOUNT OF $16,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, U.S. MARSHALS SERVICE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPTATION IN THE REGIONAL FUGITIVE TASK FORCE WITH 83.37% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The resolution provides $16,000 in grant funds. Fringe benefits are 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 Dept. of Justice, U.S. Marshals Service

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		11-25-10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2189

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 11/10/2010
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980 2189	
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 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: United States Marshals Regional Fugitive Task Force FY11

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 111-242, Continuing Appropriations Act, 2011, U. S. Department of Justice, Administered by the U.S. Marshals 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 the U.S. Marshals Regional Task Force.

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: 10/1/10 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	$13,000.00	85.14%	$16,000.00	83.37%	$	
State	$		$		$	
Private	$		$		$	
County	$2,269.00	14.86%	$3,192.00	16.63%	$	
Total	$15,269.00	100%	$19,192.00	100%	$	

2189

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$3,192	$	$3,192
A. Cash Contribution	$3,192	$	$3,192
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

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

X YES NO

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

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved _____ Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved _____ Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

B. Chamberlain

2189

COUNTY OF SUFFOLK

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: **November 10, 2010**

SUBJECT: **Resolution Packets & SCIN Forms for**
U.S. Marshals Service sponsored Regional Fugitive Task Force FY11
Memorandum of Understanding #FATF-11-0035

Attached please find two copies of the following for the U.S. Marshals Regional Task Force FY 11:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Memorandum of Understanding between the Suffolk County Police Department and the United States Marshals Service.

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: Evelyn Creen, Federal & State Aid Claims Examiner
Christopher Kent, Chief Deputy County Executive

2189

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ___ Charter Law ___

2. Title of Proposed Resolution
Accepting & appropriating Federal funding in the amount of $16,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in the Regional Fugitive Task Force with 83.37% support.

3. Purpose of Proposed Legislation
To accept $16,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in the Regional Fugitive Task Force.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:
The County will incur approximately $3,192 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will be receiving $16,000 in reimbursement for the Suffolk County Police Department's participation in the U.S. Marshals Regional Fugitive Task Force.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

None

8. Proposed Source of Funding
The United States Department of Justice, U.S. Marshals Service

9. Timing of Impact
Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan C. Krause Grants Technician		11/10/10

SCIN FORM NO. 175b (10/95)

U.S. Department of Justice

United States Marshals Service

NY/NJ Regional Fugitive Task Force
310 Federal Plaza
Central Islip, NY 11722

2189

October 22, 2010

MEMORANDUM TO: Suffolk County Police Dept

FROM: Brenda Catalano
Financial Analyst

SUBJECT: FY-11 Overtime Financial MOU

Enclosed find newly formatted Financial MOU for FY-11 for your agency. Please have agency representative sign, data and enter POC information. Please return original signed document to my attention on or before Monday, November 15th at above listed address.

Please note the following update information regarding submission:

- Agency representative who signed Financial MOU should NOT be same person processing/ submitting MOU invoices for reimbursement.
- State/Local agencies will be assigned same last four digit obligation number (FATF-11-XXXX) with only a change for Fiscal year to 11. New agency will receive new obligation number.
- Invoices should be completed/submitted within 30 days after each quarter ends: Quarter 1 (October – December), Quarter 2 (January – March), Quarter 3 (April – June) and Quarter 4 (July – September).
- If NO overtime is worked in quarter, notify by email that no claim will be made for that quarter.

If you have any questions, please email (Brenda.Catalano@usdoj.gov) or give me a call (631-715-6227).

U.S. Department of Justice
United States Marshals Service

INVESTIGATIVE OPERATIONS OBLIGATION DOCUMENT

Section 1: Obligation Number

FATF-11-0035

2189

Section 2: Participating Agencies

Notification to state and local agencies of funding provided in support of US Marshals Service operations, pursuant to the Memorandum of Understanding (MOU) between

Suffolk County, NY Police Department

And

The United States Marshals Service (USMS)

NY/NJRFTF

Section 3: Project/Operation Name:

Regional Fugitive Task Force

Section 4: Period of Performance

Oct 1, 2010 through Sep 30, 2011

Section 5: Appropriate Data

FY: [Year]	Fund:	Org/District #	Project:	SOC:	Purpose:	Dollar Amount:
FY				2100	Travel, Per Diem	$0.00
FY				2532	Investigative Expense	$0.00
FY				2600	Supplies & Materials	$0.00
FY 2011	0324A	A3403	FWF2002F	2599	State & Local Overtime	$16,000.00
FY						$0.00
FY						$0.00
FY						$0.00
					Total Obligation Amount:	$16,000.00

Section 6: Contact Information

District/RFTF POC:	State/Local POC:
Name: Brenda Catalano	Name: Zhayde Sinnott
Phone: 631-715-6227	Phone: 631-852-6110
E-mail: Brenda.Catalano@usdoj.gov	E-mail: zhayde.sinnott@suffolkcountyny.g

Section 7: Authorization

This obligation document serves as notification of funding provided to support state and local agencies participating in US Marshals Service Operations subject to the availability of funds. The US Marshals Service reserves the right to remove unused residual funds upon completion of payments under this obligation.

Certification of Funds: _____ Oct 1, 2010
[Type Name Here]
USMS Administrative Representative **Date**

Obligation Approval: _____ Oct 1, 2010
[Type Name Here]
USMS Operational Representative **Date**

Acknowledgement: _____
[Type Name Here]
Department Representative **Date**

Additional back-up material regarding IR 2189 is on file in the Legislative Clerk's Office, Hauppauge.

2190

Intro. Res. No.___-2010 Laid on Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2010

ACCEPTING AND APPROPRIATING 100% FEDERAL FUNDS AWARDED BY THE F.B.I. TO THE SUFFOLK COUNTY DEPARTMENT OF PROBATION AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE RELATED AGREEMENTS.

WHEREAS, the Federal Bureau Of Investigations will provide funding to the Suffolk County Probation Department for the Department's participation in the Long Island Gang Task Force operations; and

WHEREAS, a total of $17,202.25 has been awarded by the Federal Bureau of Investigations for overtime expenses for services rendered by the Department of Probation for the period of October 1, 2010 through September 30, 2011; and

WHEREAS, said funds have not been included in the 2010 Suffolk County Operating Budget; and; now, therefore, be it

1st RESOLVED, that the County Executive is authorized to execute any Agreement with the Federal Bureau of Investigations, as necessary, to secure said funds; and further

2nd RESOLVED, that the non-reimbursable fringe benefits associated with the overtime salaries for this grant are included in the 2010 Suffolk County Operating Budget; and further

3rd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted funds in the amount of $17,202.25 as follows:

REVENUES	AMOUNT
001- 4320 -Federal Aid: Crime Control	$17,202.25

APPROPRIATIONS	AMOUNT
Suffolk County Probation Department F.B.I Long Island Gang Task Force 001-PRO-3139	
1000 Personal Service	$17,202.25
1120-Overtime	$17,202.25

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

2190

NOTICE OF LIMITS

FOR

FY 2011 STATE AND LOCAL OVERTIME REIMBURSEMENTS

Subject to the availability of funding and legislative authorization, the FBI may reimburse state and local law enforcement agencies (LEA) for the cost of overtime incurred by officers assigned **full-time** to FBI managed task forces provided the overtime expenses were incurred as a result of task force related activities. Consistent with regulation and policy, a separate Cost Reimbursement Agreement (CRA) must be executed between the FBI and the LEA and an underlying Memorandum of Understanding (MOU) must exist in support of the task force relationship.

For **Fiscal Year 2011**, the maximum limits for reimbursements under these CRAs are **$1,433.52** per month and **$17,202.25** per year for each officer assigned **full-time** to the task force. These limits are effective for overtime worked on or after October 1, 2010.

FBI field offices and state and local law enforcement agencies may process overtime reimbursement requests under formally executed CRAs in accordance with the authority of this notice. This notice is issued unilaterally by the FBI's Head of Contracting Activity and does not require formal acceptance and signature by FBI field offices and state and local law enforcement agencies.

Walter V. Meslar
Head of Contracting Activity
Federal Bureau of Investigation

6-3-10
Date

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2190

1. Type of Legislation

Resolution__X__ Local Law____ Charter Law____

2. Title of Proposed Legislation

Accepting and Appropriating 100% Federal Funds Awarded by the Federal Bureau of Investigations to the Department of Probation and authorizing the County Executive to execute related Agreements.

3. Purpose of Legislation

To accept and appropriate $17,202.25 of federal funds awarded to the Department of Probation for its participation in the F.B.I. Long Island Gang Task Force Operations for the period October 1, 2010 through September 30, 2011. These funds have not been included in the 2010 Suffolk County Operating Budget.

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes___ No_X___**

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

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

None to the County.

8. Proposed Source of Funding

Federal Aid Revenue (001-4320) Crime Control

9. Timing of Impact Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Theresa Lollo Principal Financial Analyst ~~Mary E. Wider 2010 Principal Acct. Clk~~	Theresa Lollo	November ~~22~~ 26, 2010

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2190

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

2190

Steve Levy
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PROBATION

John K. Desmond
DIRECTOR

November 22, 2010

Ken Crannell,

Deputy County Executive

Enclosed please find 2 copies of a resolution packet prepared by the Suffolk County Dept. of Probation to accept $17,202.25 grant funding from the U.S. Federal Bureau of Investigations, effective October 1, 2010 through September 30, 2011. The grant is for the Suffolk County Probation Department participation in the F.B.I. Long Island Gang Task Force.

A draft of the award letter is attached. Currently, the Probation Department works with the Long Island Division of the F.B.I. Long Island Gang Task Force in order to identify and target for prosecution, criminal enterprise groups responsible for drug trafficking, money laundering, alien smuggling, crimes of violence (murder), robbery (aggravated assault), violent street gangs, as well as to intensely focus on the apprehension of dangerous fugitives.

Please feel free to contact me at 2-5133 if you have any questions. Thank you.

Mary E. Wider

Mary E. Wider
Principal Acct. Clk
X2-5133

cc: Christopher Kent, Chief Deputy County Executive

YAPHANK AVENUE
YAPHANK, LONG ISLAND, NEW YORK 11980 - 0188
(631) 852 - 5100

2191

Intro. Res. No. -2010 Laid on Table 12/7/10

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

RESOLUTION NO. -2010, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (SLUDGE MANAGEMENT PLAN) (CP 8180)

WHEREAS, the Bergen Point Wastewater Treatment facility has been the subject of a Sludge Management Plan; and

WHEREAS, the recommendations of the stakeholders committee associated with the Sludge Management Plan is to issue a request for proposals for the beneficial reuse of sludge generated and to be disposed of from the Bergen Point Wastewater Treatment facility; and

WHEREAS, an RFP is being prepared and will be issued; and

WHEREAS, the 2010 Adopted Capital Program & Budget includes sufficient funds for assistance in reviewing proposals submitted; 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 $200,000 in Sewer District Serial Bonds; now, therefore be it

1ST **RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA, and be it further

2ND **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy two (72), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3RD **RESOLVED**, that the proceeds of $200,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

Project No.	Project Title	AMOUNT
528-CAP-8180.115 (Fund 203 Debt Service)	Improvements to Sewer District 3 - Southwest – (Sludge Management Plan) planning, design and supervision	$200,000

and be it further

4TH **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the planning, design and supervision to SD 3 – Southwest (Sludge Management Plan)

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2191

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3-SOUTHWEST (SLUDGE MANAGEMENT PLAN) (CP8180)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

SUFFOLK COUNTY SEWER DISTRICT 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

SUFFOLK COUNTY SEWER DISTRICT SERIAL BONDS

9. Timing of Impact

2012

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst	Deb Kolyer	November 19, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2191

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.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2191

Term of Bonds: 20
Amount to Bond: $200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2011					
11/1/2011					
5/1/2012	2.500%	$6,768.78	$7,850.00	$14,618.78	$14,618.78
			$3,792.16	$3,792.16	
5/2/2013	3.500%	$7,034.46	$3,792.16	$10,826.62	$14,618.78
			$3,654.11	$3,654.11	
5/2/2014	3.500%	$7,310.56	$3,654.11	$10,964.67	$14,618.78
			$3,510.64	$3,510.64	
5/2/2015	3.500%	$7,597.50	$3,510.64	$11,108.14	$14,618.78
			$3,361.54	$3,361.54	
5/1/2016	3.500%	$7,895.70	$3,361.54	$11,257.24	$14,618.78
			$3,206.59	$3,206.59	
5/1/2017	3.500%	$8,205.61	$3,206.59	$11,412.19	$14,618.78
			$3,045.55	$3,045.55	
5/1/2018	3.500%	$8,527.68	$3,045.55	$11,573.23	$14,618.78
			$2,878.20	$2,878.20	
5/2/2019	3.500%	$8,862.39	$2,878.20	$11,740.58	$14,618.78
			$2,704.27	$2,704.27	
5/1/2020	3.500%	$9,210.24	$2,704.27	$11,914.51	$14,618.78
			$2,523.52	$2,523.52	
5/1/2021	3.500%	$9,571.74	$2,523.52	$12,095.26	$14,618.78
			$2,335.68	$2,335.68	
5/1/2022	3.750%	$9,947.43	$2,335.68	$12,283.11	$14,618.78
			$2,140.46	$2,140.46	
5/2/2023	4.000%	$10,337.87	$2,140.46	$12,478.32	$14,618.78
			$1,937.58	$1,937.58	
5/1/2024	4.500%	$10,743.63	$1,937.58	$12,681.20	$14,618.78
			$1,726.73	$1,726.73	
5/1/2025	4.500%	$11,165.31	$1,726.73	$12,892.05	$14,618.78
			$1,507.61	$1,507.61	
5/1/2026	4.500%	$11,603.55	$1,507.61	$13,111.17	$14,618.78
			$1,279.89	$1,279.89	
5/2/2027	4.500%	$12,058.99	$1,279.89	$13,338.89	$14,618.78
			$1,043.24	$1,043.24	
5/1/2028	4.500%	$12,532.31	$1,043.24	$13,575.54	$14,618.78
			$797.29	$797.29	
5/1/2029	4.750%	$13,024.20	$797.29	$13,821.49	$14,618.78
			$541.69	$541.69	
5/1/2030	4.750%	$13,535.40	$541.69	$14,077.09	$14,618.78
			$276.06	$276.06	
5/2/2031	4.750%	$14,066.67	$276.06	$14,342.72	$14,618.78
		$200,000.00	$92,375.64	$292,375.64	$292,375.64

COUNTY OF SUFFOLK

2191

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

SUBJECT: **Appropriating Funds Through the Issuance of Sewer District Serial Bonds for the Improvements to Suffolk County Sewer District No. 3 – Southwest (Sludge Management Plan) (CP 8180)**

DATE: November 3, 2010

Attached is a draft resolution filed as jp-bw11-3-10 Reso-DPW sd3 Southwest improvements (Sludge Project-Management Plan) CP 8180 and appropriate forms with backup (filed as jp-bw11-3-10 Backup- DPW 175A sd3 Southwest improvements (Sludge Project-Management Plan) CP 8180 and jp-bw11-3-10 Backup-DPW 175B sd3 Southwest improvements (Sludge Project-Management Plan) CP 8180). The project involves engineering assistance in the planning phase of a Sludge Management Plan RFP estimated to require $200,000. The proposals will be for beneficial reuse of sludge. The project is at the Bergen Point Wastewater Treatment Plant. Financing needs are contained in the 2010 Adopted Capital Program and Budget and use Sewer District Serial Bonds.

We appreciate the resolution being laid on the table.

JP:BW:ni
Attachment
cc: Ed Dumas, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Deputy County Attorney
Laura Conway, CPA, Chief Accountant
Carmine Chiusano, Budget Office
Ben Wright, P.E., Principal Civil Engineer
John Donovan, P.E., Principal Civil Engineer
CE Reso Review
jp-bw11-3-10 Back-up DPW sd3 Sludge Mgmt Plan serial bonds CP 8180 memo to KCrannell

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010 FAX (631) 852-4150

2192

Intro. Res. No. -2010 Laid on Table 12/7/10
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. -2010, AUTHORIZING THE COUNTY COMPTROLLER AND COUNTY TREASURER TO CLOSE CERTAIN CAPITAL PROJECTS AND TRANSFER FUNDS

WHEREAS, the County Departments have reviewed their Capital Projects and have determined that certain Capital Projects have been completed and/or should be closed; and

WHEREAS, the attached "Addendum 1" hereby made part of this resolution specifies the Capital Projects and associated point numbers to be closed and contains information required under Resolution No. 303-2010; and

WHEREAS, the closing of these projects will reduce the County's outstanding bond authorization, reduce the number of projects required to be monitored and tracked for financial purposes, and generate revenue to offset debt service costs; and

WHEREAS, it is in the best interest of the County of Suffolk to close these selected Capital Projects listed on "Addendum 1"; and

WHEREAS, the available uncommitted balances have been verified; now, therefore be it

1st **RESOLVED**, that the County Comptroller and County Treasurer be and hereby are authorized to close the Capital Projects listed on "Addendum 1" and credit the appropriate revenue accounts no later than December 31, 2010; and be it further

2nd **RESOLVED,** as required by Resolution No. 303-2010, the attached "Addendum 1" reflects a sufficiently detailed justification for Capital Project(s) with uncommitted balances in excess of 15% of the total amount appropriated and an estimated cash balance associated with each project to be closed and total cash balance by fund for projects to be closed; and be it further

3rd **RESOLVED,** as required by Resolution No. 303-2010, the total reduction in bond authorization is estimated at $13,675,323; and be it further

4th **RESOLVED**, that if any additional aid is received on any of these projects the Treasurer may accept the aid and close this amount of aid to the appropriate fund and revenue account; and be it further

5th **RESOLVED**, that any unissued serial bond, bond anticipation note or capital note authorization remaining after the project is closed can be liquidated by the County Comptroller and the County Treasurer; and be it further

6th **RESOLVED**, that the County Comptroller and County Treasurer are authorized to transfer positive and negative cash balances to close these Capital Projects; and be it further

7th **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to net the positive and negative cash as a result of the projects being closed and accept the remaining funds into the appropriate Operating Fund under revenue code 2954 Unused Capital Fund Authorization.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date:

2612

ADDENDUM 1

FUND	PROJECT	DESCRIPTION	CURRENT BUDGET	EXPENDED	UNCOMMITTED	CASH BALANCE	% UNEXPENDED	JUSTIFICATION TO CLOSE PROJECTS WITH BALANCES IN EXCESS OF 15%
001	1132.512	MEDICAL-LEGAL INVESTIGATIONS & FORENSIC SCIENCES	270,000.00	269,914.56	85.44	85.44	0.03%	
001	1461.110	PLANNING FOR MODIFICATIONS TO WAREHOUSE AT BD OF ELECTIONS	84,000.00	84,000.00	0.00	0.00	0.00%	
001	1623.322	ROOF REPL ON VAR CTY BLDGS	400,000.00	381,670.36	18,329.64	18,329.64	4.58%	
001	1623.323	ROOF REPL ON VAR CTY BLDGS	110,550.00	110,550.00	0.00	0.00	0.00%	
001	1659.318	ENERGY CONS & SAFETY IMP TO H.LEE DENNISON BLDG	1,000,000.00	995,000.00	5,000.00	5,000.00	0.50%	
001	1664.111	ENERGY CONSERV @ VAR CTY BLDGS	25,000.00	24,130.65	869.35	869.35	3.48%	
001	1678.317	REH PRKING LOTS DRIVES & CURBS	207,000.00	207,000.00	0.00	0.00	0.00%	
001	1678.318	REHAB OF PRKING LOTS,DRIVES & CURBS AT CTY FACILITIES	175,000.00	174,515.38	484.62	484.62	0.28%	
001	1705.112	PL IMP REC STORAGE FAC BOMARC	200,000.00	193,776.85	6,223.15	6,223.15	3.11%	
001	1705.312	REC BLDGS BOMARC REC STOR FAC	2,400,000.00	2,393,695.58	6,304.42	6,304.42	0.26%	
001	1706.327	REP FOS FUEL TOX &HAZ MAT STOR	435,000.00	433,271.18	1,728.82	1,728.82	0.40%	
001	1715.313	RVHD CTY CTR POWER PLNT UPGRD	1,865,000.00	1,865,000.00	0.00	0.00	0.00%	
001	1737.319	REPL MJR BLD OPER EQ -VAR FAC	500,000.00	500,000.00	0.00	0.00	0.00%	
001	1737.320	REPL OF MJR BLDG OPER EQ- VAR	250,000.00	250,000.00	0.00	0.00	0.00%	
001	1737.322	REP MAJ BLDG OPER EQUIP CTY FA	250,000.00	250,000.00	0.00	0.00	0.00%	
001	1737.323	REPL. OF MAJ BLDGS OP EQUIP @ VAR. CTY. FAC	250,000.00	250,000.00	0.00	0.00	0.00%	
001	1760.312	ELE SFTY UPGRD @ VAR CNTY FAC	150,000.00	148,218.81	1,781.19	1,781.19	1.19%	
001	3008.410	SITE IMP FOR CONST OF NEW JAIL/CORR REPL FAC	2,723,952.00	2,721,792.00	2,160.00	2,160.00	0.08%	
001	3009.312	CONSTR MIN SEC FAC YPNK	4,158,500.00	4,158,500.00	0.00	0.00	0.00%	
001	3009.314	PUR&INSTALL MOD STRUC YAP COR	2,130,000.00	2,120,997.12	9,002.88	9,002.88	0.42%	
001	3009.511	MIN/MED SECURITY CORR FAC- YAP	37,850.00	36,183.75	1,666.25	(0.75)	4.40%	
001	3014.511	PUR EQUIP-IMP TO CORR FAC RVHD	50,000.00	49,934.42	65.58	65.58	0.13%	
001	3014.512	FURN AND EQUIP FOR IMP TO THE CNTY CORR FACILITY	75,000.00	74,628.73	371.27	371.27	0.50%	
001	3100.511	PURCHASE OF SPEED INDICATOR SIGNS FOR THE POLICE DEPARTMENT	100,000.00	97,954.00	2,046.00	2,046.00	2.05%	
001	3122.111	PL IMP AT POLICE HDQTRS	545,000.00	0.00	545,000.00	200,000.00	100.00%	Project Sunset. Planning and design was done in-house, there was no need to expend planning funds
001	3135.521	PUR OF HVY DUTY VEH (4 WHEEL	95,000.00	94,999.54	0.46	0.46	0.00%	
001	3139.110	PL SPECIAL PATROL BUREAU CONST	61,200.00	61,196.33	3.67	3.67	0.01%	
001	3203.310	EQ SHLTR REP @ MT MISERY R TWR	75,500.00	31,985.00	43,515.00	43,515.00	57.64%	Project completed and due to a portion of the work being done in-house, the project came in under budget.

2192

ADDENDUM 1

FUND	PROJECT	DESCRIPTION	CURRENT BUDGET	EXPENDED	UNCOMMITTED	CASH BALANCE	% UNEXPENDED	JUSTIFICATION TO CLOSE PROJECTS WITH BALANCES IN EXCESS OF 15%
001	3215.410	S/I REPL CAUMSETT RADIO TOWER	15,000.00	15,000.00	0.00	0.00	0.00%	
001	3215.510	EQP -REPL CAUMSETT RADIO TOWER	100,000.00	100,000.00	0.00	0.00	0.00%	
001	3221.513	IMP-POL 800 MHZ RADIO COMM SYS	100,000.00	100,000.00	0.00	0.00	0.00%	
001	3229.510	PURCH OF MOBILE DATA COMP	4,483,120.00	4,363,391.38	119,728.62	119,728.62	2.67%	
001	3235.310	CONSTRUCTION FOR ROCKY POINT RADIO TOWER SITE	85,000.00	82,901.24	2,098.76	2,098.76	2.47%	
001	3235.410	SITE IMPROVEMENTS FOR ROCKY POINT RADIO TOWER SITE	50,000.00	50,000.00	0.00	0.00	0.00%	
001	3235.510	EQUIPMENT FOR ROCKY POINT RADIO TOWER SITE	1,300,000.00	1,292,884.68	7,115.32	7,115.32	0.55%	
001	3301.116	ENG SFTY IMP @ VAR LOCATIONS	100,000.00	100,000.00	0.00	0.00	0.00%	
001	3301.226	AQ LD RECON CR16 PORT@HANS BLV	2,385,000.00	2,359,621.36	25,378.64	378.64	1.06%	
001	3301.344	SFT IMP @CR16 PORTION RD@HANS	70,000.00	65,227.24	4,772.76	4,772.76	6.82%	
001	3504.511	PURCHASE OF DIGITAL PHOTOGRAPHY EQIPMENT	240,000.00	239,838.01	161.99	161.99	0.07%	
001	4041.510	PUR EQ SKILLED NURSING FAC.	142,395.00	140,566.20	1,828.80	1,828.80	1.28%	
001	4052.514	ADD TO TRI-COMM HLTH CTR, AMTY	27,000.00	26,578.45	421.55	421.55	1.56%	
001	4055.525	PUR. EQUIP FOR HEALTH CTRS.	350,000.00	349,109.46	890.54	890.54	0.25%	
001	4067.511	ENVIRONMENTAL QUALITY INFO SYS	375,000.00	238,697.25	136,302.75	136,302.75	36.35%	This project originally included funding for two major objectives: Database conversion from Unix servers to Oracle and Document Imaging software and hardware. The Database conversion has been successfully completed. After much research and product demonstration a conversion to Document Imaging hardware and software was not feasible for Health's needs. The remaining funds were for the Document Imaging portion of the project and will not be utilized. Since the early 1970's, all information as to residential, commercial and subdivision activities have been color coded in hand annotated books. These books are one of a kind and have over 25 years of vital information that could never be reproduced. In 2010, a wide format copier, scanner and printer was purchased using SPDES grant funds and will be used to scan and reproduce these books for archiving purposes, which will satisfy the document imaging needs of the Division.

2192

ADDENDUM 1

FUND	PROJECT	DESCRIPTION	CURRENT BUDGET	EXPENDED	UNCOMMITTED	CASH BALANCE	% UNEXPENDED	JUSTIFICATION TO CLOSE PROJECTS WITH BALANCES IN EXCESS OF 15%
001	4067.512	PUR ENVIRONMNTL QLTY INFO SYST	100,000.00	14,661.86	85,338.14	85,338.14	85.34%	This project originally included funding for two major objectives: Database conversion from Unix servers to Oracle and Document Imaging software and hardware. The Database conversion has been successfully completed. After much research and product demonstration a conversion to Document Imaging hardware and software was not feasible for Health's needs. The remaining funds were for the Document Imaging portion of the project and will not be utilized. Since the early 1970's, all information as to residential, commercial and subdivision activities have been color coded in hand annotated books. These books are one of a kind and have over 25 years of vital information that could never be reproduced. In 2010, a wide format copier, scanner and printer was purchased through SPDES grant funds and will be used to scan and reproduce these books for archiving purposes, which will satisfy the document imaging needs of the Division.
001	4079.518	PURCHASE OF ENVIRONMENTAL HEALTH LABORATORY EQUIPMENT	237,000.00	231,643.48	5,356.52	5,356.52	2.26%	
001	4085.110	TICK ERADICATION STUDY	155,000.00	154,618.25	381.75	381.75	0.25%	
001	5014.338	STRENGHENING & IMP CTY RDS	6,015,000.00	6,015,000.00	0.00	0.00	0.00%	
001	5014.341	STRENGTHENING & IMPROVING COUNTY ROADS	10,500,000.00	10,491,408.98	8,591.02	8,591.02	0.08%	
001	5014.342	STRENGTHENING AND IMPROVING CTY RDS	5,500,000.00	5,500,000.00	0.00	0.00	0.00%	
001	5014.343	STR & IMP CR 80, MTK HWY FR SEATUCK RD TO SUMMIT BLVD	938,000.00	938,000.00	0.00	(400.00)	0.00%	
001	5014.344	STR & IMP CR97 NICOLLS RD FR 347 TO LOW SHP PAST RD	938,000.00	938,000.00	0.00	453.90	0.00%	
001	5014.346	STR & IMP CNTY RDS CR 11 & CR9 HUNT	120,000.00	118,004.15	1,995.85	1,995.85	1.66%	
001	5040.110	ENG INT IM CR19@OLD WAVERLY BH	275,000.00	274,532.85	467.15	467.15	0.17%	
001	5045.310	INT CR80 MNTK HWY @ E TIANA SH	900,000.00	900,000.00	0.00	0.00	0.00%	
001	5054.110	PL TRAFFIC SIGNAL IMP VAR RDS	30,000.00	22,609.42	7,390.58	7,390.58	24.64%	The design came in less then anticipated. The estimate was higher than the final bill.
001	5054.555	TR SIGN IMP-PULASKI RD+DEPOSIT	70,000.00	70,000.00	0.00	0.00	0.00%	
001	5054.556	TR. SIGNAL IMP. VAR. CTY. RDS.	670,000.00	669,438.13	561.87	561.87	0.08%	
001	5054.558	TR SIGNL IMP CARLTON & MANHAT	70,000.00	69,624.38	375.62	375.62	0.54%	
001	5054.559	TR SIGN NICOLLS RD & PATCH-HOL	70,000.00	69,290.24	709.76	709.76	1.01%	
001	5054.565	TRAFFIC SIGNAL IMPRVMNTS VAR.	700,000.00	688,953.77	11,046.23	11,046.23	1.58%	
001	5054.571	PR INS TR SGNL CR85 MNTK&WTRWK	50,000.00	24,903.90	25,096.10	25,096.10	50.19%	The traffic signal installation at this intersection has been completed. DPW went with one traffic mast arm instead of two poles. This significantly reduced the cost.
001	5054.572	TRAFFIC SIGNAL IMPROVEMENTS	500,000.00	499,793.18	206.82	206.82	0.04%	

2192

ADDENDUM 1

FUND	PROJECT	DESCRIPTION	CURRENT BUDGET	EXPENDED	UNCOMMITTED	CASH BALANCE	% UNEXPENDED	JUSTIFICATION TO CLOSE PROJECTS WITH BALANCES IN EXCESS OF 15%
001	5090.310	RECON CR86-BWAY/GRNLN RD-HUNT	1,200,000.00	789,233.27	410,766.73	60,766.73	34.23%	The construction project funded under this appropriation has been completed. The construction came in less than the engineering estimate.
001	5097.315	REC OF CR 17, CARLETON AVE EARLY IMP P	1,000,000.00	1,000,000.00	0.00	0.00	0.00%	
001	5118.110	ENG INT IMP CR16 @ CR93 SMTWN	200,000.00	158,000.00	42,000.00	42,000.00	21.00%	The engineering design funded under this appropriation has been completed. The design came in less than estimated.
001	5118.210	ROW CR 16 - SMITHTOWN	90,000.00	80,710.14	9,289.86	9,289.86	10.32%	
001	5128.110	INT IMP CR19 PATCH-HOLB RD@FUR	120,000.00	119,989.00	11.00	11.00	0.01%	
001	5168.111	PL REC CR11 PULSKI WDBRY-DEPOT	200,000.00	200,000.00	0.00	0.00	0.00%	
001	5172.111	MTR PKWY CR67 EX55 LIE BR-CR17	860,000.00	860,000.00	0.00	127,624.00	0.00%	
001	5175.110	WOODSIDE AVE CORRIDR STDY CR99	100,000.00	85,120.75	14,879.25	621.25	14.88%	
001	5180.344	INSTALLATION OF GUIDE RAIL & SAFETY UPGRADES @ VAR LOCATIONS	175,000.00	175,000.00	0.00	0.00	0.00%	
001	5180.345	INSTALL OF GD RAIL & SAFETY UPGRADES ON CR 83 PATCH-MT SINAI	70,000.00	70,000.00	0.00	0.00	0.00%	
001	5200.428	DREDGING OF COUNTY WATERS	115,000.00	114,905.67	94.33	94.33	0.08%	
001	5200.431	DRED GOLDSMITHS INLET SOUTHOLD	395,000.00	119,942.19	275,057.81	10,057.81	69.63%	The dredging project funded under this appropriation has been completed. The DEC did not authorize the full extent of the project and the DEC significantly reduced the amount of material to be removed.
001	5200.437	DREDG CTY WTRS	550,000.00	550,000.00	0.00	0.00	0.00%	
001	5201.514	PURCHASE OF BOOSTER PUMP	400,000.00	400,000.00	0.00	0.00	0.00%	
001	5375.311	REP BULKHEAD @ QUOGUE CANAL SH	635,000.00	537,202.69	97,797.31	97,797.31	15.40%	The bulkhead replacement project funded under this appropriation has been completed. The construction came in less than estimated.
001	5406.110	PED ENHNC TRAF SIGNL IMP PROG	30,000.00	30,000.00	0.00	3,000.00	0.00%	
001	5407.110	PED MOB IMP CR97, NICHOLS RD @ PURICK ST	15,000.00	15,000.00	0.00	1,500.01	0.00%	
001	5408.110	INS SDWLK ON CR 58 OLD CTRY RD, LIE TO CR73	48,000.00	0.00	48,000.00	9,600.00	100.00%	The sidewalk construction was included in the CR58 Early Implementation Project. The work was incorporated into the larger CR 58 project that was just completed.
001	5512.310	RECONSTRUCTION OF CR 97, NICOLLS RD	5,000,000.00	4,999,820.00	180.00	180.00	0.00%	
001	5527.112	ENG RECON OF CR2 STRAIGH PATH	400,000.00	99,028.98	300,971.02	25,971.02	75.24%	Most engineering services in connection with reconstruction of CR2 Straight Path were completed in-house. Only a topographical survey was completed by a consultant.

2192

ADDENDUM 1

FUND	PROJECT	DESCRIPTION	CURRENT BUDGET	EXPENDED	UNCOMMITTED	CASH BALANCE	% UNEXPENDED	JUSTIFICATION TO CLOSE PROJECTS WITH BALANCES IN EXCESS OF 15%
001	5528.310	IMP TO CR 39, NO RD, SOUTHAMPTON	12,150,000.00	11,593,661.89	556,338.11	16,674.11	4.58%	
001	5529.112	ENG&DES FOR REC OF CR58 OLD CTRY RD	500,000.00	500,000.00	0.00	0.00	0.00%	
001	5532.110	FEAS. SUFF AV CR100 CR4 - 13	500,000.00	227,383.36	272,616.64	54,523.33	54.52%	The planning studies performed under this appropriation have been completed.
001	5560.110	PLN RECONS CR4 COMMACK RD	150,000.00	150,000.00	0.00	0.00	0.00%	
001	5640.110	ST RR ADV PREEMPT TIMES-VAR GR	500,000.00	265,790.14	234,209.86	0.00	46.84%	LIRR did not progress their program that would have required additional engineering by the County.
001	5655.110	PLN INTER TRN FAC WYANDANCH-PASS-THROUGH-FUNDS	436,895.00	436,895.00	0.00	0.00	0.00%	
001	5658.536	PUR OF HYBRID-ELECTRIC TRANSIT BUSES INCLUDING RADIOS, FAREB	2,305,825.00	2,275,599.95	30,225.05	3,022.05	1.31%	
001	5658.540	PURCHASE OF PARATRANSIT VANS & RELATED EQUIP FOR TOWN BRKHVN	151,840.00	148,824.00	3,016.00	(1.00)	1.99%	
001	5719.110	S TAXIWAY LIGHT SYS	98,122.00	83,489.75	14,632.25	(105.75)	14.91%	
001	5815.413	PAINTING OF BRIDGES @ VAR LOC	635,000.00	635,000.00	0.00	0.00	0.00%	
001	5850.315	REH VAR BRDGS & ENBNKMNTS GTOB	450,000.00	450,000.00	0.00	0.00	0.00%	
001	5850.317	REH OF VAR. BRDG & EMBANKMENTS	1,150,000.00	1,150,000.00	0.00	0.00	0.00%	
001	5850.318	REHABILITATION OF VARIOUS BRIDGES & EMBANKMENTS	260,000.00	260,000.00	0.00	0.00	0.00%	
001	5850.320	REHAB OF VARIOUS BRIDGES & EMBANKMENTS	1,100,000.00	1,100,000.00	0.00	0.00	0.00%	
001	6418.312	DWNTWN BEAUT & REN OF BAY SHOR	50,000.00	50,000.00	0.00	0.00	0.00%	
001	6418.313	DWNTWN BEAUT & REN OF N AMYTVL	50,000.00	49,734.50	265.50	265.50	0.53%	
001	7007.411	FENCEING & SURVEY VAR CTY PKS	150,000.00	149,261.59	738.41	738.41	0.49%	
001	7140.310	GEN-PRK POL HDQRTRS-EMER RES	50,000.00	49,666.00	334.00	334.00	0.67%	
001	7162.113	PL SKATE PRK @ SMTH PT CTY PK	30,000.00	15,458.43	14,541.57	14,541.57	48.47%	As per Resolution 431-10. Skate Park location was changed and construction funding was re-appropriated under CP 7112. Brookhaven Town designing Skate Park.
001	7162.315	Construction of a Skate Park @ Smith Point	250,000.00	0.00	250,000.00	0.00	100.00%	As per Resolution 431-10. Skate Park location was changed and construction funding was re-appropriated under CP 7112. Brookhaven Town designing Skate Park.
001	7173.114	PLANNING FOR A RECONSTRUCTION OF MAINT & OPERATIONS BLG	80,000.00	80,000.00	0.00	0.00	0.00%	
001	7178.415	ACQ & IMP TO ACTIVE PKLD/REC	75,000.00	64,746.90	10,253.10	253.10	13.67%	

2192

ADDENDUM 1

FUND	PROJECT	DESCRIPTION	CURRENT BUDGET	EXPENDED	UNCOMMITTED	CASH BALANCE	% UNEXPENDED	JUSTIFICATION TO CLOSE PROJECTS WITH BALANCES IN EXCESS OF 15%
001	7181.110	PL UPDT & IMP OFFICAL MAP - SC	50,000.00	0.00	50,000	0.00	100.00%	Planning for this project was done in-house. The time and effort of doing an RFP, bid review and contract for such a small project made it inefficient to do using a consultant. Planning did the work in-house.
001	7181.510	EQ UPDT & IMP OFFICAL MAP - SC	75,000.00	63,866.50	11,133.50	11,133.50	14.84%	
001	7432.310	REST OF SEA WALL @ VANDERBILT	900,000.00	873,591.39	26,408.61	408.61	2.93%	
001	7437.312	IMPROVEMENTS TO PLANETARIUM	50,000.00	49,990.00	10.00	10.00	0.02%	
001	7443.311	INST ENVIR CTRL SYS VANDERBILT	2,800,000.00	2,768,809.59	31,190.41	31,190.41	1.11%	
001	7510.122	PL IM HIS & BLDGS CHANDLER EST	20,000.00	17,895.00	2,105.00	2,105.00	10.53%	
001	8224.512	EQ PUB HLTH REL HRMFL ALGAL BLMS	40,000.00	38,686.85	1,313.15	1,313.15	3.28%	
001	8226.521	PURCH EQUIP GRNDWTR MONTRNG & WELL DRILLNG	170,000.00	169,648.65	351.35	351.35	0.21%	
001	8226.523	PURCHASE OF EQUIPMENT FOR GROUNDWATER MONITORING & WELL DRIL	190,000.00	189,756.65	243.35	243.35	0.13%	
001	8228.114	STDY OCCUR BROWN TIDE MAR WTRS	133,000.00	69,711.49	63,288.51	63,288.51	47.59%	Sub Aquatic Vegetation Long Term Monitoring was included in this project but subsequently covered under the Peconic Estuary Program grant funds. The project is now grant funded from the operating budget.
001	8228.115	STDY OCCUR BROWN TIDE MARINE	100,000.00	82,593.77	17,406.23	17,406.23	17.41%	A contract with the Research Foundation of SUNY Stony Brook was initiated for $100,000 (Agreement #525-8228-1130-00-00001), which ended 12/31/07. The vendor has been fully paid $82,593.77 for the completion of this agreement. The remainder of funds were not needed to complete the objectives or scope of the study.
001	8228.118	STDY FOR OCCU BRN TIDE MAR WTR	70,000.00	69,256.52	743.48	743.48	1.06%	
001	8228.512	STDY FOR OCCU BRN TIDE MAR WTR	80,000.00	80,000.00	0.00	0.00	0.00%	

2612

ADDENDUM 1

FUND	PROJECT	DESCRIPTION	CURRENT BUDGET	EXPENDED	UNCOMMITTED	CASH BALANCE	% UNEXPENDED	JUSTIFICATION TO CLOSE PROJECTS WITH BALANCES IN EXCESS OF 15%
001	8229.510	PURCH OF PUMP OUT VESSELS	200,000.00	99,997.50	100,002.50	2.50	50.00%	The Resolution to appropriate the funding had it set up that the County would pay the vendor 100% of the cost with the Town or Municipality reimbursing the County 50%. Once the program got started, the Town paid the vendor their 50% directly and the County paid the other 50%. The $200,000 was meant to be expended for 100% of the cost of the vessels with the expectation that $100,000 or 50% was to be recouped as revenue from the Town or Municipality. Since the Town paid their half directly, the County only used $100,000 or 50% of the funds and did not collect revenue for the other half of the program.
001	8701.211	ACQ. OF FARMLAND	4,650,000.00	0.00	4,650,000.00	4,401,019.00	100.00%	Appropriation was set up to accept NYS Grant funds for specifically identified properties. Grant funds were released and received years after acquisition of these properties were completed. (See Fund 477).
001	8701.214	ACQ OF FARMLAND	4,795,649.00	1,408,264.00	3,387,385.00	530,353.00	70.63%	Received $1,408,264 from the USDA on 10/24/06 for the Deborah Light Preserve acquisition; Received $530,353 from the USDA on10/23/07 for the Farr & Farr property purchased through the SOS program.
001	8730.110	RESTORATION OF WETLANDS	220,000.00	220,000.00	0.00	0.00	0.00%	
						6,257,568.51		
016	1616.510	FUEL MGMT/PREV MAINT/INV CTR	1,500,000.00	1,500,000.00	0.00	0.00	0.00%	
016	1769.510	PW FLEET MAINT EQUIP REPL	430,000.00	429,527.57	472.43	472.43	0.11%	
016	1769.512	PUB WRKS MAINT EQUIP REPL	100,000.00	100,000.00	0.00	0.00	0.00%	
016	1769.513	PUB WRKS FLT MAINT EQUIP REPL	175,000.00	175,000.00	0.00	0.00	0.00%	
016	5047.523	PURCHASE OF HIGHWAY MAINTENANCE EQUIPMENT	800,000.00	800,000.00	0.00	0.00	0.00%	
016	5047.525	PURCHASE OF HIGHWAY MAINTENANCE EQUIPMENT	1,200,000.00	1,200,000.00	0.00	0.00	0.00%	
016	5047.526	PURCHASE OF HWY MAIN EQUIPMENT	1,650,000.00	1,649,832.35	167.65	167.65	0.01%	
						640.08		
115	3017.510	REPLACEMENT OF GPS RECEIVERS AT VARIOUS 800 MHZ TOWER SITE L	425,000.00	423,350.88	1,649.12	1,649.12	0.39%	

2192

ADDENDUM 1

FUND	PROJECT	DESCRIPTION	CURRENT BUDGET	EXPENDED	UNCOMMITTED	CASH BALANCE	% UNEXPENDED	JUSTIFICATION TO CLOSE PROJECTS WITH BALANCES IN EXCESS OF 15%
115	3135.522	PURCHASE OF HEAVY DUTY VEHICLE (TWO CAR CARRIER)	78,000.00	78,000.00	0.00	0.00	0.00%	
115	3184.316	REN CON&ADD 6TH PCT-MONOPOLE	125,000.00	0.00	125,000.00	125,000.00	100.00%	Project Sunset as of 12/31/09. Dept decided not to move forward with this project after a microwave engineer determined that the new 6th precinct location would not provide an adequate link to the Rocky Point Tower. It was prudent to leave the link at the old 6th precinct location where a replacement tower was recently installed.
115	3184.413	SITE WRK FOR CONSTRUCTION & ADDITIONS TO THE NEW 4TH POL PRC	500,000.00	500,000.00	0.00	0.00	0.00%	
						126,649.12		
203	8110.009	LATERAL SEW SWSD	3,527,000.00	3,527,000.00	0.00	5,047.93	0.00%	
203	8110.073	LATERAL SEW SWSD	9,355,000.00	9,355,000.00	0.00	3,100.92	0.00%	
						8,148.85		
207	8119.312	IMP SD#7-MEDFORD CON	223,966.00	223,966.00	0.00	0.46	0.00%	
						0.46		
261	8164.521	SEWER FAC MAINT EQP VAR SD'S	750,000.00	749,840.59	159.41	159.41	0.02%	
						159.41		
404	8103.110	PLANNING FOR SEWER DISTRICTS SAFETY & SECURITY PROGRAM	40,000.00	40,000.00	0.00	0.00	0.00%	
404	8103.111	PLANNING FOR SD SAFETY & SECURITY PROGRAM	40,000.00	40,000.00	0.00	0.00	0.00%	
404	8103.112	PLANNING FOR SEWER DISTRICTS SAFETY & SECURITY PROGRAM	40,000.00	40,000.00	0.00	0.00	0.00%	
404	8126.113	DES&ENG FOR IMP & EXP TO SCDS #18 HAUPPAUGE	800,000.00	800,000.00	0.00	0.00	0.00%	
404	8138.110	IMP TO SD 15 NOB HILL	50,000.00	50,000.00	0.00	0.00	0.00%	
404	8144.110	PL IMP SEW TRMNT FAC SD6 KINGS	100,000.00	100,000.00	0.00	0.00	0.00%	
404	8169.315	CON IMP SD 1 PT JEFF-REV + INT	206,248.00	206,248.00	0.00	0.30	0.00%	
						0.30		

2612

ADDENDUM 1

FUND	PROJECT	DESCRIPTION	CURRENT BUDGET	EXPENDED	UNCOMMITTED	CASH BALANCE	% UNEXPENDED	JUSTIFICATION TO CLOSE PROJECTS WITH BALANCES IN EXCESS OF 15%
477	8701.211	ACQ. OF FARMLAND	1,000,000.00	0.00	1,000,000.00	1,000,000.00	100.00%	Appropriation was set up to accept NYS Grant funds for specifically identified properties. Grant funds were released and received years after acquisition of these properties were completed. (See Fund 001).
477	8710.111	FRED CAN SED & WTR QUALTY IMP	85,000.00	85,000.00	0.00	0.00	0.00%	
477	8710.121	PLANNING FOR RESTORING THE PECONIC RIVER'S HIST CRIT FISH HA	70,000.00	70,000.00	0.00	0.00	0.00%	
477	8710.122	MANU GAS PLANTS INVESTIGATION, MONITORING & MITIGATION PROG-	20,000.00	20,000.00	0.00	0.00	0.00%	
477	8710.511	PURCHASE OF NEW STREET SWEEPER/EDUCTOR TRUCKS	600,000.00	600,000.00	0.00	0.00	0.00%	
						0.00		
625	5721.411	AIRPORT PERIMETER SURVEY AND FENCING FRANCIS S. GABRESKI AIR	750,000.00	744,059.11	5,940.89	5,940.89	0.79%	
625	5731.410	AIRPORT OBSTRUCTION PROGRAM F.S.GABRESKI AIRPORT	300,000.00	300,000.00	0.00	0.00	0.00%	
625	5733.310	REPLACEMENT/RELOCATION OF EXISTING MAINT FAC AT F.S.G. AIRPR	600,000.00	0.00	600,000.00	200,000.00	100.00%	This project was first proposed in 2004. Since then, the airport has taken back possession of a 4,000 sf warehouse building on the east side of the property, made some modifications and is using it as a maintenance facility. With some additional minor modifications, the building will last at least another 10 years for use as an airport maintenance building.
						205,940.89		
818	2115.113	PL REN SAGTIKOS THEATRE W CAMP	91,500.00	90,685.94	814.06	407.05	0.89%	
818	2167.111	PL LIFE SFTY ALT&FIRE ALARM UP	10,496.00	9,203.22	1,292.78	646.70	12.32%	
818	2182.510	EQUIP REN SMITHTOWN SCI BLDG	200,000.00	199,507.39	492.61	246.30	0.25%	
818	2193.110	PLN FOR ANAT.,PHY. LAB-GRT	13,000.00	0.00	13,000.00	0.00	100.00%	Project complete--The design for the anatomy and physiology laboratory was done in-house--planning funds not used
818	2193.510	EQIP FOR THE ANA&PHY LAB - GRANT CAMPUS 2 THE HLTH SPORTS EX	136,000.00	135,075.73	924.27	37,225.01	0.68%	
						38,525.06		
		Total for all Funds				**6,637,632.68**		

2192

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AUTHORIZING THE COUNTY COMPTROLLER AND COUNTY TREASURER TO CLOSE CERTAIN CAPITAL PROJECTS AND TRANSFER FUNDS

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE.

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

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

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

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

THE CLOSING OF CAPITAL PROJECTS THAT HAVE BEEN COMPLETED HAS A POSITIVE IMPACT TO THE COUNTY OF SUFFOLK. IT REDUCES BOND AUTHORIZATIONS AND REMAINING CASH BALANCES WILL OFFSET DEBT EXPENSES.

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

THIS WILL BE DETERMINED ONCE THE FINAL CASH BALANCE HAS BEEN VERIFIED BY THE TREASURER'S OFFICE. THE FINAL CASH BALANCE SHOULD PROVIDE A SIGNIFICANT AMOUNT OF REVENUE TO THE COUNTY TO OFFSET DEBT SERVICE COSTS AND SHOULD EXCEED THE AMOUNT INCLUDED IN THE ADOPTED 2010 OPERATING BUDGET GENERAL FUND FOR THIS PURPOSE.

8. Proposed Source of Funding

PROPOSED CASH PROCEEDS FROM UNUSED CAPITAL FUND AUTHORIZATIONS

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E Paglia Jr. Executive Technician		November 23rd, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2192

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.

To be completed by the Executive Budget Office

2193

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

Laid on the Table 12/7/10

RESOLUTION NO. -2010, AMENDING THE MAP OF THE COUNTY ROAD SYSTEM TO REMOVE COUNTY SYSTEM ROAD NO. 38, NORTH SEA ROAD-NOYAC ROAD (FROM A POINT LOCATED APPROXIMATELY 500± FEET NORTH OF MILLSTONE BROOK ROAD, NORTHERLY AND EASTERLY ENDING AT THE WESTERLY BOUNDARY OF THE VILLAGE OF SAG HARBOR) AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE TOWN OF SOUTHAMPTON TRANSFERRING OWNERSHIP AND MAINTENANCE OF SAID ROADWAY TO THE TOWN OF SOUTHAMPTON

WHEREAS, part of the intent of the County Roadway System is to allow Towns within Suffolk County to receive Federal and State funding to aid in their maintenance of roadways that fall within their Town's jurisdiction; and

WHEREAS, in 1931, County System Road No. 38, North Sea Road-Noyac Road was added to the list of roads in Suffolk County to enable to the Town of Southampton to receive such funding; and

WHEREAS, the Town of Southampton has agreed to assume ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road; now, therefore be it

1st RESOLVED, that County System Road No. 38, North Sea Road-Noyac Road from a point located approximately 500± feet north of Millstone Brook Road, northerly and easterly ending at the westerly boundary of the Village of Sag Harbor, a distance of 46,650± feet, or 8.84± miles, is hereby removed from the official County Map and Road System, subject to approval of the New York State Commissioner of Transportation; and be it further

2nd RESOLVED, that the above described portion of County System Road No. 38, North Sea Road-Noyac Road shall be transferred to the Town of Southampton in accordance with the provisions of Highway Law §115-b; and be it further

3rd RESOLVED, that the Suffolk County Department of Public Works is hereby authorized, empowered and directed to take such actions as may be necessary and appropriate to consummate the transfer including, but not limited to, developing an agreement with the Town of Southampton and developing the associated roadway description; and be it further

4th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute an agreement with the Town of Southampton for the transfer of ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road; and be it further

5th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8,

hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

6th **RESOLVED**, that the ownership transfer agreement and all other contract documents shall be subject to the approval of the County Attorney.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2193

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2010, AMENDING THE MAP OF THE COUNTY ROAD SYSTEM TO REMOVE COUNTY SYSTEM ROAD NO. 38, NORTH SEA ROAD-NOYAC ROAD (FROM A POINT LOCATED APPROXIMATELY 500± FEET NORTH OF MILLSTONE BROOK ROAD, NORTHERLY AND EASTERLY ENDING AT THE WESTERLY BOUNDARY OF THE VILLAGE OF SAG HARBOR) AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE TOWN OF SOUTHAMPTON TRANSFERRING OWNERSHIP AND MAINTENANCE OF SAID ROADWAY TO THE TOWN OF SOUTHAMPTON

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

THE TRANSFER OF OWNERSHIP AND MAINTENANCE OF COUNTY SYSTEM ROAD NO. 38, NORTH SEA ROAD-NOYAC ROAD (FROM A POINT LOCATED APPROXIMATELY 500+ FEET NORTH OF MILLSTONE BROOK ROAD, NORTHERLY AND EASTERLY ENDING AT THE WESTERLY BOUNDARY OF THE VILLAGE OF SAG HARBOR) WILL RELIEVE THE COUNTY OF MAINTENANCE COSTS FOR THIS PORTION OF THE ROADWAY ,THEREBY TRANSFERRING THESE COSTS TO THE TOWN OF SOUTHAMPTON.

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 execution of ownership transfer agreement.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst	Deb Kolyer	November 23, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2193

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.

To be completed by the Executive Budget Office

2193

OWNERSHIP TRANSFER AGREEMENT

This Agreement ("Agreement") made between the **County of Suffolk ("County")**, a municipal corporation of the State of New York, acting through its duly constituted **Department of Public Works ("Department")**, located at 335 Yaphank Avenue, Yaphank, New York 11980 and the **Town of Southampton ("Town")**, having its principal offices at 116 Hampton Road, Southampton, New York 11968, (collectively, the "**Parties**")

The parties hereto desire to enter into an agreement wherein the County agrees to transfer all rights, title and interest of the County in and to County System Road No. 38, North Sea Road-Noyac Road to the Town of Southampton.

Term of Agreement: Upon execution of this agreement by both the Town and the County, all right title and interest to County System Road No. 38, North Sea Road-Noyac Road in the Town of Southampton, are hereby transferred to the Town.

Terms and Conditions: Shall be as set forth in Exhibits A through D attached.

In Witness Whereof, the parties hereto have executed this Agreement as of the latest date written below.

TOWN OF SOUTHAMPTON

BY: _____

Name: _____

Title: _____

Date: _____

COUNTY OF SUFFOLK

BY: _____

Name: _____

Title: Deputy County Executive

Date: _____

Approved As To Legality
Christine Malafi, County Attorney

By: _____
Basia Deren Braddish
Assistant County Attorney

Date: _____

Approved:
Department of Public Works

By: _____
Gilbert Anderson, P.E.
Commissioner

Date: _____

DRAFT

2193

Table of Contents

Exhibit A
General Terms and Conditions

1. Recitals
2. Term of Agreement
3. Description of Project
4. Notices and Contact Persons
5. No Gratuities
6. Execution
7. Miscellaneous

Exhibit B
Suffolk County Legislative Resolution No. _____

Exhibit C
Town of Southampton Resolution No. 2010-555.

Exhibit D
Description of Transferred Roadway.

DRAFT

2193

Ownership Transfer Agreement/County of Suffolk/Town of Southampton
Ownership and Maintenance of County System Road No. 38, North Sea Road-Noyac Road

General Terms and Conditions

Whereas, part of the intent of the County Roadway System to allow Towns within Suffolk County to receive Federal and State funding to aid in their maintenance of roadways that fall within their Town's jurisdiction; and

Whereas, in 1931, County System Road No. 38, North Sea Road-Noyac Road was added to the list of roads in Suffolk County to enable to the Town of Southampton to receive such funding; and

Whereas, County Legislative Resolution No. _____, attached as Exhibit B, authorized the County to enter into an agreement with the Town for the transfer of County System Road No. 38, North Sea Road-Noyac Road in accordance with the provisions of Highway Law §115-b;

Whereas, pursuant to Town Board Resolution No. 2010-555, attached as Exhibit C the Town authorized the Town Board to execute an Ownership Transfer Agreement with the County of Suffolk for said County System Road No. 38, North Sea Road-Noyac Road in accordance with the provisions of Highway Law §115-b;

Now, therefore, the parties hereto agree as follows:

1. Recitals

The parties acknowledge that the foregoing recitals are true and correct and hereby incorporated into this Agreement as if fully set forth herein.

2. Term of Agreement

The term of this Agreement shall be as set forth on page one of this Agreement.

3. Description of Highways Transferred

County System Road No. 38, North Sea Road-Noyac Road, as outlined in Exhibit D.

4. Notices and Contact Persons

a. Operational Notices

Any communication, notice, claim for payment, report or other submission necessary or required to be made by the parties regarding this Agreement shall be deemed to have been duly made upon receipt by the County or Town or their designated representative at the following address or at such other address that may be specified in writing by the parties:

For the County:

Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, New York 11980
Att: William Hillman, P.E., Chief Engineer

DRAFT

and

For the Town of Southampton:

At the address set forth on page one of this Agreement, attention of the person who executed this Agreement or such other designee as the parties may agree in writing.

b. Notices Relating to Termination, Indemnification or Litigation

Any communication or notice regarding termination or litigation shall be deemed to have been duly made upon receipt by the parties at the following addresses, or at such other addresses that may be specified in writing by the parties:

For the County:

Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, New York 11980
Att: Gilbert Anderson, P.E., Commissioner

and

Christine Malafi, County Attorney
Suffolk County Department of Law
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

and

For the Town of Southampton:

At the address set forth on page one of this Agreement, attention of the person who executed this Agreement or such other designee as the parties may agree in writing.

and

Town Attorney
Town of Southampton
116 Hampton Road
Southampton, New York 11968

c. Changes in Contact Persons

Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

5. No Gratuities

DRAFT

The Town represents and warrants that neither the Town nor any official, officer, or employee of Town, has offered or given any gratuity to any official, employee or agent of the County or any political party with the purpose or intent of securing favorable treatment with respect to the awarding or amending of this Agreement, or the making of any determinations with respect to the performance of this Agreement, and that Town has read and is familiar with the provisions of Suffolk County Local Law Number 32-1980.

6. Execution

The Parties each warrant and represent to the other that its execution of this Agreement has been properly authorized.

7. Miscellaneous

No modification or amendment of this Agreement shall be of any force or effect unless in writing executed by both the County and the Town and recorded in the Suffolk County Clerk's Office. This Agreement sets forth the entire agreement between the County and the Town relating to the transfer of ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road and the Easement and all subject matter herein and supersedes all prior and contemporaneous negotiations, understandings and agreements, written or oral, between the parties.

End of text for Exhibit A

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EXHIBIT B
SUFFOLK COUNTY AUTHORIZING RESOLUTION

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2193

Ownership Transfer Agreement/County of Suffolk/Town of Southampton
Ownership and Maintenance of County System Road No. 38, North Sea Road-Noyac Road

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

RESOLUTION NO. -2010, AMENDING THE MAP OF THE COUNTY ROAD SYSTEM TO REMOVE COUNTY SYSTEM ROAD NO. 38, NORTH SEA ROAD-NOYAC ROAD AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE TOWN OF SOUTHAMPTON TRANSFERRING OWNERSHIP AND MAINTENANCE OF SAID ROADWAY TO THE TOWN OF SOUTHAMPTON

WHEREAS, part of the intent of the County Roadway System is to allow Towns within Suffolk County to receive Federal and State funding to aid in their maintenance of roadways that fall within their Town's jurisdiction; and

WHEREAS, in 1931, County System Road No. 38, North Sea Road-Noyac Road was added to the list of roads in Suffolk County to enable to the Town of Southampton to receive such funding; and

WHEREAS, the Town of Southampton has agreed to assume ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road; now, therefore be it

1st RESOLVED, that County System Road No. 38, North Sea Road-Noyac Road from a point located approximately 500± feet north of Millstone Brook Road, northerly and easterly ending at the westerly boundary of the Village of Sag Harbor, a distance of 46,650± feet, or 8.84± miles, is hereby removed from the official County Map and Road System, subject to approval of the New York State Commissioner of Transportation; and be it further

2nd RESOLVED, that the above described portion of County System Road No. 38, North Sea Road-Noyac Road shall be transferred to the Town of Southampton in accordance with the provisions of Highway Law §115-b; and be it further

3rd RESOLVED, that the Suffolk County Department of Public Works is hereby authorized, empowered and directed to take such actions as may be necessary and appropriate to consummate the transfer including, but not limited to, developing an agreement with the Town of Southampton and developing the associated roadway description; and be it further

4th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute an agreement with the Town of Southampton for the transfer of ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road; and be it further

5th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

6th RESOLVED, that the ownership transfer agreement and all other contract documents shall be subject to the approval of the County Attorney.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

DRAFT

2193

EXHIBIT C
TOWN OF SOUTHAMPTON AUTHORIZING RESOLUTION

DRAFT

2193

RESOLUTION 2010-555 Item # 6.(i

ADOPTED DOC ID: 116(i

Memorializing Resolution in Support of Clarifying Ownership of Noyac Road

WHEREAS, Suffolk County maintains approximately 425 miles of roadway throughout the towns of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Shelter Island, Smithtown, Southampton, and Southold. In addition, the County lists a number of "system roads" that are assigned a Suffolk County road designation, but are maintained or controlled by other municipalities; and

WHEREAS, among such system roads is County Road 38 (CR 38), which consists of Noyac Road from the Village of Sag Harbor west into the hamlet of North Sea. From there CR 38 proceeds south as North Sea Road to the Village of Southampton. Part of the County's road system since January 26, 1931, CR 38 runs for 11.5 miles within the Town of Southampton; and

WHEREAS, according to the Suffolk County Department of Public Works "Table of Maintenance Jurisdiction," the Chief Engineer, and other official documents, the County does not maintain any portion of CR 38 from Brick Kiln Road (Village of Sag Harbor western boundary) to 500 feet north of Millstone Brook Road (Hamlet of North Sea); and

WHEREAS, according to these sources, as well as the Town of Southampton Highway Department, responsibility and costs for maintenance, pavement, shoulders, drainage, landscaping, and snow removal rests with the Town of Southampton; and

WHEREAS, as the County neither reimburses the Town nor performs its own maintenance along this 8.94-mile portion of CR 38, authority over capital projects and over relevant undertakings should be clarified; and

WHEREAS, such a clarification is supported and urged by the Noyac Civic Council, Noyac Citizens Advisory Committee, and North Sea Citizens Advisory Committee, as well as the Suffolk County Legislator for the Second Legislative District; and now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby requests and supports passage of legislation by the Suffolk County Legislature transferring or acknowledging full ownership and jurisdiction of County Road 38 (Noyac Road) by the Town of Southampton from Brick Kiln Road west to 500 feet north of Millstone Brook Road; and be it further

RESOLVED, that the Town Clerk shall forward a copy of this resolution to Suffolk County Legislator Jay Schneiderman, Suffolk County Legislative Clerk Timothy Laube, and Suffolk County Commissioner of Public Works Gilbert Anderson.
Fiscal Impact:
None

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: James Malone, Councilman
SECONDER: Nancy Graboski, Councilwoman

Southampton Town Board - Letter

Board Meeting of May 25, 2010

AYES: Throne-Holst, Malone, Graboski, Fleming, Nuzzi

2193

EXHIBIT D
DESCRIPTION OF HIGHWAY TRANSFERRED

County System Road No. 38, North Sea Road-Noyac Road

All County System Road No. 38, North Sea-Noyac Road Right of Way situate in the Town of Southampton, County of Suffolk, and State of New York as described as follows:

Beginning at the end point of County Road No. 38, North Sea Road at Station 134+00 of the Survey Centerline of County Road No. 38 as shown on a map for the Repaving of North Sea Road County Road No. 38 dated August 17, 1931 and on file in the office of the Commissioner of Public Works, said point being located approximately 500± feet north of Millstone Brook Road.

Thence, from said Point of Beginning, northerly, along said County System Road No. 38, North Sea Road, to its intersection with County System Road No. 38 Noyac Road.

Thence northerly and easterly, along said County System Road No. 38 Noyac Road through the Hamlets of North Sea, Rose Grove, North Side Hills and Noyac ending at the westerly boundary of the Village of Sag Harbor, a distance of 46,650± feet or 8.84 miles more or less.

The above County System Road No. 38 traverses Suffolk County Tax Map District 0900(Town of Southampton),Section Numbers 003, 004, 006, 007, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 024, 028, 029, 031, 032, 033, 042, 043, 044, 045, 058, 059, 060, 061, 062, 062.01, 063, 076, and 077.

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RESOLUTION SUBMITTAL SHEET

2193

Capital Project n/a
Operating Fund
Other

Legislative Districts 2
Federal Aid %
State Aid %

Give a complete description of why we are asking for reso; if aided, state status of aid

Transferring Ownership of County System Road No. 38, North Sea Road-Noyac Road and authorizing the County Executive to execute agreement with the Town of Southampton transferring ownership and maintenance, pursuant to Town of Southampton Resolution 2010-555

Previous resolution (list previous reso for the same work)

Resolution Number	Purpose	Amount
n/a		

Amounts being requested – n/a

Planning
Site
Construction
Land
F&E

Current Unencum Bal w/Quotes –n/a

Planning
Site
Construction
Land
F&E

Project Status

Est. planning completion
Est. construction start
Est. construction completion

Design consultant
Contractor

State required offsets, their legis. Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

Offset	Legis District	Comments
n/a		

2194

Intro. Res. No. -2010 Laid on Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, APPROPRIATING FUNDS AND ACCEPTING A COMMUNITY CAPITAL ASSISTANCE PROGRAM (CCAP) GRANT IN THE AMOUNT OF $165,000 FROM THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK FOR THE INSTALLATION OF A CONCEALED FIRE SPRINKLER SYSTEM AT THE MAIN HOUSE AT DEEPWELLS COUNTY PARK (CP 7510)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for the installation of a concealed fire sprinkler system at the Main House at Deepwells County Park; and

WHEREAS, the Suffolk County Parks Department was awarded a Community Capital Assistance Program (CCAP) grant in the amount of $165,000 for the installation of such a system at the Main House at Deepwells County Park; and

WHEREAS, the project estimated cost is $250,000; 2/3's New York State (CCAP) grant funds ($165,000) and 1/3 County funds ($85,000); and

WHEREAS, sufficient funds have not been included within the 2010 Capital Budget and Program and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal and/or State Aid; 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 $85,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) of Title 6 of New York Code of Rules and Regulations ("NYCRR") (1), (2) and (21), as the project involves planning as well as replacement and rehabilitation involving no substantial changes to an existing structure, or reconstruction of a structure or facility in-kind including upgrading buildings to meet fire codes, 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 (40), 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 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No. 7510
Project Title: Historic Restoration and Preservation Fund

	Total Estimated Cost	Current 2010 Capital Program and Budget	Revised 2010 Capital Program and Budget
1. Planning	$ 821,500	$ 0	$ 25,000 B
3. Construction	$13,386,700	$1,200,000 B	$1,175,000 B $ 165,000 S
TOTAL	$14,208,200	$1,200,000	$1,365,000

and be it further

4th RESOLVED, that the proceeds of $85,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-7510.126 (Fund 001 Debt Service)	60	Historic Restoration and Preservation Fund – Deepwells Sprinkler System -- Planning	$25,000
525-CAP-7510.339 (Fund 001 Debt Service)	60	Historic Restoration and Preservation Fund – Deepwells Sprinkler System - Construction	$60,000

and be it further

5th RESOLVED, that the proceeds of the New York State Community Capital Assistance Program (CCAP) grant of $165,000 be and are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-7510.339	60	Historic Restoration and Preservation Fund – Deepwells Sprinkler System - Construction	$165,000

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept State funding in the amount of $165,000.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

2194

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, APPROPRIATING FUNDS AND ACCEPTING A COMMUNITY CAPITAL ASSISTANCE PROGRAM (CCAP) GRANT IN THE AMOUNT OF $165,000 FROM THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK FOR THE INSTALLATION OF A CONCEALED FIRE SPRINKLER SYSTEM AT THE MAIN HOUSE AT DEEPWELLS COUNTY PARK (CP 7510)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

New York State Community Capital Assistance Program (CCAP) Grant--$165,000 (2/3). Suffolk County Serial Bonds $85,000 (1/3). Total estimated cost of project is $250,000.

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

NYS CCAP Grant funds and Suffolk County Serial Bonds.

9. Timing of Impact

2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		November 26th, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2194

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$7,477**	**$0.01**		$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	**$7,477**	**$0.01**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2194

Term of Bonds: 15
Amount to Bond: $85,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	$4,345.85	$3,130.83	$7,476.68	$7,476.68
			$1,485.38	$1,485.38	
5/1/2012	3.500%	$4,505.92	$1,485.38	$5,991.30	$7,476.68
			$1,402.40	$1,402.40	
5/1/2013	3.500%	$4,671.89	$1,402.40	$6,074.29	$7,476.68
			$1,316.36	$1,316.36	
5/1/2014	3.500%	$4,843.97	$1,316.36	$6,160.33	$7,476.68
			$1,227.15	$1,227.15	
5/1/2015	3.500%	$5,022.39	$1,227.15	$6,249.54	$7,476.68
			$1,134.65	$1,134.65	
4/30/2016	3.500%	$5,207.38	$1,134.65	$6,342.03	$7,476.68
			$1,038.75	$1,038.75	
4/30/2017	3.500%	$5,399.19	$1,038.75	$6,437.94	$7,476.68
			$939.31	$939.31	
5/1/2018	3.500%	$5,598.06	$939.31	$6,537.37	$7,476.68
			$836.22	$836.22	
5/1/2019	3.500%	$5,804.25	$836.22	$6,640.47	$7,476.68
			$729.32	$729.32	
4/30/2020	3.500%	$6,018.04	$729.32	$6,747.36	$7,476.68
			$618.49	$618.49	
4/30/2021	3.750%	$6,239.71	$618.49	$6,858.20	$7,476.68
			$503.57	$503.57	
5/1/2022	4.000%	$6,469.54	$503.57	$6,973.11	$7,476.68
			$384.43	$384.43	
5/1/2023	4.500%	$6,707.83	$384.43	$7,092.26	$7,476.68
			$260.89	$260.89	
4/30/2024	4.500%	$6,954.90	$260.89	$7,215.79	$7,476.68
			$132.80	$132.80	
4/30/2025	4.500%	$7,211.08	$132.80	$7,343.88	$7,476.68
		$85,000.00	$27,150.25	$112,150.25	$112,150.25

Geo F3

COUNTY OF SUFFOLK

2194 NOV 03 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

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: November 1, 2010

RE: INTRODUCTORY RESOLUTION AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, APPROPRIATING FUNDS AND ACCEPTING A COMMUNITY CAPITAL ASSISTANCE PROGRAM (CCAP) GRANT IN THE AMOUNT OF $165,000 FROM THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK FOR THE INSTALLATION OF A CONCEALED FIRE SPRINKLER SYSTEM AT THE MAIN HOUSE AT DEEPWELLS FARM COUNTY PARK (CP 7510)

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Accepting and Appropriating CCAP Grant for Deepwells Sprinkler System.doc."

The Suffolk County Parks Department was awarded $165,000 in grant funding under the NYS Dormitory Authority's Community Capital Assistance Program (CCAP) for the installation of a concealed fire sprinkler system at the Main House at Deepwells Farm County Park. The total cost of the project is $250,000. This project is necessary to appropriately protect this important historic building and its collection from fire.

This resolution seeks to accept and appropriate these funds, and appropriate the County's matching funds, by amending Capital Project 7510 (Historic Restoration and Preservation Fund).

Should you require anything further, please contact my office at 4-4984.

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

14-PK-008

2194

This **GRANT DISBURSEMENT AGREEMENT** includes all exhibits and attachments hereto and is made on the terms and by the parties listed below and relates to the Project described below:

DORMITORY AUTHORITY OF THE STATE OF NEW YORK (the "Authority"):	515 Broadway Albany, New York 12207 Contact: Karen B. Rieth Phone: (518) 257-3177 Fax: (518) 257-3475 E-mail: grants@dasny.org
THE GRANTEE:	County of Suffolk Department of Parks, Recreation and Conservation Montauk Highway P.O. Box 144 West Sayville, NY 11796 Contact: Mr. Tom Hroncich Phone: (631) 854-4970 Fax: (631) 854-4978
THE PROJECT:	Installation of a Concealed Fire Sprinkler System
GRANT AMOUNT:	$165,000
FUNDING SOURCE:	Community Capital Assistance Program ("CCAP")

PRELIMINARY APPLICATION DATE:	03/07/07
DATE GDA SENT TO GRANTEE:	06/18/09
DATE AGREEMENT SIGNED BY GRANTEE:	6/24/09
DATE AGREEMENT SIGNED BY THE AUTHORITY:	09/04/09
EXPIRATION DATE OF THIS AGREEMENT:	09/04/12

For Office Use Only:

FMS#: 149780/149781
GranteeID: 2131
GrantID: 3354

2194

TERMS AND CONDITIONS

1. The Project

The Project description, including tasks and a timeline with respect thereto, is set forth in Exhibit A. The Grantee will perform the tasks on the schedule and as described in Exhibit A to this Agreement.

2. Project Budget and Use of Funds

a) The Grantee will undertake the Project in accordance with the overall Project budget, which includes the Grant funds, as set forth in Exhibit B to this Agreement. The Grant will be applied only to Eligible Expenses, which are separately identified, as described in the Preliminary Application and in Exhibit A hereto.

b) Grantee agrees and covenants to apply the Grant proceeds only to capital works or purposes, which shall consist of the following:

(i) the acquisition, construction, demolition, or replacement of a fixed asset or assets;

(ii) the major repair or renovation of a fixed asset, or assets which materially extends its useful life or materially improves or increases its capacity; or

(iii) the planning or design of the acquisition, construction, demolition, replacement, major repair or renovation of a fixed asset or assets, including the preparation and review of plans and specifications including engineering and other services, field surveys and sub-surface investigations incidental thereto.

c) Grantee agrees and covenants that the Grant proceeds shall not be used for costs that are not capital in nature, which include, but shall not be limited to working capital, rent, utilities, salaries, supplies, administrative expenses, or to pay down debt incurred to undertake the Project.

3. Books and Records

The Grantee will maintain accurate books and records concerning the Project for six (6) years from the date the Project is completed and will make those books and records available to the Authority, its agents, officers and employees during Grantee's business hours upon reasonable request. In the event of earlier termination of this Agreement, such documentation shall be made available to the Authority, its agents, officers and employees for six (6) years following the date of such early termination.

4. Conditions Precedent to Disbursement of the Grant

No Grant funds shall be disbursed until the following conditions have been satisfied:

2194

(a) The Authority has received a description of the Project and timeline in the form of Exhibit A, the Project budget in substantially the form of Exhibit B hereto, and an opinion of Grantee's counsel, in substantially the form appended to this Agreement as Exhibit C; and

(b) The requirements of the CCAP Program have been met; and

(c) The monies required to fund the Grant have been received by the Authority; and

(d) In the event of disbursement pursuant to paragraph 5(b) below, the Grantee has provided the Authority with documentation evidencing that a segregated account has been established by the Grantee into which Grant funds will be deposited (the "Segregated Account"). Eligible Expenses incurred in connection with the Project to be financed with Grant proceeds that are to be paid on invoice shall be paid out of the Segregated Account. The funds in such account shall not be used for any other purpose.

(e) The Grantee certifies that it is in compliance with the provisions of the CCAP and this Agreement and that the Grant will only be used for the Project set forth in the Preliminary Application and in Exhibits A and B hereto.

5. Disbursement

Subject to the terms and conditions contained in this Agreement, the Authority shall disburse the Grant to the Grantee, in the manner set forth in Exhibit E, as follows:

(a) The Authority shall make payment directly to the Grantee the amount of Eligible Expenses actually incurred by the Grantee, upon presentation to the Authority of a Payment Requisition Form, together with such supporting documentation as the Authority may require, in the form attached to this Agreement as Exhibit F and its attachments; or

(b) The Authority may make payment directly to the Grantee upon presentation to the Authority of an invoice from the Grantee's contractor and/or vendor evidencing the completion of work, upon presentation to the Authority of a Payment Requisition Form, together with such supporting documentation as the Authority may require, in the form attached to this Agreement as Exhibit F and its attachments. The Grantee must deposit all Grant proceeds paid on invoice pursuant to this paragraph (b) into the Segregated Account established pursuant to Paragraph 4(d). All Eligible Expenses incurred in connection with the Project to be financed with Grant funds that are to be paid on invoice must be paid out of this account. The Grantee must provide proof of disbursement of Grant funds to the respective contractor and/or vendor in a form acceptable to the Authority, within sixty (60) days of the date that Grant funds are disbursed to the Grantee to pay for such costs. The Authority will not make any additional disbursements from Grant funds until such time as proof of payment is provided.

(c) In no event will the Authority make any payment which would cause the Authority's aggregate disbursements to exceed the Grant amount.

(d) The Grant, or a portion thereof, may be subject to recapture by the Authority as provided in Section 9(c) hereof.

6. Non Discrimination and Affirmative Action

The Grantee shall make its best effort to comply with the Authority's Non-Discrimination and Affirmative Action policies set forth in Exhibit G to this Agreement.

7. No Liability of the Authority or the State

The Authority shall not in any event whatsoever be liable for any injury or damage, cost or expense of any nature whatsoever that occurs as a result of or in any way in connection with the Project and the Grantee hereby agrees to indemnify and hold harmless the Authority, the State and their respective agents, officers, employees and directors (collectively, the "Indemnitees") from and against any and all such liability and any other liability for injury or damage, cost or expense resulting from the payment of the Grant by the Authority to the Grantee or use of the Project in any manner, including in a manner which, if the bonds are issued on a tax-exempt basis, (i) results in the interest on the bonds issued by the Authority the proceeds of which were used to fund the Grant (the "Bonds") to be includable in gross income for federal income tax purposes or (ii) gives rise to an allegation against the Authority by a governmental agency or authority, which the Authority defends that the interest on the Bonds is includable in gross income for federal income tax purposes, other than that caused by the gross negligence or the willful misconduct of the Indemnitees.

8. Warranties and Covenants

The Grantee warrants and covenants that:

(a) The Grant shall be used solely for Eligible Expenses in accordance with the terms and conditions of this Agreement.

(b) No materials, if any, purchased with the Grant will be used for any purpose other than the eligible Project costs as identified in Exhibit B.

(c) The Grantee agrees to utilize all funds disbursed in accordance with this Agreement in accordance with the terms of the CCAP Program.

(d) The Grantee is solely responsible for all Project costs in excess of the Grant. The Grantee will incur and pay Project costs and submit requisitions for reimbursement in connection with such costs.

(e) The Grantee has sufficient, secured funding for all Project costs in excess of the Grant, and will complete the Project as described in the Preliminary Application and in this Agreement.

(f) The Grantee agrees to use its best efforts to utilize the Project for substantially the same purpose set forth in this Agreement for a reasonable period of time following the last disbursement of Grant funds to the Grantee.

(g) There has been no material adverse change in the financial condition of the Grantee since the date of submission of the Preliminary Application to the Dormitory Authority.

(h) No part of the Grant will be applied to any expenses paid or payable from any other funding source.

(i) The Grantee owns, leases, or otherwise has control over the site where the Project will be located. If the Project includes removable equipment or furnishings including but not limited to, computer hardware and software, air conditioning units, lab equipment, office furniture and telephone systems, Grantee will develop, implement and maintain an inventory system for tracking such removable equipment and furnishings.

(j) The Project to be funded by the Grant will be located in the State of New York. If the Grant will fund all or a portion of the purchase of any type of vehicle, such vehicle will be registered in the State of New York and a copy of the New York State Vehicle Registration documents will be provided to the Authority's Accounts Payable Department at the time of requisition.

(k) Grantee is in compliance with, and shall continue to comply in all material respects, with all applicable laws, rules, regulations and orders affecting the Grantee and the Project.

(l) The Grantee has obtained all necessary consents and approvals from the property owner in connection with any work to be undertaken in connection with the Project.

(m) All contractors and vendors retained to perform services in connection with the Project shall be authorized to do business in the State of New York and shall possess and maintain all professional licenses and/or certifications required to perform the tasks undertaken in connection with the Project.

(n) Neither the Grantee nor any of the members of its Board of Directors or other governing body or its employees have given or will give anything of value to anyone to procure the Grant or to influence any official act or the judgment of any person in the performance of any of the terms of this Agreement.

(o) The Grant shall not be used in any manner for any of the following purposes:

(i) political activities of any kind or nature, including, but not limited to, furthering the election or defeat of any candidate for public, political or party office, or for providing a forum for such candidate activity to

promote the passage, defeat, or repeal of any proposed or enacted legislation;

(ii) religious worship, instruction or proselytizing as part of, or in connection with, the performance of this Agreement;

(iii) payments to any firm, company, association, corporation or organization in which a member of the Grantee's Board of Directors or other governing body, or any officer or employee of the Grantee, or a member of the immediate family of any member of the Grantee's Board of Directors or other governing body, officer, or employee of the Grantee has any ownership, control or financial interest, including but not limited to an officer or employee directly or indirectly responsible for the preparation or the determination of the terms of the contract or other arrangement pursuant to which the proceeds of the Grant are to be disbursed. For purposes of this paragraph, "ownership" means ownership, directly or indirectly, of more than five percent (5%) of the assets, stock, bonds or other dividend or interest bearing securities; and "control" means serving as a member of the board of directors or other governing body, or as an officer in any of the above; and

(iv) payment to any member of Grantee's Board of Directors or other governing body of any fee, salary or stipend for employment or services, except as may be expressly provided for in this Agreement.

(p) The relationship of the Grantee (including, for purposes of this paragraph, its officers, employees, agents and representatives) to the Authority arising out of this Agreement shall be that of an independent contractor. The Grantee covenants and agrees that it will conduct itself in a manner consistent with such status, that it will neither hold itself out as, nor claim to be, an officer, employee, agent or representative of the Authority or the State by reason hereof, and that it will not by reason thereof, make any claim, demand or application for any right or privilege applicable to an officer, employee, agent or representative of the Authority or the State, including without limitation, worker's compensation coverage, unemployment insurance benefits, social security coverage or retirement membership or credit.

(q) The information contained in the Preliminary Application submitted by the Grantee in connection with the Project and the Grant, as such may have been amended or supplemented (the "Preliminary Application"), and any supplemental documentation requested by the State or the Authority in connection with the Grant, is incorporated herein by reference in its entirety. In the event of an inconsistency between the descriptions, conditions, and terms of this Agreement and those contained in the Preliminary Application, the provisions of this Agreement shall govern. The Grantee hereby acknowledges that the Authority has relied on the statements and representations made by the Grantee in the Preliminary Application and any

supplemental information in making the Grant. The Grantee hereby represents and warrants that it has made no material misstatement or omission of fact in the Preliminary Application or supplemental information or otherwise in connection with the Grant and that the information contained in the Preliminary Application and supplemental information continues on the date hereof to be materially correct and complete.

(r) The Grantee hereby represents and warrants that it has made no material misstatement or omission of fact in the due diligence questionnaire completed by the Grantee in connection with the Project and the Grant, and that the responses in the questionnaire continue on the date hereof to be materially correct and complete. The Grantee hereby acknowledges that the Dormitory Authority has relied on the statements and representations made by the Grantee in the questionnaire in making the Grant, and that the Grantee will be required to reaffirm the information therein each time a requisition for grant funds is presented to the Dormitory Authority.

(s) The Grantee is duly organized, validly existing and in good standing under the laws of the State of New York, or is duly organized and validly existing under the laws of another jurisdiction and is authorized to do business and is in good standing in the State of New York and shall maintain its corporate existence in good standing in each such jurisdiction for the term of this Agreement, and has full power and authority to execute and deliver the Agreement and to perform its obligations thereunder;

(t) The Agreement was duly authorized, executed and delivered by the Grantee and is binding on and enforceable against the Grantee in accordance with its terms.

9. Default and Remedies

(a) Each of the following shall constitute a default by the Grantee under this Agreement:

(i) Failure to perform or observe any obligation, warranty or covenant of the Grantee contained herein, or the failure by the Grantee to perform the requirements herein to the reasonable satisfaction of the Authority and within the time frames established therefor under this Agreement.

(ii) Failure to comply with any request for information reasonably made by the Authority to determine compliance by the Grantee with the terms of this Agreement or otherwise reasonably requested by the Authority in connection with the Grant.

(iii) The making by the Grantee of any false statement or the omission by the Grantee to state any material fact in or in connection with this Agreement or the Grant, including information provided in the Preliminary Application or in any supplemental information that may be requested by the State or the Authority.

(iv) The Grantee shall (A) be generally not paying its debts as they become due, (B) file, or consent by answer or otherwise to the filing against it of, a petition under the United States Bankruptcy Code or under any other bankruptcy or insolvency law of any jurisdiction, (C) make a general assignment for the benefit of its general creditors, (D) consent to the appointment of a custodian, receiver, trustee or other officer with similar powers of itself or of any substantial part of its property, (E) be adjudicated insolvent or be liquidated or (F) take corporate action for the purpose of any of the foregoing.

(v) An order of a court having jurisdiction shall be made directing the sale, disposition or distribution of all or substantially all of the property belonging to the Grantee, which order shall remain undismissed or unstayed for an aggregate of thirty (30) days.

(vi) The Grantee abandons the Project prior to its completion.

(b) Upon the occurrence of a default by the Grantee and written notice by the Authority indicating the nature of the default, the Authority shall have the right to terminate this Agreement.

(c) Upon any such termination, the Authority may withhold any Grant proceeds not yet disbursed and may require repayment of Grant proceeds already disbursed. If the Authority determines that any Grant proceeds had previously been released based upon fraudulent representations or other willful misconduct, the Authority may require repayment of those funds and may refer the matter to the appropriate authorities for prosecution. The Authority shall be entitled to exercise any other rights and seek any other remedies provided by law.

10. Term of Agreement

Notwithstanding the provisions of Section 9 hereof, this Agreement shall terminate three (3) years after the latest date set forth on the front page hereof without any further notice to the Grantee. The Authority, in its sole discretion, may extend the term of this Agreement upon a showing by the Grantee that the Project is under construction and is expected to be completed within the succeeding twelve (12) months. All requisitions must be submitted to the Authority in proper form prior to the termination date in order to be reimbursed.

11. Project Audit

The Authority shall, upon reasonable notice, have the right to conduct, or cause to be conducted, one or more audits, including field inspections, of the Grantee to assure that the Grantee is in compliance with this Agreement. This right to audit shall continue for six (6) years following the completion of the Project or earlier termination of this Agreement.

12. Survival of Provisions

The provisions of Sections 3, 7, 8(n), 8(o) and 11 shall survive the expiration or earlier termination of this Agreement.

13. Notices

Each notice, demand, request or other communication required or otherwise permitted hereunder shall be in writing and shall be effective upon receipt if personally delivered or sent by any overnight service or three (3) days after dispatch by certified mail, return receipt requested, to the addresses set forth on this document's cover page.

14. Assignment

The Grantee may not assign or transfer this Agreement or any of its rights hereunder.

15. Modification

This Agreement may be modified only by a written instrument executed by the party against whom enforcement of such modification is sought.

16. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of New York. This Agreement shall be construed without the aid of any presumption or other rule of law regarding construction against the party drafting this Agreement or any part of it. In case any one or more of the provisions of this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such provision(s) had never been contained herein.

17. Confidentiality of Information

Any information contained in reports made to the Authority or obtained by the Authority as a result of any audit or examination of Grantee's documents or relating to trade secrets, operations and commercial or financial information, including but not limited to the nature, amount or source of income, profits, losses, financial condition, marketing plans, manufacturing processes, production costs, productivity rates, or customer lists, provided that such information is clearly marked "confidential" by the Grantee that concerns or relates to trade secrets, operations and commercial or financial information, including but not limited to the nature, amount or source of income, profits, losses or expenditures, financial condition, marketing plans, manufacturing processes, production costs, productivity rates, or customer lists, which is determined by the Authority to be exempt from public disclosure under the Freedom of Information Law, shall be considered business confidential and is not to be released to anyone, except the Authority and staff directly involved in assisting the Grantee, without prior written authorization from the Grantee, as applicable. Notwithstanding the foregoing, the Authority will not be liable for any information disclosed, in the Authority's sole discretion, pursuant to the Freedom of Information Law, or which the Authority is required to disclose pursuant to legal process.

2194

18. Executory Clause

This Agreement shall be deemed executory to the extent of monies available for the CCAP Program to the Authority.

2194

County of Suffolk Department of Parks, Recreation and Conservation
Installation of a Concealed Fire Sprinkler System

This agreement is entered into as of the latest date written below:

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

Karen Rieth
Authorized Officer

Karen B. Rieth
(Printed Name)

Date: 9/4/09

GRANTEE: COUNTY OF SUFFOLK DEPARTMENT OF PARKS, RECREATION AND CONSERVATION

John W. Pavacic
(Signature)

JOHN W. PAVACIC, COMMISSIONER
(Printed name and title)

Date: 6/24/09

Approved as to Legality:
Christine Malafi, County Attorney

By: DMBrown
Dennis M. Brown
Assistant County Attorney

Date 7/14/09

COUNTY OF SUFFOLK

By: B Z

Name: BENJAMIN ZWIRN

Title: Deputy County Executive

Date: 7/17/09

2194

GRANT DISBURSEMENT AGREEMENT

EXHIBITS

EXHIBIT A	Project Description
EXHIBIT B	Project Budget
EXHIBIT C	Opinion of Counsel
EXHIBIT D	Reserved
EXHIBIT E	Disbursement Terms
EXHIBIT F	Payment Requisition Form
EXHIBIT F-1	Payment Requisition Cover Letter
EXHIBIT F-2	Payment Requisition Back-up Summary
EXHIBIT G	Non-Discrimination and Affirmative Action Policy

2194

EXHIBIT A: Project Description

County of Suffolk Department of Parks, Recreation and Conservation
Installation of a Concealed Fire Sprinkler System

TASKS and TIMELINE

Include detailed task descriptions. Include dates of completion for each task.

Task #	Task Description*	Anticipated Project Start and End Dates
1	Installation of a concealed fire sprinkler system at the Deepwells Farm Main House	11/1/09 – 5/31/11
	Project Completion Date	5/31/2011

* Please note that the tasks set forth in this column must be those for which reimbursement or payment on invoice will be sought. Please ensure that the task list is complete and includes all the tasks for which you will be submitting requisitions. The failure to do so may delay payment.

2194

EXHIBIT B: Project Budget

County of Suffolk Department of Parks, Recreation and Conservation
Installation of a Concealed Fire Sprinkler System

USE OF FUNDS	SOURCES					TOTAL
	Authority Eligible Expenses	**In-Kind/Equity/Sponsor**		**Other Sources**		
TASKS*	*Amount*	*Source Name*	*Amount*	*Entity Name*	*Amount*	
Installation of a concealed fire sprinkler system at the Deepwells Farm Main House	$165,000	County of Suffolk Department of Parks, Recreation and Conversation	$85,000			$250,000
Total Project Cost	$165,000		$85,000			$250,000

* Please note that the tasks set forth in this column must be those for which reimbursement or payment on invoice will be sought. Please ensure that the task list is complete and includes all the tasks for which you will be submitting requisitions. The failure to do so may delay payment.

COUNTY OF SUFFOLK

2194

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CHRISTINE MALAFI
COUNTY ATTORNEY

DEPARTMENT OF LAW

ADDRESS ALL COMMUNICATIONS
IN THIS MATTER TO:

July 9, 2009

Dormitory Authority of the
Sate of New York
515 Broadway
Albany, New York 12207

Attention: Jeffrey Pohl, Esq.

Re: **Community Capital Assistance Program ("CCAP")** Grant
Installation of a Concealed Fire Sprinkler System

Ladies and Gentlemen:

I have acted as counsel to County of Suffolk (the "Grantee") in connection with the Project referenced above. In so acting, I have reviewed a certain Grant Disbursement Agreement between you and the Grantee, executed by the Grantee on June 24, 2009 (the "Agreement") and such other documents as I consider necessary to render the opinion expressed hereby.

Based on the foregoing, I am of the opinion that:

1. The Grantee is duly organized, validly existing and in good standing under the laws of the State of New York and has full power and authority to execute and deliver the Agreement and to perform its obligations thereunder; and

2. The Agreement was duly authorized, executed and delivered by the Grantee and is binding on and enforceable against the Grantee in accordance with the terms.

Thank you.

Very truly yours,

Christine Malafi
County Attorney

LOCATION
H. LEE DENNISON BLDG.
100 VETERANS MEMORIAL HIGHWAY

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

(631) 853-4049
TELECOPIER (631) 853-5169

2194

EXHIBIT D: Reserved

2194

EXHIBIT E: Disbursement Terms

County of Suffolk Department of Parks, Recreation and Conservation
Installation of a Concealed Fire Sprinkler System

Subject to the terms and conditions contained in this Agreement, the Authority shall disburse the Grant to the Grantee as follows:

Standard Reimbursement

The Authority shall make payment to the Grantee, no more frequently than monthly, based upon Eligible Expenses (as set forth and in accordance with the budget in Exhibit B) actually incurred by the Grantee, in compliance with Exhibit A and upon presentation to the Authority of a Payment Requisition Form together with such supporting documentation as the Authority may require, in the form attached to this Agreement as Exhibit F and its attachments; or

The Authority may make payment directly to the Grantee upon presentation to the Authority of an invoice from the Grantee's contractor and/or vendor evidencing the completion of work, upon presentation to the Authority of a Payment Requisition Form, together with such supporting documentation as the Authority may require, in the form attached to this Agreement as Exhibit F and its attachments. The Grantee must deposit all Grant proceeds paid on invoice into the Segregated Account established pursuant to Paragraph 4(d) of the Grant Disbursement Agreement. All Eligible Expenses incurred in connection with the Project to be financed with Grant funds that are to be paid on invoice must be paid out of the Segregated Account. The Grantee must provide proof of disbursement of Grant funds to the respective contractor and/or vendor in a form acceptable to the Authority, within sixty (60) days of the date that Grant funds are disbursed to the Grantee to pay for such costs. The Authority will not make any additional disbursements from Grant funds until such time as such proof of payment is provided.

Please note that documentation acceptable to the Authority must be provided prior to payment, including invoices and readable fronts and backs of canceled checks. *Quotes, proposals, estimates, purchase orders, and other such documentation* ***do NOT*** *qualify as invoices.*

In addition, if funds are requisitioned for the purchase of a vehicle, the New York State Vehicle Registration Documents and title must be submitted along with the requisition forms.

2194

EXHIBIT F: Payment Requisition Form

County of Suffolk Department of Parks, Recreation and Conservation
Installation of a Concealed Fire Sprinkler System

For Office Use Only:

FMS#: 149780/149781 **GranteeID:** 2131 **GrantID:** 3354

Payment Request #_____, for $_____

For work completed between _____ and _____, for Task(s) #_____

THIS REQUEST

Tasks*	A: the Authority SHARE	THE AUTHORITY APPROVED REVISIONS	C: THIS REQUEST	D: TOTAL REQUESTED TO DATE	E: A-C-D BALANCE
TOTAL					

* Please note that the tasks set forth in this column must correspond to the tasks set forth in Exhibit B. When submitting a requisition for payment, please remember that the Authority can reimburse you for capital expenditures made by or invoiced to the Grantee only. Capital expenditures include the costs of acquisition, design, construction, reconstruction, rehabilitation, preservation, development, improvement, modernization and equipping of a Community Capital Assistance Program facility.

The Authority may not reimburse Grantees or make payments on invoice for costs including, but not limited to, the following: working capital, rent, utilities, salaries, supplies and other administrative expenses.

All costs for which reimbursement or payment on invoice is sought must have been incurred by the Grantee set forth on the cover page of this Agreement.

2194

DUAL CERTIFICATION

This certification must be signed by two Authorized Officers of the County of Suffolk Department of Parks, Recreation and Conservation.

We hereby warrant and represent to the Dormitory Authority of the State of New York ("the Authority") that:

1. To the best of our knowledge, information and belief, the expenditures for which County of Suffolk Department of Parks, Recreation and Conservation, is seeking payment and/or reimbursement comply with the requirements of the Agreement between the Authority and County of Suffolk Department of Parks, Recreation and Conservation (the "Agreement"), are Eligible Expenses, and that the payment and/or reimbursement of expenditures for which it is seeking payment and/or reimbursement from the Authority does not duplicate reimbursement or disbursement of costs and/or expenses from any other source.

2. The warranties and covenants contained in Section 8 of the Agreement are true and correct as if made on the date hereof.

3. The Eligible Expenses for which reimbursement is sought in connection with this requisition were actually incurred by the Grantee named on the cover page of this Agreement, and/or will be paid by the Grantee solely from the Segregated Account established pursuant to paragraph 4(d) of the Grant Disbursement Agreement to the contractor named on the invoices submitted in connection with this requisition and shall not be used for any other purpose.

4. All Project costs described in any contractor/vendor invoice submitted pursuant the payment requisition form have been completely and fully performed prior to the date hereof.

5. Proof of disposition of funds from the Segregated Account to the contractor and/or vendors that are being paid on invoice, if any, will be provided to the Authority within sixty (60) days of the date that Grant funds are disbursed to the Grantee to pay for such costs. We understand that in the event that acceptable proof of payment is not provided, then the Authority will not make any additional disbursements from Grant funds until such time as such proof of payment is provided.

6. We have the authority to submit this requisition on behalf of County of Suffolk Department of Parks, Recreation and Conservation. The tasks have been completed in the manner outlined in the Agreement.

7. The following documents are hereby attached for Authority approval, in support of this requisition:

___ Readable copies of both front and back of canceled Checks

___ Copy of New York State Vehicle Registration and Title documents for all vehicles purchased with Grant funds

___ Invoice/receipts for Eligible Expense goods/services received this pay period with Back-up Summary (Exhibit F-2)

___ Other:

Authorized Officer Signature: _____ Date: _____

Print Name _____

Title: _____

Authorized Officer Signature: _____ Date _____

Print Name _____

Title: _____

2194

EXHIBIT F-l: Payment Requisition Cover Letter

ON GRANTEE'S LETTERHEAD

Date

Attention: Accounts Payable - Grants
Dormitory Authority of the State of New York
515 Broadway
Albany, New York 12207

Re: Community Capital Assistance Program ("CCAP") Grant
Installation of a Concealed Fire Sprinkler System

To Whom it May Concern:

Enclosed please find our request for payment/reimbursement. The package includes the following:

1. Completed Exhibit F: Payment Requisition Form, Dual Certification with original signatures of two authorized officers and Exhibit F-2: Payment Requisition Back-up Summary

2. Supporting documentation and invoices, as summarized on Exhibit F-2

3. Wire Instructions, if applicable

If any further information is needed, please give me a call at (___)_____.

_____
Signature

_____
Print Name

Enclosures

EXHIBIT F-2: Payment Requisition Back-up Summary

2194

Budget Category:

INVOICE	REFERENCE # (MARK ALSO ON INVOICE)	AMOUNT REQUESTED FROM GRANT FUNDS	COMMENT
	TOTAL Request in Category:		(Transfer to Exhibit E)

Budget Category:

INVOICE	REFERENCE # (MARK ALSO ON INVOICE)	AMOUNT REQUESTED FROM GRANT FUNDS	COMMENT
	TOTAL Request in Category:		(Transfer to Exhibit E)

Budget Category:

INVOICE	REFERENCE # (MARK ALSO ON INVOICE)	AMOUNT REQUESTED FROM GRANT FUNDS	COMMENT
	TOTAL Request in Category:		(Transfer to Exhibit E)

EXHIBIT G

NON-DISCRIMINATION AND AFFIRMATIVE ACTION POLICY FOR THE PROJECT

It is the policy of the State of New York and the Authority, to comply with all federal, State and local law, policy, orders, rules and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, and to take affirmative action to ensure that Minority and Women-owned Business Enterprises (M/WBEs), Minorities Group Members and women share in the economic opportunities generated by the Authority's participation in projects or initiatives, and/or the use of the Authority funds.

1) The recipient of State funds represents that its equal employment opportunity policy statement incorporates, at a minimum, the policies and practices set forth below:

   a) Grantee shall (i) not unlawfully discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, (ii) undertake or continue existing programs of affirmative action to ensure that Minority Group Members and women are afforded equal employment opportunities, and (iii) make and document its conscientious and active efforts to employ and utilize M/WBEs, Minority Group Members and women in its workforce on contracts. Such action shall be taken with reference to, but not limited to, solicitations or advertisements for employment, recruitment, job assignment, promotion, upgrading, demotion, transfer, layoff or termination, rates of pay or other forms of compensation, and selection for training or retraining, including apprenticeship and on-the-job training.

   b) At the request of the AAO, the Grantee shall request each employment agency, labor union, or authorized representative of workers with whom it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union, or representative does not unlawfully discriminate, and that such union or representative will affirmatively cooperate in the implementation of the Grantee's obligations herein.

2) The Grantee is encouraged to include minorities and women in any job opportunities created by the Project; and to solicit and utilize M/WBE firms for any contractual opportunities generated in connection with the Project.

3) Grantee represents and warrants that, for the duration of the Agreement, it shall furnish all information and reports required by the AAO and shall permit access to its books and records by the Authority, or its designee, for the purpose of ascertaining compliance with provisions hereof.

4) Grantee shall include or cause to be included, paragraphs (1) through (3) herein, in every contract, subcontract or purchase order with a Contracting Party executed in connection with the Project, in such a manner that said provisions shall be binding upon each Contracting Party as to its obligations incurred in connection with the Project.

NON-DISCRIMINATION AND AFFIRMATIVE ACTION DEFINITIONS

Affirmative Action
Shall mean the actions to be undertaken by the Borrower, Grantee and any Contracting Party in connection with any project or initiative to ensure non-discrimination and Minority/Women-owned Business Enterprise and minority/female workforce participation, as set forth in paragraph 2) herein, and developed by the Authority.

Affirmative Action Officer ("AAO")
Shall mean the Authority's Affirmative Action Officer or his/her designee, managing the affirmative action program for the Authority.

Contracting Party
Shall mean (i) any contractor, subcontractor, consultant, subconsultant or vendor supplying goods or services, pursuant to a contract or purchase order in excess of $1,500, in connection with any projects or initiatives funded in whole or in part by the Authority and (ii) **any borrower or Grantee** receiving funds from the Authority pursuant to a loan or Grant document.

Minority Business Enterprise ("MBE")
Shall mean a business enterprise, including a sole proprietorship, partnership or corporation that is (i) a lease fifty-one percent (51%) owned by one or more Minority Group Members; (ii) an enterprise in which such minority ownership is real, substantial and continuing, (iii) an enterprise in which such minority ownership has and exercises the authority to control and operate, independently, the day-to-day business decisions of the enterprise; (iv) an enterprise authorized to do business in the State of New York and is independently owned and operated; and (v) an enterprise certified by New York State as a minority business.

Minority Group Member
Shall mean a United States citizen or permanent resident alien who is and can demonstrate membership in one of the following groups: (i) Black persons having origins in any of the Black African racial groups; (ii) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American descent of either Indian or Hispanic origin, regardless of race; (iii) Asian and Pacific Islander persons having origins in any of the Far East countries, South East Asia, the Indian subcontinent or the Pacific Islands; and (iv) Native American or Alaskan native persons having origins in any of the original peoples of North America.

Minority and Women-Owned Business Enterprise Participation
Minority and Women-owned Business Enterprise participation efforts are not limited to the efforts suggested herein, and the role of M/WBE firms should not be restricted to that of a subcontractor/subconsultant. Where applicable, M/WBE firms should be considered for roles as prime contractors. Such efforts may include but not be limited to:

(a) Dividing the contract work into smaller portions in such a manner as to permit subcontracting to the extent that it is economically and technically feasible to do so;

(b) Actively and affirmatively soliciting bids from qualified M/WBEs, including circulation of solicitations to Minority and Women's trade associations;

(c) Making plans and specifications for prospective work available to M/WBEs in sufficient time for review;

(d) Utilizing the services and cooperating with those organizations providing technical assistance to the Contracting Party in connection with potential M/WBE participation on the Authority contract;

(e) Utilizing the resources of the Authority Affirmative Action Unit to identify New York State certified M/WBE firms for the purpose of soliciting bids and subcontracts;

(f) Encouraging the formation of join ventures, associations, partnerships, or other similar entities with M/WBE firms, where appropriate, and

(g) The Contracting Party shall remit payment in a timely fashion.

Women-owned Business Enterprise ("WBE")
Shall mean a business enterprise, including a sole proprietorship, partnership or corporation that is: (i) at least fifty-one percent (51%) owned by one or more citizens or permanent resident aliens who are women; (ii) an enterprise in which the ownership interest of such women is real, substantial and continuing, (iii) an enterprise in which such women ownership has and exercises the authority to control and operate, independently, the day-to-day business decisions of the enterprise; (iv) an enterprise authorized to do business in the State of New York and is independently owned and operated; and (v) an enterprise certified by New York State as woman-owned.

2195

Intro. Res. No. - 2010 Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of County Executive

RESOLUTION NO. - 2010, AMENDING THE ADOPTED 2010 CAPITAL BUDGET AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH AND THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR CONSTRUCTION AND RENOVATIONS FOR THE MENTAL HEALTH INTEGRATION PROJECT (CP 4043)

WHEREAS, the Suffolk County Department of Health Services has applied for and received a $798,434 grant award from the New York State Department of Health and the Dormitory Authority of the State of New York for the Health Care Efficiency and Affordability Law for New Yorkers Grant Program (HEAL NY) Phase 18 for Mental Health Services-Mental Health Integration Project, for the period 10/01/10-09/30/12; and

WHEREAS, these grant funds will be used for new construction and renovations at the Marilyn Shellabarger South Brookhaven Family Health Center East in Shirley for additional counseling and examinations rooms; and

WHEREAS, this project will increase overall health care delivery to the community by allowing patients to receive both physical and behavioral health services in the same location; and

WHEREAS, the intended use of these funds are more appropriate to be included as a capital project; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the State portion; and

WHEREAS, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request under Capital Project 4043 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $798,434 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty (50) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 © 2, 7, 20, 21, 25 and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

3rd **RESOLVED**, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 4043
Project Title: Construction and renovations for the Mental Health Integration Project

	Total Estimated Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
1. Planning	$ 63,250	$0	$ 63,250S
3. Construction	$695,750	$0	$ 695,750S
5. Equipment	$ 39,434	$0	$ 39,434S
TOTAL	$798,434	$0	$ 798,434

and be it further

4th **RESOLVED**, that State Aid in the amount of $798,434 be and it hereby is appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-4043.110	20	Planning and Engineering for the Construction & renovations for the Mental Health Integration Project	$ 63,250
525-CAP-4043.310	20	Construction & renovations for the Mental Health Integration Project	$ 695,750
525-CAP-4043.510	20	Equipment for the Construction & renovations for the Mental Health Integration Project	$ 39,434

and be it further

5th **RESOLVED,** that the County Treasurer and County Comptroller are hereby authorized and directed to accept State funding in the amount of $798,434; and be it further

6th **RESOLVED,** that the County Comptroller is authorized to issue bond anticipation notes for the total State share of $798,434; and be it further

7th **RESOLVED,** that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Health Services and the Dormitory Authority of the State of New York and any and all contract documents related to this project.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

2195

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Amending the 2010 Capital Budget and accepting and appropriating 100% State grant funds from New York State Department of Health and the Dormitory Authority of the State of New York to the Suffolk County Department of Health Services for Construction and Renovations for the Mental Health Integration Project (CP 4043).

3. Purpose or Proposed Legislation.

This legislation is needed to accept 100% State grant funds and create a capital project for these funds that will be used for new construction and renovations at the Marilyn Shellabarger South Brookhaven Family Health Center East in Shirley for the Mental Health Integration Project. This project will provide additional counseling and examination rooms increasing health care delivery to the community by allowing patients to receive both physical and behavioral health services in the same location.

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

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

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

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

Health Care Efficiency and Affordability Law for New Yorkers (HEAL NY) Grant Program has funds available. State grant funds in the amount of $798,434 have been awarded to the Suffolk County Department of Health Services for Construction and Renovations for the Mental Health Integration Project (CP 4043).
Suffolk County must "first instance" fund the entire cost of the project. County Comptroller is authorized to issue bond anticipation notes for the state share. If the short term notes are issued, the county would incur minimal interest costs.

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 to first fund the entire cost of the project then the project is reimbursable up to the grant award amount of $798,434 from the New York State Department of Health and the Dormitory Authority of the State of New York.

9. Timing of Impact

2011 for Suffolk County Serial Bonds
The appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the State Authorization for this project

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Beth A. Reynolds ***Principal Executive Analyst***	Beth A. Reynolds	***November 29, 2010***

SCIN FORM 175b (10/95)

Suffolk County
General Obligation Serial Bonds
Level Debt

2195

Term of Bonds: 15
Amount to Bond: $798,434

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	$40,822.05	$29,408.99	$70,231.04	$70,231.04
			$13,952.69	$13,952.69	
5/1/2011	3.500%	$42,325.66	$13,952.69	$56,278.35	$70,231.04
			$13,173.19	$13,173.19	
5/1/2012	3.500%	$43,884.66	$13,173.19	$57,057.85	$70,231.04
			$12,364.98	$12,364.98	
5/1/2013	3.500%	$45,501.08	$12,364.98	$57,866.06	$70,231.04
			$11,527.00	$11,527.00	
5/1/2014	3.500%	$47,177.03	$11,527.00	$58,704.03	$70,231.04
			$10,658.16	$10,658.16	
5/1/2015	3.500%	$48,914.72	$10,658.16	$59,572.88	$70,231.04
			$9,757.31	$9,757.31	
4/30/2016	3.500%	$50,716.41	$9,757.31	$60,473.72	$70,231.04
			$8,823.28	$8,823.28	
5/1/2017	3.500%	$52,584.47	$8,823.28	$61,407.75	$70,231.04
			$7,854.85	$7,854.85	
5/1/2018	3.500%	$54,521.33	$7,854.85	$62,376.18	$70,231.04
			$6,850.75	$6,850.75	
5/1/2019	3.500%	$56,529.53	$6,850.75	$63,380.28	$70,231.04
			$5,809.67	$5,809.67	
4/30/2020	3.750%	$58,611.70	$5,809.67	$64,421.37	$70,231.04
			$4,730.24	$4,730.24	
5/1/2021	4.000%	$60,770.56	$4,730.24	$65,500.80	$70,231.04
			$3,611.04	$3,611.04	
5/1/2022	4.500%	$63,008.95	$3,611.04	$66,619.99	$70,231.04
			$2,450.63	$2,450.63	
5/1/2023	4.500%	$65,329.78	$2,450.63	$67,780.41	$70,231.04
			$1,247.47	$1,247.47	
4/30/2024	4.500%	$67,736.09	$1,247.47	$68,983.56	$70,231.04
		$798,434.00	$255,031.53	$1,053,465.53	$1,053,465.53

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2195

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	$70,231	$0.13		$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	$70,231	$0.13		$0.000

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

To be completed by the Executive Budget Office

2195

STATE OF NEW YORK
DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

James W. Clyne, Jr.
Executive Deputy Commissioner

September 30, 2010

Ms. Margaret Bermel
Director of Health Administrative Services
Suffolk County Department of Health Services
225 Rabro Drive East
Hauppauge, New York 11788

Re: Mental Health Integration Project

Dear Ms. Bermel:

We are pleased to inform you that your facility has been selected to receive an award under the Health Care Efficiency and Affordability Law for New Yorkers (HEAL NY) Grant Program, RGA #1006181048 – Mental Health Initiatives (HEAL NY Phase 18). Funds available under this grant program are for projects undertaken by the health care organizations that demonstrate a clear commitment to the mental health service delivery systems in the communities they serve and address identified capacity gaps in those communities. This award is contingent upon the approval of the Office of the State Comptroller (OSC).

Please note this letter is not a commitment to provide funds, but may assist you in finalizing other sources of funding required to complete your project. The amount of your award, including an explanation of any costs proposed in your application found to be ineligible, is shown on the enclosed form, "HEAL NY Phase 18 Grant Award Notification."

A Grant Disbursement Agreement (GDA) package will be mailed to you under a separate cover. The Workplan, Budget and Timeline submitted with your grant application will become part of the GDA. Any costs the New York State Department of Health (Department of Health) has determined to be eligible and allowed for reimbursement within the contract period shall be finalized prior to the execution of a GDA with the Department of Health. The approved project budget and workplan will become an appendix in the executed GDA.

Please return the completed and signed GDA within 30 days after the date it is sent to you. Your grant award will not be final until your GDA has been approved by the Department of Health, the New York State Attorney General and the Office of the State Comptroller. This award letter will expire 90 days after issuance and, upon termination, the Department of Health and the Dormitory Authority reserve the right to reallocate the funds to other applicants.

2195

Should you have any questions regarding this information, please contact Mr. Robert Schmidt, via e-mail at rgs05@health.state.ny.us or by phone at (518) 474-5565. Again, congratulations on the receipt of this grant award.

Sincerely,

Richard F. Daines, M.D.
Commissioner of Health

Paul T. Williams, Jr.
President, DASNY

2195

HEAL NY Phase 18: Mental Health Services
Project Expenses and Justification

Project Name: Mental Health Integration Project

Eligible Applicant Name: Suffolk County Department of Health Services

Each category of expenses (left column) should be accompanied by a written justification (right column). Each justification should include a discussion of how the expense will support the project, and state whether the applicant believes the expense is capitalizable.

A. Project Budget

Cost Category **EXAMPLES ONLY**	Anticipated HEAL NY Funds	Total Expense	Capitalizable Expense *Choose YES or NO for each line.*	Justification
Acquisition				
Land Costs	$	$	YES NO	
Building Costs	$	$	YES NO	
Other (specify)	$	$	YES NO	
Capital Work				
New Construction	$ 455,000	$	YES NO	Additional counseling rooms; exam room, medical assessment room, group room
Equipment	$ 39,434	$	YES NO	Furniture necessary to equip space
Renovation	$ 77,500	$	YES NO	Additional individual and group counseling rooms, Includes all design and planning fees.
Other (specify)	$ 163,250	$	YES NO	Site work & move utilities ($100,000); contingency ($63,250)
Fees				
Architectural/Design	$ 63,250	$	YES NO	Fees for planning and architects
Engineering	$	$	YES NO	
Legal	$	$	YES NO	
Installation	$	$	YES NO	
Construction Management	$	$	YES NO	
Other (specify)	$	$	YES NO	
Closure				
Discharge of LT Debt	$	$	YES NO	
Payment of Debt	$	$	YES NO	
Medical Records storage	$	$	YES NO	
Employee Expenses	$	$	YES NO	
Start-up/Transition	$	$	YES NO	
Staffing Costs	$	$	YES NO	
Debt Restructuring	$	$	YES NO	
- Personnel Services	$	$	YES NO	
TOTAL	$ 798,434	$		

2195

STATE OF NEW YORK
DEPARTMENT OF HEALTH
Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

James W. Clyne, Jr.
Executive Deputy Commissioner

HEAL NY Phase 18 Grant Award Notification
NYS Department of Health

Mental Health Initiatives

Applicant Name: **Suffolk County Department of Health Services**
225 Rabro Drive East
Hauppauge, NY 11788

Applicant Contact: **Ms. Margaret Bermel**
Director of Health Administrative Services

Applicant Phone: **(631) 853-3153**
Applicant Fax: **(631) 853-3188**
Applicant Email: **margaret.bermel@suffolkcountyny.gov**

Application #: **13**

Project Name: **Mental Health Integration Project**

Requested Grant Amount: **$798,434**

Disallowed Costs: **$0**

Grant Award: $798,434

2195

COORDINATION OF GRANT APPLICATION OR CONTRACT
County of Suffolk

Submitting Department / Agency: Department of Health Services	Location: 225 Rabro Drive East, Hauppauge, NY 11788	DATE: 8/17/2010
Contact Person in Department / Agency Carolyn Kagan	Telephone Number 852-2814	Grant Application Due Date 8/17/2010

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert and 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
   HEAL NY Phase 18: Mental Health Services - Mental Health Integration Project

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)
   NYS Department of Health & Dormitory Authority of the State of New York

3. Grant / Contract Status (Check One Box)

   _X_ 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.)
   These grant funds will fund new construction and renovations at the Shirley Health Center for additional counseling & exam rooms as well as furniture to equip the new space. This project will increase overall health care to the community by allowing patients to receive both physical and behavioral health services in the same location.

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: 10/1/2010 To: 9/30/2012
2. Financial Assistance Requested

Source	*First Funding Cycle*		*Second Funding Cycle*		*Third Funding Cycle*	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal						
State	$ 798,434	100.0%				
Private						
County						
Total	$ 798,434	100.0%				

2195

3. Explanation of Requested County Financial Assistance

Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
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 No X

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, reducted services, financial implications, layoffs, etc.)?

These are one time funds.

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:	Approved / Disapproved	2. Signature of Coordinator	3. Date

4. Comments

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

8. Comments

COUNTY OF SUFFOLK

2195

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

November 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 amending the 2010 Capital Budget and accepting and appropriating 100% State grant funds from New York State Department of Health and the Dormitory Authority of the State of New York to the Suffolk County Department of Health Services for Construction and Renovations for the Mental Health Integration Project (CP 4043). This legislation is needed to accept 100% State grant funds and create a capital project for these funds that will be used for new construction and renovations at the Marilyn Shellabarger South Brookhaven Family Health Center East in Shirley for the Mental Health Integration Project. This project will provide additional counseling and examination rooms increasing health care delivery to the community by allowing patients to receive both physical and behavioral health services in the same location.

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-MH Heal 18.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, Division of Community Mental Hygiene Services
Evelyn Creen, Federal & State Aid Claims Examiner
Angela Kohl, Accountant
Diane E. Weyer, Principal Financial Analyst

Public Health
Prevent. Promote. Protect.

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

2196

Intro. Res. No. - 2010 Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF EQUIPMENT FOR THE JOHN J. FOLEY SKILLED NURSING FACILITY (CP 4041)

WHEREAS, the Commissioner of Health Services has requested funds for the Purchase of Equipment for the John J. Foley Skilled Nursing Facility; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request under Capital Program Number 4041; and

WHEREAS, these funds are needed to replace the Roam Alert Wander Guard system to prevent dementia patients from wandering off their unit and out of the facility; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $58,100 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994 amended by Resolution No. 453-2009 has established a priority ranking system as the basis for funding Capital Projects such as this project; now therefore, be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as amended by Resolution No. 453-2009; and be it further

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

3rd **RESOLVED**, that the proceeds of $58,100 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-4041.513 (Fund 001 Debt Service)	40	Purchase of Equipment for the John J. Foley Skilled Nursing Facility	$58,100

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

2196

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Appropriating funds in connection with the purchase of equipment for the John J. Foley Skilled Nursing Facility (CP 4041).

3. Purpose of Proposed Legislation

This legislation is needed to appropriate funds to Capital Project 4041 for the purchase of equipment at the John J. Foley Skilled Nursing Facility. These funds are needed to replace the Roam Alert Wander Guard system to prevent dementia patients from wandering off their unit and out of the facility.

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

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

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

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

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

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

See attached Debt Schedule

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact

2011

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Diane E. Weyer *Principal Financial Analyst*	Diane E Weyer	11/19/10
BETH A. REYNOLDS PRINCIPAL EXECUTIVE ANALYST	Beth A Reynolds	11/29/10

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2196

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$12,795**	**$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	**$12,795**	**$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.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

2196

Term of Bonds	5
Amount to Bond:	$58,100

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	$10,877.97	$1,917.30	$12,795.27	$12,795.27
			$779.16	$779.16	
5/1/2011	3.500%	$11,236.94	$779.16	$12,016.10	$12,795.27
			$593.75	$593.75	
5/1/2012	3.500%	$11,607.76	$593.75	$12,201.51	$12,795.27
			$402.23	$402.23	
5/1/2013	3.500%	$11,990.82	$402.23	$12,393.04	$12,795.27
			$204.38	$204.38	
5/1/2014	3.500%	$12,386.51	$204.38	$12,590.89	$12,795.27
		$58,100.00	$5,876.34	$63,976.34	$63,976.34

COUNTY OF SUFFOLK

866

NOV 22 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2196

DEPARTMENT OF HEALTH SERVICES

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

November 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 appropriate funds in connection with the purchase of equipment for the John J. Foley Skilled Nursing Facility (CP 4041). These funds are needed to replace the Roam Alert Wander Guard system to prevent dementia patients from wandering off their unit and out of the facility. The current system is more than ten (10) years old and obtaining parts to maintain the system is problematic as they are no longer being manufactured.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Barbara Russo at 2-4334. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP4041 JJFSNF.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
Melvin Hitt, Administrator, JJFSNF
Barbara Russo, Principal Financial Analyst
Gary Vonatzski, Finance Director, JJFSNF
Diane E. Weyer, Principal Financial Analyst

Public Health

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

COUNTY OF SUFFOLK

2196

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

TO: Diane Weyer, Principal Financial Analyst

FROM: Barbara J. Russo, Principal Financial Analyst

DATE: November 16, 2010

RE: REQUEST TO APPROPRIATE CAPITAL PROJECT FUNDS – CP 4041

The John J. Foley Skilled Nursing Facility respectfully requests a resolution be submitted to appropriate $58,100 for facility equipment funds adopted in 2010.

These funds will be used to purchase a critically needed replacement of the wander guard/roam alert system.

Thank you in advance for your time and assistance.

Cc: Margaret B. Bermel, Director of Health Administrative Services
Janet DeMarzo, Deputy Commissioner
Liza Wright, Budget & Purchasing Unit
Mel Hitt, Administrator, JJFSNF
Gary Vonatzski, Finance Director, JJFSNF

Public Health
Prevent Promote Protect
JOHN J. FOLEY SKILLED NURSING FACILITY
14 Glover Drive, Yaphank, NY 11980 (631) 852-4334 Fax: (631) 852-4373

2197

Intro. Res. No. - 2010 Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, TO THE DEPARTMENT OF HEALTH SERVICES FOR A DNA BURGLARY BACKLOG REDUCTION INITIATIVE

WHEREAS, the New York State Division of Criminal Justice Services has awarded 100% Federal grant funds to the Department of Health Services for a DNA Burglary Backlog Reduction Initiative in the amount of $104,309 for the period 10/01/10 - 09/30/11; and

WHEREAS, this grant provides funding for the analysis of DNA from a backlog of unsolved burglary 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 $104,309 in grant funds as follows:

REVENUES

001-4320 General Aid: Crime Control	$ 104,309

APPROPRIATIONS

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
DNA Burglary Backlog Reduction Initiative
001-HSV-4735

Fees for Services	$104,309
4560 Fees for Services, Non-employees	$104,309

and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to enter into contractual agreements for DNA laboratory testing services and temporary laboratory support staffing; and

3rd **RESOLVED**, that any unexpended appropriations will be re-appropriated to the subsequent fiscal year, until grant termination; 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:

2197

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Accepting and Appropriating 100% Federal grant funds passed through the New York State Division of Criminal Justice Services, to the Department of Health Services for a DNA Burglary Backlog Reduction Initiative.

3. Purpose of Proposed Legislation

This legislation is needed to accept and appropriate 100% Federal grant funds passed through the New York State Division of Criminal Justice Services to the Department of Health Services for the analysis of DNA from a backlog of unsolved burglary cases.

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

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

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

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

Not applicable

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

None

8. Proposed Source of Funding

100% Federal grant funds from the New York State Division of Criminal Justice Services

9. Timing of Impact

2010-2011

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Diane E. Weyer *Principal Financial Analyst*	Diane E Weyer	11/8/10
BETH A. REYNOLDS PRINCIPAL EXECUTIVE ANALYST	Beth A Reynolds	11/29/10

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2197

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

8623

2197

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

November 15, 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 passed through the New York State Division of Criminal Justice Services, to the Department of Health Services for a DNA Burglary Backlog Reduction Initiative. This initiative provides funding for the analysis of DNA from a backlog of unsolved burglary 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 Burglary Backlog Reduce.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

COUNTY OF SUFFOLK

2197

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

To: Liza Wright

From: Angela Kohl AK

Date: November 5, 2010

Subject: Request for resolution – DNA Backlog Reduction Initiative

---

DNA Backlog Reduction Initiative
Budget Period 10/01/10 - 09/30/11
001-4735
Revenue Code 4320

Please write a resolution to accept and appropriate 100% Federal grant funds from New York State Division of Criminal Justice Services for the above-mentioned program. The total award for the program is $104,309 and we need to appropriate the $104,309 under grant organization code 4735. The appropriations are as follows:

	104,309
CONTRACTUAL SERVICES	104,309
4560 Fees for Services: Non-Employees	104,309

Thank you for your help. Backup is attached and will be emailed.

PublicHealth
Prevent. Promote. Protect.

FEDERAL & STATE AID CLAIMS UNIT
Riverhead County Center, Rm N216, 300 Center Drive, Riverhead, NY 11901
(631) 852-2810 Fax (631) 852-2818

2197

STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
4 Tower Place
Albany, New York 12203-3764
http://criminaljustice.state.ny.us

DAVID A. PATERSON
GOVERNOR

SEAN M. BYRNE
ACTING COMMISSIONER

October 7, 2010

Mr. Robert E. Genna
Director
Suffolk County Crime Laboratory
Forensic Science Building #487
725 Veterans Memorial Highway, P.O. Box 6100
Hauppauge, New York 11787-0099

Dear Mr. Genna:

I am pleased to notify you that the Suffolk County Crime Laboratory has been awarded $104,309 in FFY 2009 federal Byrne JAG funds to assist in the reduction of the backlog of Burglary DNA cases. This award will be for 1-year of project funding with a contract start date of October 1, 2010. Please be aware there is no guarantee of continued funding for this project.

As recipient of a contract supported by JAG funds you are responsible for additional federal reporting requirements. Awardees receiving federal funds will be required to report quarterly through the federal Performance Measure Tool (PMT) to the federal Bureau of Justice Assistance (BJA) on performance measures. The grantee will sign onto the PMT utilizing the ID, password and instructions provided by DCJS and follow appropriate procedures to report data within 15 days after the end of the calendar quarter. Finally, the standard quarterly progress report for DCJS contracts must be completed in the Grants Management System (GMS).

The Office of Program Development and Funding (OPDF) has assigned Ms. Victoria Milonovich, Criminal Justice Program Representative, to the project to assist your department in the development of the grant contract. Applications must be completed and submitted through the DCJS internet based automated Grants Management System (GMS) by November 1, 2010. Once the application is received, we will begin the grant contracting process. Should you have any questions, please have a member of your staff contact Ms. Milonovich at (518) 457-3497.

Very truly yours,

Sean M. Byrne
Acting Commissioner

SMB:ls:kp

Enclosure
cc: Daniel Burhans, Assistant Chief

Additional back-up material regarding IR 2197 is on file in the Legislative Clerk's Office, Hauppauge.

2198

Intro. Res. No. - 2010 Laid on the Table 12/7/10

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% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE CDC EXPANDED HIV TESTING PROGRAM

WHEREAS, these 100% Federal grant funds from the Centers for Disease Control and Prevention (CDC) will be passed through the New York State Department of Health to the Suffolk County Department of Health Services for the CDC Expanded HIV Testing program and the amount of the award is $150,000 for the period 09/30/10-09/29/11; and

WHEREAS, the purpose of this grant funding is to support expansion and integration of HIV testing, linkage to medical care, partner services and HIV prevention services; and

WHEREAS, a portion of these funds in the amount of $105,974 are already included in the 2010 Suffolk County Adopted Operating Budget and $44,026 needs to be appropriated; and

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

1ST **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $44,026 in grant funds as follows:

REVENUES

001-4401 Public Health	$44,026

APPROPRIATIONS

Department of Health Services (HSV)
Division of Patient Care Services
CDC Expanded HIV Testing Program
001-HSV-4145

Supplies, Materials & Other	$381
3010 Office Supplies	$381
Contractual Expenses	$43,645
4560 Fees for Services: Non-employee	$43,645

and be it further

2nd **RESOLVED,** that the County Executive be and hereby is authorized to execute any contract(s) with vendor(s) chosen through the Request for Proposal process for this program; and

3rd **RESOLVED,** that any unexpended appropriations will be re-appropriated to the subsequent fiscal year, until grant termination; 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:

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

2198

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

Title of Proposed Legislation
Amending the 2010 Adopted Operating Budget to accept and appropriate 100% Federal grant funds passed through the New York State Department of Health to the Suffolk County Department of Health Services for the CDC Expanded HIV Testing program.

3. Purpose of Proposed Legislation
This legislation is needed to accept and appropriate 100% Federal grant funds from the Center for Disease Control and Prevention (CDC) passed through the New York State Department of Health for the CDC Expanded HIV Testing program. The purpose of this grant funding is to support expansion and integration of HIV testing, linkage to medical care, partner services and HIV prevention services.

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

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

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

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

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

8. Proposed Source of Funding
100% Federal grant funds passed through the New York State Department of Health

9. Timing of Impact
2010-2011

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*Date*
Diane E. Weyer *Principal Financial Analyst*	Diane E Weyer	11/19/10
BETH A. REYNOLDS PRINCIPAL EXECUTIVE ANALYST	Beth A Reynolds	11/29/10

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2198

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

NOV 22 2010

2198

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

November 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 amend the 2010 Adopted Operating Budget to accept and appropriate 100% Federal grant funds passed through the New York State Department of Health to the Suffolk County Department of Health Services for the CDC Extended HIV Testing program. The purpose of this grant funding is to support expansion and integration of HIV testing, linkage to medical care, partner services and HIV prevention services.

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-PC Extended HIV.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
Shaheda Iftikhar, M.D., Physician III
Evelyn Creen, Federal & State Aid Claims Examiner
Angela Kohl, Accountant
Diane E. Weyer, Principal Financial Analyst

Public Health
Prevent. Promote. Protect.

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

2198

STATE OF NEW YORK
DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

James W. Clyne, Jr.
Executive Deputy Commissioner

September 30, 2010

Dr. James Tomarken
Commissioner
Suffolk County Department of Health Services
225 Rabro Drive East
Hauppauge, NY 11778

Dear Dr. Tomarken:

Thank you for agreeing to participate in the funding application recently sent to the Centers for Disease Control and Prevention (CDC) in response to Program Announcement PS10-10138 "Expanded HIV Testing for Disproportionately Affected Populations." The New York State Department of Health, AIDS Institute was successful and recently received a notice of grant award from the CDC in support of the above referenced project.

Based on the amount as indicated in the notice of grant award, the AIDS Institute will be able to fund your organization to provide Expanded HIV Testing for Disproportionately Affected Populations services.

Pleased be advised that the initial contract period is from **September 30, 2010 through September 29, 2011.** The total amount of the contract is **$150,000.** This contract, supported by an allocation from the CDC, will be with Health Research, Inc. (HRI). Please note that the funding associated with this contract is for three years, however, future funding for years 2 and 3 is dependant on performance and availability of funds. The AIDS Institute may also find it necessary to establish maximum reimbursible amount on this contract. You will receive written notification if this measure is implemented.

Enclosed are the forms you must complete and submit in order to initiate the contract process. Also enclosed is a letter that was sent to all AIDS Institute contractors in October 2009. The letter provides important guidance regarding how to optimize grant funding and the policies regarding contract budget modification requests. It is highly recommended that you refer to this letter, and work closely with your contract manager, when developing the budget for your contract.

2198

The AIDS Institute will be working with each you on administrative, clinical or non-clinical and programmatic issues so that, to the extent possible, start up delays are minimized.

The AIDS Institute staff person assigned to manage your contract is Megan Haseltine. Please **e-mail** the completed enclosed forms **no later than Tuesday, October 19, 2010** to Ms. Haseltine at **MCH10@health.state.ny.us.**

Congratulations again and we look forward to working with you on this important initiative. If you have any questions, please feel free to call me at 212-417-4707.

Sincerely,

Alma R. Candelas

Alma R. Candelas
Director
Division of HIV Prevention
AIDS Institute

cc: Lisa Roland-Labiosa
Megan Haseltine

Additional back-up material regarding IR 2198 is on file in the Legislative Clerk's Office, Hauppauge.

2199

Intro. Res. No. – 2010 Laid on Table 12/7/10

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 BEECHWOOD MORICHES BUILDING CORP. PROPERTY – FORGE RIVER WATERSHED ADDITION (TOWN OF BROOKHAVEN)

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 Nos. 618-2007 and 350-2010, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of Brookhaven ("Town") has approved Resolution No. 2010-181 on February 9, 2010, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and further authorized the condemnation of all parcels identified and set forth in Exhibit "B" which is annexed hereto and thereafter the transfer of a fifty percent (50%) undivided ownership interest in the vested parcels to the County of Suffolk, as tenants in common, without consideration pursuant to General Municipal Law §72-h; and further authorized the transfer of a fifty percent (50%) undivided ownership interest to the County of Suffolk as tenants in common, in the parcels dedicated to the Town by the reputed owner herein, said parcels are identified and set forth in Exhibit "C" which is annexed hereto. The transfer shall be without consideration pursuant to General Municipal Law §72-h; and

WHEREAS, in consideration of the General Municipal Law §72-h transfers to be made by the Town as set forth above, the County of Suffolk will transfer to the Town a fifty percent (50%) undivided ownership interest, as tenants in common, in all parcels currently owned by the County of Suffolk identified and set forth in Exhibit "D", which is annexed hereto, said transfer to be without consideration pursuant to General Municipal Law §72-h; and

WHEREAS, upon a coordinated review with the State of New York and the Town of Brookhaven, the County of Suffolk has been established as SEQRA lead agency for this action; 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 Twenty Million Dollars ($20,000,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Ten Million Dollars ($10,000,000.00), for a fifty percent (50%) undivided interest; and the Town's share, totaling Ten Million Dollars ($10,000,000.00), 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:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District Section Block Lot	90.36±* SEE EXHIBIT "A"	Beechwood Moriches Building Corp. 500 North Broadway Suite 240 Jericho, New York 11530

*includes 18.10 acres of paper streets to be abandoned.

; 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 a total purchase price of Twenty Million Dollars ($20,000,000.00) of which the County contribution will be Ten Million Dollars ($10,000,000.00), 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 $10,000,000.00, 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 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 County of Suffolk is authorized, empowered and directed to accept the transfer from the Town of a fifty percent (50%) undivided interest, as tenants in common, in the property set forth in Exhibits "B" and "C" annexed hereto. Said transfer shall be without consideration pursuant to General Municipal Law §72-h; and, be it further

6th **RESOLVED,** that the County of Suffolk is authorized, empowered and directed to take such actions as are necessary to transfer to the Town a fifty percent (50%) undivided interest, as tenants in common, in the property set forth in Exhibit "D" annexed hereto. Said transfer shall be without consideration pursuant to General Municipal Law §72-h; and, be it further

7th **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

8th **RESOLVED,** that pursuant to Section C12-2(A)(2)(c) the properties listed in Exhibits "A", "B", "C", and "D" are not to be developed and fifty (50) 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

9th **RESOLVED,** that the acquisition of such parcels listed in Exhibits "A", "B", "C", and "D" meet 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

10th **RESOLVED,** that the subject parcels listed in Exhibits "A", "B", "C", and "D" shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

11th **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

12th **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

13th **RESOLVED,** that the above activity is an Type I action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

14th **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 parcels listed in Exhibits "A", "B", "C", and "D" 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

15th **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:

EXHIBIT "A"

TAX MAP #	OWNER	ACREAGE
0200 74900 0300 013000	Beechwood Moriches Building Corp.	0.25
0200 74900 0300 014000	Beechwood Moriches Building Corp	0.23
0200 74900 0300 015000	Beechwood Moriches Building Corp	0.23
0200 74900 0300 016000	Beechwood Moriches Building Corp.	0.26
0200 74900 0300 017000	Beechwood Moriches Building Corp.	0.25
0200 74900 0300 018003	Beechwood Moriches Building Corp.	0.46
0200 74900 0300 019000	Beechwood Moriches Building Corp.	0.50
0200 74900 0300 020000	Beechwood Moriches Building Corp.	0.50
0200 74900 0300 022001	Beechwood Moriches Building Corp.	0.33
0200 74900 0300 032000	Beechwood Moriches Building Corp.	2.09
0200 74900 0300 033000	Beechwood Moriches Building Corp.	2.11
0200 74900 0300 034000	Beechwood Moriches Building Corp.	2.11
0200 74900 0300 035000	Beechwood Moriches Building Corp.	1.63
0200 74900 0300 037000	Beechwood Moriches Building Corp.	2.11
0200 74900 0300 038000	Beechwood Moriches Building Corp.	1.80
0200 74900 0300 039000	Beechwood Moriches Building Corp.	0.28
0200 74900 0300 040000	Beechwood Moriches Building Corp.	0.05
0200 74900 0300 041000	Beechwood Moriches Building Corp.	0.83
0200 74900 0400 002000	Beechwood Moriches Building Corp.	1.20
0200 74900 0400 003001	Beechwood Moriches Building Corp.	0.28
0200 74900 0400 003002	Beechwood Moriches Building Corp.	0.23
0200 74900 0400 004001	Beechwood Moriches Building Corp.	0.23
0200 74900 0400 004002	Beechwood Moriches Building Corp.	0.27
0200 74900 0400 005000	Beechwood Moriches Building Corp.	0.27
0200 74900 0400 006000	Beechwood Moriches Building Corp.	0.35
0200 74900 0400 007000	Beechwood Moriches Building Corp.	0.33
0200 74900 0400 008000	Beechwood Moriches Building Corp.	0.25
0200 74900 0400 009000	Beechwood Moriches Building Corp.	0.09
0200 74900 0400 011001	Beechwood Moriches Building Corp.	0.32
0200 74900 0400 011002	Beechwood Moriches Building Corp.	0.30
0200 74900 0400 011003	Beechwood Moriches Building Corp.	0.30
0200 74900 0400 012000	Beechwood Moriches Building Corp.	1.09
0200 74900 0400 013000	Beechwood Moriches Building Corp.	0.23
0200 74900 0400 014000	Beechwood Moriches Building Corp.	0.23
0200 74900 0400 017001	Beechwood Moriches Building Corp.	0.46
0200 74900 0400 017002	Beechwood Moriches Building Corp.	0.46
0200 74900 0400 017003	Beechwood Moriches Building Corp.	0.09
0200 74900 0400 018000	Beechwood Moriches Building Corp.	0.25
0200 74900 0400 022001	Beechwood Moriches Building Corp.	0.23
0200 74900 0400 022002	Beechwood Moriches Building Corp.	0.41
0200 74900 0400 022003	Beechwood Moriches Building Corp.	0.35
0200 74900 0400 023000	Beechwood Moriches Building Corp.	1.18
0200 74900 0400 024000	Beechwood Moriches Building Corp.	0.18
0200 74900 0400 025000	Beechwood Moriches Building Corp.	0.17
0200 74900 0400 026000	Beechwood Moriches Building Corp.	0.35
0200 74900 0400 027000	Beechwood Moriches Building Corp.	0.41
0200 74900 0400 028000	Beechwood Moriches Building Corp.	0.23
0200 74900 0400 030001	Beechwood Moriches Building Corp.	0.18

EXHIBIT "A"

TAX MAP #	OWNER	ACREAGE
0200 74900 0400 030002	Beechwood Moriches Building Corp.	0.41
0200 74900 0400 030003	Beechwood Moriches Building Corp.	0.41
0200 74900 0400 030004	Beechwood Moriches Building Corp.	0.18
0200 74900 0400 031000	Beechwood Moriches Building Corp.	0.35
0200 74900 0500 001000	Beechwood Moriches Building Corp.	1.53
0200 74900 0500 003001	Beechwood Moriches Building Corp.	0.35
0200 74900 0500 003002	Beechwood Moriches Building Corp.	0.41
0200 74900 0500 004000	Beechwood Moriches Building Corp.	0.23
0200 74900 0500 006001	Beechwood Moriches Building Corp.	0.13
0200 74900 0500 006002	Beechwood Moriches Building Corp.	0.41
0200 74900 0500 006003	Beechwood Moriches Building Corp.	0.41
0200 74900 0500 006004	Beechwood Moriches Building Corp.	0.18
0200 74900 0500 008001	Beechwood Moriches Building Corp.	0.23
0200 74900 0500 008002	Beechwood Moriches Building Corp.	0.41
0200 74900 0500 009000	Beechwood Moriches Building Corp.	0.35
0200 74900 0500 011000	Beechwood Moriches Building Corp.	1.30
0200 74900 0500 014001	Beechwood Moriches Building Corp.	0.35
0200 74900 0500 014002	Beechwood Moriches Building Corp.	0.41
0200 74900 0500 014003	Beechwood Moriches Building Corp.	0.23
0200 74900 0500 017001	Beechwood Moriches Building Corp.	0.18
0200 74900 0500 017002	Beechwood Moriches Building Corp.	0.41
0200 74900 0500 017003	Beechwood Moriches Building Corp.	0.41
0200 74900 0500 017004	Beechwood Moriches Building Corp.	0.27
0200 74900 0500 019001	Beechwood Moriches Building Corp.	0.23
0200 74900 0500 019002	Beechwood Moriches Building Corp.	0.41
0200 74900 0500 020000	Beechwood Moriches Building Corp.	0.35
0200 74900 0500 021000	Beechwood Moriches Building Corp.	0.23
0200 74900 0500 022000	Beechwood Moriches Building Corp.	1.33
0200 74900 0500 023000	Beechwood Moriches Building Corp.	0.35
0200 74900 0500 024000	Beechwood Moriches Building Corp.	0.35
0200 74900 0500 025000	Beechwood Moriches Building Corp.	0.27
0200 74900 0500 028001	Beechwood Moriches Building Corp.	0.35
0200 74900 0500 028002	Beechwood Moriches Building Corp.	0.35
0200 74900 0500 028003	Beechwood Moriches Building Corp.	0.23
0200 74900 0500 031001	Beechwood Moriches Building Corp.	0.27
0200 74900 0500 031002	Beechwood Moriches Building Corp.	0.35
0200 74900 0500 031003	Beechwood Moriches Building Corp.	0.35
0200 74900 0600 001000	Beechwood Moriches Building Corp.	1.27
0200 74900 0600 004001	Beechwood Moriches Building Corp.	0.35
0200 74900 0600 004002	Beechwood Moriches Building Corp.	0.23
0200 74900 0600 004003	Beechwood Moriches Building Corp.	0.27
0200 74900 0600 008000	Beechwood Moriches Building Corp.	0.23
0200 74900 0600 012001	Beechwood Moriches Building Corp.	0.35
0200 74900 0600 012002	Beechwood Moriches Building Corp.	0.18
0200 74900 0600 017001	Beechwood Moriches Building Corp.	0.35
0200 74900 0600 017002	Beechwood Moriches Building Corp.	0.35
0200 74900 0600 019001	Beechwood Moriches Building Corp.	0.27
0200 74900 0600 027001	Beechwood Moriches Building Corp.	0.18

EXHIBIT "A"

TAX MAP #	OWNER	ACREAGE
0200 74900 0600 027002	Beechwood Moriches Building Corp.	0.35
0200 74900 0700 001001	Beechwood Moriches Building Corp.	0.18
0200 74900 0700 001002	Beechwood Moriches Building Corp.	0.35
0200 74900 0700 004000	Beechwood Moriches Building Corp.	0.46
0200 74900 0700 005000	Beechwood Moriches Building Corp.	0.09
0200 74900 0700 006000	Beechwood Moriches Building Corp.	0.09
0200 74900 0700 007000	Beechwood Moriches Building Corp.	0.54
0200 74900 0700 008000	Beechwood Moriches Building Corp.	0.54
0200 74900 0700 009000	Beechwood Moriches Building Corp.	0.09
0200 74900 0700 011000	Beechwood Moriches Building Corp.	0.36
0200 74900 0700 012000	Beechwood Moriches Building Corp.	0.04
0200 74900 0700 013000	Beechwood Moriches Building Corp.	0.14
0200 74900 0700 019000	Beechwood Moriches Building Corp.	0.41
0200 74900 0700 021000	Beechwood Moriches Building Corp.	0.33
0200 74900 0700 022000	Beechwood Moriches Building Corp.	0.33
0200 74900 0700 023000	Beechwood Moriches Building Corp.	0.18
0200 74900 0700 024000	Beechwood Moriches Building Corp.	0.27
0200 74900 0700 025000	Beechwood Moriches Building Corp.	0.35
0200 74900 0700 026000	Beechwood Moriches Building Corp.	0.27
0200 74900 0700 027000	Beechwood Moriches Building Corp.	0.09
0200 74900 0700 028000	Beechwood Moriches Building Corp.	0.14
0200 74900 0700 029000	Beechwood Moriches Building Corp.	0.18
0200 74900 0700 030000	Beechwood Moriches Building Corp.	0.09
0200 74900 0700 031000	Beechwood Moriches Building Corp.	0.35
0200 74900 0700 032001	Beechwood Moriches Building Corp.	0.09
0200 74900 0700 032002	Beechwood Moriches Building Corp.	0.18
0200 74900 0700 032003	Beechwood Moriches Building Corp.	0.09
0200 74900 0700 033000	Beechwood Moriches Building Corp.	0.35
0200 74900 0700 034000	Beechwood Moriches Building Corp.	0.18
0200 74900 0700 035000	Beechwood Moriches Building Corp.	0.09
0200 74900 0700 036000	Beechwood Moriches Building Corp.	0.27
0200 74900 0700 037000	Beechwood Moriches Building Corp.	0.14
0200 74900 0700 038000	Beechwood Moriches Building Corp.	0.35
0200 74900 0700 039000	Beechwood Moriches Building Corp.	0.35
0200 74900 0700 040000	Beechwood Moriches Building Corp.	0.35
0200 75000 0100 001001	Beechwood Moriches Building Corp.	0.41
0200 75000 0100 001002	Beechwood Moriches Building Corp.	0.04
0200 75000 0100 002000	Beechwood Moriches Building Corp.	0.09
0200 75000 0100 003000	Beechwood Moriches Building Corp.	0.23
0200 75000 0100 004000	Beechwood Moriches Building Corp.	0.35
0200 75000 0100 005000	Beechwood Moriches Building Corp.	0.35
0200 75000 0100 006001	Beechwood Moriches Building Corp.	0.16
0200 75000 0100 007001	Beechwood Moriches Building Corp.	0.46
0200 75000 0100 008001	Beechwood Moriches Building Corp.	0.34
0200 75000 0100 010001	Beechwood Moriches Building Corp.	0.62
0200 75000 0100 011001	Beechwood Moriches Building Corp.	0.11
0200 75000 0100 012001	Beechwood Moriches Building Corp.	0.11
0200 75000 0100 013001	Beechwood Moriches Building Corp.	0.11

EXHIBIT "A"

TAX MAP #	OWNER	ACREAGE
0200 75000 0100 014001	Beechwood Moriches Building Corp.	0.34
0200 75000 0100 015001	Beechwood Moriches Building Corp.	0.56
0200 75000 0100 016000	Beechwood Moriches Building Corp.	0.18
0200 75000 0100 018000	Beechwood Moriches Building Corp.	0.09
0200 75000 0100 019000	Beechwood Moriches Building Corp.	0.09
0200 75000 0100 021001	Beechwood Moriches Building Corp.	0.40
0200 75000 0100 022001	Beechwood Moriches Building Corp.	0.11
0200 75000 0100 023001	Beechwood Moriches Building Corp.	0.22
0200 75000 0100 024001	Beechwood Moriches Building Corp.	0.19
0200 75000 0100 025001	Beechwood Moriches Building Corp.	0.23
0200 75000 0100 026001	Beechwood Moriches Building Corp.	0.11
0200 75000 0100 027001	Beechwood Moriches Building Corp.	0.11
0200 75000 0100 028001	Beechwood Moriches Building Corp.	0.42
0200 75000 0100 029001	Beechwood Moriches Building Corp.	0.39
0200 75000 0100 030001	Beechwood Moriches Building Corp.	0.43
0200 75000 0100 031001	Beechwood Moriches Building Corp.	0.43
0200 75000 0100 032001	Beechwood Moriches Building Corp.	0.38
0200 75000 0100 033001	Beechwood Moriches Building Corp.	0.46
0200 75000 0100 034001	Beechwood Moriches Building Corp.	0.29
0200 75000 0100 035001	Beechwood Moriches Building Corp.	0.46
0200 75000 0100 036000	Beechwood Moriches Building Corp.	0.37
0200 75000 0200 002000	Beechwood Moriches Building Corp.	0.14
0200 75000 0200 004001	Beechwood Moriches Building Corp.	0.85
0200 75000 0200 005000	Beechwood Moriches Building Corp.	0.35
0200 75000 0200 006001	Beechwood Moriches Building Corp.	0.18
0200 75000 0200 006002	Beechwood Moriches Building Corp.	0.35
0200 75000 0200 006003	Beechwood Moriches Building Corp.	0.35
0200 75000 0200 009001	Beechwood Moriches Building Corp.	0.38
0200 75000 0200 010001	Beechwood Moriches Building Corp.	0.17
0200 75000 0200 011001	Beechwood Moriches Building Corp.	0.46
0200 75000 0200 013002	Beechwood Moriches Building Corp.	0.29
0200 75000 0200 014001	Beechwood Moriches Building Corp.	0.52
0200 75000 0200 017000	Beechwood Moriches Building Corp.	0.23
0200 75000 0200 019001	Beechwood Moriches Building Corp.	0.27
0200 75000 0200 028001	Beechwood Moriches Building Corp.	0.46
0200 75000 0200 029001	Beechwood Moriches Building Corp.	0.51
0200 75000 0200 030001	Beechwood Moriches Building Corp.	0.46
0200 75000 0200 031000	Beechwood Moriches Building Corp.	0.37
0200 75000 0200 032000	Beechwood Moriches Building Corp.	0.33
0200 75000 0300 001001	Beechwood Moriches Building Corp.	0.14
0200 75000 0300 002001	Beechwood Moriches Building Corp.	0.29
0200 78600 0300 010000	Beechwood Moriches Building Corp.	0.09
0200 78600 0300 012001	Beechwood Moriches Building Corp.	0.46
0200 78600 0300 012002	Beechwood Moriches Building Corp.	0.37

EXHIBIT "B"

TAX MAP #	OWNER	ACREAGE
0200 67400 0100 003000	Homer C. Baldwin	0.15
0200 67400 0100 013000	Peter Parpis	0.30
0200 67400 0100 018000	Louis E. Pine	0.15
0200 67400 0100 020000	Wife & Harold Baker	0.20
0200 67400 0100 022000	Wife & Harold Baker	0.10
0200 67400 0100 026000	John P. Mahon	0.10
0200 67400 0100 034000	Donato Ambrosio	0.25
0200 67400 0200 005000	John P. Mahon	0.20
0200 67400 0200 009000	Terence Kennedy	0.10
0200 67400 0200 025000	Rosa Ambrosio	0.20
0200 67400 0300 001000	Theodore Morin	0.25
0200 67400 0300 007000	Mary Dahill Revocable Trust	0.10
0200 67400 0300 016000	Richard C. Dittmer	0.25
0200 67400 0300 023000	GAD Development Inc	0.10
0200 67400 0300 028000	Rosa & Giovanni Ambrosio	0.20
0200 74900 0300 036000	John P. Mahon	0.46
0200 74900 0300 042000	Anthony Pirrera & Neuburger Werner	0.23
0200 74900 0500 010000	Kevin Mcardle	0.23
0200 74900 0500 026000	George & Anna Steiner	0.24
0200 74900 0700 002000	Chandler Property Inc	0.27
0200 74900 0700 003000	Roberta Ippolito	0.09
0200 74900 0700 010000	Arthur Schnauder	0.14
0200 75000 0100 009000	Gregory Mulligan	0.28
0200 75000 0100 017000	Frank Fabris	0.09
0200 75000 0100 020000	William Est Conville	0.18
0200 75000 0200 033000	Shirley Hershkowitz	0.02

EXHIBIT "C"

TAX MAP #	OWNER	ACREAGE
0200 67400 0100 001000	Town of Brookhaven	1.00
0200 67400 0100 002000	Town of Brookhaven	0.15
0200 67400 0100 004000	Town of Brookhaven	0.30
0200 67400 0100 005000	Town of Brookhaven	0.15
0200 67400 0100 006000	Town of Brookhaven	0.15
0200 67400 0100 007000	Town of Brookhaven	1.25
0200 67400 0100 008000	Town of Brookhaven	0.15
0200 67400 0100 009000	Town of Brookhaven	0.20
0200 67400 0100 010000	Town of Brookhaven	0.30
0200 67400 0100 011000	Town of Brookhaven	0.10
0200 67400 0100 012000	Town of Brookhaven	0.20
0200 67400 0100 014000	Town of Brookhaven	1.70
0200 67400 0100 015000	Town of Brookhaven	0.15
0200 67400 0100 016000	Town of Brookhaven	1.00
0200 67400 0100 017000	Town of Brookhaven	1.06
0200 67400 0100 019000	Town of Brookhaven	0.35
0200 67400 0100 021000	Town of Brookhaven	0.10
0200 67400 0100 023000	Town of Brookhaven	0.15
0200 67400 0100 024000	Town of Brookhaven	0.40
0200 67400 0100 025000	Town of Brookhaven	0.20
0200 67400 0100 027000	Town of Brookhaven	0.10
0200 67400 0100 028000	Town of Brookhaven	0.10
0200 67400 0100 029000	Town of Brookhaven	0.30
0200 67400 0100 030000	Town of Brookhaven	0.10
0200 67400 0100 031000	Town of Brookhaven	1.90
0200 67400 0100 032001	Town of Brookhaven	0.18
0200 67400 0100 032002	Town of Brookhaven	0.67
0200 67400 0100 033000	Town of Brookhaven	0.60
0200 67400 0100 036000	Town of Brookhaven	0.20
0200 67400 0100 037000	Town of Brookhaven	0.40
0200 67400 0200 001000	Town of Brookhaven	0.30
0200 67400 0200 002000	Town of Brookhaven	0.70
0200 67400 0200 003000	Town of Brookhaven	0.10
0200 67400 0200 004000	Town of Brookhaven	0.45
0200 67400 0200 006000	Town of Brookhaven	0.20
0200 67400 0200 007000	Town of Brookhaven	0.10
0200 67400 0200 008000	Town of Brookhaven	0.10
0200 67400 0200 010000	Town of Brookhaven	0.25
0200 67400 0200 011000	Town of Brookhaven	0.50
0200 67400 0200 012000	Town of Brookhaven	1.05
0200 67400 0200 013000	Town of Brookhaven	1.25
0200 67400 0200 014000	Town of Brookhaven	0.25
0200 67400 0200 015000	Town of Brookhaven	0.80
0200 67400 0200 016000	Town of Brookhaven	0.20
0200 67400 0200 017000	Town of Brookhaven	0.10
0200 67400 0200 018000	Town of Brookhaven	0.10
0200 67400 0200 019000	Town of Brookhaven	1.60
0200 67400 0200 020000	Town of Brookhaven	0.10

EXHIBIT "C"

TAX MAP #	OWNER	ACREAGE
0200 67400 0200 021000	Town of Brookhaven	0.60
0200 67400 0200 022000	Town of Brookhaven	0.10
0200 67400 0200 023000	Town of Brookhaven	0.85
0200 67400 0200 024000	Town of Brookhaven	1.35
0200 67400 0200 026000	Town of Brookhaven	0.10
0200 67400 0200 027000	Town of Brookhaven	0.60
0200 67400 0200 028000	Town of Brookhaven	0.20
0200 67400 0300 002000	Town of Brookhaven	1.00
0200 67400 0300 003000	Town of Brookhaven	1.25
0200 67400 0300 004000	Town of Brookhaven	0.75
0200 67400 0300 006000	Town of Brookhaven	0.10
0200 67400 0300 008000	Town of Brookhaven	0.10
0200 67400 0300 009000	Town of Brookhaven	1.15
0200 67400 0300 010000	Town of Brookhaven	0.10
0200 67400 0300 011000	Town of Brookhaven	2.50
0200 67400 0300 012000	Town of Brookhaven	2.50
0200 67400 0300 013000	Town of Brookhaven	0.30
0200 67400 0300 014000	Town of Brookhaven	0.20
0200 67400 0300 015000	Town of Brookhaven	1.05
0200 67400 0300 017000	Town of Brookhaven	0.70
0200 67400 0300 018000	Town of Brookhaven	0.05
0200 67400 0300 019000	Town of Brookhaven	2.45
0200 67400 0300 020000	Town of Brookhaven	0.30
0200 67400 0300 021000	Town of Brookhaven	0.10
0200 67400 0300 022000	Town of Brookhaven	0.80
0200 67400 0300 024000	Town of Brookhaven	0.85
0200 67400 0300 025000	Town of Brookhaven	0.10
0200 67400 0300 026000	Town of Brookhaven	0.55
0200 67400 0300 027000	Town of Brookhaven	0.15
0200 67400 0300 030000	Town of Brookhaven	0.30
0200 74900 0300 021002	Town of Brookhaven	0.17

EXHIBIT "D"

TAX MAP #	OWNER	ACREAGE
0200 67400 0300 005000	County of Suffolk	0.25
0200 67400 0300 029000	County of Suffolk	0.30

EXHIBIT "A" SUBTOTAL ACREAGE:	72.26+/- acres
EXHIBIT "B" SUBTOTAL ACREAGE:	4.88+/- acres
EXHIBIT "C" SUBTOTAL ACREAGE:	49.38+/- acres
EXHIBIT "D" SUBTOTAL ACREAGE:	0.55+/- acres
GRAND TOTAL ACREAGE:	**127.07+/- acres**

GRAND TOTAL ACREAGE including paper streets: 149.45+/- acres

2199

RESOLUTION SUBMISSION

MEETING OF: February 9, 2010 RESOLUTION NO. 2010-181

MOVED BY COUNCILMEMBER: Timothy Mazzei

REVISION February 11, 2010

SHORT TITLE: AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN SPACE PURSUANT TO PROGRAM WITH SUFFOLK COUNTY FOR PROPERTY LOCATED AT MASTIC, NEW YORK – OWNER: BEECHWOOD MORICHES BUILDING CORP.

DEPARTMENT: LAW

REASON: To partner with the County of Suffolk to acquire the above property

PUBLIC HEARING REQUIRED: NO
DEPARTMENT OF FINANCE APPROVAL: YES NO
DOLLARS INVOLVED: Full Purchase Price $20,000,000.00; Town Share 50% ± $10,000,000 plus acquisition costs; $2,000,000 Grant from New York State and $8,000,000 from Account No. H 8510 3080 2009

SEQRA REQUIRED: Negative Declaration
DETERMINATION MADE: POSITIVE NEGATIVE
FEIS/FINDINGS FILED:
EXECUTION OF DOCUMENT REQUIRED:
AE:dlm

Present	Absent		Motion	Aye	No	Abstain	Not Voting
✓		Councilmember Fiore-Rosenfeld		✓			
✓		Councilmember Bonner		✓			
✓		Councilmember Walsh		✓			
✓		Councilmember Kepert		✓			
✓		Councilmember Mazzei		✓			
		Councilmember					
✓		Supervisor Lesko		✓			

2199

RESOLUTION NO. 2010-181
MEETING OF: February 9, 2010

AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN SPACE PURSUANT TO PROGRAM WITH SUFFOLK COUNTY FOR PROPERTY LOCATED AT MASTIC, NEW YORK – OWNER: BEECHWOOD MORICHES BUILDING 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 C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds

2199

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; 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, 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, the State of New York has indicated that they will give a grant of Two Million Dollars ($2,000,000.00) to the Town of Brookhaven for this 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 Town of Brookhaven, located on the north side of the North Sunrise Service Road, Mastic, New York, described in Exhibit "A" attached hereto; and

WHEREAS, the title to these acquisitions shall be held by the Town of Brookhaven (50%), the County of Suffolk (50%); and

2199

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 parcels listed in Exhibit "A" are hereby authorized to be acquired, and the Town's portion thereof shall be deemed to be included in the Town of Brookhaven 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 passive park use; and be it further

RESOLVED, that the funding for the aforestated acquisitions is hereby authorized and appropriated for payment of at least fifty percent (50%) of the actual costs of said 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 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 this acquisition shall be subject to a Two Million Dollar ($2,000,000.00) grant from New York State to the Town of Brookhaven for this acquisition; 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

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, grant applications and/or agreements with the aforestated participating governmental entities to effectuate the terms of this resolution; and be it further

RESOLVED, that the purchase contract and any collateral agreements shall reflect the terms specified in this resolution; and be it further

RESOLVED, that the terms and conditions of the purchase contract and any collateral agreements shall be reviewed and approved as to form by the Town Attorney; and be it further

RESOLVED, that the Town Attorney be and hereby is authorized to do all things necessary to acquire an unencumbered title to the subject parcels.

Gen F8

COUNTY OF SUFFOLK

2199

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

November 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 Beechwood Moriches Building Corp. property (Forge River Watershed), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is $20,000,000.00 for 90.36± acres, of which the County's 50% share will be $10,000,000.00

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene

Pamela J. Greene
Director

PJG:pd
Att.
cc: Christopher E. Kent, Chief Deputy County Executive
Ed Dumas, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Brendan Chamberlain, Director, Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Bob Zaher, Acquisition Agent
CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 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

2199

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Beechwood Moriches Building Corp. property (Forge River Watershed), SCTM# (See Schedule A), (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County ¼% Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Janet M. Longo Acquisition Supervisor	Janet Longo	November 18, 2010

SCIN FORM 175b (10/95)

2200

Intro. Res. No. – 2010 Laid on Table 12/7/10

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 FERGUS SHAW III AND ARTHUR SHAW PROPERTY – FORGE RIVER WATERSHED (TOWN OF BROOKHAVEN - SCTM NOS. 0200-675.00-04.00-019.000, 0200-675.00-04.00-032.000,0200-675.00-04.00-033.000, 0200-675.00-04.00-035.001 AND 0200-675.00-04.00-035.002)

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. 539-2009, 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 Two Million Nine Hundred Ninety Thousand Dollars ($2,990,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to,

the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	32.04±	Fergus Shaw III and Arthur Shaw, as tenants-in-common 60 Orchard Neck Road Center Moriches, NY 11934
	Section	675.00		
	Block	04.00		
	Lot	019.000		
No. 3	District	0200		
	Section	675.00		
	Block	04.00		
	Lot	032.000		
No. 4	District	0200		
	Section	675.00		
	Block	04.00		
	Lot	033.000		
No. 5	District	0200		
	Section	675.00		
	Block	04.00		
	Lot	035.001		
No. 6	District	0200		
	Section	675.00		
	Block	04.00		
	Lot	035.002		

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Two Million Nine Hundred Ninety Thousand Dollars ($2,990,000.00), 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 $2,990,000.00, 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 Twenty Six (26) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th **RESOLVED,** that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study; and, be it further

7th **RESOLVED,** that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th **RESOLVED,** that 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.

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 F9

COUNTY OF SUFFOLK

NOV 18 2010

2200

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

November 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 Shaw property Forge River Watershed, in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is $2,990,000.00 for 32.04± acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd
Att.
cc: Christopher E. Kent, Chief Deputy County Executive
Ed Dumas, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Brendan Chamberlain, Director, Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Phyllis J. Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

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

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

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

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

2200

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Shaw property (Forge River Watershed), SCTM#0200-675.00-04.00-019.000, 0200-675.00-04.00-032.000, 0200-675.00-04.00-033.000, 0200-675.00-04.00-035.001 & 0200-675.00-04.00-035.002, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County ¼% Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Janet M. Longo Acquisition Supervisor	Janet Longo	November 18, 2010

SCIN FORM 175b (10/95)

2201

Intro. Res. No. - 2010 Laid on Table 12/7/2010

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010 AUTHORIZING A LEASE AGREEMENT WITH JOE BURNS CONTRACTING FOR USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT

WHEREAS: Suffolk County owns and through its Department of Economic Development and Workforce Housing operates and maintains Francis S. Gabreski Airport in Westhampton; and

WHEREAS: there exist several former military buildings that the County has routinely leased out over the past 40 years; and

WHEREAS: Joe Burns Contracting has submitted an application to lease a 1,200 s/f building for the purpose of operating a construction business; and

WHEREAS: this project is in compliance with the adopted 1990 Airport Master Plan Update, the 2008 Airport Master Plan Draft Update, the 1995 Central Pine Barrens Comprehensive Land Use Plan, the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan, the 1999 Town of Southampton Comprehensive Update Implementation Strategies Plan and the Town of Southampton Aquifer Protection Overlay District requirements; and

WHEREAS: through Executive Order 26-2006 the County Executive created the Airport Conservation and Assessment Panel (ACAP), comprised mostly of local community group representatives, to evaluate applications for proposed leases, lease renewals, lease extensions, lease modifications and licenses and to issue formal recommendations to the County Executive, the CEQ and the County Legislature; and

WHEREAS: the Airport Conservation and Assessment Panel reviewed the proposed development and recommends that the lease be approved as noted in the Panel's written recommendations attached as Exhibit A; and

WHEREAS: through resolution 597-2010 the Suffolk County Legislature as SEQRA Lead Agency determined that the proposed lease by Joe Burns Contracting constitutes an unlisted action pursuant to Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code and therefore SEQRA is complete; and

WHEREAS: the lease agreement, for 3 years at an initial annual lease rate of $7,326, is submitted for legislative consideration; now therefore be it

1st **RESOLVED**, that the County Executive or his designee, is authorized to execute a license agreement for the use of the above described property between Joe Burns Contracting and the County of Suffolk, in substantial accordance with the agreement annexed as Exhibit B.

APPROVED BY:

_____

Steve Levy
County Executive of Suffolk County
Date:

Gen F10

2201

NOV 05 2010

MEMORANDUM

TO: Ken Crannell, Deputy County Executive
Connie Corso, Budget Director

FROM: Carolyn E. Fahey, Intergovernmental Relations Coordinator
Department of Economic Development & Workforce Housing

DATE: November 3, 2010

SUBJECT: **RESOLUTION AUTHORIZING A LEASE OF AIRPORT PROPERTY TO JOE BURNS CONTRACTING**

****

The Department of Economic Development and Workforce Housing, requests the submittal of the attached resolution authorizing the lease of airport property to Joe Burns Contracting, for the purpose of operating a construction company.

Attached please find the draft resolution, signed lease agreement, written comments from the Airport Conservation and Assessment Panel (ACAP), SEQRA determination and the required SCIN 175a and 175b. Electronic copies have been filed as required.

Thank you.

CEF/kmb
Attachments

cc: Yves Michel, Commissioner
Brendan Chamberlain, Director Intergovernmental Relations
Anthony Ceglio, Francis S. Gabreski Airport Manager

Steve Levy
Suffolk County Executive
Yves R. Michel
Commissioner

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H. Lee Dennison Bldg., 2nd Floor • Hauppauge, Long Island, NY 11788-0099 • phone: 631-853-4800 fax: 631-853-4888 • www.suffolkcountyny.gov/exec/econ

2201

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AUTHORIZING A LEASE OF AIRPORT PROPERTY TO JOE BURNS CONTRACTING

3. Purpose of Proposed Legislation

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

N/A

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

SCIN FORM 175b (10/95)

Exhibit A

2101

Airport Conservation and Assessment Panel
Report of
February 23, 2010

Joe Burns Contracting Corp.:

Airport Conservation and Assessment Panel Background:

On May 9, 2006, Suffolk County Executive Order No. 26-2006 created the Airport Conservation and Assessment Panel (ACAP) The panel is charged with evaluating applications for leases, lease renewals, extensions and modifications, licenses; and issuing recommendations to the County Legislature, the CEQ and County Executive on the environmental, economic and community impacts of a lease or license application at Gabreski Airport and to report it's advisory findings and recommendations to the above parties.

The scope of the ACAP review shall be limited to assessing applications and proposals for the environmental compatibility and economic benefit to the people of the County of Suffolk and are in the public interest as a support, advance, or enhancement of a specifically articulated public policy objective.

A meeting of ACAP was held at 10:00 AM on February 23, 2010 to review the Joe Burns Contracting Corp. application submitted on September 3, 2009.

Summary of SEQRA Recommendations/ACAP Findings:

Based on our assessment of the rules governing the implementation of SEQRA, we find the subject application to be an unlisted action.

A Negative Declaration is recommended.

ACAP Recommendations:

ACAP's approval of this application is contingent on the applicant's agreement to and/or meeting the following lease conditions:

(1) The Pine Barrens Commission shall be notified prior to any clearing of the property.
(2) Natural vegetation will be used to screen truck parking and storage areas.

2201

(3) All lighting used on the premises shall be dark sky compliant and FAA compliant.
(4) Consult with PBC regarding paving of parking area vs. gravel/stone.
(5) Have Suffolk County Department of Health check the sanitary system.

Term of the lease is recommended to be 3 years.

Any modification or alteration of this space must have the prior approval of ACAP, CEQ, the County of Suffolk and/or any other entity endowed in the future with oversight of airport lease applications.

Any proposed reassignment of the lease requires review and approval by ACAP, CEQ, the County of Suffolk and/or any other entity endowed in the future with oversight of airport lease applications.

Tenants shall comply with Suffolk County Code Chapter 380 (L.L. 34-1999) which mandates the phase-out of pesticides in all County facilities, buildings and properties.

Exhibit B

2201

FRANCIS S. GABRESKI

LEASE AGREEMENT

BETWEEN

COUNTY OF SUFFOLK

And

JOE BURNS CONTRACTING, LLC

Date: _____, 2010

2201

TABLE OF CONTENTS

SECTION 1: DESCRIPTION 5

SECTION 2: PURPOSE 5

SECTION 3: TERM 5

SECTION 4: RENT AND SECURITY 6

SECTION 5: TAXES 7

SECTION 6: UTILITIES 8

SECTION 7: USE OF THE PREMISES 8

SECTION 8: NO WARRANTIES BY COUNTY 9

SECTION 9: CARE AND REPAIR OF PREMISES 9

SECTION 10: RIGHTS OF ENTRY RESERVED 9

SECTION 11: LIENS 10

SECTION 12: PREVAILING WAGE 10

SECTION 13: LAWFUL HIRING OF EMPLOYEES LAW IN CONNECTION WITH CONTRACTS FOR CONSTRUCTION OR FUTURE CONSTRUCTION 11

SECTION 14: ALTERATIONS 12

SECTION 15: NEGATIVE COVENANTS 12

SECTION 16: IDEMNITY AND INSURANCE 13

SECTION 17: SIGNS 14

SECTION 18: DEFAULT REMEDIES/DAMAGES 14

SECTION 19: SURRENDER OF PREMISES; HOLDOVER 16

SECTION 20: NO COUNTY LIABILITY FOR TENANT'S FAILURE 17

SECTION 21: EMINENT DOMAIN 17

SECTION 22: NOTICES 17

2201

SECTION 23: FIRE, FLOOD OR STRIKE 18

SECTION 24: ENVIRONMENTAL RESPONSIBILITIES 18

SECTION 25: QUIET ENJOYMENT 20

SECTION 26: TRANSFERS OF LEASE 20

SECTION 27: SUSPENSION OF LEASE 22

SECTION 28: PARKING 22

SECTION 29: LIMITATION OF RIGHTS AND PRIVILEGES GRANTED 22

SECTION 30: GENERAL PROVISIONS 22

SECTION 31: NO IMPLIED WAIVER 23

SECTION 32: BROKER 23

SECTION 33: NOT A CO-PARTNERSHIP OR JOINT VENTURE 23

SECTION 34: COUNTY REPRESENTATIVES 23

SECTION 35: CAPACITY TO CONTRACT 23

SECTION 36: NO REPRESENTATIONS 24

SECTION 37: NO CREDIT 24

SECTION 38: CERTIFICATION 24

SECTION 39: ARREARS TO COUNTY 24

SECTION 40: WAIVER OF JURY TRIAL 24

SECTION 41: INDEPENDENT CONTRACTOR 24

SECTION 42: SUCCESSORS BOUND 24

SECTION 43: SET-OFF RIGHTS 25

SECTION 44: SUFFOLK COUNTY LOCAL LAWS WEB SITE 25

SECTION 45: ORAL MODIFICATIONS 25

SECTION 46: PARAGRAPH HEADINGS 25

SECTION 47: SEVERABILITY 25

2201

SECTION 48: GOVERNING LAW **25**

SECTION 49: EXECUTION BY LESSOR **25**

SECTION 50: INTERPRETATION **26**

SECTION 51: PRESERVATION OF FEATURES: SOIL AND VEGETATION REMOVAL **26**

Exhibit A – Legal Description of Property

Exhibit B – Site Plan

Exhibit C – Legislative Requirements

Exhibit D – Construction Schedule

2101

LEASE AGREEMENT

THIS LEASE AGREEMENT ("**Lease**") made as of the ___ day of _____, 2010, between Joe Burns Contracting, LLC, whose address is 8 Corbett Court, East Quogue, NY 11942, (hereinafter "**TENANT**"), and the COUNTY OF SUFFOLK, a municipal corporation with an address at Francis S. Gabreski Airport, Administration Building #1., Westhampton Beach, NY 11978 ("**COUNTY**"), acting through its duly constituted Department of Economic Development and Work Force Housing, Division of Aviation ("Department"):

SECTION 1: DESCRIPTION

Section 1.01 In consideration of the terms, conditions and covenants contained in this Lease, County grants to TENANT, and TENANT hereby accepts from County, the lease of a building and property located at the intersection of CR 104 and Lewis Road, Gabreski Airport, Westhampton Beach, NY 11978, and related facilities, improvements, and permanent installations constructed and installed or to be constructed and installed therein, thereon, or hereunder in accordance with this Lease and as further identified in the legal description attached hereto and made a part hereof as **Exhibit A**.

The property and any improvements (existing or to be constructed), appurtenances appertaining to the property, and the rights, easements, and privileges granted TENANT hereunder are collectively referred to as the "**Premises**."

Section 1.02 TENANT accepts the entire Space in its "as is" physical condition without any representation or warranty, expressed or implied, by the COUNTY as to any condition thereof, apparent or unknown, or as to the use or occupancy which may be made thereof under any existing or future law, rule, regulation, or ordinance.

SECTION 2: PURPOSE

Section 2.01 The parties hereto acknowledge that COUNTY is a municipal corporation and is entering into and executing this Lease by virtue of the authority of Resolution No. _____-2010 of the Suffolk County Legislature, dated the _____ day of _____, 2010 (the "**Resolution**"), for the use, purpose and intent expressed in the Resolution, that the Resolution is incorporated herein by reference and further that TENANT has examined the Resolution and is fully aware of the intended purpose thereof.

Section 2.02 In accordance with applicable federal, state and local laws, rules and regulations, TENANT shall use and occupy the Premises for the following purposes only and for no other purpose whatsoever:

(1) Occupancy shall be for the sole purpose of using said Premises as an office; and

(2) for storage of residential building materials, construction related vehicles, equipment and trailers used in connection with TENANT's business operations.

SECTION 3: TERM

Section 3.01 The term of this Lease (the "**Term**") and TENANT's obligation to pay rent shall commence upon issuance of a building permit by the Suffolk County Department of Public Works (DPW) (the "**Commencement Date**"). The Term shall expire at 5:00 p.m. on the last day of the month on the third (3rd) anniversary of the Commencement Date (the "**Expiration Date**"), or on such earlier date that this Lease may terminate or expire as provided for herein; provided, however, that if such date does not fall on a "**Business Day**," defined below, then this Lease shall end on the next Business Day.

2201

For the purposes of this Lease and all agreements supplemented to this Lease, the term "Business Day" shall mean any day except a Saturday, a Sunday or any day in which commercial banks are required or authorized to close in Suffolk County, New York.

Section 3.02 TENANT, provided it is not in default of any of the terms of this Lease, shall have the option to renew this Lease for one additional three (3) year period, commencing upon the expiration of the initial term ("**Option**"). Said Option shall be exercised upon TENANT notifying the COUNTY, in writing, by registered or certified mail, return receipt requested no less than one hundred eighty (180) days prior to the expiration of the then current term of its intention to exercise the Option. All of the terms and conditions of this Lease, other than Annual Rent, shall apply to the Option. If TENANT fails to notify COUNTY of its intent in accordance herewith, the Option shall be thereupon terminated. COUNTY shall be under no obligation to send any notice to the TENANT regarding its obligation to notify the COUNTY of its intent to exercise said Option.

SECTION 4: RENT AND SECURITY

Section 4.01 "**Annual Rent**" for the Premises for the first year of the Lease Term shall be **$7,326.00** per year, payable by TENANT to COUNTY at COUNTY's address set forth herein, or at such other place designated by COUNTY in writing, in equal monthly installments of **$610.50,** payable within ten (10) days of TENANT's receipt of the invoice for each calendar month during the Term, with partial months prorated. Commencing on the first anniversary date of the Commencement Date, and on each anniversary date thereafter, Annual Rent shall increase by two and one half percent (2.5%) over the Annual Rent in the preceding year.

Section 4.02 Annual Rent shall be adjusted in the first year of the Option period to an amount equal to the Annual Rent in effect the immediately preceding year, plus any cost of living adjustment greater than seven and one-half percent (7.5%) for the original three-year term, plus 2.5%. If the cost of living index for the original three-year term does not exceed 7.5% as measured by the Consumer Price Index (hereinafter called the "Index") applicable for Suffolk County, New York, for all items of the Bureau of Labor Statistics of the United States Department of Labor, Annual Rent for the first year of the Option period shall be increased by two and one-half (2.5%) over the prior year's annual rent. Thereafter, Annual Rent during the Option Term shall increase by 2.5% over the Annual Rent in the preceding year.

Section 4.03 Annual Rent shall be adjusted by COUNTY to reflect the actual gross square footage of the Premises. The parties shall, at either party's request, execute an agreement setting forth the gross square footage of the Premises and any adjustment to Annual Rent. The parties' failure to execute such agreement shall in no way affect either party's obligations to perform under this Lease. If there is any dispute as to the gross square footage of the Premises, TENANT shall continue to pay Annual Rent hereunder in accordance with the amounts set forth herein until any such dispute is resolved. If such dispute results in an increase in the gross square footage of the Premises, then TENANT shall immediately pay COUNTY the difference between (a) the Annual Rent payable by TENANT hereunder as increased to include the additional gross square footage of the Premises, from the Commencement Date through the date of such determination and (b) the Annual Rent paid by TENANT pursuant to *Section 4.01* to such date of determination. If such dispute results in a decrease in the gross square footage of the Premises, then TENANT shall receive a credit against the Annual Rent to be paid hereunder equal to the difference between (a) the Annual Rent paid by TENANT pursuant to *Section 4.01* to such date of determination (which shall be the date to which such Annual Rent has been paid) and (b) the Annual Rent payable by TENANT hereunder as decreased to the gross square footage of the Premises from the Commencement Date through the date of such determination.

Section 4.04 Upon execution of this Lease, TENANT agrees to deposit the amount of three months rent, in the sum of $1,831.50, representing security payment for the Premises, for rent and performance by TENANT and all other obligations under this Lease. The security deposit, less any monies due the COUNTY by reason of

violation of the terms of this Lease by the TENANT, shall be returned to the TENANT at the termination of the Lease, together with such interest, if any, as shall have accrued thereon.

Section 4.05 TENANT shall pay all rent without set-off, abatement, deductions, defense or claims, except as specifically set forth herein, to COUNTY at COUNTY's address set forth herein or at such other place as COUNTY may designate in writing, in lawful currency of the United States of America.

Section 4.06 TENANT shall be liable for a penalty of one and one half percent (1.5%) per month for any part of the Rent required to be paid to COUNTY hereunder not paid within fifteen (15) days of the date it is due. In addition to the overdue rent, such penalty shall accrue on the unpaid balance, which includes any previously accrued and unpaid penalties and fees, until said unpaid balance is liquidated. For any payment which is less than a full month late, the penalty shall be assessed at the rate of five one hundredths of one percent (.05%) per day.

Section 4.07 Each late charge shall be payable immediately upon demand made at any time therefore by COUNTY. No acceptance by COUNTY of payment of any unpaid amount or of any unpaid late charge amount shall be deemed a waiver of the right of COUNTY to payment of any late charge or late charges payable under the provisions of this **Section 4** with respect to such unpaid amount. Each late charge shall be and become additional fees, recoverable by COUNTY in the same manner and with like remedies as if it were originally a part of the Rent payable hereunder. Nothing in this **Section 4** is intended to or shall be deemed to affect, alter, modify or diminish in any way (i) any rights of COUNTY under this Lease, including without limitation, County's rights set forth in **Section 18** of this Lease or (ii) any obligations of TENANT under this Lease. In the event that any late charge imposed pursuant to this **Section 4** shall exceed a legal maximum, such late charge payable under this Lease shall be payable instead at such legal maximum.

Section 4.08 Any sums, charges, fees, expenses or amounts to be paid by TENANT pursuant to the provisions of this Lease other than Annual Rent, shall be designated as and deemed to be "**Additional Rent**" and shall be payable by TENANT to COUNTY within thirty (30) days after COUNTY gives TENANT written notice that such payment is due. COUNTY shall have the same rights against TENANT for default in the payment of Additional Rent as for default in the payment of Annual Rent.

SECTION 5: TAXES

Section 5.01 TENANT agrees to pay as Additional Rent, within ten (10) days of receipt of notice from COUNTY, any "**Real Estate Taxes**" or other payments in lieu of taxes, "PILOTS", levied against TENANT'S occupancy or use of the Premises or any improvements placed thereon as a result of TENANT'S occupancy or use for other than public purposes. Any challenge to any assessment or tax shall be the obligation of TENANT and COUNTY'S responsibility shall be limited to sending to TENANT copies of any notice of assessment or tax bill actually received by COUNTY. In the event any tax paid by TENANT shall be refunded to COUNTY, the same shall be credited against Annual Rent installment next due.

The term "**Real Estate Taxes**" shall mean and be deemed to include all real estate taxes, assessments, county taxes, transit taxes or any other governmental charge of a similar nature whether general, special, ordinary or extraordinary, foreseen or unforeseen, of any kind or nature whatsoever including without limitation assessments for public improvements or benefits. If, due to a change in the method of taxation, any franchise, income, profit, sales, rental, use and occupancy or other tax shall be substituted for or levied against the COUNTY or any owner of the building and/or the land in lieu of Real Estate Taxes hereinabove defined, upon or with respect to the building or the land, such tax shall be included in the term "Real Estate Taxes". Nothing contained herein shall be construed to include as "Real Estate Taxes" any inheritance, estate, succession, transfer, gift franchise, corporation, income or profit tax or capital levy that is or may be imposed upon COUNTY.

2201

SECTION 6: UTILITIES

Section 6.01 In the event utilities are not presently available at the site, TENANT agrees that the installation of any utilities for its use shall be at TENANT's sole cost and expense and that TENANT shall assume and be responsible to pay for any utilities services, including the connections thereto, used by it with respect to its operations under this Lease.

Section 6.02 COUNTY shall have no liability to TENANT for any loss, damage or expense sustained or incurred by reason of any change, failure, inadequacy, unsuitability or defect in the supply or character of the utilities furnished to the Premises or if the quantity or character of the utilities are no longer available or suitable for TENANT's requirements. The provisions of this section shall survive the expiration of this Lease.

Section 6.03 In the event utility service is sub-metered, TENANT shall be responsible for payment of the actual cost as billed to the COUNTY, net of any credits, abatements or incentives.

Section 6.04 TENANT will be responsible for the maintenance and repair of all utility service lines placed on the Leased Premises and used by the TENANT exclusively.

SECTION 7: USE OF THE PREMISES

Section 7.01 TENANT may use the Premises as a business office and equipment storage facility for professional contracting in accordance with and subject to the terms of this Lease.

Section 7.02 TENANT's use of the Premises shall be subject to, and in accordance with, in all material respects, all rules, regulations, laws, ordinances, statutes, and requirements of all Governmental Authorities, including the American Disabilities Act , and the requirements of any fire insurance rating organization and all insurance companies writing policies covering the Premises or any part or parts thereof and any Fire Insurance Rating Organization, Board of Fire Underwriters and/or similar bodies having jurisdiction thereof, whether the same now are in force or at any time in the future may be passed, adopted, enacted, or directed (collectively, "**Requirements**").

For purposes of the Lease, "**Governmental Authority**" shall mean, the United States of America, the State of New York, the County of Suffolk, and any other city, state, municipality, village, county, town, department, board or instrumentality of any and/or all of the foregoing, or any quasi-governmental authority, now existing or hereafter created, and any officer thereof, having jurisdiction over the Building.

Section 7.03 TENANT shall pay all costs, expenses, claims, fines, penalties, and damages that may in any manner arise out of or be imposed because of the failure of TENANT to comply with *Section 7.02* and shall indemnify and save COUNTY harmless against and from all costs, expenses, liabilities, losses, damages, suits, fines, penalties, claims, and demands because of TENANT's failure to comply with the foregoing, and TENANT shall not call upon COUNTY for any disbursement or outlay whatsoever in connection therewith, and hereby expressly releases and discharges COUNTY, its officers, employees, agents, servants, and contractors of and from any liability therefore . TENANT, at its sole cost and expense, may, by appropriate legal proceedings conducted in good faith and with due diligence, contest the amount or validity or application, in whole or in part, of any Requirement, provided that if a lien is filed against the Premises by reason of any failure of TENANT to comply with such Requirement pending such contest, TENANT shall have furnished such security, if any, as may be required in the proceedings or which will discharge such lien (by substitution or otherwise) against the Premises, or is otherwise reasonably satisfactory to COUNTY.

Section 7.04 TENANT will not suffer any act to be done or condition to exist on the Premises, or any part thereof, or any article to be brought thereon which may be dangerous unless safeguarded as required by law, or which may, in law, constitute a nuisance, public or private.

Section 7.05 TENANT shall not suffer or permit the Premises or any portion thereof to be used by the public as such, without restriction or in such manner as might reasonably tend to impair the interest of COUNTY in the Premises or any portion thereof, or in such manner as might reasonably make possible a claim or claims of adverse usage or adverse possession by the public, as such, or of implied dedication of the Premises or any portion thereof.

Section 7.06 TENANT agrees not to permit the accumulation (unless concealed in appropriate containers) or burning of any rubbish or garbage in, on or about any part of the Premises. TENANT shall cause and pay for all garbage and rubbish to be collected or disposed of from the Premises.

SECTION 8: NO WARRANTIES BY COUNTY

Section 8.01 TENANT acknowledges that TENANT is leasing the Premises "**AS IS**" and COUNTY shall not be required to perform any work or furnish any materials in connection with the Premises

Section 8.02 Except as otherwise set forth in this Lease, (i) COUNTY makes no warranty of any kind or nature, express, implied or otherwise, or any representations or covenants of any kind or nature in connection with the conditions of the Premises or any part thereof, and (ii) COUNTY shall not be liable for any latent or patent defects therein or be obliged in any way whatsoever to correct or repair any such latent or patent defects.

Section 8.03 Except as may be otherwise expressly provided in the Lease, COUNTY shall not be obligated to provide any services to TENANT.

SECTION 9: CARE AND REPAIR OF PREMISES

Section 9.01 It shall be TENANT'S sole obligation to take good care of the Premises and make and be responsible for any and all repairs, maintenance, replacements or renovations required. TENANT shall perform any work required to accommodate the needs of TENANT. All work is to be conducted in a good and workmanlike manner, in accordance with **Section 14** below, at TENANT's sole cost and expense. Such repairs and replacements, ordinary as well as extraordinary, shall be made promptly as and when necessary. All repairs and replacements shall be of good workmanship and of quality and class at least equal to the original work or equal to the subsequently renovated and improved work.

Section 9.02 On default of TENANT in making such repairs or replacements, upon ten (10) days written Notice to TENANT, COUNTY may, but shall not be required, to make such repairs and replacements for TENANT's account. The expenses thereof shall be a cost to TENANT, payable in accordance with *Section 4.07* above.

Section 9.03 TENANT agrees to perform maintenance and make repairs and replacements in any case where County, in its reasonable judgment, determines that it is necessary to do so in order to preserve the safety of the Leased Premises, or to correct any condition which reasonably could cause injuries or damages to persons or property.

SECTION 10: RIGHTS OF ENTRY RESERVED

Section 10.01 The COUNTY, by its officers, employees, agents, representatives and contractors shall have the

right at any reasonable time to enter upon the Premises for the purpose of inspecting the same, for observing the performance by TENANT of its obligations under this Agreement and for the doing of any act or thing which the COUNTY may be obligated or have the right to do under this Agreement, or otherwise. In the event of a question of a contractor's authority to enter upon the Premises, TENANT shall contact the COUNTY. Nothing in this *Section 10.01* shall be construed to create a duty on the COUNTY to inspect the Premises.

Section 10.02 Without limiting the generality of the foregoing, the COUNTY by its officers, employees, agents, representatives and contractors and by the employees, agents, representatives and contractors of any furnisher of utility services in the vicinity, shall have the right, for its own benefit, for the benefit of TENANT, or for the benefit of others at the Airport, to maintain existing and future utilities systems or portions thereof on the Premises, including therein, without limitation thereto, systems for the supply of heat, water, gas, fuel, electricity and for the furnishing of fire-alarm, fire-protection, sprinkler, sewerage, drainage, telegraph and telephone services; including all lines, pipes, mains, wires, conduits and equipment connected with or appurtenant to such systems, and to enter upon the Premises at all reasonable times to make such repairs, replacements or alterations as may, in the opinion of the COUNTY, be deemed necessary or advisable and, from time to time, to construct or install over, in or under the Premises new systems or parts thereof, including lines, pipes, mains, wires, conduits and equipment; provided, however, that in the exercise of such rights of repair, alteration or new construction the COUNTY shall not unreasonably interfere with the use and occupancy of the Premises by TENANT.

Section 10.03 The COUNTY shall, as an additional remedy, upon the giving of a Notice of Termination as provided in **Section 18** below, have the right to re-enter the Premises and every part thereof upon the effective date of termination without further notice of any kind, and may regain and resume possession either with or without the institution of summary or any other legal proceedings or otherwise. Such re-entry or regaining or resumption of possession, however, shall not in any manner affect, alter or diminish any of the obligations of TENANT under this Lease, and shall in no event constitute an acceptance of surrender.

Section 10.04 The exercise of any or all of the foregoing rights by the COUNTY or others shall not be or be construed to be an eviction of TENANT nor be made the grounds for any abatement of rent, nor any claim or demand for damages, consequential or otherwise.

Section 10.05 Nothing in this **Section 10** shall impose or shall be construed to impose upon the COUNTY any obligation so to construct or maintain or to make repairs, replacements, alterations or additions, nor shall it create any liability for any failure so to do.

SECTION 11: LIENS

Section 11.01 In the event it is permissible for any mechanics' or other liens to be filed against any portion of the Premises by reason of TENANT's acts or omissions or because of a claim against TENANT, TENANT shall cause the same to be cancelled or discharged of record by bond or otherwise within ninety (90) days after notice from COUNTY. If TENANT shall fail to cancel or discharge said lien or liens within said 90-day period, COUNTY may cancel or discharge the same and upon COUNTY's demand, TENANT shall reimburse COUNTY for all costs incurred in canceling or discharging such liens together with an administrative fee equal to 5% of all such costs, such reimbursement to be paid as Additional Rent.

SECTION 12: PREVAILING WAGE

Section 12.01 TENANT agrees to comply with the prevailing wage requirements of Section 220 of the Labor Law in connection with any Alterations, defined at **Section 14** below, including, but not limited to, the building, land, parking lot, and all other portions of the Premises.

Section 12.02 No person performing, aiding in, or assisting in TENANT's construction of any Alterations, defined below at *Section 14.01*, shall be paid less than the said prevailing rates as defined and utilized under Section 220 of the Labor Law.

Section 12.03 TENANT, its contractors, and subcontractors shall file transcripts of original payrolls for the construction of any Alterations under this Lease, with the Department, within ten (10) days after its first payroll, and every thirty days thereafter, said payroll transcripts to be subscribed and affirmed as true under penalty of perjury. TENANT, its contractors and subcontractors, shall keep their books open for inspection by representatives of the Suffolk County Department of Audit and Control and/or its representatives, including the Office of the District Attorney, on a monthly basis during the construction of the Alterations, to ensure that TENANT, its contractors and subcontractors are in compliance with these terms and conditions, provided that twenty-four (24) hour-notice is given to TENANT, its contractors and/or subcontractors prior to the inspection.

Section 12.04 TENANT agrees that it shall include clauses in all of its agreements with its contractors and subcontractors for the construction of any Alterations stating that: (i) said contractors and subcontractors shall pay prevailing wages, as agreed to in this Lease between County of Suffolk and TENANT; (ii) said contractors and subcontractors shall file transcripts of original payrolls for all work performed in connection with the construction and preparation of the Improvements under this Lease with the Department within ten (10) days after its first payroll, and every thirty days thereafter, said transcripts to be subscribed and affirmed as true under penalty of perjury and (iii) TENANT, its contractors, and subcontractors shall keep their books open for inspection by representatives of the Suffolk County Department of Audit and Control and/or its representatives, including the Office of the District Attorney, on a monthly basis during the construction of the Alterations to ensure that TENANT, its contractors and subcontractors are in compliance with these terms and conditions, provided that twenty-four (24) hour-notice is given to TENANT, its contractors and/or subcontractors prior to the inspection.

Section 12.05 During the construction of any Alterations, TENANT shall maintain at the job site, and with County Department of Labor, a copy of all payrolls or transcripts thereof as would be required to be maintained pursuant to Section 220 of the New York Labor Law.

Section 12.06 During the construction of any Alterations, TENANT shall provide to County employment attendance sheets for all employees, including employees of subcontractors, for each day on which work is performed on the site, upon a form reasonably acceptable to County, containing such information as the Commissioner of the Department of Labor reasonably deems appropriate, including job classification, hours of employment, wage rate and supplements payable, and employer.

SECTION 13: LAWFUL HIRING OF EMPLOYEES LAW IN CONNECTION WITH CONTRACTS FOR CONSTRUCTION OR FUTURE CONSTRUCTION

This Lease is subject to the Lawful Hiring of Employees Law of the County of Suffolk, Suffolk County Code Chapter 234, as more fully set forth in the **Exhibit C** entitled "Suffolk County Legislative Requirements." In accordance with this law, Contractor or employer, as the case may be, and any subcontractor or owner, as the case may be, agree to maintain the documentation mandated to be kept by this law on the Construction Site at all times. Contractor or employer, as the case may be, and any subcontractor or owner, as the case may be, further agree that employee sign-in sheets and register/log books shall be kept on the Construction Site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign-in sheets/register/log books to indicate their presence on the Construction Site during such working hours.

SECTION 14: ALTERATIONS

Section 14.01 TENANT shall not make any renovations or "**Alterations**," meaning any alterations, installations, improvements, additions, renovations or physical changes made by TENANT to the Premises or any part or portion thereof of the Premises, without the prior written approval of COUNTY. TENANT shall, before making any Alterations, at its expense, obtain all permits, approvals and certificates required by any "**Legal Requirement**" or Governmental Authority any (upon completion) certificates of final approval thereof and shall promptly deliver to COUNTY duplicates of all such permits, approvals and certificates. TENANT agrees to carry, and to cause TENANT's contractors, sub-contractors, sole-proprietors and sole-proprietors' sub-contractors to carry such insurance as set forth under *Section 16* hereunder.

For the purposes of this Lease, the term "**Legal Requirements**" shall mean laws, statutes and ordinances (including building codes and zoning regulations and ordinances) and the orders, rules, regulations, directives and requirements of all federal, state, county, city and borough departments, bureaus, boards, agencies, offices, commissions and other subdivisions thereof, or of any official thereof, or of any other governmental, public or quasi-public authority, whether now or hereafter in force, and all requirements, obligations and conditions of all instruments of record which may be applicable to the Premises or any part thereof or the sidewalks, curbs, or areas adjacent thereto. Any work previously done by TENANT during their occupancy of the Premises was done in conformity with all Legal Requirements.

Section 14.02 Alterations made by TENANT shall be complete and erected wholly according to the "**Site Plan**" attached hereto as **Exhibit B**. TENANT reserves the right to submit proposals for changes to the site Plan to the COUNTY for its prior written approval, as the Interim Plans and Specifications are completed, and that the square footages set forth may be modified by TENANT ,with the prior written approval of the COUNTY, with the caveat that modifications shall not deviate in any substantial form with the Site Plan. Such design construction and installation shall be performed and completed in accordance with the "**Construction Schedule**" attached hereto as **Exhibit D**. By executing this Agreement, TENANT confirms that the Construction Schedule sets forth a reasonable time period for performing the Construction Work. Any Alterations made by TENANT shall be complete and erected wholly within the boundary lines of the Premises and shall be and become a part of the Premises under this Lease. Any alterations shall be made and performed in a good and workman like manner and shall be in compliance with all Legal Requirements. TENANT agrees that all Alterations shall be promptly commenced and completed and shall be performed so as not to unreasonably delay, hinder or interfere with COUNTY's management, or operations of Gabreski Airport.

Section 14.03 All Alterations and/or improvements made by the TENANT to the Premises which are so attached to the Premises that they cannot be removed without material injury to the Premises, shall become the property of the COUNTY upon installation, as part of the Premises and shall remain upon and be surrendered with the Premises upon the expiration or earlier termination of this Lease, in which event, the same shall be removed from the Premises by TENANT at TENANT's cost and expense. Nothing in this section shall be construed to give COUNTY title to or to prevent TENANT's removal of trade fixtures, moveable office furniture, equipment and other personal property. TENANT shall, at TENANT's sole cost and expense, remove all of the TENANT's personal property and those improvements made by the TENANT which have not become the property of the COUNTY and surrender the Premises in a broom-clean condition, reasonable wear and damage by fire, the elements, casualty, or other cause not due to the misuse of neglect by TENANT or TENANT'S agents, servants, or visitors excepted. COUNTY is under no obligation to repair, rebuild or replace any real and/or personal property in the event of loss.

SECTION 15: NEGATIVE COVENANTS

Section 15.01 TENANT shall not use, occupy, maintain or operate the Premises, nor suffer or permit the Premises or any part thereof to be used, occupied, maintained or operated, nor bring into or keep at the

Premises, nor suffer or permit anything to be brought into or kept therein, which would in any way (a) violate any term, covenant or condition of this Lease; (b) violate any restrictive covenant, operating covenant, encumbrance or easement affecting the Premises; (c) violate any Legal Requirements; (d) make void or voidable any insurance policy then in force with respect to the Premises or make any such insurance unobtainable or increase the rate of any insurance with respect to the Premises; (e) cause physical damage to the Premises or any part thereof; (f) permit the excess accumulation of waste or refuse matter; (g) constitute a public or private nuisance; (h) not conform to all applicable federal, state and local laws and regulations regulating toxic waste and discharge, including, but not limited to, Articles VII and XII of the Suffolk County Sanitary Code.

Section 15.02 TENANT shall commit no act of waste and shall take good care of the Premises and the fixtures and appurtenances therein.

Section 15.03 TENANT shall not, without COUNTY'S written consent: (a) do or suffer anything to be done on the Premises which will increase the rate of fire insurance on the building, (b) permit the creation or imposition of any liens or encumbrances upon the Premises except as expressly permitted herein.

SECTION 16: <u>IDEMNITY AND INSURANCE</u>

Section 16.01 TENANT shall indemnify and hold harmless the County of Suffolk, the COUNTY's officers, agents, employees or any other person against all claims, expenses (including attorney's fees), losses and liabilities of whatsoever nature by reason of the liability imposed by law upon the COUNTY, except in cases of County's sole negligence, for damage because of bodily injury, including death at any time resulting there from or sustained by any person or persons, or on account of damage to property arising out of or in consequence of this Lease, whether such injuries to persons or damage to property are due or claim to be due to any passive negligence of the COUNTY, its employees or agents or any other person. TENANT shall keep in full force and effect Commercial General Liability Insurance, including contractual coverage, in accordance with the provisions of *Section 16.04.*

Section 16.02 The risk of loss or destruction from any peril to the furniture, fixtures, equipment of other personal property of TENANT while on the Premises shall be borne by the TENANT. It is further understood that the TENANT waives any right to subrogation against the COUNTY for loss or destruction or from any period to the furniture, fixtures, equipment or other personal property of the TENANT while on the said Premises except in cases due to any active or passive negligence of the County, its employees, officers and agents.

Section 16.03 If all or any part of the Premises is destroyed by fire or other casualty, the County shall have no obligation to restore the Premises. In such event, TENANT may elect to terminate this Lease.

Section 16.04 TENANT further agrees to procure, pay the entire premium for, and maintain throughout the term of this Lease insurance in amounts and types specified by the COUNTY. Unless otherwise required by the COUNTY, in writing, such insurance will be as follows:

i. <u>Commercial General Liability</u> insurance in an amount not less than Two Million Dollars ($2,000,000.00) per occurrence for bodily injury and Two Million Dollars ($2,000,000.00) per occurrence for property damage.

ii. <u>Workers Compensation and Employer's Liability Insurance</u> in compliance with all applicable New York State laws and regulations and Disability Benefits Insurance if required by law. TENANT shall furnished to COUNTY, prior to its execution of this Lease, the documentation required by the State of New York Workers' Compensation Board of coverage or exemption

from coverage pursuant to §§ 57 and 220 of the Workers' Compensation Law. In accordance with General Municipal Law, § 108, this Lease shall be void and of no effect unless TENANT shall provide and maintain coverage during the term of this Lease for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

iii. Automobile Liability Insurance (if any vehicles are used by the TENANT in the performance of this Agreement) in an amount not less than Five Hundred Thousand Dollars ($500,000) per person, per accident for bodily injury and not less than One Hundred Thousand Dollars ($100,000) for property damage per occurrence.

Section 16.05 Any contractor, subcontractor, sole-proprietor, or sole-proprietor's subcontractor, who may at any time be involved with construction or reconstruction of the Premises on behalf of TENANT shall be required to procure and maintain throughout the term of construction insurance in the amounts and types specified in *Section 16.04* and submit to County prior to construction.

Section 16.06 All insurance required by this agreement shall be maintained with insurance underwriters authorized to do business in the State of New York with an A.M. Best Rating of A- or better.

Section 16.07 TENANT shall furnish COUNTY Declaration Pages for each such policy of insurance, and, upon request, a true and certified original copy of each such policy, evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, the County of Suffolk shall be named as an additional insured and TENANT shall furnish a Declaration Page and endorsement page evidencing the COUNTY's status as an additional insured on said policy.

Section 16.08 All such Declaration Pages, certificate, and other evidence of insurance shall provide for the County of Suffolk to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in said policy.

Section 16.09 In the event that any of the insurance required by this agreement ceases to be in full force and effect, TENANT agrees to cease all operations covered by the terms of this Lease.

Section 16.10 COUNTY shall not be obligated to maintain insurance for loss from fire or other peril causing damage or destruction to the real property of the COUNTY or to rebuild in the event of a partial or complete loss at the Premises. In the event of such a loss, this Lease shall terminate unless TENANT shall promptly restore the Premises. Rent shall in any event abate for the period the Premises are uninhabitable. TENANT may at its option obtain fire and other peril insurance for said Premises. Such insurance shall name COUNTY as an additional insured and shall contain a waiver of subrogation against COUNTY.

SECTION 17: SIGNS

Section 17.01 TENANT shall not, without the prior written approval of the COUNTY, which approval shall not unreasonably be withheld, erect, maintain or display any advertising, signs, posters or similar devices at or on the Premises or elsewhere at the facility; provided, however, that on interior portions of the Premises which are not visible from the public roadways, TENANT may install necessary directional and identification signs.

SECTION 18: DEFAULT REMEDIES/DAMAGES

Section 18.01 The occurrence of any one or more of the following events shall constitute an **"Event of Default"** by TENANT under this Lease:

2201

(i) If TENANT shall default in the payment when due of any installment of Total Annual, and any such default continues for ten (10) Business Days after COUNTY has given TENANT a written notice specifying such default; or

(ii) If TENANT defaults in the keeping, observance or performance of any covenant or agreement (other than a default of the character referred to in (i) above), and if such default continues and is not cured within fifteen (15) days after COUNTY gives TENANT written notice specifying same, or, in the case of a default which for causes beyond TENANT's reasonable control cannot, with reasonable diligence be cured within such 15-day period, if TENANT shall not immediately upon the giving of such written notice, (a) advise COUNTY of TENANT's intention duly to institute all steps necessary to cure such default and (b) institute and thereafter diligently prosecute to completion all steps necessary to cure the same, **or**:

1. Filing by or the final adjudication against TENANT of any petition in bankruptcy, or in the final adjudication of any petition for the appointment of a receiver or trustee for the assets or business of TENANT; or
2. The making by the TENANT of any general assignment for the benefit of creditors; or
3. The occurrence of any act which operates to deprive TENANT permanently of the rights, powers and privileges necessary for the proper conduct and operation of its business granted herein; or
4. The abandonment and discontinuance of the operation of TENANT; or
5. The failure of TENANT to maintain all required insurance and to furnish evidence of same within ten (10) days of written demand by COUNTY; or
6. In the event of partial or complete loss to the Premises rendering it uninhabitable and, at the discretion of COUNTY, the Premises will not be restored;

then, in any such case or upon such occurrence, in addition to any other remedy available to COUNTY at law or in equity, COUNTY may give to TENANT a notice of intention of COUNTY to end the Term of this Lease (the "**Termination Notice**") specifying a day not less than seven (7) Business Days thereafter and, upon the giving of the Termination Notice, this Lease and the Term and estate hereby granted shall expire and terminate upon the day so specified in the Termination Notice as fully and completely and with the same force and effect as if the day so specified were the Expiration Date and all rights of TENANT shall terminate and TENANT shall remain liable for damages as hereinafter provided.

Section 18.02 From and after any date upon which COUNTY gives a Termination Notice, COUNTY, without further notice, may enter upon, re-enter, possess and repossess itself of the Premises, by force, summary proceedings, ejectment or otherwise, and may dispossess and remove TENANT and all other persons and property from the Premises and may have, hold and enjoy the Premises and the right to receive all rental and other income of and from the same. As used in this Lease the words "enter" and "re-enter" are not restricted to their technical legal meanings. Upon and after such entry into possession, the COUNTY may, but shall have no obligation to re-let the Premises, or any part thereof, for the account of TENANT.

Section 18.03 If this Lease and the Term shall expire and come to an end as provided in *Section 18.01*, or by or under any summary proceeding or any other action or proceeding, TENANT shall pay to COUNTY Total Annual Rent and Additional Rent payable under this Lease by TENANT to COUNTY to the date upon which this Lease and the Term shall have expired and come to an end or to the date of re-entry by the COUNTY, as the case may be. Nothing herein contained shall be construed as limiting or precluding the recovery by COUNTY against TENANT of any damages to which COUNTY may lawfully be entitled in any case other than those particularly provided for above.

2401

Section 18.04 Except for the monetary obligations of either party, COUNTY and TENANT shall not be in default of this Lease because of such party's inability to perform the covenants and obligations set forth herein during the continuance of any period of Force Majeure, except as may otherwise be expressly specified in this Lease.

Section 18.05 Notwithstanding anything to the contrary hereinabove or hereafter set forth, in the event that COUNTY, by other act sells, assigns, transfers, conveys, leases or by any other act or agreement grants occupancy, management or control of the Premises or a portion thereof, in which this leasehold is located to an entity other than a unit of Federal, State or Local Government, or wishes to demolish the Premises, then COUNTY or its successor/assignee shall have the right to terminate this Lease, upon ninety (90) days written notice to TENANT, such 90- days to mean three (3) entire months under the Lease, not including the portion of the month in which the notice is given.

Section 18.06 The exercise of any remedies herein provided shall be cumulative and shall in no way affect any other remedy available to COUNTY at law or in equity.

Section 18.07 The acceptance of charges and fees by the COUNTY for any period or periods after a default in the performance of any of the terms, covenants and conditions herein contained to be performed, kept and observed by the TENANT, shall not be deemed a waiver of any rights on the part of the COUNTY to terminate this agreement for failure by the TENANT so to perform, keep or observe any of the terms, covenants or conditions hereof to be performed, kept and observed.

Section 18.08 Failure of COUNTY to declare this Lease terminated upon the default of TENANT for any of the reasons set out shall not operate to bar or destroy the right of COUNTY to cancel this Lease by reason of any subsequent violation of the terms hereof.

Section 18.09 Any and all rental amounts due shall be payable to through the date of termination and any period of continued use and occupancy of the Premises by TENANT.

SECTION 19: <u>SURRENDER OF PREMISES; HOLDOVER</u>

Section 19.01 This Lease and the tenancy hereby created shall cease and terminate at the end of the Term, without the necessity of any further notice from either the TENANT or the COUNTY to terminate the same and that continued occupancy of the Premises by the TENANT after the expiration of said Term shall not operate to renew the Lease for a new term or any part thereof.

Section 19.02 On the Expiration Date or upon the earlier termination of this Lease or upon any re-entry by COUNTY, TENANT shall at its expense, quit, surrender, vacate and deliver the Premises to COUNTY in good order, condition and repair, ordinary wear, tear and damage by the elements, fire or other casualty beyond TENANT's reasonable control excepted, together with all improvements and fixtures therein. TENANT shall, at its expense, remove from the Premises all of TENANT's personal property and any personal property of persons claiming by, through or under TENANT and all non- COUNTY approved Alterations, and shall repair or pay the cost of repairing all damage to the Premises occasioned by such removal. Any TENANT's personal property or Alterations of TENANT remaining in the Premises after the termination of this Lease shall be deemed to have been abandoned and either may be retained by COUNTY as its property or may be stored or disposed of as COUNTY may see fit, without insurance or liability for any damage which may occur. If such property not so removed shall be sold, COUNTY may receive and retain the proceeds of such sale and apply the same, at COUNTY's option, against the reasonable expenses of the sale, moving and storage, arrears of rent and any damages to which COUNTY may be entitled. Any excess proceeds shall be the property of COUNTY. . TENANT shall reimburse COUNTY its removal and disposal costs if not otherwise recouped by sale. Notwithstanding the foregoing, COUNTY shall have no obligation to sell the property.

Section 19.03 If TENANT shall remain in possession of the Premises after the termination of this Lease without the execution of a new lease, TENANT, subject to all of the other terms of this Lease insofar as the same are applicable to a month-to-month tenancy, and without waiving TENANT's default or preventing COUNTY from suing to obtain possession, shall be deemed to be occupying the Premises as a TENANT from month to month, at a monthly rental equal to 112.5% the total monthly installment of Annual Rent last payable by TENANT under the Lease.

Section 19.04 The provisions of this Section shall survive the expiration or earlier termination of this Lease.

SECTION 20: NO COUNTY LIABILITY FOR TENANT'S FAILURE

Section 20.01 Failure of the TENANT to perform any or all of its obligations hereunder shall not give rise to any liability on the part of the County or any of the County's departments, officers, officials, bureaus, agencies, employees, agents or representatives.

SECTION 21: EMINENT DOMAIN

Section 21.01 If the Premises or any part of thereof or any estate therein, or any other part of the building materially affecting TENANT'S use of the Premises, be taken by virtue of eminent domain, this Lease shall terminate on the date when title vests pursuant to such taking, the Annual Rent and any Additional Rent shall be apportioned as of said date and any rent paid for any period beyond said date shall be repaid to TENANT. TENANT shall not be entitled to any part of the award or any payment in lieu thereof, but TENANT may file a claim for any taking of fixtures and improvements owned by TENANT, and for moving expenses.

SECTION 22: NOTICES

Section 22.01 **Operational Notices**: Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this Lease shall be in writing and shall be given to the COUNTY or TENANT or their designated representative at the following addresses or at such other address that may be specified in writing by the parties and must be delivered as follows: (a) if to the COUNTY, to the Department, by First Class or Certified Mail, Return Receipt Requested in Postpaid Envelope or by Courier Service or by Fax to the address first set forth above; (b) if to the TENANT, First Class or Certified Mail, Return Receipt Requested in Postpaid Envelope, or by Courier Service, or by Fax at the address set forth on page one of this Lease, attention of the person who executed this Lease or such other designee as the parties may agree in writing.

Section 22.02 **Notices Relating to Termination, Insurance and/or Litigation**: Any communication or notice regarding indemnification, termination, or in the event the TENANT receives a notice or claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to a lawsuit or any legal proceeding related to this Lease notice shall be deemed to be duly given only if delivered: (i) personally (personal service on COUNTY must be pursuant to New York Civil Practice Law and Rules Section 311) and by first Class Mail; (ii) by nationally recognized overnight courier: or (iii) by First Class or Certified Mail, Return receipt Requested in a postpaid envelope addressed: (a) if to COUNTY, to Suffolk County Department of Economic Development and Workforce Housing, Aviation Division, Attention Airport Business Manager, Francis S. Gabreski Airport, Westhampton Beach, NY 11978, with a copy to the Suffolk County Department of Law, Attention Suffolk County Attorney, 100 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, New York 11788-0099; and (b) if to TENANT, at TENANT's address first above set forth, or at such other address as TENANT or COUNTY, respectively, may designate in writing.

Section 22.03 Notices shall be deemed to have been duly delivered (i) if mailed, upon the seventh business day after the mailing thereof; or (ii) if by nationally recognized overnight courier service, upon the first business day

subsequent to the transmittal thereof; or (iii) if personally, pursuant to New York Civil Practice Law and Rules Section 311; or (iv) if by fax or email, upon the transmittal thereof. "Business Day" shall be defined as any day except a Saturday, a Sunday, or any day in which commercial banks are required or authorized to close in Suffolk County, New York.

Section 22.04 Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

Section 22.05 Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this Lease, except as otherwise provided in *Section 19.02,* shall be given to the COUNTY or TENANT or their designated representative, by regular or certified mail in postpaid envelope or by Courier Service at the following addresses or at such other address that may be specified in writing by the parities: (a) if to TENANT, at TENANT's address first set forth above, and (b) if to COUNTY, Suffolk County Department of Economic Development and Workforce Housing, Aviation Division, Attention Airport Manager, Francis S. Gabreski Airport, Westhampton Beach, NY 11978.

Section 22.06 Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

SECTION 23: FIRE, FLOOD OR STRIKE

Section 23.01 Neither party shall be liable for failure to perform its part of this Lease when such failure is due to fire, flood, strikes or similar labor disturbances, industrial disturbances, wars, riots, insurrection, Acts of God and/or other causes beyond the control of the parties.

SECTION 24: ENVIRONMENTAL RESPONSIBILITIES

Section 24.01 TENANT shall not deposit, dump, store or pour any Hazardous Substances on any part of the soil of the Premises or otherwise introduce any Hazardous Substances in, on or under the Premises, including the air and water above and the ground and water below and surrounding the Premises, nor shall TENANT permit its Subtenants, guests, contactors or any other person to do any of the foregoing. TENANT, at its expense, shall promptly remove or cause the removal of, or if permitted by any Environmental Law (as hereinafter defined), encapsulate, all Hazardous Substances introduced in, on, or under the Premises by TENANT, its guests, contractors, employees, or its Subtenants, in compliance with this Lease and all applicable Environmental Laws.

The term "**Hazardous Substances**", as used in this Lease shall mean medical waste, flammables, explosives, radioactive materials, asbestos, chlorofluorocarbons (CFCs), polychlorinatedbiphenyls (PCBs), chemicals known to cause cancer or reproductive toxicity, pollutants, contaminants, hazardous wastes, toxic substances or related materials, petroleum and petroleum products and other substances defined as dangerous, hazardous or toxic under any Environmental Law. Notwithstanding anything to the contrary set forth in this Article, cleaning fluids, detergents and other supplies customarily used in connection with the maintenance and repair of real property similar to the Premises in comparable areas shall be permitted to be stored and used for such purposes in compliance with all Environmental Law, and all substances consistent with all permitted uses under this Lease so long as used, stored and disposed of in accordance with all applicable Environmental Law.

The term "**Environmental Law**" as used in this Lease means all applicable present and future federal, state, local and other governmental statutes, ordinances, codes, rules, regulations, orders, directives and other requirements, and all present and future requirements of applicable common law, concerning the environment, including, without limitation, those relating to the generation, use, handling, treatment, storage, transportation, release, emission, disposal, remediation or any other regulation of any Hazardous Substance.

Section 24.02 TENANT shall, at TENANT's own expense: 2401

(1) Comply with all Environmental Laws regulating the use, generation, storage, removal, transportation, disposal, encapsulation or remediation of Hazardous Substances, to the extent relating to Hazardous Substances introduced by TENANT, or its agents, employees, contractors, subcontractors, invitees or guests, in, on or under the Premises.

(2) Make all submissions to, provide all information required by, and comply with all Environmental Laws to the extent relating to Hazardous Substances introduced in, on, or under the Premises by TENANT or its agents, employees, contractors, subcontractors, invitees or guests;

(3) Prepare and submit the required plans and all related bonds and other financial assurances and carry out all such cleanup plans should any Governmental Authority asserting appropriate jurisdiction demand that a cleanup plan be prepared and that a cleanup be undertaken because of any deposit, spill, discharge or other release of Hazardous Substances at or from the Premises, only if introduced by TENANT or its agents, employees, contractors, subcontractors, invitees or guests its agents or employees; provided, however, notwithstanding any provision of this Lease to the contrary, TENANT shall not be precluded from lawfully contesting any such demand; and

(4) Promptly provide all information in TENANT's possession regarding the use, generation, storage, transportation or disposal of Hazardous Substances that is requested by County.

Section 24.03 If a Hazardous Substance is detected on the Premises for which TENANT is liable under this Lease, and TENANT shall not, within thirty (30) days following notice from County, commence to comply with its obligations under this Lease and thereafter diligently prosecute the performance of such obligations, County shall have the right to perform such obligations on behalf of TENANT, and TENANT shall pay to County the reasonable fees incurred by County for the cost of such compliance, including the reasonable fees of attorneys, consultants, contractors, experts, laboratories and all other reasonable costs incurred in connection with the performance of such obligations by County, including, - the preparation of any feasibility studies or reports and the performance of any required cleanup, remediation, removal, abatement, containment, closure, restoration, or monitoring work.

Section 24.04 In addition to, and without limiting the generality, TENANT shall indemnify, and hold harmless County, and its officials, officers, agents and employees, from and against all claims which may be imposed upon, incurred by or asserted against County, arising out of (i) the use, generation, storage, release, or disposal of Hazardous Substances introduced in, on or about the Premises during the Term by TENANT, its contractors, agents, invitees, and, any Subtenants, including, without limitation, the cost of any required or necessary decommissioning, repair, cleanup, or remediation and the preparation of any closure or other required plans, whether such action is required or necessary prior to or following the termination of this Lease, (ii) any release or threatened release of such Hazardous Substances at, on, to, or into the Premises, including groundwater, or from the Premises on, to, or into any adjoining property or other property, including groundwater, (iii) the failure of TENANT, any Subtenant or any person claiming under TENANT to comply with any of the obligations of TENANT, or (iv) any and all damage to natural resources or real property and/or harm or injury to any person resulting or alleged to have resulted from (A) any release or threatened release of such Hazardous Substances, and/or (B) failure to comply with TENANT's obligations.

Section 24.05 TENANT's obligations and liabilities under this Section 24 shall survive the expiration or earlier termination of this Lease.

Section 24.06 Notwithstanding any other provision of this Lease to the contrary, TENANT shall have no obligation with respect to Hazardous Substances, including but not limited to underground storage tanks, that are not introduced by TENANT, or any contractor, agent, Subtenant, licensee or invitee of TENANT, including, but not limited to, Hazardous Substances that existed on the Premises prior to the Commencement Date, whether or not yet discovered; provided, however, TENANT shall exercise due care to avoid exacerbating any conditions relating to Hazardous Substances existing at the Premises which are discovered by TENANT and TENANT will not take any action in violation of any Environmental Law with respect to such Hazardous Substances.

Section 24.07 To the fullest extent permitted by law, County shall keep, save and hold harmless TENANT of and from any and all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorney's fees, for anything and everything whatsoever to the extent arising from or incident to underground storage tanks not introduced by TENANT.

Section 24.08 The TENANT shall not generate, treat, release, store, discharge, dispose of, transport, recycle, use, reuse, or handle hazardous substances or waste on the Premises. As used herein, "hazardous substances or waste" shall include, but not be limited to, any flammable explosives, gasoline, petroleum products, polychlorinated biphenyl, radioactive materials, hazardous wastes, hazardous or toxic substances, or related or similar materials, asbestos or any material containing asbestos, or any other substance or material as defined by any federal, state or local environmental law, ordinance, rule, or regulation including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. Section 9601, et. seq.), the Hazardous Materials Transportation Act, as amended (49 U.S.C. Section 5101, et. seq.), the Solid Waste Disposal Act, as amended (42 U.S.C. Section 6901, et. seq.), and the regulations adopted and publications promulgated pursuant thereto.

SECTION 25: <u>QUIET ENJOYMENT</u>

Section 25.01 COUNTY covenants that if, and so long as TENANT pays the rent and any additional amounts owed pursuant to the terms of this Lease, and performs the covenants hereof, TENANT shall peaceably and quietly have, hold and enjoy the Premises for the term herein mentioned, subject to the provisions of this Lease.

SECTION 26: <u>TRANSFERS OF LEASE</u>

Section 26.01 TENANT shall not, without the prior written consent of the COUNTY, sell, assign, mortgage, pledge, hypothecate, encumber, or permit any lien to attach to, or otherwise transfer, this Lease or any interest hereunder; shall not permit any assignment or other such foregoing transfer of this Lease or any interest hereunder by operation of law; shall not sublet the Premises or any part thereof; and shall not permit the use of the Premises by any persons other than TENANT and its employees (all the foregoing are hereinafter referred to collectively as "Transfers" and any person to whom any Transfer is made or sought to be made is hereinafter referred to as a "Transferee"). If TENANT shall desire COUNTY's consent to any Transfer, TENANT shall notify COUNTY in writing, which notice (the "Transfer Notice") shall include (i) the proposed effective date of the Transfer, which shall not be less than ninety (90) days nor more than One hundred eighty (180) days after the date of delivery of the Transfer Notice; (ii) a description of the portion of the Premises to be transferred (the "Subject Space"); (iii) all the terms of the proposed Transfer and the consideration therefore, the name and address of the proposed Transferee, and a copy of all existing and/or proposed documentation pertaining to the proposed Transfer, including all existing operative documents to be executed to evidence such Transfer or the agreements incidental or related to such Transfer; (iv) current financial statements of the proposed Transferee certified by an officer, partner or owner thereof, and any other information required by COUNTY, which will enable COUNTY to determine the financial responsibility, character, and reputation of the proposed Transferee, nature of such Transferee's business and proposed use of the Subject Space; (v) an executed estoppel certificate

from TENANT; and (vi) such other information as the COUNTY may reasonably require. Any Transfer made without the COUNTY's prior written consent shall, at the COUNTY's option, constitute a default by TENANT under **Section 18** of this Lease.

Section 26.02 COUNTY shall not unreasonably withhold its consent to any proposed Transfer of the Subject Space to the Transferee on the terms specified in the Transfer Notice. The parties hereby agree that it shall be deemed to be reasonable under this Lease and under any applicable law for COUNTY to withhold consent to any proposed Transfer where one or more of the following apply, without limitation as to other reasonable grounds for withholding consent:

(1) The Transferee is of a character or reputation not acceptable to the COUNTY, or is engaged in a business which is not consistent with the intended use of the Premises or the Permitted Use thereof;

(2) The Transferee's is not a party of reasonable financial worth and/or financial stability in light of the responsibilities involved under the Lease on the date consent is requested;

(3) The Transferee does not intend to occupy the entire Premises and conduct its business there from for a substantial portion of the term of the Transfer;

(4) Either the proposed Transferee, or any person or entity which directly or indirectly, controls, is controlled by, or is under common control with, the proposed Transferee, (i) occupies space in the Building at the time of the request for consent, (ii) is negotiating with the COUNTY to lease space at the Airport, or (iii) has negotiated with the COUNTY during the twenty-four (24)-month period immediately preceding the Transfer Notice.

Section 26.03 If COUNTY consents to a Transfer, (i) the terms and conditions of this Lease shall in no way be deemed to have been waived or modified, (ii) such consent shall not be deemed consent to any further Transfer by either TENANT or a Transferee, (iii) TENANT shall deliver to COUNTY, promptly after execution, an original executed copy of all documentation pertaining to the Transfer in form reasonably acceptable to COUNTY, (iv) no Transfer relating to this Lease, or any other agreement entered into with respect thereto, whether with or without COUNTY's consent, shall relieve TENANT or any guarantor of the Lease from liability under this Lease. COUNTY or its authorized representatives shall have the right at all reasonable times to audit the books, records and papers of TENANT relating to any Transfer, and shall have the right to make copies thereof.

Section 26.04 For purposes of this Lease, the term "Transfer" shall also include (i) if TENANT is a partnership, the withdrawal or change, voluntary, involuntary or by operation of law, of twenty-five percent (25%) or more of the partners, or transfer of twenty-five percent (25%) or more of partnership interests, within an eighteen (18)-month period, or the dissolution of the partnership without immediate reconstitution thereof, and (ii) if TENANT is a closely held corporation (i.e. whose stock is not publicly held and not traded through an exchange or over the counter), (A) the dissolution, merger, consolidation or other reorganization of TENANT, the sale or other transfer of more than an aggregate of twenty-five percent (25%) of the voting shares of TENANT (other than to immediate family members by reason of gift or death), within an eighteen (18)-month period, or (C) the sale, mortgage, hypothecation or pledge of more than a aggregate of twenty-five percent (25%) of the value of the unencumbered assets of TENANT within an eighteen (18) month period.

Section 26.05 If TENANT assigns, mortgages, pledges, hypothecates, encumbers, or permits any lien to attach to, or otherwise transfers, this Lease or any interest hereunder, in violation of the foregoing provisions of this **Section 26**, or if the Premises occupied by anyone other than TENANT, the COUNTY may collect from any assignee, sub-tenant or anyone who claims a right to this Lease, or who occupies the Premises any rents, charges or fees payable by said assignee, sub-tenant, or other and no such payment shall be deemed a waiver by the

COUNTY of the covenants or agreements contained in this **Section 26**, nor of acceptance by the COUNTY of any assignee, claimant, or occupant, nor as a release of TENANT by the COUNTY from the further performance by TENANT of the agreements contained herein, including but not limited to the payment of rent.

SECTION 27: SUSPENSION OF LEASE

Section 27.01 During a time of war, national emergency, or other public necessity, COUNTY shall have the right to suspend this Lease temporarily so that the Premises may be used for governmental purposes which are in the best interest of the County. If any such suspension is exercised, upon the mutual consent of the Parties, this Lease may be terminated.

Section 27.02 In the event that this Lease is suspended pursuant to *Section 28.01*, but not terminated, payments under this Lease shall be reduced in a pro rata amount for the period of such suspension.

SECTION 28: PARKING

Section 28.01 During the term of this Lease, parking by the TENANT shall be limited to areas designated by Airport Management.

SECTION 29: LIMITATION OF RIGHTS AND PRIVILEGES GRANTED

Section 29.01 No exclusive rights at the Airport are granted by this Lease and no greater rights or privileges with respect to the use of the Premises or any part thereof are granted or intended to be granted to the User by this Lease, or by any provision thereof, than the rights and privileges expressly and specifically granted hereby.

SECTION 30: GENERAL PROVISIONS

Section 30.01 Attorney's Fees: In any action brought by COUNTY for the enforcement of the obligations of TENANT, COUNTY shall be entitled to recover interest at the statutory rate and reasonable attorney's fees.

Section 30.02 Subordination of Lease: This Lease shall be subordinate to the provisions of any existing or future agreement between COUNTY and the United States or the State of New York relative to the operation and maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal or state funds for the development of the Airport. Should the effect of any such agreement be to take so much of the premises under this Lease or substantially destroy the commercial value of such improvements, COUNTY shall terminate this lease. Nothing hereunder shall impair the rights of TENANT to seek compensation from the United States or the State of New York, in the event of a taking pursuant to the preceding sentence.

Section 30.03 Federal, State and Local Law: TENANT shall comply at its own cost and expense, with all federal, state, county and town statutes, local laws, ordinances, rules or regulations, now or hereinafter in force, which may be applicable to the operation of its business at the Airport, including obtaining and paying for all Leases and charges and taxes (whether real property or otherwise) assessed under state, federal, county or local statutes or ordinances, insofar as they are applicable thereto.

Section 30.04 Common Usage: TENANT shall have the right, in common with others authorized so to do, subject to and in accordance with the laws of the United States of America, the State of New York, and the County of Suffolk, and airport regulations, to use the common areas of the Airport, including roadways, floodlights, signals and other conveniences of COUNTY.

Section 30.05 *Future Acts of Legislature:* TENANT agrees to be bound by any and all future recommendations, policies, local laws, resolutions and requirements as demanded, passed and promulgated by the Suffolk County Legislature or any municipal or federal authorities which provide for the growth of the Airport in general, advance the progress of the County and Airport and would reasonably better the interests of the County of Suffolk, provided that if such action shall materially interfere for a period of more than 30 consecutive days with the operation of the TENANT, TENANT'S only recourse shall be an appropriate adjustment in the rent and if no agreement can be reached on such adjustment, the same shall be determined by a court of competent jurisdiction.

Section 30.06 *General Event Use:* COUNTY or any successor thereto, reserves the right to hold or to approve the holding of special events at the Airport by the COUNTY or other entities. The holding or the approval to hold such events shall not be deemed to be adverse to the rights of TENANT as a leaseholder and shall be at the sole discretion of COUNTY.

Section 30.07 *Legislative Approval:* This Lease is subject to the approval of the Suffolk County Legislature and shall not become effective until fully executed.

SECTION 31: NO IMPLIED WAIVER

Section 31.01 No failure by COUNTY or TENANT to insist upon strict performance of and compliance with any term, covenant or condition hereof or to exercise or enforce any right, power or remedy consequent upon a breach thereof, and no submission by TENANT or acceptance by COUNTY of full or partial rent during the continuance of any such breach, shall constitute a waiver of any such breach or of any such term, covenant or condition, as to either party. No waiver of any breach of any term, covenant or condition of this Lease shall affect or alter this Lease, which shall continue in full force and effect, or the respective rights, powers or remedies of COUNTY or TENANT with respect to any other then existing or subsequent breach.

SECTION 32: BROKER

Section 32.01 COUNTY and TENANT, each to the other, represent and warrant that no broker brought about this Lease and COUNTY and TENANT hereby agree to indemnify and hold the other party harmless against any claim, demand and judgment which may be made or obtained against the other party by any broker claiming a commission for representing COUNTY or TENANT, respectively, for bringing about this Lease. COUNTY or TENANT shall forthwith notify the other of any such claim, demand or legal action and the indemnifying party shall be entitled to defend the other party against any such claim, demand or legal action.

SECTION 33: NOT A CO-PARTNERSHIP OR JOINT VENTURE

Section 33.01 Nothing herein contained shall create or be construed as creating a co-partnership between COUNTY and TENANT or to constitute TENANT or TENANT's employees as agents or employees of the COUNTY.

SECTION 34: COUNTY REPRESENTATIVES

Section 34.01 It is expressly understood and agreed by and between the parties hereto that the officers, officials, employees and agents of the COUNTY and Airport Management are acting in a representative capacity for the County of Suffolk and not for their own benefit, and that neither TENANT nor any of its guests or invitees shall have any claim against them or any of them as individuals in any event whatsoever.

SECTION 35: CAPACITY TO CONTRACT

Section 35.01 TENANT warrants that its entry into this Lease was duly considered and authorized by its organizational body and pursuant to its by-laws and/or internal procedures, and such authorization has not been rescinded or otherwise modified.

SECTION 36: NO REPRESENTATIONS

Section 36.01 Neither party has made any representations or promises, except as contained herein, or in some further writing signed by the parties, making such representation or promise.

SECTION 37: NO CREDIT

Section 37.01 The TENANT agrees that this Lease shall not be pledged, hypothecated, or put up as security for a loan, credit or for any reason whatsoever.

SECTION 38: CERTIFICATION

Section 38.01 The parties to this Lease hereby certify that, other than the funds provided in this Lease and other valid agreements with the COUNTY, there is no known relationship within the third degree of consanguinity, life partner, or business, commercial, economic, or financial relationship between the parties, the signatories to this Lease, and any partners, members, directors, or shareholders of more than five per cent (5%) of any party to this Lease.

SECTION 39: ARREARS TO COUNTY

Section 39.01 TENANT warrants that it is not, and shall not be during the Term of this Lease, in arrears to the County for taxes or upon debt or contract and is not, and shall not be during the Term of this Lease, in default as surety, contractor or otherwise on any obligation to or contract with the COUNTY.

SECTION 40: WAIVER OF JURY TRIAL

Section 40.01 It is mutually agreed by and between TENANT and COUNTY that the respective parties hereto shall and they hereby do waive any right to trial by jury in any action, proceeding or in any other matter in any way connected with this Lease, the relationship of TENANT and COUNTY, the Premises, and/or any claim of injury or damage, or for the enforcement of any remedy under any statute, emergency or otherwise.

SECTION 41: INDEPENDENT CONTRACTOR

Section 41.01 It is expressly agreed that TENANT'S status hereunder is that of an independent contractor. Neither TENANT nor any person authorized by TENANT to use the Premises shall be considered employees of the COUNTY for any purpose. The relationship of the COUNTY to TENANT is that of landlord-tenant and TENANT, in accordance with its status as such, covenants and agrees that it shall conduct itself consistent with such status, that it will neither hold itself out as nor claim to be an officer or employee of the COUNTY by reason hereof, and that TENANT, its owners and employees, shall not, by reason hereof, make any claims, demands or application to or for any right of privilege including, but not limited to, workers' compensation coverage, unemployment insurance benefits, social security coverage or retirement membership of credit as officers, employees or agents of the COUNTY.

SECTION 42: SUCCESSORS BOUND

Section 42.01 This Lease shall bind, and inure to the benefit of, the parties and their respective heirs, executors, administrators, successors and assigns.

SECTION 43: SET-OFF RIGHTS

Section 43.01 The COUNTY shall have all of its common law, equitable, and statutory rights of set-off. These rights shall include, but not be limited to, the COUNTY's option to withhold, for the purposes of set-off, any moneys due to the TENANT under this contract up to any amounts due and owing to the COUNTY with regard to this Lease and/or any other contract with any COUNTY department or agency, including any contract for a term commencing prior to the Term of this contract, plus any amounts due and owing to the COUNTY for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The COUNTY shall exercise its set-off rights in accordance with normal COUNTY practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the COUNTY agency, its representatives, or the County Comptroller, and only after legal consultation with the County Attorney.

SECTION 44: SUFFOLK COUNTY LOCAL LAWS WEB SITE

Section 44.01 Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County web site at www.co.suffolk.ny.us. Click on "Laws of Suffolk County" under "Suffolk County Links".

SECTION 45: ORAL MODIFICATIONS

Section 45.01 This Lease cannot be modified or terminated orally but only by an agreement in writing signed by TENANT and COUNTY.

SECTION 46: PARAGRAPH HEADINGS

Section 46.01 The paragraph headings in this Lease are included for convenience only and shall not be taken into considerations in any construction or interpretation of this Lease or any of its provisions.

SECTION 47: SEVERABILITY

Section 47.01 It is expressly agreed that if any term or provision of this Lease and or any amendment(s) hereto, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this Lease and any amendment hereto, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this Lease and any amendment hereto shall be valid and shall be enforced to the fullest extent permitted by law.

SECTION 48: GOVERNING LAW

Section 48.01 This Lease shall be governed by the laws of the State of New York. In the event of any dispute or litigation, the venue of any proceeding to determine the rights and liabilities of the respective parties arising under this Lease shall be in the New York Supreme Court, Suffolk County; or, in the event of a proceeding in the federal courts, in the District Court for the Eastern District of New York.

SECTION 49: EXECUTION BY LESSOR

Section 49.01 When the LESSOR is a partnership, the names of the partners composing the firm must be stated in the Statements required under **Section 1** of **Exhibit C** of this Lease. The Lease must be signed with the partnership name, followed by the name of the partner signing the Lease.

Section 49.02 Where the LESSOR is a corporation, the Lease must be signed with the corporate name, followed by the signature and title of the officer or other authorized person signing the Lease on its behalf, and if requested by the COUNTY, the corporate seal.

Section 49.03 LESSOR warrants that its entry into this Lease was duly considered and authorized by its organizational body and pursuant to its by-laws and/or internal procedures.

SECTION 50: INTERPRETATION

Section 50.01 This Lease is to be construed and interpreted without regard to any presumption or other rule requiring construction or interpretation against the party causing this Lease to be drafted.

SECTION 51: PRESERVATION OF FEATURES/ SOIL AND VEGETATION REMOVAL

Section 51.01 In conducting its activities under this Lease, TENANT shall preserve and avoid damage to and destruction of natural, historic or cultural features, including, but not limited to, waterways, rare or endangered plants or animals, habitats, trees, shrubs and other vegetation.

Section 51.02 TENANT shall not remove soil, vegetation, or any other natural resources without the approval of the Airport Management and in accordance with the Airport Development Guidelines. It is understood that the COUNTY reserves title to all natural resources located on the Premises.

- Signature Page Follows -

2801

IN WITNESS WHEREOF, the parties hereto have caused this Lease to be executed and delivered as of the date first set forth above.

COUNTY OF SUFFOLK
As LANDLORD

By: _____
Name: Christopher E. Kent
Title: Deputy County Executive
Date: _____

DEPARTMENT OF ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING

By: _____
Name: Yves R. Michel
Title: Commissioner
Date: _____

Recommended By:

By: _____
Name: Anthony C. Ceglio
Title: Airport Manager
Date: 11/4/10

JOE BURNS CONTRACTING, LLC
As TENANT

By: _____
Name:
Title:
Date: 11/3/10

APPROVED AS TO LEGALITY
CHRISTINE MALAFI, ESQ.
Suffolk County Attorney

By: _____
Name: Basia Deren Braddish
Title: Asst. County Attorney
Date: _____

2201

ACKNOWLEDGEMENT

STATE OF NEW YORK}
SS:
COUNTY OF SUFFOLK}

On the 3rd day of November in the year 2010 before me, the undersigned, personally appeared Joseph R. Borus [name], President [Title] personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Jane A. Ostendorff

Notary Public

Jane A. Ostendorff
Notary Public, State of New York
No. 01OSE[illegible]
Qualified In Suffolk County
Commission Expires April 17, 2014

STATE OF NEW YORK}
SS:
COUNTY OF SUFFOLK}

On the ____ day of _____ in the year 2010 before me, the undersigned, personally appeared _____ [Name], _____ [Title], personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

2201

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

District 900, Section 249.00, Block 01.00 p/o Lot 15.000

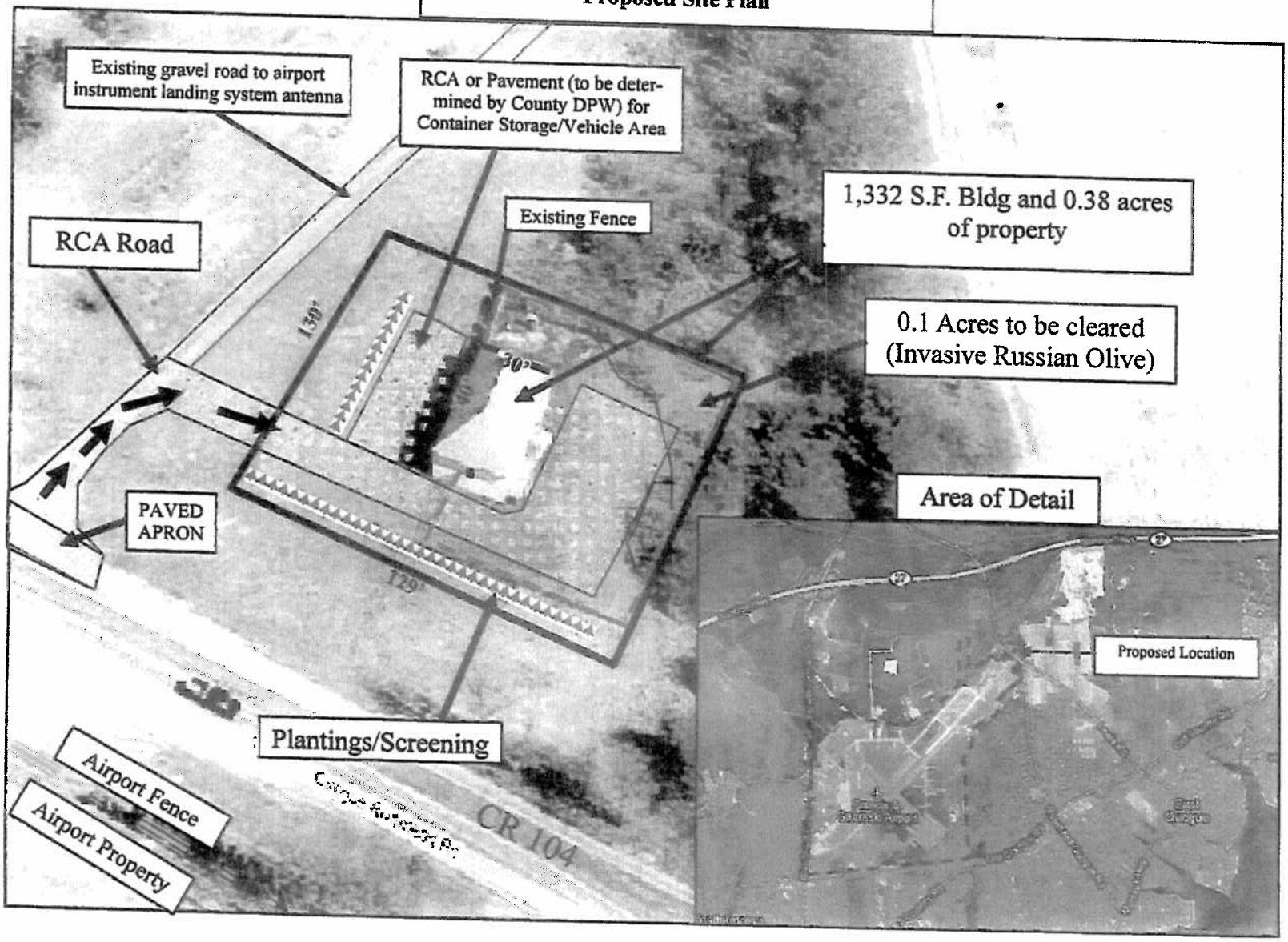
Vacant 1,326 square foot building and its supporting acreage of 16,710 square feet (or .38 acre).

2201

EXHIBIT B

SITE PLAN

Suffolk County Francis S. Gabreski Airport
Joe Burns Contracting Corp.
Proposed Site Plan



Suffolk County Francis S. Gabreski Airport
Existing Building CR 104
Oct 2010.

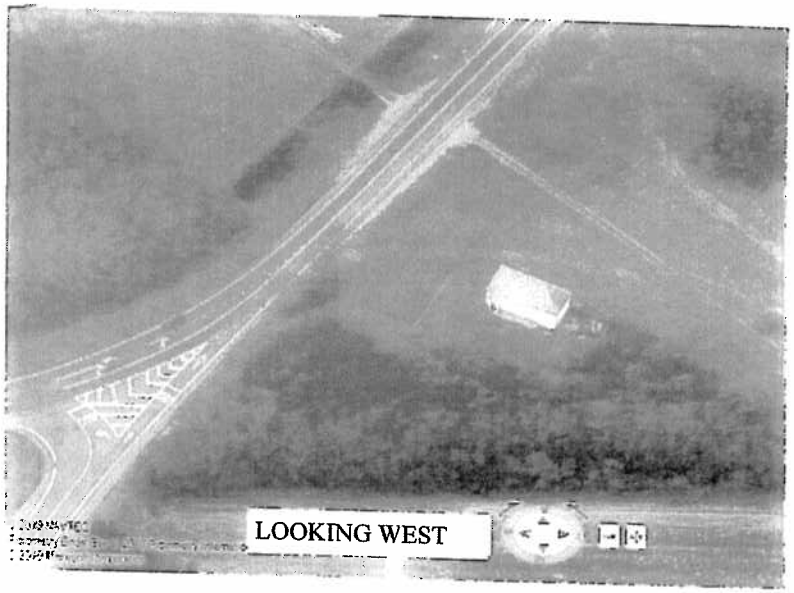


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EXHIBIT C

LEGISLATIVE REQUIREMENTS

1. **Contractor's/Vendor's Public Disclosure Statement**

The Contractor represents and warrants that it has filed with the Comptroller of Suffolk County the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the said Comptroller on or before the 31st day of January in each year of this Agreement's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of this Agreement, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Agreement.

Required Form: Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. **Living Wage Law**

This Agreement is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

The Contractor represents and warrants that it has read and shall comply with the requirements of Suffolk County Code Chapter 347, Suffolk County Local Law No. 12-2001, the Living Wage Law.

Required Forms: Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"

Suffolk County Living Wage Form LW-38; entitled "Suffolk County Department of Labor – Living Wage Unit Living Wage Certification/Declaration – Subject To Audit"

3. **Use of County Resources to Interfere with Collective Bargaining Activities Local Law No. 26-2003**

2201

The Contractor represents and warrants that it has read and is familiar with the requirements of Chapter 466, Article 1 of the Suffolk County Local Laws, "Use of County Resources to Interfere with Collective Bargaining Activities". County Contractors (as defined) shall comply with all requirements of Local Law No. 26-2003 including the following prohibitions:

a. The Contractor shall not use County funds to assist, promote, or deter union organizing.

b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.

c. The County of Suffolk shall not use County funds to assist, promote, or deter union organizing.

d. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If Contractor services are performed on County property the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, non-intimidation agreement and a majority authorization card agreement.

If Contractor services are for the provision of human services and such services are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Local Law No. 26-2003, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

Required Form: Suffolk County Labor Law Form DOL-LO1; entitled "Suffolk County Department of Labor – Labor Mediation Unit Union Organizing Certification/Declaration – Subject to Audit"

4. Lawful Hiring of Employees Law

This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk (Local Law 52-2006). It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

2201

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than January 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of this agreement.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate this Agreement for violations of this Law and to seek other remedies available under the law.

The Contractor represents and warrants that it has read, is in compliance with, and shall comply with the requirements of Suffolk County Code Chapter 234, Suffolk County Local Law No. 52-2006, the Lawful Hiring of Employees Law.

Required Forms: Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor –"Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees"

"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees" Form LHE-2.

5. Gratuities

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

The Contractor represents that it is in compliance with Suffolk County Administrative Code Article IV, §§A4-13 and A4-14, found in Suffolk County Local Law No. 20-2004, entitled "A Local Law To Amend Local Law No. 5-1993, To Prohibit The County of Suffolk From Contracting With Corporations That Reincorporate Overseas." Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

7201

7. **Child Sexual Abuse Reporting Policy**

The Contractor agrees to comply with Chapter 577, Article IV, of the Suffolk County Code, entitled "Child Sexual Abuse Reporting Policy", as now in effect or amended hereafter or of any other Suffolk County Local Law that may become applicable during the term of this Agreement with regard to child sexual abuse reporting policy.

8. **Non Responsible Bidder**

The Contractor represents and warrants that it has read and is familiar with the provisions of Suffolk County Code Chapter 143, Article II, §§143-5 through 143-9. Upon signing this Agreement the Contractor certifies that he, she, it, or they have not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of Section 143-5 of the Suffolk County Code under "Non=responsible Bidder."

9. **Use of Funds in Prosecution of Civil Actions Prohibited**

Pursuant to the Suffolk County Code Section §590-3, the Contractor represents that it shall not use any of the moneys received under this Agreement, either directly or indirectly, in connection with the prosecution of any civil action against the County of Suffolk or any of its programs, funded by the County, in part or in whole, in any jurisdiction or any judicial or administrative forum.

10. **Chemicals, Fungicides, Herbicides and Pesticides**

All chemicals, fungicides, herbicides and pesticides (if any) applied to the Space shall be approved by the Commissioner of prior to use. TENANT shall comply with Suffolk County Code Chapter 380 (Pest Control) and any other applicable federal, state, and local laws. TENANT shall apply for any necessary exemptions from Suffolk County Code Chapter 380. All notice and reporting requirements shall be adhered to.

TENANT shall comply with all Federal, State and local laws, rules, regulations, codes and ordinances in the performance of this Agreement and shall obtain, pay for, and comply with any conditions contained in any permits, approvals and renewals thereof which are required to be obtained in the legal performance of this Agreement. Such laws and regulations include, but are not limited to:

Suffolk County Code Chapter 380 (Pest Control) and any other County policies relating to pesticides.

11 **Suffolk County Local Laws**

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County web site at **www.co.suffolk<http://www.co.suffolk.ny.us>**. Click on **"Laws of Suffolk County"** under **"Suffolk County Links."**

2201

EXHIBIT D

CONSTRUCTION SCHEDULE

Joe Burns Contracting – Building Renovations CR 104

Start Site work	30 days after building permit
Site grading/Landscaping	1 Week
Renovation of interior building	3 Weeks
Site utilities	1 Week
Finish work and final inspections	2 months
Completion of building	3 months after building permit issued

2202

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

Laid on Table 12/7/2010

RESOLUTION NO. –2010, APPROPRIATING FUNDS IN CONNECTION WITH REHABILITATION OF PLUMBING SYSTEM AT THE SUFFOLK COUNTY VANDERBILT MUSEUM (CP 7447)

WHEREAS, the Executive Director of the Suffolk County Vanderbilt Museum has requested planning funds for the rehabilitation of the plumbing system at the Suffolk County Vanderbilt Museum; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $50,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 38 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the proceeds of $50,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	Project Title	Amount
525-CAP-7447.111	Rehabilitation of Plumbing System At Suffolk County Vanderbilt Museum	$50,000

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, for the rehabilitation of the plumbing system at the Suffolk County Vanderbilt Museum; and be it further

4th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(C) (21), (22) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

2203

Intro. Res. No. -2010 Laid on Table 12/7/2010
Introduced by Legislator Cooper

RESOLUTION NO. –2010, APPROPRIATING FUNDS IN CONNECTION WITH THE REWIRING OF HISTORIC STRUCTURES AT THE SUFFOLK COUNTY VANDERBILT MUSEUM (CP 7445)

WHEREAS, the Executive Director of the Suffolk County Vanderbilt Museum has requested construction funds for the rewiring of historic structures at the Suffolk County Vanderbilt Museum; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $150,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 38 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the proceeds of $150,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	Project Title	Amount
525-CAP-7445.312	Rewiring of Historic Buildings At Suffolk County Vanderbilt Museum	$150,000

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 the rewiring of historic structures at the Suffolk County Vanderbilt Museum; and be it further

4th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(C) (21), (22) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

2204

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

Laid on Table 12/7/2010

RESOLUTION NO. –2010, APPROPRIATING FUNDS IN CONNECTION WITH RESTORATION OF FACADES AT THE SUFFOLK COUNTY VANDERBILT MUSEUM (CP 7441)

WHEREAS, the Executive Director of the Suffolk County Vanderbilt Museum has requested construction funds to restore damaged, unstable and unsafe building facades at the Suffolk County Vanderbilt Museum; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $300,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 38 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	Project Title	Amount
525-CAP-7441.313	Restoration of Facades At Suffolk County Vanderbilt Museum	$300,000

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 restore damaged, unstable and unsafe building facades at the Suffolk County Vanderbilt Museum; and be it further

4th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(C) (21), (22) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

2205

Intro. Res. No. - 2010 Laid on the Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH HERITAGE-RIVERHEAD RETAIL DEVELOPERS, LLC AND ACCEPTING A PAYMENT OF MONEY IN LIEU OF PERFORMANCE OF CERTAIN MITIGATION MEASURES, CONSTRUCTED UNDER CAPITAL PROJECT 5529, OLD COUNTRY ROAD, RIVERHEAD, AND PLACING THIS PAYMENT INTO A DEBT RESERVE ACCOUNT TO PAY DOWN THE DEBT SERVICE ON CAPITAL PROJECT 5529

WHEREAS, the Heritage-Riverhead Retail Developer, LLC (Owner) of premises constituting approximately 42.05 acres in the Town of Riverhead, County of Suffolk, desires to construct a retail shopping center at the site; and

WHEREAS, the County and the Owner have identified mitigation measures to be performed by the Owner; and

WHEREAS, the mitigation measures that Owner would have performed have been made by the County under Capital Project No. 5529, CR 58, Old Country Road, Riverhead; and

WHEREAS, these measures were performed by the County in order to expedite the necessary work along CR 58, Old Country Road, Riverhead; and

WHEREAS, the County and the owner have agreed to a payment of cash in lieu of the performance of certain mitigation measures; and

WHEREAS, Resolution No. 1421-2007 appropriated $4,500,000 ($500,000 for engineering and design and $4,000,000 for construction) under Capital Project No. 5529 for the "Reconstruction of CR 58 Old Country Road from Ostrander Avenue to a Pont approximately 700 feet west of the existing Traffic Circle," Riverhead, (Phase I); and

WHEREAS, Resolution No. 1072-2008 appropriated $8,150,000 ($150,000 for engineering and design and $8,000,000 for construction) under Capital Project No. 5529 for the "Reconstruction of CR 58, Old Country Road, Town of Riverhead, Phase II"; and

WHEREAS, the combined amount of $12,650,000 appropriated for Capital Project No. 5529 is one hundred (100%) percent funded with County General Obligation Serial Bonds; and

WHEREAS, the Owner has agreed to make a payment of cash in lieu of performance of certain mitigation measures in the amount of $1,955,720 to the County for work that has already been done under Capital Project No. 5529, Old Country Road, Riverhead; and

WHEREAS, this amount of $1,955,720 can be accepted and used to pay down the County's debt service for Capital Project No. 5529, Reconstruction of CR 58 Old Country Road, Riverhead, Phase I & II; now, therefore, be it

1st **RESOLVED**, that Suffolk County accepts the amount of $1,955,720 from the Owner in lieu of any obligation of the Owner to perform any improvements relating to CR 58, Old Country Road, Riverhead, necessitated as a result of the construction and operation of the facility as per the agreement/memorandum of understanding, attached hereto and hereby made a part of this resolution as Exhibit A; and be it further

2nd **RESOLVED**, that the County Treasurer and the County Comptroller are hereby authorized to accept payment in the amount of $1,955,720 in connection with the Capital Project No. 5529 and in accordance with Exhibit A; and be it further

3th **RESOLVED,** that the payment made to the County in the amount of $1,955,720 be accepted and placed into the Reserve for Bonded Debt (8840) account for the purpose of paying down the debt services on Capital Project No. 5529, Reconstruction of CR 58, Old Country Road, Riverhead, Phase I & II; and be it further

4th **RESOLVED**, that the County Executive or designee is hereby authorized and directed to execute an agreement/memorandum of understanding, in substantial conformance with the form attached as Exhibit A, on behalf of the County of Suffolk; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2205

1. Type of Legislation

Resolution __x__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH HERITAGE-RIVERHEAD RETAIL DEVELOPERS, LLC AND ACCEPTING A PAYMENT OF MONEY IN LIEU OF PERFORMANCE OF CERTAIN MITIGATION MEASURES, CONSTRUCTED UNDER CAPITAL PROJECT 5529, OLD COUNTRY ROAD, RIVERHEAD, AND PLACING THIS PAYMENT INTO A DEBT RESERVE ACCOUNT TO PAY DOWN THE DEBT SERVICE ON CAPITAL PROJECT 5529.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

Heritage-Riverhead Retail Developer, LLC (Owner) of premises constituting approximately 42.05 acres in the Town of Riverhead, County of Suffolk, desires to construct a retail shopping center at the site. The County and the Owner have identified mitigation measures to be performed by the Owner. These mitigation measures that Owner would have performed have been made by the County under Capital Project No. 5529, CR 58, Old Country Road, Riverhead. The County and the owner have agreed to a payment of cash in lieu of the performance of these mitigation measures. The Owner has agreed to make a payment in the amount of $1,955,720 to the County for work that has already been done under Capital Project No. 5529. This amount of $1,955,720 can be accepted and used to pay down the County's debt service for Capital Project No. 5529, Reconstruction of CR 58 Old Country Road, Riverhead, Phase I & II.

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

County could use the $1,955,720 to Pay down debt service on Capital Project 5529.

8. Proposed Source of Funding

NA

9. Timing of Impact

Upon Adoption

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		11/9/10

SCIN FORM 175b (10/95)

2205

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	-$1,955,720	-$3.52		-$0.006

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	-$1,955,720	-$3.52		-$0.006

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

2205

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: June 23, 2010

RE: **Authorizing the County Executive to Enter into an Agreement with Heritage-Riverhead Retail Developers, LLC and Accepting a Payment of Money in Lieu of Performance of Certain Mitigation Measures, Amending the 2010 Capital Budget and Program and Appropriating these Funds in Connection with Mitigation Measures**

Attached is a draft resolution and duplicate copy to authorize the County Executive to enter into an agreement with Heritage-Riverhead Retail Developers, LLC for the County to accept money in lieu of mitigation measures. This resolution will accept the sum of $1,955,720 from Heritage-Riverhead Retail Developers, LLC and amend the 2010 Capital Budget and Program and appropriate these funds into CP 5014 for mitigation measures.

The Suffolk County Council on Environmental Quality has reviewed this project and determined that it is an unlisted action and no further review is required. The Suffolk County Legislature concurred with this finding pursuant to Resolution 887-2008.

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

TL/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
James Bagg, Chief Environmental Analyst

0004133

2205

AGREEMENT

FOR THE PAYMENT OF MONEY

IN LIEU OF PERFORMANCE OF

MITIGATION MEASURES

– between –

HERITAGE-RIVERHEAD RETAIL DEVELOPERS, LLC (as OWNER)

– and –

COUNTY OF SUFFOLK

Dated: December 14, 2009

2205

This Agreement for the Payment of Money in Lieu of Performance of Mitigation Measures (this "Agreement") is made as of this __14_ day of _December_____, 2009, by, between and among HERITAGE-RIVERHEAD RETAIL DEVELOPERS, LLC, a limited liability company duly organized under, and existing by virtue of, the laws of the State of Delaware, with an address at c/o Developers Realty Corporation, Corporate Center West, 433 South Main Street, Suite 310, West Hartford, Connecticut 06110, hereinafter referred to as the "**OWNER,**" and

COUNTY OF SUFFOLK ("COUNTY"), a municipal corporation of the State of New York, having its principal office at the County Center Riverhead, New York 11901, acting through its duly constituted Department of Public Works, (**"DPW"**), located at 335 Yaphank Avenue, Yaphank, New York 11980-9744.

W I T N E S S E T H :

WHEREAS, OWNER is the owner of approximately 42.05 acres of property with access to County Road 58, hereinafter referred to as CR 58, in the Town of Riverhead, County of Suffolk, and further identified as SCTM# 0600-10100-0100-003000 and #0600-11900-0000-00600, attached hereto and made a part hereof; and

WHEREAS, OWNER desires to construct building space and related facilities, improvements, and permanent installations for a retail shopping center at the property (such property, building space and related facilities, improvements and permanent installations hereinafter referred to as the "Premises"); and

WHEREAS, if the Premises is constructed, pursuant to applicable law, the OWNER is required to either (i) make improvements to certain of the county roads of the County of Suffolk (the "County Roads"), in order to mitigate the impacts that the construction and operation of the Premises will have on the County Roads (all required improvements of any kind to the County Roads, the widening, reconfiguring, or improving of any County Road, the installing and modifying of traffic signals, lights, signs or road striping or markings relating to any County Road, and intersection improvements relating to any County Road, being herein collectively referred to as the "Improvements"), or (ii) in lieu of performing the Improvements, pay to the COUNTY a sum of money sufficient to reimburse the COUNTY for the cost of the COUNTY's performance of the Improvements, which sum the COUNTY and the OWNER have agreed is in the amount of Two Million One Hundred Thousand ($2,100,000.00) Dollars; and

WHEREAS, the COUNTY and the OWNER desire that the OWNER remit to the COUNTY the Payment instead of the OWNER performing the Improvements;

NOW THEREFORE, in consideration of the individual mutual covenants, promises and representations herein contained, the Parties hereto due hereby agree as follows:

1. **Whereas Clauses**

The "Whereas" clauses are an integral part of this Agreement and shall have meaning and effect as though they were set forth at length in numbered paragraphs herein.

2. **Obligation of OWNER**

OWNER agrees to prepare and complete the design and construction documents ("Design") for the Improvements described in Schedule A, attached hereto and made a part hereof. In furtherance of such preparation, the Owner and its contractor(s) shall coordinate the Design with DPW and their consultant bi-weekly or as otherwise required by DPW until the completed Design is approved by DPW.

3. **In Lieu Payment**

The OWNER and the COUNTY hereby agree that the cost of designing and performing any and all Improvements to be performed by the OWNER with respect to any County Roads, as may be required by any applicable law, rule, or regulation, is in the amount of Two Million One Hundred Thousand ($2,100,000.00) Dollars (the "Mitigation Amount"). The OWNER and the COUNTY hereby agree that the OWNER shall pay the Mitigation Amount to the COUNTY as provided for herein, in lieu of any obligation of the OWNER to perform any Improvements, as described in Schedule A, relating to any County Road necessitated as a result of the construction or operation of the Premises. The OWNER shall pay directly to the COUNTY an amount (the "Direct Payment Amount") equal to Two Million One Hundred Thousand ($2,100,000.00) Dollars less ($144,280.00) design cost incurred by OWNER to third parties for the Design and Construction Documents (the "Design Costs"). Provided that the OWNER remits the Direct Payment Amount to the COUNTY as provided for herein, the OWNER shall have no obligation to perform any Improvements necessitated by the construction or operation of the Premises. The Direct Payment Amount less ($144,280.00) design cost, shall be paid in full by the OWNER to the Suffolk County Department of Public Works, at such place designated by the County

by the County within [redacted]) days after (i) receipt of the requisite building permits to commence construction of the Premises ("Permits") and (ii) all requisite and applicable appeal periods having expired with no appeals having been taken by any third party. For purposes of this Agreement, the definition of permits shall include any and all Federal, State, County and local permits and approvals necessary for OWNER to begin construction of the Project.

4. **Failure to Obtain Permits**

Upon COUNTY's receipt of the approved Design, the COUNTY will commence planning for the construction of the Improvements, as detailed in the Design, the attachments, and the exhibits to this Agreement for incorporation in Capital Project 5529 (the "Project"). In the event that the Permits to build the Premises are not obtained within a reasonable time and, in the sole reasonable opinion of the COUNTY, Owner is not diligently pursuing the issuance of the requisite Permits, then the COUNTY shall have the right to terminate this Agreement. In the event that the Permits to build the Premises are obtained and Payment received by the COUNTY, once the COUNTY has let the Project, and provided the Improvements are part of the Project that is let, no refund of the Payment will be made to the OWNER from the COUNTY, regardless of whether construction of the Premises is delayed and/or cancelled.

5. **Completion of Mitigation Measures**

The COUNTY anticipates commencement of the Project in the fall of 2009 with all of the Improvements completed on or about June 2010. Upon the completion of the Improvements, this Agreement shall be deemed satisfied.

6. **Modification**

This Agreement may not be modified or repealed without the prior written consent of both the OWNER and the COUNTY.

7. **OWNER's Representation**

OWNER covenants, warrants and represents that OWNER's entry into, and execution of this Agreement was duly considered and authorized by its organizational body/bodies and pursuant to its/their by-laws and/or internal procedures to sign this Agreement. OWNER further covenants, warrants and represents that this Agreement is signed with the corporate name, followed by the signature and title of an officer or other authorized person signing this Agreement on behalf of the

OWNER. A copy of the OWNER's resolutions authorizing the OWNER to enter into this Agreement are attached hereto as Exhibit "B".

8. **COUNTY's Representation**

The parties acknowledge that COUNTY is a municipal corporation and is entering into and executing this Agreement by virtue of the authority of Suffolk County Resolution No. ____ - 2009, dated the __ day of _____, 2009 (the "Resolution"), for the purpose and intent expressed in the Resolution, that the Resolution is incorporated herein by reference, and further a copy of such Resolution is annexed hereto and marked "Exhibit C". This Agreement has been authorized by all requisite actions of the COUNTY and constitutes a legally binding agreement of the COUNTY enforceable in accordance with its terms.

9. **Bankruptcy, Insolvency, Etc.**

The filing of an insolvency or bankruptcy petition by the OWNER, whether voluntary or involuntary, or the making by the OWNER of an assignment for the benefit of creditors, except in connection with any financing of the Premises, shall be deemed to be an automatic and immediate default hereunder by the OWNER.

10. **Merger; No Oral Changes**

This Agreement supersedes any contract(s), agreement(s), or understanding(s), written or oral, heretofore made by, between or among any one or more of the parties hereto, and/or any one or more of their predecessors in interest, title or otherwise, concerning the subject matter hereof, and any such contract, agreement or understanding is hereby deemed to be null and void and of no further force or effect, and no party to any such contract, agreement or understanding shall have any rights against, or liabilities to, any other such party as a result thereof.

11. **Severability**

If any section, subsection, paragraph, clause, phrase or provision of this Agreement shall, by a court of competent jurisdiction, be adjudged or determined to be illegal, unlawful, invalid or unconstitutional, the same shall not affect the validity of this Agreement as a whole, or any part or provision hereof, other than the part so adjudged or determined to be illegal, unlawful, invalid or unconstitutional.

2205

12. Notice

A. **Operational Notices** - Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this Agreement shall be in writing and shall be given to the COUNTY or the OWNER or their designated representative at the following addresses or at such other address that may be specified in writing by the parties and must be delivered as follows:

For the COUNTY:
By Certified Mail, Return Receipt Requested in Prepaid Envelope or
by Nationally Recognized Courier Service:

Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, New York 11980
Attention: Justin Hipperling Suffolk County Highway Planning and Permits

For the OWNER
By Certified Mail, Return Receipt Requested in Prepaid Envelope or by
Courier Service or by Fax or by E-Mail:

At the address set forth on page one of this Agreement, attention of the person who executed this Agreement or such other designee as the parties may agree in writing.

B. **Notices Relating to Termination and/or Litigation** In the event the OWNER receives a notice or claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to a lawsuit or any legal proceeding related to this Agreement, the OWNER shall immediately deliver to the COUNTY Attorney, at the address set forth below, copies of all papers filed by or against the OWNER. Any communication or notice regarding termination shall be in writing and shall be given to the COUNTY or the OWNER or their designated representative at the following addresses or at such other addresses that may be specified in writing by the parties and must be delivered as follows:

For the COUNTY:
By Certified Mail, Return Receipt Requested in Postpaid Envelope or
by Nationally Recognized Courier Service:

Suffolk County Department of Public Works, Attn. Commissioner
335 Yaphank Avenue
Yaphank, New York 11980

2205

and

Suffolk County Department of Law
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

For the OWNER

By Certified Mail, Return Receipt Requested in Postpaid Envelope or
by Nationally Recognized Courier Service:

At the address set forth on page one of this Agreement, attention of the person who executed this Agreement or such other designee as the parties may agree in writing.

C. **Delivery** - Notices shall be deemed to have been duly delivered (i) if mailed by certified mail, upon the third business day after the mailing thereof; or (ii) if by nationally recognized overnight courier service, upon the first business day subsequent to the transmittal thereof. "Business Day" shall mean any day except a Saturday, a Sunday, or any day in which commercial banks are required or authorized to close in Suffolk County, New York.

D. **Notice of Successors** - Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

13. **Rights Cumulative**

Each right and remedy of the COUNTY or the OWNER under this Agreement shall be in addition to every other right and remedy of the COUNTY or the OWNER and such rights and remedies may be enforced separately or in any combination.

14. **Applicable Law**

This Agreement shall be governed by and construed in accordance with the laws of the State of New York, without regard to conflict of laws. Venues shall be designated in Suffolk County, New York or the United States District Court for the Eastern District of New York.

15. **No Implied Waiver**

No waiver shall be inferred from any failure or forbearance of the COUNTY to enforce any provision of this Agreement in any particular instance or instances, but the same shall otherwise remain in full force

2205

force and effect notwithstanding any such failure or forbearance.

16. **Counterparts**

The parties hereto have duly executed this Agreement in counterparts, any one of which may be considered an original.

17. **Assignment**

This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

18. **Gratuities**

OWNER represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

19. **Contractor's/Vendor's Public Disclosure Statement**

OWNER represents and warrants that it has filed with the Comptroller of Suffolk County the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the said Comptroller on or before the 31st day of January in each year of this Agreement's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of this Agreement, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Agreement.

Required Form: Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

20. **Suffolk County Local Laws**

2205

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County web site at www.co.suffolk<http://www.co.suffolk.ny.us>. Click on "Laws of Suffolk County" under "Suffolk County Links."

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the last date written below:

Heritage-Riverhead Retail Developers, LLC
By:Riverhead Retail Developers, LLC
Its Manager

By: _____
Joseph R. Baranowski
Member

Date: 2/17/10

Approved as to Legality:
Christine Malafi
Suffolk County Attorney

By: _____
Basia Deren Braddish
Assistant County Attorney

Date: _____

County of Suffolk

By: _____

Name: _____
Deputy County Executive

Date: _____

Approved:
Department of Public Works

By: _____
Gilbert Anderson, P.E.
Commissioner of Public Works

Date: _____

Recommended:
Highway Division

By: _____
William Hillman

Title: _____

Date: _____

MUNICIPAL ACKNOWLEDGMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

2205

On the _____ day of _____, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF CONNECTICUT)
) ss.: West Hartford
COUNTY OF HARTFORD)

On the 17th day of February, 2009, before me, the undersigned, personally appeared Joseph R. Baranowski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument and that such individual made such appearance before the undersigned in the Town of West Hartford, State of Connecticut.

_____
~~Notary Public~~/Commissioner of the Superior Court for the State of Connecticut
Kevin M. Dowd, Esq.

2205

Schedule A

Party obligations under this document:

The owner through its consultants agrees to provide the following:

1. Existing conditions survey of CR 58 right-of-way from approximately Kroemer Avenue to Mill Road hereinafter known as "**Kroemer-Mill**"
2. Approved construction documents, coordinated with the County and their consultant(s), for the construction of the Kroemer-Mill 5 lane highway section. These documents shall include the following:
    a. Drainage and grading plans.
    b. Utility relocation plans.
    c. Roadway construction plans.
    d. Pavement marking plans.
    e. Traffic signal improvements plans for the intersections of CR 58/Kroemer Avenue and CR 58/Mill Road
3. Coordination with Suffolk County and their consultant(s) with C.P. 5529 the Project including design support during the construction process of Kroemer-Mill.

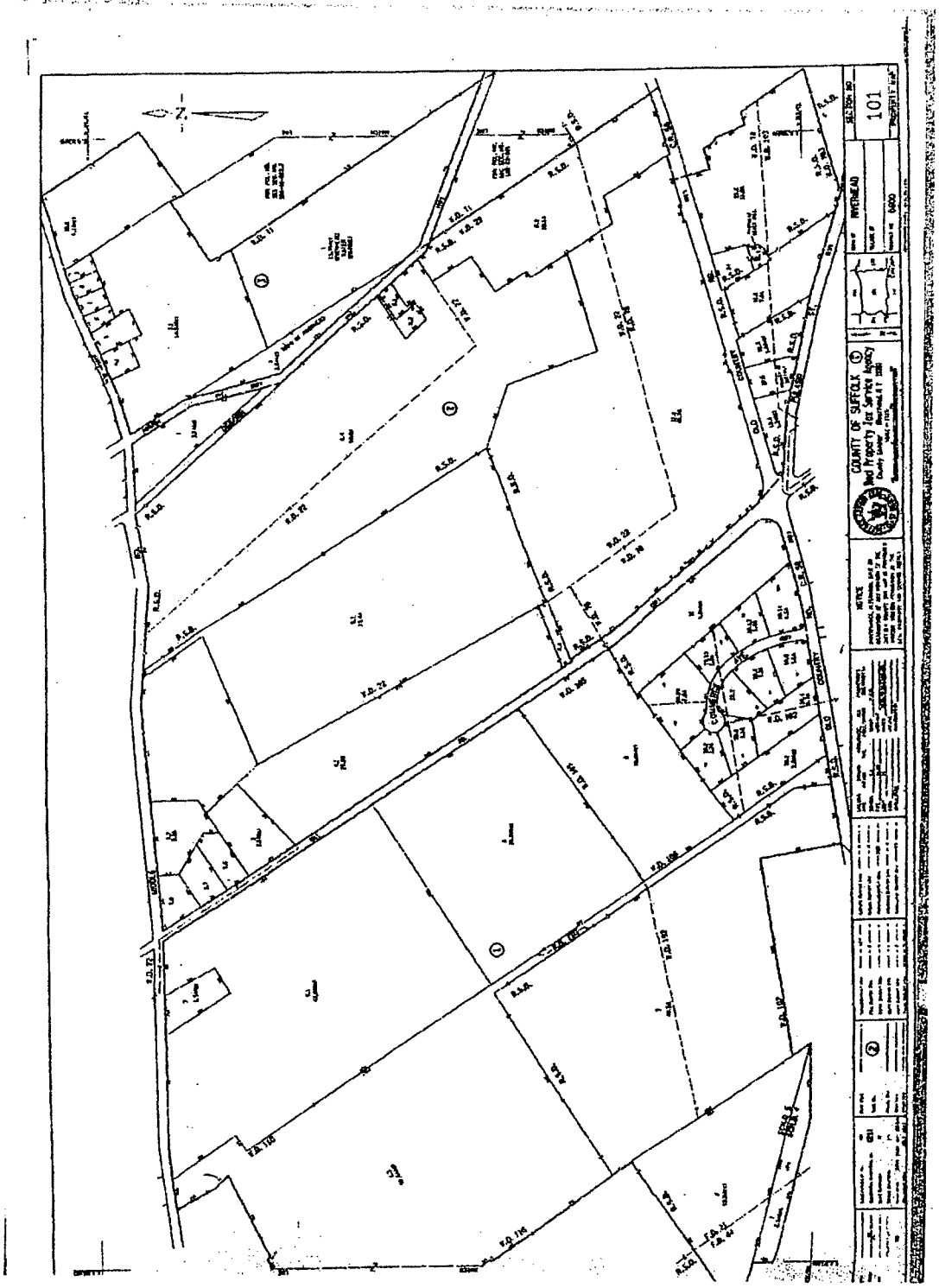
The County agrees to provide the following:

1. Construction of Kroemer-Mill in conjuction with the construction of C.P. 5529, the Project per the provided and County approved Kroemer-Mill construction documents including, but not limited to, all required improvements of any kind to the County Roads, the widening, reconfiguring, or improving of any County Roads, the installing and modifying of traffic signals (not inclusive of site access signal), lights, signs or road striping or markings relating to any County Road, and intersection improvements relating to any County Roads.
2. Issuance of all necessary County permits for the construction of the premises consisting of access driveway and access traffic signal permits.
3. Coordination with OWNER providing reasonable accommodation for future access driveway for the premises.
4. Coordination with Owner to permit Owner, at Owner's option, to install a sewer lateral under CR 58 during the construction of the Kroemer-Mill 5 lane highway section. Nothing herein is intended to require the County to delay or accelerate such construction in order to accommodate the Owner with respect to installation of the contemplated sewer lateral.

3205

Exhibit A

Attachments:



2205

Exhibit B

HERITAGE-RIVERHEAD RETAIL DEVELOPERS, LLC

RESOLUTIONS

The undersigned, Joseph R. Baranowski, as Member of Riverhead Retail Developers, LLC, as Manager of Heritage-Riverhead Retail Developers, LLC (the "Company"), does hereby certify that the following are true and correct Resolutions duly adopted by all of the Members of the Company by written consent in lieu of meeting in writing on the 17th day of February, 2009.

RESOLVED, that Riverhead Retail Developers, LLC and Bradley Operating Limited Partnership, the sole members of the Company, hereby authorized Riverhead Retail Developers, LLC to enter into, on behalf of and in the name of the Company, into a certain agreement between the Company and the County of Suffolk, New York entitled Agreement For The Payment Of Money In Lieu Of Performance Of Mitigation Measures, in a form dated as of February 17, 2009, and as may be further revised and amended.

RESOLVED, THAT THE Company has authorized Riverhead Retail Developers, LLC as its Manager acting through Joseph R. Baranowski as its member, to execute the subject agreement with Suffolk County.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 17th day of February, 2009 pursuant to the authority granted by the two Managers and the Company.

Dated: February 17, 2009

Heritage-Riverhead Retail Developers, LLC

By: Riverhead Retail Developers, LLC
Its Manager

By: _____
Joseph R. Baranowski
Member

2205

STATE OF CONNECTICUT)
) ss.: West Hartford
COUNTY OF HARTFORD)

I, Joseph R. Baranowski, being duly sworn say:

I am a Member of Riverhead Retail Developers, LLC, the Manager of Heritage-Riverhead Retail Developers, LLC.

The attached Resolutions are in full force and effect.

Joseph R. Baranowski

Sworn to before me this
17th day of February, 2000

~~Notary Public~~/Commissioner of the Superior Court for the State of Connecticut
Kevin M. Dondo, Esq.

EXHIBIT C

2205

0004133

Suffolk County Form 22
Contractor's/Vendor's Public Disclosure Statement

Pursuant to Section A5-7 of the Suffolk County Administrative Code, this Public Disclosure Statement must be completed by all contractors/vendors that have a contract with Suffolk County, **with the exception of hospitals; educational or governmental entities; not-for-profit corporations; and contracts providing foster care, family day care providers, or child protective consulting services, who do not have to fill out this form at all.**

1. Contractor's/Vendor's Name **Heritage-Riverhead Retail Developers, LLC c/o Developers Realty Corp.**

   Address **433 South Main Street, Suite 310**

   City and State **West Hartford, CT** Zip Code **06110**

2. Contracting Department's Name **Suffolk County Dept. of Public Works**

   Address **335 Yaphank Avenue, Yaphank, NY 11980**

3. Payee Identification or Social Security No. 51-0574365

4. Type of Business __Corporation __Partnership __Sole Proprietorship X Other **(limited Liability)**

5.a Is contractor/vendor entering into or has contractor/vendor entered into a contract with Suffolk County in excess of $1,000? __Yes X No.

5.b Has contractor/vendor entered into three or more contracts, including the one for which you are now completing this form, with Suffolk County, any three of which, when combined, exceed $1,000? __Yes X No.

6. Table of Organization. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, names and addresses of all partners, and names and addresses of all corporate officers. Conspicuously identify any person in this table of organization who is also an officer or an employee of Suffolk County. (Attach additional sheet if necessary.)
   See attached schedule
   No one is an officer or employee of Suffolk County

7. List all names and addresses of those individual shareholders holding more than five percent (5%) interest in the contractor/vendor. Conspicuously identify any shareholder who is also an officer or an employee of Suffolk County. (Attach additional sheet if necessary).
   See attached schedule
   No one is an officer or employee of Suffolk County

8. Does contractor/vendor derive 50% or more of its total revenues from its contractual or vendor relationship with Suffolk County? ___Yes X No.

9. If you answered yes to 8 above, you must submit with this disclosure statement, a complete financial statement listing all assets and liabilities as well as a profit and loss statement. These statements must be certified by a Certified Public Accountant. (Strike this out if not applicable.) **N/A**

10. The undersigned shall include this Contractor's/Vendor's Public Disclosure Statement with the contract. (Describe general nature of the contract.) **See Memorandum of Understanding** 2205

11. **Remedies.** The failure to file a verified public disclosure statement as required under local law shall constitute a material breach of contract. Suffolk County may resort, use or employ any remedies contained in Article II of the Uniform Commercial Code of the State of New York. In addition to all legal remedies, Suffolk County shall be entitled, upon a determination that a breach has occurred, to damages equal to fifteen percent (15%) of the amount of the contract.

12. **Verification.** This section must be signed by an officer or principal of the contractor/vendor authorized to sign for the company for the purpose of executing contracts. The undersigned being sworn, affirms under the penalties of perjury, that he/she has read and understood the foregoing statements and that they are, to his/her own knowledge, true.

Heritage - Riverhead Retail Developers, LLC
By: Riverhead Retail Developers, LLC

Dated: 2/17/10 Signed: By:
Printed Name of Signer: Joseph Baranowski,
Title of Signer: Member
Name of Contractor/Vendor: Heritage - Riverhead Retail Developers, LLC

UNIFORM CERTIFICATE OF ACKNOWLEDGMENT
(Within New York State)

STATE OF NEW YORK)
COUNTY OF) ss.:

On the ____ day of _____ in the year ____ before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
(Signature and office of individual taking acknowledgement)

0004133

2205

UNIFORM CERTIFICATE OF ACKNOWLEDGEMENT
(Without New York State)

STATE OF Connecticut)
)ss.: West Hartford
COUNTY OF Hartford)

On the 17th day of February in the year 2016 before me, the undersigned, personally appeared Joseph Baranowski personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual(s) made such appearance before the undersigned in West Hartford, Connecticut

(Insert the city or other political subdivision and the state or country or other place the acknowledgement was taken)

(Signature and office of individual taking acknowledgement)

Kevin M. Dowd, Esq.
Commissioner of the Superior Court
State of Connecticut

0004133

2205

Heritage-Riverhead Retail Developers, LLC
(a Delaware Limited Liability Company)

50% 50%

D/B/A Centro Properties Group 131 Dartmouth Street 6th Floor Boston, MA 02116 Barry Rodenstein Senior Vice President, Northern Region Centro Properties Group 131 Dartmouth Street, 6th Floor Boston, MA 02116 Haig Buchakjian, P.E. Director of Construction, Northeast Region Centro Properties Group 420 Lexington Avenue New York, NY 10170	Riverhead Retail Developers, LLC D/B/A Developers Realty, Inc. Corporate Center West 433 South Main Street Suite 310 West Hartford, CT 06110 Joseph R. Baranowski President and COO Corporate Center West 433 South Main Street Suite 310 West Hartford, CT 06110 Kevin M. Dowd General Counsel and Senior Vice President Corporate Center West 433 South Main Street Suite 310 West Hartford, CT 06110

0004133

Introductory Resolution No. 2206-10 Laid on Table 12/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
BARBARA SUKOWA
0500-497.00-03.00-048.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 497.00, Block 03.00, Lot 048.000, and acquired by tax deed on June 25, 2005, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2005, in Liber 12397, at Page 973, and otherwise known and designated by the Town of Islip, as Lots 593 to 595, Inclusive, as shown on the "Map of Sea View", Sections A & B, filed in the Office of the Suffolk County Clerk on August 4, 1927 as Map Number 841; 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 25, 2005, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2005 in Liber 12397 at Page 973.

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

WHEREAS, BARBARA SUKOWA has made application of said above described parcel and BARBARA SUKOWA has paid the application fee and has paid $4,325.23, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to BARBARA SUKOWA, 205 Rugby Road, Brooklyn NY 11226, 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: _____

COUNTY OF SUFFOLK

2206

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER
COMMISSIONER

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

Re: Tax Map No. 0500-497.00-03.00-048.000
BARBARA SUKOWA

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

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

2206

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

September 13, 2010

Tax Map No.: 0500-497.00-03.00-048.000
Name of Last Legal Fee Owner: BARBARA SUKOWA

TREASURER'S COMPUTATION.....	$4,325.23
Taxes.....2009/2010.....	OPEN
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
TOTAL.....	$4,325.23
Monies Received.....	$4,325.23
RESOLUTION AMOUNT.....	$4,325.23

APPROVED:

PREPARED BY:

Lori Sklar
Redemption Unit
(631)853-5937

Accounting
LS:lag

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2206

1. Type of Legislation

Resolution X
Tax Map Number 0500-497.00-03.00-048.000

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

Lori Sklar _____ _____ _____

Intro. Res. No. 2207-10 Laid on the Table 12/7/1

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

RESOLUTION NO. -2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH EXPANSION OF THE SHERIFF'S ENFORCEMENT DIVISION AT THE CRIMINAL COURT BUILDING (CP 3013)

WHEREAS, the expansion of the Sheriff's Enforcement Division at the Criminal Court Building is nearing completion; and

WHEREAS, it has been recently determined that two specific areas of the existing building designated as add alternates will not be refurbished unless an offset can be provided; and

WHEREAS, the twelve (12) existing locking mechanisms in the secure detention area should be replaced during this construction period to avoid future disruption and as a cost savings measure; and

WHEREAS, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $125,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5 (c)(1),(2),(20) and (27) of Title 6 of the New York State Code of Rules and Regulations (6 NYCRR) and Chapter 279 of the Suffolk County Administrative Code, as the administration and adoption of this legislative decision involves the maintenance, repair and replacement of a structure or facility, in kind, on the same site involving no substantial changes in an existing structure or facility; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 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; and be it further

4th RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 7011
Project Title: Heavy Duty Equipment for County Parks

Cost Elements	Total Estimated Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
5. Furniture & Equipment	$2,254,000	$228,000	$ 103,000 B
TOTAL	$2,254,000	$228,000	$103,000

5th RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 3013
Project Title: Expansion of the Sheriff's Enforcement Division at the Criminal Courts Building

Cost Elements	Total Estimated Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
3. Construction	$125,000	$0	$125,000 B
TOTAL	$125,000	$0	$125,000

and be it further

6th RESOLVED, that the proceeds of $125,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project Number	J.C.	Project Title	Amount
525-CAP-3013.311 (Fund 001-Debt Service)	25	Expansion of the Sheriff's Enforcement Division at the Criminal Court Building	$125,000

and be it further

7th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of the funding forthwith.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date:

2207

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law

2. Title of Proposed Legislation – **AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH EXPANSION OF THE SHERIFF'S ENFORCEMENT DIVISION AT THE CRIMINAL COURT BUILDING (CP 3013).**

3. Purpose of Proposed Legislation –**See number 2 above.**

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

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

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

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact
Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the Bonds.

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

8. Proposed Source of Funding – **Serial Bonds**

9. Timing of Impact - **FY 2011**

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date:
Michael P. Sharkey Chief of Staff Debra Kolyer Principal Financial Analyst Budget Office	Debra Kolyer	11/22/2010 11/29/10

Suffolk County
General Obligation Serial Bonds
Level Debt

2207

Term of Bonds	20
Amount to Bond:	$125,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2011					
11/1/2011					
5/1/2012	2.500%	$4,230.49	$4,906.25	$9,136.74	$9,136.74
			$2,370.10	$2,370.10	
5/2/2013	3.500%	$4,396.54	$2,370.10	$6,766.64	$9,136.74
			$2,283.82	$2,283.82	
5/2/2014	3.500%	$4,569.10	$2,283.82	$6,852.92	$9,136.74
			$2,194.15	$2,194.15	
5/2/2015	3.500%	$4,748.44	$2,194.15	$6,942.59	$9,136.74
			$2,100.96	$2,100.96	
5/1/2016	3.500%	$4,934.81	$2,100.96	$7,035.78	$9,136.74
			$2,004.12	$2,004.12	
5/1/2017	3.500%	$5,128.50	$2,004.12	$7,132.62	$9,136.74
			$1,903.47	$1,903.47	
5/1/2018	3.500%	$5,329.80	$1,903.47	$7,233.27	$9,136.74
			$1,798.87	$1,798.87	
5/2/2019	3.500%	$5,538.99	$1,798.87	$7,337.87	$9,136.74
			$1,690.17	$1,690.17	
5/1/2020	3.500%	$5,756.40	$1,690.17	$7,446.57	$9,136.74
			$1,577.20	$1,577.20	
5/1/2021	3.500%	$5,982.34	$1,577.20	$7,559.54	$9,136.74
			$1,459.80	$1,459.80	
5/1/2022	3.750%	$6,217.14	$1,459.80	$7,676.94	$9,136.74
			$1,337.79	$1,337.79	
5/2/2023	4.000%	$6,461.17	$1,337.79	$7,798.95	$9,136.74
			$1,210.99	$1,210.99	
5/1/2024	4.500%	$6,714.77	$1,210.99	$7,925.75	$9,136.74
			$1,079.21	$1,079.21	
5/1/2025	4.500%	$6,978.32	$1,079.21	$8,057.53	$9,136.74
			$942.26	$942.26	
5/1/2026	4.500%	$7,252.22	$942.26	$8,194.48	$9,136.74
			$799.93	$799.93	
5/2/2027	4.500%	$7,536.87	$799.93	$8,336.80	$9,136.74
			$652.02	$652.02	
5/1/2028	4.500%	$7,832.69	$652.02	$8,484.72	$9,136.74
			$498.31	$498.31	
5/1/2029	4.750%	$8,140.13	$498.31	$8,638.43	$9,136.74
			$338.56	$338.56	
5/1/2030	4.750%	$8,459.63	$338.56	$8,798.18	$9,136.74
			$172.54	$172.54	
5/2/2031	4.750%	$8,791.67	$172.54	$8,964.20	$9,136.74
		$125,000.00	$57,734.77	$182,734.77	$182,734.77

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2207

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$9,137**	**$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	**$9,137**	**$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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

2207

OFFICE OF THE SHERIFF

VINCENT F. DeMARCO
SHERIFF

To: Ken Crannell, Deputy County Executive

From: Michael P. Sharkey, Chief of Staff MS

Date: 11/22/2010

Re: **CP 3013 – Expansion of the Sheriff's Enforcement Division at the Criminal Court Building – CP 3013**

The expansion and renovation of the Sheriff's Enforcement Division at the Criminal Court Building is nearing completion. The Capital Budget for this project was extremely tight from the start and, consequently, some of the areas of concern had to be classified as add alternates. It has recently been determined that two specific areas designated as add alternates will not be refurbished unless additional funds are obtained from an offset of another Capital Project. Moreover, during the construction it was determined that the twelve (12) existing locking mechanisms in the secure detention area should be replaced during the construction to avoid future disruption and as a cost savings measure.

We are therefore requesting that an offset in the amount of $125,000 be appropriated in order for this project to be fully completed.

An e-mail version of the resolution was sent to CE RESO REVIEW, saved under the title:

"Reso-Sheriff-2010 Additional funds for CP 3013 – Expansion of the Sheriff's Enforcement Division at the Criminal Courts Building"

Thank you for your consideration in reviewing this draft resolution.

MPS/jfr

cc: Christopher Kent, Chief Deputy County Executive

Att.

100 CENTER DRIVE
RIVERHEAD, NEW YORK 11901-3390
(631) 852-2200

2208

Intro. Res. No. -2010 Laid on Table 12/7/10
Introduced by Legislator Romaine

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW IMPLEMENTING THE CHARTER COMMISSION'S RECOMMENDATION REGARDING THE TERMS OF THE PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010, a proposed local law entitled, "**A LOCAL LAW IMPLEMENTING THE CHARTER COMMISSION'S RECOMMENDATION REGARDING THE TERMS OF THE PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER**"; now, therefore be it

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

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

A LOCAL LAW IMPLEMENTING THE CHARTER COMMISSION'S RECOMMENDATION REGARDING THE TERMS OF THE PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that every ten (10) years a Charter Review Commission convenes to examine the Suffolk County Charter and provide recommendations to improve the document.

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

This Legislature also finds that the Commission recommended that the Presiding Officer and Deputy Presiding Officer be elected to terms of two years to provide greater continuity and stability in County government. Presently, the Presiding Officer and his deputy are selected on an annual basis.

This Legislature also finds that by establishing a two-year term for the Presiding Officer and Deputy Presiding Officer, legislators will be free to focus more on substantive policy and less on politics.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY ADMINISTRATIVE CODE to increase the terms of the Presiding Officer and Deputy Presiding Officer from one to two-years.

Section 2. Amendments.

I. Section A2-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

§A2-2. Organization of County Legislature.

A. The members of the County Legislature shall hold an organization meeting on the first business day in January in each year unless the first business day in January falls on a Friday, in which case the County Legislature shall hold its organization meeting on the following Monday.

B. At the organization meeting in even numbered years (held following a general election at which County Legislators are elected) the County Legislature shall elect from its own members a Presiding Officer and Deputy Presiding Officer in accordance with the provisions of section A2-3 of this Administrative Code. The Presiding Officer and Deputy Presiding Officer so elected shall serve until the end of the subsequent calendar year.

C. At all organization meetings, the County Legislature shall adopt the rules of its own proceedings and conduct such other business as may be authorized under the Legislature's rules.

II. Section A2-3 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

§A2-3. Election of Presiding Officer and Deputy Presiding Officer.

A. The Presiding Officer and Deputy Presiding Officer shall be elected by not less than a majority of the total membership of the County Legislature.

B. The Legislator serving as Presiding Officer at the end of the preceding calendar year shall preside at any organization meeting at which a Presiding Officer shall be elected until such time as the Presiding Officer has been elected, whereupon such newly elected Presiding Officer shall preside. In the event that such former Presiding Officer is unable to preside at such meeting due to death, disability, incapacity or any other cause, the Deputy Presiding Officer of the preceding year shall preside at the organization meeting until such time as the Presiding Officer has been elected. In the event that such former Deputy Presiding Officer is unable to preside at such meeting due to death, disability, incapacity or any other cause, then the most senior member of the Legislature, calculated on the basis of total number of years of service as a member of the County Legislature, consecutive or otherwise, shall preside at the organization meeting until the Presiding Officer has been elected.

C. In the event no Legislator is elected Presiding Officer and/or Deputy Presiding Officer by a majority of the total membership of the County Legislature, the Legislature shall continue in session and conduct as many roll call votes as shall be necessary to elect a Presiding Officer and Deputy Presiding Officer.

D. In the event the County Legislature is unable to elect a Presiding Officer on or before January 15 of any even numbered year, the County Clerk of the County of Suffolk shall appoint a member of the County Legislature as Presiding Officer, who shall serve until the end of the subsequent calendar year. The Clerk will also appoint a member of the County Legislature to serve as Deputy Presiding Officer who shall serve until the end of the subsequent calendar year.

E. In the event a Presiding Officer is elected by a majority of the total membership of the County Legislature on or before January 15 of any even numbered year but no Deputy

Presiding Officer is elected by that date, the duly elected Presiding Officer will select a Deputy Presiding Officer who shall serve until the end of the subsequent calendar year.

Section 3. Applicability.

This law shall apply to the election of the Presiding Officer and Deputy Presiding Officer beginning January 1, 2012.

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\refile 1778-09 PO Term

2208

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: DECEMBER 2, 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 IMPLEMENTING THE CHARTER COMMISSION'S RECOMMENDATION REGARDING THE TERMS OF THE PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER

SPONSOR: LEGISLATOR ROMAINE

DATE OF RECEIPT BY COUNSEL:	12/1/2010	PUBLIC HEARING:	12/21/2010
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

This proposed local law would increase the terms of the Presiding Officer and Deputy Presiding Officer of the County Legislature from one to two years.

This law will take effect on January 1, 2012.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-refile-po-term

2209

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

Laid on Table 12/7/10

RESOLUTION NO. -2010, APPOINTING A MEMBER OF THE SUFFOLK COUNTY VOCATIONAL, EDUCATION, AND EXTENSION BOARD (DR. ALAN B. GROVEMAN)

WHEREAS, a Suffolk County Resolution of May 24, 1943, created a Suffolk County Vocational, Education, and Extension Board for the purpose of giving instruction to the volunteer firemen of the County of Suffolk; and

WHEREAS, appointments to said Board are authorized to be made by the Suffolk County Legislature pursuant to Section 1101(2) of the NEW YORK EDUCATION LAW; and

WHEREAS, there exists a vacancy due to the death of Pascal M. Covello; now, therefore be it

RESOLVED, that Dr. Alan B. Groveman, currently residing in East Northport, New York 11731, be and he hereby is appointed to the Suffolk County Vocational, Education, and Extension Board to fill the unexpired term of Pascal M. Covello, said term of office to expire on July 31, 2015, said appointment having been made pursuant to the provisions of Section 1101(2) of the NEW YORK EDUCATION LAW.

DATED:

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

S:\res\r-appt-veeb-groveman

ALAN B. GROVEMAN

EAST NORTPORT, NY 11731

2209

EDUCATION

Institution	Major	Degree
City University of NY	Psychology/Math	BA.
University of Rhode Island	School Psychology	M.S.$^{+30}$
Columbia University Teachers College	Education	M.Ed.
Columbia University Teachers College	Education Administration	Ed. D.

EDUCATION EXPERIENCE

2004 -	Superintendent of Schools	Connetquot CSD, NY
2002 - 2004	Assistant Superintendent for Administration and Personnel	Levittown UFSD, NY
1994 - 2002	Assistant Superintendent for Business and Finance	Levittown UFSD, NY
1990 - 1994	Assistant Superintendent for Curriculum and Instruction	Plainview-Old Bethpage CSD, NY
1989 - 1991	Adjunct Professor Department of Social Science	Stony Brook College of SUNY
1985 - 1990	Director of Pupil Personnel	Plainview-Old Bethpage CSD, NY
1983 - 1985	Director of Special Services Acting Elementary Principal (3 months)	Marlboro Public Schools, NJ
1978 - 1983	Director — National Training Project	Lexington School, NY
1976 - 1978	Administrator/School Psychologist Foster Care Agency	Abbott House, NY
1976 - 1977	Dean of Students, H.S.	Lexington School, NY
1973 – 1973	Title I Reading Teacher	Campbell J.H.S., NY

CERTIFICATIONS

New York/New Jersey	School District Administrator
New York/New Jersey	School Psychologist
New York. ASBO	Registered School Business Administrator
New Yolk SED/VESID	Impartial Hearing Officer (Expired)
New York SEMO	Public Information Officer- Basic
New York	EMT, Fire Police, Safety Officer, Technical Rescue, Fire Officer

EMERGENCY SERVICES

2009 – 2010	Technical Rescue Team Leader	Suffolk USAR, NY
2006 – 2010	Suffolk County Fire Safety Officer	Commack/Smithtown, NY
2006 – 2010	Suffolk County Fire Police	Commack, NY
1997 – 2010	Technical Rescue Team Leader	Commack VFD, NY
2003 – 2010	Emergency Medical Tech, Officer	Commack VAC, NY
1994 – 2010	Firefighter, Officer, Training Officer	Commack VFD, NY

CONSULTANTSHIPS/ACTIVITIES

2007 - 2010	Briarcliffe College, Dept. Crim. Justice Adv. Board	Suffolk, NY
2007 - 2010	Contingency Planning Exchange, Board of Dir.	Suffolk, NY
2000 - 2010	ASBO/SED Summer Business Management Institute- Critical Services Coordinator	Albany, NY
2004 – 2008	Connetquot Foundation for the Advancement of Children, Board of Dir.	Connetquot, NY
2005 – 2010	BOCES S.E. Space Planning Committee Chair	E.S. BOCES, NY
2005 - 2010	Section XI Finance Committee Chair	Suffolk, NY
1999 - 2003	Nassau ASBO Quadrant Coordinator	Nassau, NY
1996 - 2009	Training Officer - Commack FD	Commack, NY
1993 - 1994	Chamber of Commerce - Board of Directors	Plainview/Old Bethpage, NY
1992 - 1999	Nassau BOCES Advisory Council on Technology	Nassau County, NY
1992 - 1992	Guidance Review Team	Port Washington UFSD, NY
1989 - 1994	Parent Network for the Prevention of Drug and Alcohol Abuse	Plainview/Old Bethpage, NY
1989 -1990	Syosset Hospital Advisory Council	Syosset, NY
1986 - 1990	Nassau BOCES Advisory Council on Shared Services	Nassau County, NY
1984 - 1986	Five Day Residential Program Advisor	Lexington School, NY
1984 - 1988	Impartial Hearing Officer	New York State SED
1982 - 1984	Micro-Computer Specialist	Queens College, CUNY, NY
1981 - 1982	High School Program Review	Abilities Incorporated, NY

PUBLICATIONS/PRESENTATIONS

Executive Seminars, Stony Brook University, "School Safety and Security", 2007-2010

New York State ASBO, "Critical Services", Annual Summer Workshop Series, 2004-2010

"Emergency Planning for Industry": NYIT - CPE/ASIS Workshop on Emergency Planning, 2009

"Public relations- Before, During, After the Crisis": Adelphi University Workshop December15, 2008, Emergency Planning and Management

"Local Dimensions of Immigration": Hofstra Law School Conference Nov., 2007 Immigrant Children's Right to Education

Long Island/NYC Emergency Management Conference May, 2007 "Emergency Management in the Public Schools"

Panel Discussion, "Open Forum on Budget Planning, Contingency and Public Relations," ASBO/SED Summer Business Management Workshop, Albany, 2004 and 2005

"Working with your Superintendent and School Board," School Business Affairs Institute, Nassau BOCES 2003

"Building Security: A Practical Approach," ASBO/SED Summer Business Management Workshop, Albany, 2002

"Enrollment Projections and Classroom Utilization;" ASBO/SED Summer Business Management Workshop, Albany, 2001

"Issues of Inclusion: Management, Financial and Instructional," New York State Reading Association Conference, New York, 1993

"Public School Responsibilities under Section 504 and ADA," panel presentation for the Farmingdale USFD, New York, May 1993

"Issues of Inclusion for Primary Educators," New York State Reading Association Conference~ New York, 1992

Video Tape - "Parent/Child Activities for Preschool Children," (Groveman & Israel, Producers and Editors, Nassau County 1989

'The Role of the Building Administrator in Special Education Programming, SETRC, BOCES Workshop, Nassau County, 1988

2209

Intro. Res. No. 2428-2006 Laid on Table 11/21/2006
Introduced by Presiding Officer Lindsay and Legislators Cooper, Schneiderman

RESOLUTION NO. 1372 -2006, REAPPOINTING PASCAL M. COVELLO AS A MEMBER OF THE SUFFOLK COUNTY VOCATIONAL, EDUCATION, AND EXTENSION BOARD

WHEREAS, a Suffolk County Resolution of May 24, 1943, created a Suffolk County Vocational, Education, and Extension Board for the purpose of giving instruction to the volunteer firemen of the County of Suffolk; and

WHEREAS, appointments to said Board are authorized to be made by the Suffolk County Legislature pursuant to Section 1101(2) of the NEW YORK EDUCATION LAW; and

WHEREAS, the term of office of Pascal M. Covello expired on July 31, 2006, and he is currently in holdover status as a member of the Board; now, therefore be it

RESOLVED, that Pascal M. Covello, currently residing in Westhampton Beach, New York 11978-0525, be and he hereby is reappointed to the Suffolk County Vocational, Education, and Extension Board for a term of office to expire on July 31, 2015, said appointment having been made pursuant to the provisions of Section 1101(2) of the NEW YORK EDUCATION LAW.

DATED: December 5, 2006

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

2210

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

Laid on Table 12/7/10

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW TO BAN THE SALE OF ENERGY DRINKS TO MINORS IN SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010, a proposed local law entitled, "**A LOCAL LAW TO BAN THE SALE OF ENERGY DRINKS TO MINORS IN SUFFOLK COUNTY**" now, therefore, be it

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

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

A LOCAL LAW TO BAN THE SALE OF ENERGY DRINKS TO MINORS IN SUFFOLK COUNTY

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that energy drinks are very popular, particularly among young people.

This Legislature also finds and determines that most energy drinks claim to target their marketing to consumers aged 18 to 30, but are being consumed predominantly by children in middle and high school.

This Legislature further finds and determines that energy drinks contain up to 800 milligrams of caffeine per serving, the equivalent of eight cups of coffee. The exact caffeine content of these drinks is not required to be disclosed as nutritional information.

This Legislature determines that energy drinks also contain a blend of herbal supplements, vitamins and amino acids, such as glucose, guarana, taurine, vitamin B6, vitamin B12, yerbamate, bitter orange, ginger, ginkgo, St. John's wort, and ginseng, the exact contents of which are also not disclosed.

This Legislature finds that consumption of energy drinks by minors has been associated with hyperactivity, lack of concentration, poor nutrition and dental problems.

This Legislature also finds that consumption of energy drinks can cause serious adverse effects: aggravating heart conditions, headaches, rapid heartbeat, nervousness, irritability, sleeplessness, dehydration, abnormal heart rhythms, and stomach upset and even death. These effects may be exacerbated in minors and occur after consuming smaller amounts of caffeine or other stimulants.

This Legislature further finds that some energy drinks are labeled with explicit warnings against consumption by children.

This Legislature also determines that, in an effort to curb minors' use of these dangerous beverages, some states, including Maine, Kentucky and Michigan, have considered banning the sale of energy drinks to minors.

This Legislature further determines that Suffolk County should protect the health and welfare of children by restricting their ability to purchase energy drinks.

Therefore, the purpose of this law is to ban the sale of energy drinks to minors in Suffolk County.

Section 2. Definitions.

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

"ENERGY DRINK" shall mean a soft drink that is classified as a dietary supplement not regulated by the Food and Drug Administration and that contains 80 or more milligrams of caffeine per 8 fluid ounces and generally includes a combination of methylxanthines, B vitamins, herbal ingredients and other ingredients which are advertised as being specifically designed to provide or increase energy.

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

"PERSON" shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association, or other entity or business organization of any kind.

Section 3. Prohibition.

No person shall sell energy drinks to minors in Suffolk County.

Section 4. Penalties.

Violation of this law shall be punishable by a civil fine of up to five hundred dollars ($500) for a first violation, with subsequent violations punishable by a fine of up to one thousand dollars ($1,000).

Section 5. Enforcement.

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

Section 6. Authority to Promulgate Rules and Regulations.

The Commissioner of the Suffolk County Department of Health Services is hereby authorized and empowered to promulgate such rules and regulations as he or she deems necessary to implement this law.

Section 7. Applicability.

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

Section 8. Severability.

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

Section 9. SEQRA Determination.

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

Section 10. Effective Date.

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\I-ban energy drinks minors

2210

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: **DECEMBER 2, 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. 2210-2010; A LOCAL LAW TO BAN THE SALE OF ENERGY DRINKS TO MINORS IN SUFFOLK COUNTY**

SPONSOR: **LEGISLATOR NOWICK**

DATE OF RECEIPT BY COUNSEL: 12/1/2010 **PUBLIC HEARING:** 12/21/2010

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

This proposed local law would ban the sale of energy drinks[1] to persons under the age of 19.

The Department of Health Services will enforce this law. Violation of this law shall be punishable by a civil fine of up to five hundred dollars ($500) for an initial violation and a fine of up to one thousand dollars ($1,000) for any subsequent violations.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-ban-energy-drinks-minors

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[1] "Energy Drink" is defined as "a soft drink that is classified as a dietary supplement not regulated by the Food and Drug Administration and that contains 80 or more milligrams of caffeine per 8 fluid ounces and generally includes a combination of methylxanthines, B vitamins, herbal ingredients and other ingredients which are advertised as being specifically designed to provide or increase energy."

INTRODUCTORY TAX RESOLUTIONS FOR DECEMBER 7, 2010
GENERAL MEETING OF THE SUFFOLK COUNTY LEGISLATURE

IR 2211 Levying Unpaid Water Rents.

IR 2212 Implementing Budget, Staff, and Taxes for the year 2011 (Discretionary)

IR 2213 Implementing Budget, Staff, and Taxes for the year 2011 (Mandated)

IR 2214 Authorizing that the Tax Warrants be signed by the Presiding Officer and Clerk of the County Legislature and that they be annexed to the tax rolls for the collection of taxes.

IR2215 Approving the return of the fund balance of the general fund, police district fund, and District Court District Fund to the taxpayers of the towns of Suffolk County

IR 2216 Approving the tabulations of Town Charges and fixing the tax levies and charges to the towns under the County Budget for fiscal year 2011

IR 2217 Amending Resolution No. 1061-2010, Determining Equalized Real Property Valuations for the Assessment Rolls of the 10 Towns

2218

Intro. Res. No. -2010 Laid on Table 12/7/10

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW REQUIRING THE POSTING OF "CASH ONLY" SIGNS AT RESTAURANTS

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 REQUIRING THE POSTING OF "CASH ONLY" SIGNS AT RESTAURANTS**;" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

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

A LOCAL LAW REQUIRING THE POSTING OF "CASH ONLY" SIGNS AT RESTAURANTS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that many restaurants are cash only establishments, but do not disclose that fact clearly or at the time that patrons place their orders. A patron may then be left without the cash means to pay for the meal served when the check arrives.

This Legislature also finds and determines that this causes great inconvenience to the patron and the restaurant while arrangements are made to obtain payment for the meal served.

Therefore, the purpose of this law is to require restaurants that do not accept credit or debit cards to clearly post at each entrance way "Cash Only" signs.

Section 2. Amendment.

Chapter 407 of the Suffolk County Regulatory Local Laws is hereby amended as follows by adding a new subsection to section 407-3:

Chapter 407
Restaurants

***

§ 407-3. Price notice requirements.

***

C.) Restaurants that do not accept credit cards or debit cards shall have posted at all entrances conspicuous signs stating "Cash Only" in all capital lettering not less than two inches in height on a contrasting background. Said signs shall be posted by the restaurant operator.

Section 3. Applicability.

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

Section 4. SEQRA Determination.

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

Section 5. Effective Date.

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

2218

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
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DATE: December 2, 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 REQUIRING THE POSTING OF "CASH ONLY" SIGNS AT RESTAURANTS

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL:	12/1/10	PUBLIC HEARING:	12/21/10
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

This proposed local law would require Suffolk County restaurants that do not accept credit cards or debit cards to post "Cash Only" signs at all their entrances.

Restaurants violating this law would be subject to a civil penalty of not less than $50 and no more than $500. The Department of Consumer Affairs will enforce 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:mjk

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2219

Intro. Res. No. 2010 Laid on Table 12/7/10

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

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW REQUIRING STORE CLOSURE ON THANKSGIVING DAY

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 REQUIRING STORE CLOSURE ON THANKSGIVING DAY**;" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

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

A LOCAL LAW REQUIRING STORE CLOSURE ON THANKSGIVING DAY

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

Section 1. Legislative Intent.

The Legislature finds and determines that the County desires to promote the values that have become the basis for holidays such as Thanksgiving by recognizing the day as a time for contemplation, giving back to the community, rest and relaxation with friends and family.

The Legislature finds and determines that even employees who may wish to spend a holiday in contemplation, giving back to the community, or in rest and relaxation with friends and family will not be able to do so because they are compelled to work despite overwhelming sentiment that Thanksgiving Day should be set aside as a day off from work.

The Legislature finds and determines that small businesses feel the pressure of having to open and take time away from their families, or lose business to bigger box stores that are more routinely opening on the holiday.

Therefore, the purpose of this law is to require that stores in Suffolk County close, for at least part of the day, on Thanksgiving Day.

Section 2. Definitions.

"Commissioner" means the Commissioner of the Suffolk County Department of Consumer Affairs.

"Department" means the Suffolk County Department of Consumer Affairs.

A "store" is a retail business operation conducted within one building advertising as, and representing itself to the public to be, one business enterprise regardless of internal departmentalization. All subleased departments of any store for the purpose of this section are considered to be operated by the store in which they are located. Contiguous stores owned by the same proprietor or operated by the same management for the purpose of this section are considered to be a single store

Section 3. Restriction.

A store shall not be open to the public between the hours of noon and 5:00 P.M. on Thanksgiving Day.

Section 4. Exceptions.

This law shall not apply to

A.) Stores that have no more than 7,500 square feet of interior customer selling space, excluding back room storage, office and processing space;

B.) Restaurants;

C.) Pharmacies;

D.) Farm stands; and

E.) Stores in which no more than 5 full-time persons, including the proprietor, are employed in the usual and regular conduct of business.

F.) Entertainment venues.

Section 4. Penalty.

Any person that violates any provisions of this law shall be subject to the imposition of a civil penalty by the Commissioner of the Department of a minimum of $300.00, but not to exceed $1,000.00 for a first violation, and a minimum of $500.00, but not to exceed $1,500.00 for each subsequent violation.

Section 5. Enforcement.

The provisions of this law shall be enforced by the Department.

Section 6. Hearing.

A.) A hearing held on any alleged violation or violations of the provisions of this chapter shall be scheduled on a date not less than ten days after notification of

such hearing, in writing, to the manager of the store involved. The hearing shall be conducted by an officer or employee designated by the Commissioner for such purpose. The person conducting the hearing shall make a written determination. Such determination may be appealed to the Commissioner who, after due deliberation, shall issue an order accepting, modifying or rejecting such determination.

B.) Notice shall be served upon such manager, either personally or by certified mail, and shall contain a concise statement of the facts constituting the alleged violation or violations, as well as setting forth the date, time and place the hearing will be held.

C.) The store against whom the charges are pending has the right to be heard, call witnesses and produce evidence, be represented by counsel, or have counsel appear on its behalf.

D.) The Department is authorized to recover from the store any penalty imposed as the result of a finding of a violation of the provisions of this law.

E.) For the purpose of this law, the Commissioner, or any officer or employee designated by him or her, may administer oaths, take testimony, subpoena witnesses and compel the production of books, papers, records and documents pertinent to the subject of the investigation, pursuant to § C31-2B and C of the Suffolk County Charter.

Section 7. Applicability.

This law shall apply to store closings on Thanksgiving Day on or after the effective date of this law.

Section 8. Severability.

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

Section 9. SEQRA Determination.

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

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

Section 10. Effective Date.

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

2219

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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DATE: DECEMBER 2, 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 REQUIRING STORE CLOSURE ON THANKSGIVING DAY

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 12/1/10 PUBLIC HEARING: 12/21/10

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

This proposed local law would prohibit retail business operations, that have more than 7,500 square feet of interior customer selling space, from opening to the public between the hours of 12:00 noon and 5:00 p.m. on Thanksgiving Day. Restaurants, pharmacies, farm stands, entertainment venues and stores which have five (5) or fewer full-time employees are exempted from the law's provisions.

Persons violating this law will be subject to a penalty of between $300 and $500 for a first violation and a penalty between $500 and $1,500 for any subsequent violation. This law will be enforced by the Department of Consumer Affairs.

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-store closure on Thanksgiving