

**L A I D O N T H E T A B L E F E B R U A R Y 1 , 2 0 1 1**

LADS REPORT PREPARED BY:

Michele Gerardi

1003. To amend the User Fee Schedule for Suffolk County Parks. (Viloria-Fisher) PARKS & RECREATION
1004. To extend deadline for Teen Pregnancy Task Force. (Viloria-Fisher) HEALTH & HUMAN SERVICES
1005. Amending Resolution No. 965-2009, establishing a Local Home Energy Efficiency Task Force. (Viloria-Fisher) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1006. Authorizing certain technical correction to Adopted Resolution No. 1151-2010. (Co. Exec.) WAYS & MEANS
1007. Authorizing certain technical correction to Adopted Resolution No. 1152-2010. (Co. Exec.) WAYS & MEANS
1008. Adopting Local Law No. -2011, A Charter Law to enhance budgeting flexibility and responsiveness. (Schneiderman) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1009. Authorizing use of Smith Point County Park property in 2011 by the Mastics-Moriches-Shirley Community Library's Family Literacy Project. (Browning) PARKS & RECREATION
1010. Adopting Local Law No. -2011, A Charter Law to reaffirm the County Legislature's policy-making authority. (Schneiderman) WAYS & MEANS
1011. Authorizing certain technical corrections to Adopted Resolution No. 1280-2010. (Co. Exec.) WAYS & MEANS
1012. Adopting Local Law No. -2011, A Local Law amending the County Affordable Housing Program to provide affordable housing to homeowners displaced by natural disaster. (Co. Exec.) LABOR, HOUSING & CONSUMER PROTECTION
1013. Authorizing public hearing for renewal of ferry license and fares of Tony's Freight Service, Inc. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION
1014. Approving renewal and extension of ferry license and fares for Tony's Freight Service, Inc. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION
1015. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Arthur Lima (SCTM No. 0400-210.00-02.00-018.000). (Co. Exec.) WAYS & MEANS
1016. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Alice J. Bauer, as surviving tenant (SCTM No. 0800-061.00-01.00-036.000). (Co. Exec.) WAYS & MEANS

1017. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Frances B. Lewin Trust, by Thomas Austin Lewin, as successor trustee (SCTM No. 0200-424.00-04.00-014.000). (Co. Exec.) WAYS & MEANS
1018. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Beatrice Reid (SCTM No. 0100-014.00-06.00-032.000). (Co. Exec.) WAYS & MEANS
1019. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Luis A. Lopez and Dionizia Garcia (SCTM No. 0200-973.80-03.00-017.000). (Co. Exec.) WAYS & MEANS
1020. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Eleanor Hughes (SCTM No. 0500-372.00-01.00-007.000). (Co. Exec.) WAYS & MEANS
1021. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Mark Rosenman and Beth Rosenman, his wife (SCTM No. 0800-044.00-05.00-013.000). (Co. Exec.) WAYS & MEANS
1022. 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 Nellie Laporte by Mary Louise McHugh as administrator and Mary Louise McHugh, individually, and Greta Pryor as to a life estate (SCTM No. 0300-162.00-01.00-009.002). (Co. Exec.) WAYS & MEANS
1023. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 348. (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1024. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 347. (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1025. Approving the appointment of Dionne Walker-Belgrave as a member of the Suffolk County Human Rights Commission. (Co Exec.) PUBLIC SAFETY
1026. Amending the 2011 Operating Budget to support Parents for Megan's Law. (Pres. Off.) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1027. To amend the user fee schedule for Suffolk County Parks to implement an unlimited annual 9-hole golf pass for seniors who are veterans. (Romaine) PARKS & RECREATION
1028. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Heritage Square Property – Town Of Brookhaven). (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE

1029. Authorizing the Suffolk County Police Department to qualify retired law enforcement officers from other law enforcement agencies under The Firearms Qualification Program. (Romaine) PUBLIC SAFETY
1030. Directing the County Attorney to cease unauthorized representation of the County Executive. (Cooper) WAYS & MEANS
1031. Authorizing use of Makamah Preserve in Northport by Northport Running Club. (Cooper) PARKS & RECREATION
1032. Authorizing transfer of surplus County computer systems and hardware to the Huntington Station Enrichment Center/Kidz Café. (Cooper) PUBLIC WORKS & TRANSPORTATION
1033. To terminate lease with Eastern Long Island Solar Project. (Pres. Off.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1034. Appropriating funds in connection with construction of a Skate Park in Sayville (CP 7113). (Pres. Off.) PARKS & RECREATION
1035. Amending the 2011 Operating Budget to support Cornell Cooperative Extension's Diabetes Prevention Program and Integrated Pest Management Program. (Romaine) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1036. Amending the 2011 Operating Budget and transferring funds to Lifeline Mediation Center. (Romaine) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1037. Amending the 2011 Operating Budget for the First Congregational Church of Bay Shore. (Barraga) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1038. Authorizing certain technical corrections to the 2011 Adopted Operating Budget for the West Islip Symphony Orchestra, Inc. (Barraga) WAYS & MEANS
1039. Amending the 2011 Capital Budget and Program and appropriating funds in connection with the Upgrading Court Minutes Application (CP 1681). (Pres. Off.) WAYS & MEANS
1040. Amending the 2011 Capital Budget and Program and appropriating funds in connection with the Digital Image Storage Repository (CP 1809). (Pres. Off.) WAYS & MEANS
1041. Designating the second week of November as Tolerance and Acceptance Week in Suffolk County. (Romaine) HEALTH & HUMAN SERVICES
1042. Adopting Local Law No. -2011, A Local Law to require responsible disposal of expired and unused medications by hospitals, nursing homes, hospice facilities and long-term care facilities. (Cooper) HEALTH & HUMAN SERVICES
1043. Making a SEQRA determination in connection with the proposed stormwater improvements to Meschutt Beach County Park, Town of Southampton. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1044. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Anthony Vultaggio and Victoria Vultaggio, his wife (SCTM No. 0800-023.00-01.00-040.000). (Co. Exec.) WAYS & MEANS
1045. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Theresa Heinert (SCTM No. 0500-131.00-05.00-002.000). (Co. Exec.) WAYS & MEANS
1046. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Matthew R. Poole and Sara K. Poole his wife (SCTM No. 0200-559.00-01.00-008.000). (Co. Exec.) WAYS & MEANS
1047. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Mark Ebsen and Andrea Ebsen, his wife (SCTM No. 0200-969.00-01.00-039.000). (Co. Exec.) WAYS & MEANS
1048. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Glenna Margaret Crow (SCTM No. 0800-006.00-02.00-026.002). (Co. Exec.) WAYS & MEANS
1049. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Big Blue Six Corp. (SCTM No. 0500-393.00-03.00-081.001). (Co. Exec.) WAYS & MEANS
1050. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Guy Schafer and Ann Marie Schafer, his wife (SCTM No. 0500-361.00-01.00-098.000). (Co. Exec.) WAYS & MEANS
1051. Authorizing acquisition of land under the Suffolk County Open Space Preservation Program – for the K. Dunne, M. Dunne and Bartilucci property – Robert Cushman Murphy County Park addition – Pine Barrens Core – Town of Riverhead – (SCTM No. 0600-134.00-01.00-010.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1052. Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) for the Kalamaras, U. Altop and H. Altop property – Triangle Farm – Town of Riverhead – (SCTM No. 0600-079.00-01.00-005.001 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1053. Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) for the Roselle Building Company, Inc. property – Town of Riverhead – (SCTM No. 0600-061.00-02.00-009.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1054. Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) for the Wickham property - Wickham Fruit Farm – Town of Southold – (SCTM No. 1000-103.00-11.00-022.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1055. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(b)] for the Bergmann property - Pine Barrens Core - Town of Southampton - (SCTM No. 0900-333.00-03.00-007.000).(Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1056. Amending Resolution No. 1129-2007 in connection with the Suffolk County Multifaceted Land Preservation Program and authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program – Parkland purposes – for the Boys & Girls Harbor, Inc. property – Town of East Hampton – (SCTM Nos. 0300-092.00-01.00-011.001 and 0300-074.00-05.00-030.002). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1057. Accepting and appropriating additional 100% grant funds from the New York State Office of Family and Children Services (OCFS) to the Suffolk County Department of Social Services for the Child Care Council of Suffolk, Inc. for day care registration and inspection contract. (Co. Exec.) HEALTH & HUMAN SERVICES
1058. Requesting legislative approval of contract award for a sole bidder to operate a central kitchen to provide meals for nutrition programs for the elderly. (Co. Exec.) VETERANS & SENIORS
1059. Accepting and appropriating 50% Federal grant funds from the United States Environmental Protection Agency to the Department of Health Services, Division of Environmental Quality for the National Estuary Program. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1060. Amending the 2011 Adopted Operating Budget to accept and appropriate 100% State Aid from the New York State Office of Alcoholism and Substance Abuse Services to Maryhaven Center of Hope, Inc. for an Adolescent Outpatient Chemical Dependency Program. (Co. Exec.) HEALTH & HUMAN SERVICES
1061. Accepting and appropriating 100% Federal grant funds awarded by the Department of Justice, Bureau of Justice Assistance Second Chance Act Reentry Demonstration Program: Targeting Offenders with Co-occurring Substance Abuse and Mental Health Disorders for the Suffolk County Criminal Justice Coordinating Council to Suffolk County Probation Department. (Co. Exec.) PUBLIC SAFETY
1062. Amending the 2011 Adopted Operating Budget to transfer funding from programs operated by Suffolk Community Council to the United Way of Long Island, Inc. (Co. Exec.) HEALTH & HUMAN SERVICES
1063. Amending the Composition of the Environmental Trust Review Board. (Browning) ENVIRONMENT, PLANNING & AGRICULTURE
1064. Authorizing transfer of surplus County computer systems and hardware to RSVP. (Kennedy) PUBLIC WORKS & TRANSPORTATION
1065. Authorizing transfer of surplus County computer systems and hardware to Princess Ronkonkoma Productions. (Viloria-Fisher) PUBLIC WORKS & TRANSPORTATION

1066. Requesting the conveyance of a parcel of real property, having a Suffolk County Tax Map Identification Number of District 0100 Section 053.00 Block 01.00 Lot 062.000, for public highway purposes and requesting approval from the Town of Babylon for conveyance of same, pursuant to New York State General Municipal Law §72-h. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1067. Amending Resolution No. 622-2006 in connection with stormwater system discharge remediation and stream water silt removal and remediation at the Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown (CP 8710). (Kennedy) ENVIRONMENT, PLANNING & AGRICULTURE
1068. Amending the 2011 Capital Budget and Program and appropriating funds in connection with construction for beach erosion and coastline protection – Smith Point Beach and Meschutt Beach County Parks (CP 5380). (Co. Exec.) PARKS & RECREATION
1069. Amending the 2011 Capital Budget and Program and appropriating funds in connection with planning and construction for beach erosion and coastline protection – Shinnecock East County Park (CP 5380). (Co. Exec.) PARKS & RECREATION
1070. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 841-2011) (Co. Exec.). BUDGET & FINANCE/INFORMATION TECHNOLOGY
1071. Appropriating funds in connection with the purchase of sewer facility maintenance equipment (CP 8164). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1072. Transferring funds from the Assessment Stabilization Reserve Fund, and appropriating funds in connection with improvements to Suffolk County Sewer District No. 23 – Coventry Manor (CP 8149). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1073. To repeal Resolution No. 652-1997 which abolished the charging of legal fees by the Department of Law in Child Support Services (CSS) Cases. (Co. Exec.) WAYS & MEANS
1074. Accepting and appropriating a grant award for a Health Workforce Retraining Initiative Grant Program from the New York State Department of Health, 100% reimbursed by State Funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1075. Appropriating funds for the purchase of replacement VHF mobile radios for ambulance vehicles and desktop radios for hospitals (CP 4080). (Co. Exec.) HEALTH & HUMAN SERVICES
1076. Appropriating funds in connection with the renovation of Kreiling Hall - Ammerman Campus (CP 2114). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1077. Appropriating funds in connection with the Health and Sports Facility - Eastern Campus (CP 2120). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1078. Appropriating funds in connection with the installation of cooling systems (CP 2138). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1079. Appropriating funds in connection with the partial renovation of the Peconic building (CP 2181). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1080. Authorizing execution of a sewer easement agreement to abandon an existing easement in favor of an alternate easement by the Administrative Head of Suffolk County Sewer District No. 11 – Selden with Samantha Drive Subdivision (BR-1568). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1081. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 3 - Southwest and Westbrook Village (IS-1432.1). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1082. To appoint member of County Planning Commission (Michael F. Kelly). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1083. To appoint member of County Planning Commission (David L. Calone). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1084. To appoint member of County Planning Commission (William E. Schoolman). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1085. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (New York State) (SCTM No. ) (Co. Exec.) WAYS & MEANS
1086. Creating a Bipartisan Commission to preserve Public Health Services in Suffolk County in the face of State Aid disallowances. (Co. Exec.) HEALTH & HUMAN SERVICES
1087. Accepting and appropriating 100% State grant funds awarded through the New York State Division of Criminal Justice Services funding to the Suffolk County Department of Probation. (Co. Exec.) PUBLIC SAFETY
1088. Accepting and appropriating 100% Federal funds awarded by the U.S. Marshals Service to the Suffolk County Department of Probation and authorizing the County Executive to execute related agreements. (Co. Exec.) PUBLIC SAFETY
1089. Appropriating funds in connection with the purchase of communications equipment for Sheriff's Office (CP 3060). (Co. Exec.) PUBLIC SAFETY
1090. Appropriating funds in connection with improvements to the County Correctional Facility C – 141, Riverhead (CP 3014). (Co. Exec.) PUBLIC SAFETY
1091. Appropriating funds in connection with renovations to the original portions of the Yaphank Correctional Facility (CP 3009). (Co. Exec.) PUBLIC SAFETY

1092. Authorizing the payment of funds from the Sheriff's Office Prisoners' Commissary Account to the General Fund. (Co. Exec.) PUBLIC SAFETY
1093. Naming the Suffolk County Police Department Range "The Stephen J. Clark Memorial Range". (Co. Exec.) PUBLIC SAFETY
1094. Approving the appointment of Kenneth Blomberg to Detective Sergeant in the Suffolk County Police Department. (Co. Exec.) LABOR, HOUSING & CONSUMER PROTECTION
1095. Authorizing the creation of a utility easement for use by LIPA and National Grid for service to the Compressed Natural Gas (CNG) fueling station at the west end highway facility (Commack Truck Garage). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1096. Authorizing the County Treasurer to borrow cash funds from other County Funds for 2011. (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1097. Reappointing member to the Suffolk County Water Authority (Patrick G. Halpin). (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1098. Amending the 2011 Operating Budget and transferring funds from the John J. Foley Skilled Nursing Facility to the Legislature. (Browning). BUDGET & FINANCE/INFORMATION TECHNOLOGY
1099. Amending the 2011 Capital Budget and Program and the 2011 Adopted Operating Budget and appropriating \$652,500 in connection with the improvement of the safety and security of Suffolk County through the use of the ShotSpotter® Gunshot Location System (CP 3511). (Gregory) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1100. Adopting Local Law No. -2011, A Local Law to increase awareness of the harmful effects of tobacco use. (Cooper) HEALTH & HUMAN SERVICES
1101. Establishing a community garden in Bellport. (Browning) WAYS & MEANS
1102. Adopting Local Law No. -2011, A Local Law in relation to disposition of auction properties. (Co. Exec.) WAYS & MEANS
1103. Adopting Local Law No. -2011, A Local Law to amend Chapter 152 of the Administrative Local Laws exempting the Health Commissioner and the Chief Medical Examiner from certain salary caps. (Co. Exec.) LABOR, HOUSING & CONSUMER PROTECTION
1104. Adopting Local Law No. -2011, A Local Law to prohibit pet waste and waterfowl feeding on County property. (Co. Exec.) HEALTH & HUMAN SERVICES
1105. Adopting Local Law No. -2011, A Local Law amend the rules and regulations for the use of Suffolk County Parks. (Co. Exec.) PARKS & RECREATION

## PROCEDURAL MOTIONS

- PM01. Designating Veterans Organizations to receive funding for Memorial Day Observances for 2011. (Stern) VETERANS & SENIORS
- PM02. Technical correction to Procedural Motion 12-2010. (Pres. Off.)

1003

Intro. Res. No. -2011  
Introduced by Legislator Viloría-Fisher

Laid on Table 2/1/11

**RESOLUTION NO. -2011, TO AMEND THE USER FEE  
SCHEDULE FOR SUFFOLK COUNTY PARKS**

**WHEREAS**, the 2011 Adopted Operating Budget includes revenues for increased park fees; and

**WHEREAS**, the County's Parks and Recreation Fees Schedule must be updated accordingly; now, therefore be it

**1st RESOLVED**, that Section 688-3 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

**Chapter 688  
PARKS AND RECREATION FEES**

**§ 688-3. Fees.**

The fee schedule shall be as follows and, where indicated, "weekday" is Monday through Friday and "weekend" is Saturday, Sunday and holidays, except for marina fees, where "weekday" is Sunday through Thursday and "weekend" is Friday, Saturday and holidays:

<b>Type</b>		<b>Fee</b>
<b>Green key</b>		
Resident (3-year pass)	[\$20.00]	<u>\$24.00</u>
Discount rate for:		
Senior citizen (60 and over); veteran;	[\$9.00]	<u>\$11.00</u>
CERT volunteer; handicapped; volunteer fire fighter and ambulance workers; auxiliary police		
Junior (under 18)	[\$9.00]	<u>\$11.00</u>
Disabled veteran; members and spouses and children of members of Armed Forces on active duty	[Free]	<u>Free</u>
Replacement (lost, stolen or misplaced)	[\$5.00]	<u>\$5.00</u>
Nonresident reservation key (1-year pass)	[\$35.00]	<u>\$40.00</u>
<b>Golf</b>		
Residents:		
Weekday, excluding holidays	[\$25.00]	<u>\$28.00</u>
Weekend and holidays	[\$27.00]	<u>\$30.00</u>

Discount rate weekday, excluding holidays (no

discount rate on weekends) for:		
Senior citizen; handicapped	[\$14.00]	<u>\$17.00</u>
Junior (under 18) discount rate	[\$10.00]	<u>\$10.00</u>
Nonresident:		
Weekday (excluding holidays)	[\$35.00]	<u>\$38.00</u>
Weekend and holidays	[\$40.00]	<u>\$45.00</u>
Twilight discount rates 7 days per week:		
Residents	[\$15.00]	<u>\$18.00</u>
Nonresidents	[\$28.00]	<u>\$30.00</u>
Twilight discount rates weekday, excluding holidays:		
Senior citizen	[\$9.00]	<u>\$11.00</u>
Handicapped	[\$9.00]	<u>\$11.00</u>
Junior (under 18)	[\$9.00]	<u>\$9.00</u>
9 holes weekday, excluding holidays:		
Residents	[\$14.00]	<u>\$15.00</u>
Nonresident	[\$22.00]	<u>\$24.00</u>
Senior citizen	[\$7.00]	<u>\$9.00</u>
Handicapped	[\$7.00]	<u>\$9.00</u>
Junior	[\$7.00]	<u>\$8.00</u>
9 holes, weekend and holidays:		
Residents	[\$15.00]	<u>\$18.00</u>
Nonresident	[\$29.00]	<u>\$30.00</u>
Senior citizen	[\$15.00]	<u>\$18.00</u>
Handicapped	[\$15.00]	<u>\$18.00</u>
Junior	[\$15.00]	<u>\$18.00</u>
Tournament application fee	[\$50.00]	<u>\$62.00</u>
Tournament greens fee (all players)	[\$30.00]	<u>\$33.00</u>
Same-day replay fee	[\$12.00]	<u>\$15.00</u>
Reservation fee (per player/round):	[\$3.00]	<u>\$3.00</u>
Reservation no-show fee (per player):	[\$5.00]	<u>\$5.00</u>
<b>Vehicle Use Fees</b>		
Daily parking (7 days/week)		
<b>Parks with Lifeguards</b> (Smith Point, Cupsogue, Meschutt, Sears Bellows):		
Resident with green key	[\$5.00]	<u>\$5.00</u>
Discounted rate (weekday, excluding holidays) for senior citizen; veteran; CERT volunteer; handicapped; volunteer fire fighter and ambulance workers; auxiliary police	[Free]	<u>Free</u>

Discounted rate for (7 days/week) for disabled veteran; members and spouses and children of members of Armed Forces on active duty	[Free]	<u>Free</u>
Nonresident	[\$10.00]	<u>\$12.00</u>
<b>Parks without Lifeguards</b> (Southaven, Indian Island, Blydenburgh, West Hills, Lake Ronkonkoma, Cathedral Pines):		
Resident with green key	[\$3.00]	<u>\$3.00</u>
Discounted rate (weekday, excluding holidays) for senior citizen; veteran; CERT volunteer; handicapped; volunteer fire fighter and ambulance workers; auxiliary police	[Free]	<u>Free</u>
Discounted rate for disabled veteran; members and spouses and children of members of Armed Forces on active duty (7 days/week)	[Free]	<u>Free</u>
Nonresident	[\$8.00]	<u>\$10.00</u>
Seasonal parking (NOTE: green-key holders only):		
Limited-access parking pass	[\$25.00]	<u>\$30.00</u>
Unlimited access, resident	[\$50.00]	<u>\$55.00</u>
Bus parking:		
Daily, nonprofit organization	[\$15.00]	<u>\$18.00</u>
Daily, general bus parking	[\$30.00]	<u>\$35.00</u>
<b>Outer beach recreational vehicle use permit</b>		
Annual permit:		
Resident	[\$75.00]	<u>\$93.00</u>
Discounted rate for:		
Senior citizen; veteran; CERT volunteer green key holder; handicapped; volunteer fire fighter and ambulance workers; auxiliary police	[\$37.50]	<u>\$46.00</u>
Disabled veteran	[Free]	<u>Free</u>
Nonresident	[\$200.00]	<u>\$225.00</u>
Resident (fourth quarter only)	[\$37.50]	<u>\$46.00</u>
Nonresident (fourth quarter only)	[\$75.00]	<u>\$90.00</u>
Annual permit replacement fee	[\$15.00]	<u>\$20.00</u>
Discounted rate for disabled veteran	[Free]	<u>Free</u>
Vehicle day use fee:		
Resident green key holder	[\$25.00]	<u>\$30.00</u>

Nonresident	[\$35.00]	<u>\$40.00</u>
Discounted rate for (daily) disabled veteran; members and spouses and children of members of Armed Forces on active duty	[Free]	<u>Free</u>
<b>Special group events</b> (picnics, fundraisers and horse/dog shows):		
Plus vehicle use fee		
10 to 50 people	[\$50.00]	<u>\$50.00</u>
51 to 100 people	[\$100.00]	<u>\$100.00</u>
101 to 200 people	[\$150.00]	<u>\$150.00</u>
201 to 500 people	[\$225.00]	<u>\$225.00</u>
501 to 1,000 people	[\$400.00]	<u>\$400.00</u>
Over 1,000 people	[\$600.00]	<u>\$600.00</u>
Parking fee, per person (for facilities without a vehicle day use fee)	[\$2.00]	<u>\$2.00</u>
Pavilion fee	[\$100.00]	<u>\$100.00</u>
Alcohol permit	[\$30.00]	<u>\$30.00</u>
<b>Recreational permits</b> (horseback riding, dogs, metal detectors, model planes, and others):		
Family rate (annual)	[\$50.00]	<u>\$55.00</u>
Resident individual (annual)	[\$25.00]	<u>\$28.00</u>
Resident individual (daily)	[\$5.00]	<u>\$6.00</u>
Non resident family (annual)	[\$75.00]	<u>\$83.00</u>
Non resident individual (annual)	[\$40.00]	<u>\$44.00</u>
Non resident individual (daily)	[\$10.00]	<u>\$11.00</u>
Group riding permit per use (minimum 10 horses; all riders must have permit)	[\$50.00]	<u>\$55.00</u>
<b>Camping</b>		
In season:		
Resident	[\$14.00]	<u>\$15.00</u>
Resident - electric	[\$16.00]	<u>\$20.00</u>
Resident - premium	[\$21.00]	<u>\$25.00</u>
Nonresident	[\$24.00]	<u>\$30.00</u>
Nonresident - electric	[\$27.00]	<u>\$33.00</u>
Nonresident - premium	[\$32.00]	<u>\$40.00</u>
Discounted rate for senior citizen; veteran; CERT volunteer; handicapped; volunteer fire fighter and ambulance workers; auxiliary police	[\$7.50]	<u>\$9.00</u>
Electric	[\$9.50]	<u>\$11.00</u>
Premium	[\$14.50]	<u>\$18.00</u>
Discounted rate for disabled veteran; members and spouses and children of members of Armed Forces on active duty (7 days/week, excluding reservation penalty and reservation fees)	[Free]	<u>Free</u>

Off-season:		
Resident	[\$8.00]	<u>\$10.00</u>
Resident - electric	[\$10.00]	<u>\$12.00</u>
Resident - premium	[\$18.00]	<u>\$22.00</u>
Nonresident	[\$16.00]	<u>\$20.00</u>
Nonresident - electric	[\$19.00]	<u>\$23.00</u>
Nonresident - premium	[\$29.00]	<u>\$36.00</u>
Discounted rate for senior citizen; veteran; CERT volunteer; handicapped; volunteer fire fighter and ambulance workers; auxiliary police	[\$5.00]	<u>\$5.00</u>
Electric	[\$7.50]	<u>\$8.00</u>
Premium	[\$13.00]	<u>\$13.00</u>
Discounted rate for disabled veteran; members and spouses and children of members of Armed Forces on active duty (7 days/week, excluding reservation penalty and reservation fees)	[Free]	<u>Free</u>
Reservation fees per site:	[\$12.00]	<u>\$12.00</u>
No-show fee or cancellation less than one week before check-in date	[\$37.00]	<u>\$45.00</u>
Cancellation fee up to one week prior to check-in date		<u>\$25.00</u>
Late checkout fee	[\$25.00]	<u>\$25.00</u>
Camping clubs:		
Reservation fee (refundable)	[\$75.00]	<u>\$75.00</u>
Residents	[\$15.00]	<u>\$16.00</u>
Residents - premium site	[\$17.00]	<u>\$18.00</u>
Nonresident Suffolk-County-based camping club	[\$15.00]	<u>\$16.00</u>
Nonresident Suffolk-County-based camping club premium site	[\$17.00]	<u>\$18.00</u>
Nonresident non-Suffolk-County-based camping club	[\$25.00]	<u>\$28.00</u>
Nonresident non-Suffolk-County-based camping club premium site	[\$28.00]	<u>\$30.00</u>
Discounted rate for:		
Senior citizen; veteran; CERT volunteer; handicapped; volunteer fire fighter and ambulance workers; auxiliary police	[\$7.50]	<u>\$8.00</u>
Disabled veteran; members and spouses and children of members of Armed Forces on active duty	[Free]	<u>Free</u>

Youth group, per person, per night	[\$1.50]	<u>\$2.00</u>
Special large group (Cathedral Pines) (one payment from group; no discounts; per camper, per night)		<u>\$10.00</u>
Discounted rate for disabled veteran members and spouses and children of members of Armed Forces on active duty	[Free]	<u>Free</u>
Dump station - campground user	[Free]	<u>Free</u>
Dump station - non-campground user	[\$7.00]	<u>\$8.00</u>
Dump station - commercial	[\$25.00]	<u>\$30.00</u>
Montauk trailer storage	[\$550.00]	<u>\$600.00</u>
Field shelter (West Hills) per night	[\$50.00]	<u>\$60.00</u>
<b>Rowboats</b>		
First hour	[\$6.00]	<u>\$7.00</u>
Each additional hour	[\$4.00]	<u>\$5.00</u>
Discounted rate for (weekdays, excluding holidays):		
Senior citizen; veteran; CERT volunteer; handicapped; volunteer fire fighter and ambulance workers; auxiliary police	[\$3.00]	<u>\$4.00</u>
Disabled veteran; members and spouses and children of members of Armed Forces on active duty	[Free]	<u>Free</u>
Daily rate	[\$30.00]	<u>\$35.00</u>
Deposit	[\$10.00]	<u>\$10.00</u>
<b>Canoeing</b>		
Daily	[\$2.00]	<u>\$3.00</u>
Discount rate for disabled veteran; members and spouses and children of members of Armed Forces on active duty	[Free]	<u>Free</u>
<b>Fishing</b>		
Freshwater daily	[\$2.00]	<u>\$3.00</u>
Freshwater seasonal permit	[\$30.00]	<u>\$35.00</u>
Saltwater night with outer beach permit	[Free]	<u>Free</u>
Saltwater night, no outer beach permit	[\$10.00]	<u>\$12.00</u>
Saltwater night nonresident	[\$30.00]	<u>\$35.00</u>
Walleye fish permit (Lake Ronkonkoma only)	[\$10.00]	<u>\$12.00</u>

Cordwood Landing fishing permit (residents only)	[\$10.00]	<u>\$12.00</u>
Discount rate for disabled veteran (all fees); members and spouses and children of members of Armed Forces on active duty (daily fees)	[Free]	<u>Free</u>
<b>Duck/Scoter hunting season, daily</b>		
Resident	[\$10.00]	<u>\$12.00</u>
Discounted rate for (weekdays, excluding holidays):		
Senior citizen; veteran; CERT volunteer; handicapped; junior (under 18); auxiliary police	[\$5.00]	<u>\$6.00</u>
Disabled veteran; members and spouses and children of members of Armed Forces on active duty	[Free]	<u>Free</u>
Nonresident	[\$20.00]	<u>\$25.00</u>
<b>Deer hunting (shotgun season), daily</b>		
Resident	[\$15.00]	<u>\$17.00</u>
Discounted rate for (weekdays):		
Senior citizen; veteran; CERT volunteer; handicapped; junior (under 18); auxiliary police	[\$7.50]	<u>\$9.00</u>
Disabled veteran; members and spouses and children of members of Armed Forces on active duty	[Free]	<u>Free</u>
Nonresident	[\$30.00]	<u>\$35.00</u>
<b>Deer hunting (bow season)</b>		
Resident seasonal permit	[\$30.00]	<u>\$35.00</u>
Discount rate for disabled veteran	[Free]	<u>Free</u>
<b>Falconry season</b>		
Resident seasonal permit	[\$30.00]	<u>\$35.00</u>
Discount rate for disabled veteran	[Free]	<u>Free</u>
<b>Marina fees per foot seasonal contract</b>		
Timber Point West	[\$39.00]	<u>\$45.00</u>
Timber Point East and Shinnecock	[\$43.00]	<u>\$50.00</u>
Winter storage	[\$16.50]	<u>\$20.00</u>
Waiting list fee per year	[\$15.00]	<u>\$18.00</u>
<b>Marina transient fees per day</b>		
In season:		

Resident - weekday, excluding holidays	[\$35.00]	<u>\$40.00</u>
Resident - weekend and holidays	[\$40.00]	<u>\$45.00</u>
Nonresident - weekday, excluding holidays	[\$55.00]	<u>\$60.00</u>
Nonresident - weekend and holidays	[\$65.00]	<u>\$70.00</u>
Off season:		
Resident - weekday, excluding holidays	[\$25.00]	<u>\$30.00</u>
Resident - weekend and holidays	[\$30.00]	<u>\$35.00</u>
Nonresident - weekday, excluding holidays	[\$45.00]	<u>\$50.00</u>
Nonresident - weekend and holidays	[\$55.00]	<u>\$60.00</u>
<b>Marina transient slip reservation fee</b>		
Per slip, per day (nonrefundable)	[\$5.00]	<u>\$5.00</u>
<b>Boat launching</b>		
Resident, annual	[\$25.00]	<u>\$30.00</u>
Nonresident, annual	[\$50.00]	<u>\$62.00</u>
Discounted annual rate for:		
Senior citizen; veteran; CERT volunteer; handicapped; auxiliary police	[\$15.00]	<u>\$18.00</u>
Disabled veteran	[Free]	<u>Free</u>
Commercial, annual	[\$200.00]	<u>\$225.00</u>
Resident - daily	[\$5.00]	<u>\$6.00</u>
Discounted rate for (daily) members and spouses and children of members of Armed Forces on active duty	[Free]	<u>Free</u>
Nonresident - daily	[\$10.00]	<u>\$12.00</u>
Special facilities		
Classrooms	[\$35.00]	<u>\$35.00</u>
Conference rooms	[\$100.00]	<u>\$100.00</u>
Auditorium/Activity building	[\$250.00]	<u>\$250.00</u>
Daily cabin and room rentals (groups only)	[\$35.00]	<u>\$43.00</u>
Commercial photography use	[\$1,000.00]	<u>\$1,000.00</u>
Commercial photography, half day	[\$500.00]	<u>\$500.00</u>
Wood removal permit (per cord)	[\$25.00]	<u>\$31.00</u>
<b>Special equipment</b>		
Showmobile:		
Up to 4 hours	[\$450.00]	<u>\$500.00</u>
Additional hours	[\$100.00]	<u>\$125.00</u>
Extended stage per day	[\$200.00]	<u>\$225.00</u>
Generator, per day	[\$100.00]	<u>\$125.00</u>

and be it further

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

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

DATED:

APPROVED BY:

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

Date:

s:\res\l-amend-park-fees

1004  
Intro. Res. No. -2011  
Introduced by Legislator Vilorio-Fisher

Laid on Table 2/1/11

**RESOLUTION NO. -2011, TO EXTEND DEADLINE FOR  
TEEN PREGNANCY TASK FORCE .**

**WHEREAS**, Resolution No. 881-2009 established a teen pregnancy task force to study and analyze the increased rates of teen pregnancy in Suffolk County and develop recommendations to reduce the County's teen pregnancy rate now and in the future; 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. 657-2010 amended Resolution No. 881-2009 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; now, therefore be it

**1st RESOLVED**, that the 15<sup>th</sup> RESOLVED clause of Resolution No. 881-2009, as amended by Resolution No. 657-2010, is hereby amended to read as follows:

**15th RESOLVED**, that this special Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than ~~[December 31, 2010]~~ March 31, 2011 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 16<sup>th</sup> RESOLVED clause of Resolution No. 881-2009, as amended by Resolution No. 657-2010, is hereby amended to read as follows:

**16th RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate as of ~~[December 31, 2010]~~ March 31, 2011, 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 all other terms and conditions of Resolution No. 881-2009 shall remain in full force and effect; and be it further

**4th RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations,

rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

[ ] 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-teen-pregnancy-task-force

1005  
Intro. Res. No. -2011  
Introduced by Legislator Viloría-Fisher

Laid on Table 2/1/11

**RESOLUTION NO. -2011, AMENDING RESOLUTION NO.  
965-2009, ESTABLISHING A LOCAL HOME ENERGY  
EFFICIENCY TASK FORCE**

**WHEREAS**, Resolution No. 965-2009 established a Local Home Energy Efficiency Task Force to study and analyze the feasibility of the towns in Suffolk County participating in programs to improve the energy efficiency of homes in their towns; to share information on current programs established by the various towns that seek to improve home energy efficiency; and to further research funding available at the State and Federal levels for such programs; and be it further

**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 together with its recommendations for action; and be it further

**WHEREAS**, the Task Force has determined that it needs additional time to complete their report; now, therefore be it

**1st RESOLVED**, that the 15<sup>th</sup> RESOLVED clause of Resolution No. 965-2009 is hereby amended to read as follows:

**15th RESOLVED**, that this special Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than [one hundred eighty (180) days subsequent to the effective date of this Resolution] December 31, 2011 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 16<sup>th</sup> RESOLVED clause of Resolution No. 965-2009 is hereby amended to read as follows:

**16th RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate, as of [December 31<sup>st</sup>, 2010] December 31, 2011, 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 all other terms and conditions of Resolution No. 965-2009 shall remain in full force and effect; and be it further

**4th RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the

NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

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

Date:

s:\res\l-amend-reso-965-2009-home-energy-efficiency-task-force

100b  
Intro. Res. No. -2011  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
1151-2010**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 1151-2010; and

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

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

**1<sup>st</sup>** **RESOLVED**, that the Clerk of the Legislature shall make the following technical corrections:

**Resolution No. 1151-2010**

Change the Project No. in the 5<sup>th</sup> RESOLVED clause:

**FROM:**

525-CAP-5534.212

**TO:**

525-CAP-5534.213

DATED:

APPROVED BY:

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

Date:

1007

Intro. Res. No. -2011

Laid on Table 2/1/2011

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
1152-2010**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 1152-2010; 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

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

**Resolution No. 1152-2010**

Change the Project No. in the Title Paragraph:

**FROM:**

(CP 5534.211)

**TO:**

(CP 5534.213)

DATED:

APPROVED BY:

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

Date:

1008  
Intro. Res. No. -2011  
Introduced by Legislators Schneiderman and Cooper

Laid on Table 2/11/11

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW  
NO. -2011, A CHARTER LAW TO ENHANCE BUDGETING  
FLEXIBILITY AND RESPONSIVENESS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2011 a proposed local law entitled, "A CHARTER LAW TO ENHANCE BUDGETING FLEXIBILITY AND RESPONSIVENESS"; now, therefore, be it

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

**LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO ENHANCE BUDGETING FLEXIBILITY AND  
RESPONSIVENESS**

**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 Legislature is entrusted by the Suffolk County Charter with the County's power of appropriation.

This Legislature further finds that the Legislature is a co-equal branch of government responsible for making policy for the County of Suffolk.

This Legislature also determines that in order to fulfill their policy and budget making role, members of the County Legislature should have the ability to initiate amendments to the County's Operating Budget throughout the fiscal year.

This Legislature further finds and determines that the Legislature requires more flexibility to amend the County Operating Budget in order to respond to rapidly changing economic conditions and meet the needs of County residents.

Therefore, the purpose of this law is to enable the members of the County Legislature to introduce budget modification resolutions throughout the entire fiscal year without restriction, subject to the continued requirement that such modifications maintain overall spending in the Operating Budget at adopted levels.

**Section 2. Amendment.**

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

**Article IV, County Budget and Capital Program.**

\*\*\*\*

**§C4-31. Modifications to budget after adoption.**

\*\*\*\*

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

**Section 3. Applicability.**

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

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

This law shall not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

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

Date:

s:\laws\cl-budget-modification-entire-fiscal-year

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1008

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

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

DATE: JANUARY 10, 2011

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2011

TITLE: A CHARTER LAW TO ENHANCE BUDGETING FLEXIBILITY AND RESPONSIVENESS

SPONSOR: LEGISLATORS SCHNEIDERMAN AND COOPER

DATE OF RECEIPT BY COUNSEL: 1/7/2011

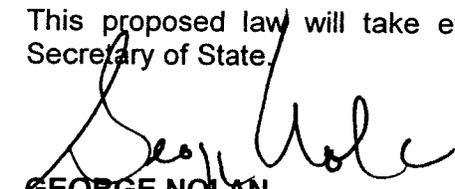
PUBLIC HEARING: 3/8/2011

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

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

This proposed local law would amend the Suffolk County Charter to authorize members of the County Legislature to introduce budget modification resolutions throughout the fiscal year without restriction. Presently, budget amending resolutions initiated by legislators may only be laid on the table at the first regular legislative meeting in February, April, June and September.

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

  
GEORGE NOLAN  
Counsel to the Legislature

GN:js

s:\rule28\28-budget-modification-entire-fiscal-year

1009

Intro. Res. No. -2011  
Introduced by Legislator Browning

Laid on Table 2/1/11

**RESOLUTION NO. -2011, AUTHORIZING USE OF SMITH  
POINT COUNTY PARK PROPERTY IN 2011 BY THE MASTICS-  
MORICHES-SHIRLEY COMMUNITY LIBRARY'S FAMILY  
LITERACY PROJECT**

**WHEREAS**, the Mastics-Moriches-Shirley Community Library's Family Literacy Project is a not-for-profit organization; and

**WHEREAS**, the Mastics-Moriches-Shirley Community Library's Family Literacy Project would like to use the Smith Point County Park in Shirley for the purpose of hosting the Smith Point Bridge 5K Run, the proceeds of which would go to the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

**WHEREAS**, the Mastics-Moriches-Shirley Community Library's Family Literacy Project is planning to hold a 5 Kilometer race which would begin in the park and proceed up the William Floyd Parkway to Parkview Drive with a return to the park; and

**WHEREAS**, the parking lot will be used as a staging point and also for parking for participants; and

**WHEREAS**, the 5 Kilometer race will be held in the park itself; and

**WHEREAS**, this race would be held on Saturday, September 10, 2011 from 7:00 a.m. to 12:00 noon; and

**WHEREAS**, the County of Suffolk shall receive consideration in the total amount of Two Hundred Twenty-Five and 00/100 Dollars (\$225.00), payment of which shall be guaranteed by the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

**WHEREAS**, a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured has been provided by the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

**WHEREAS**, the use of County property for such a fund drive for support of the Mastics-Moriches-Shirley Community Library's Family Literacy Project would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the use of County-owned property, i.e., the Smith Point County Park in Shirley, by the Mastics-Moriches-Shirley Community Library's Family Literacy Project, in consideration of the payment of Two Hundred Twenty-Five and 00/100 Dollars (\$225.00) for the purpose of holding the Smith Point Bridge 5K Run on Saturday, September 10, 2011, between the hours of 7:00 a.m. and 12:00 noon, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

**2<sup>nd</sup>**           **RESOLVED**, that before this event shall be permitted to occur, the Mastics-Moriches-Shirley Community Library's Family Literacy Project must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

**3<sup>rd</sup>**           **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the Smith Point Bridge 5K Run for the Mastics-Moriches-Shirley Community Library's Family Literacy Project at Smith Point County Park in Shirley; and be it further

**4<sup>th</sup>**           **RESOLVED**, that the Mastics-Moriches-Shirley Community Library's Family Literacy Project shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

**5<sup>th</sup>**           **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

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

Date:

s:\res\r-smith-point-family-literacy-project-2011

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW  
NO. -2011, A CHARTER LAW TO REAFFIRM THE COUNTY  
LEGISLATURE'S POLICY-MAKING AUTHORITY**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, 2011, a proposed local law entitled, "**A CHARTER LAW TO REAFFIRM THE COUNTY LEGISLATURE'S POLICY-MAKING AUTHORITY**"; now, therefore be it

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

**LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO REAFFIRM THE COUNTY LEGISLATURE'S  
POLICY-MAKING AUTHORITY**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the SUFFOLK COUNTY CHARTER designates the County Legislature as the policy-making branch of Suffolk County Government.

This Legislature further determines that the County Legislature alone is empowered by the Charter to organize, alter and abolish any unit of County Government and to transfer any function or duty from one unit to another.

This Legislature finds that in recent years, the County Executive has encroached on the Legislature's policy-making authority through unilateral administrative action and careful manipulation of the budget process.

This Legislature determines that the County Executive most recently usurped the Legislature's policy-making authority by forcing the closure of the John J. Foley Skilled Nursing Facility -- ending the County's 100-year commitment to providing nursing home services to the needy, displacing hundreds of residents and firing 250 employees -- all without a majority vote of the County Legislature in support of this radical policy change.

This Legislature also finds and determines that services and functions traditionally performed by the County of Suffolk should only be terminated by an affirmative vote of the County Legislature in accordance with the SUFFOLK COUNTY CHARTER.

This Legislature also determines that the Legislature must take proactive steps to protect its policy-making authority and maintain a proper balance of power in Suffolk County Government.

Therefore, the purpose of this law is to reaffirm the County Legislature's policy-making preeminence under the SUFFOLK COUNTY CHARTER and to add express language requiring affirmative legislative approval for policy changes affecting the delivery of services by the County of Suffolk.

**Section 2. Amendment.**

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

**ARTICLE II, The County Legislature.**

\* \* \* \*

**§ C2-8. Powers.**

\* \* \* \*

- E. No proposal to terminate a function or service performed by the County of Suffolk or to close a facility owned, operated or funded by the County where such function is performed or service delivered, shall be advanced or implemented by any County employee or officer unless such action is expressly authorized by the County Legislature via a duly enacted resolution. The termination of a function or service, or the closure and/or conveyance of a County facility shall not be included as part of an adopted County operating budget unless such action is authorized by the County Legislature via a duly enacted stand-alone resolution.

\* \* \* \*

**Section 3. Applicability.**

- A. This law shall apply to actions occurring on or after the effective date of this law.
- B. The requirements of this law shall not apply when a contract agency of the County is defunded.

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND

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

**Section 6. Effective Date.**

This law shall not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

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

Date:

OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK

1010

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



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

DATE: JANUARY 27, 2011  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A CHARTER LAW TO REAFFIRM THE COUNTY LEGISLATURE'S POLICY-  
MAKING AUTHORITY

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 1/13/2011 PUBLIC HEARING: 3/8/2011  
DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed law would amend the SUFFOLK COUNTY CHARTER to state that no proposal to terminate a function or service performed by the County or to close a facility where such function is performed or service delivered, shall be advanced or implemented unless such action is expressly authorized by the enactment of a legislative resolution. Further, this law would bar the County from effectuating the termination of a function or a service or the closure/conveyance of a facility through the operating budget unless such action is authorized by the Legislature via a duly enacted resolution.

This proposed law is made subject to a permissive referendum.

A handwritten signature in black ink, appearing to read "George Nolan".

GEORGE NOLAN  
Counsel to the Legislature

GN:js

s:\rule28\28-legislature-policy-making-authority

1011  
Intro. Res. No. -2011  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AUTHORIZING CERTAIN  
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.  
1280-2010**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 1280-2010; and

**WHEREAS**, this resolution when adopted contained a technical errors; and

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

**1<sup>st</sup>** **RESOLVED**, that the Clerk of the Legislature shall make the following technical corrections:

**Resolution No. 1280-2010**

1. In the 3<sup>rd</sup> Employee Benefits paragraph in the 2<sup>nd</sup> RESOLVED  
Change the amount:

**FROM:**

\$203.

**TO:**

**\$204.**

2. Delete the last Employee Benefits paragraph in the 2<sup>nd</sup> RESOLVED.

DATED:

APPROVED BY:

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

Date:

Intro. Res. No. 1012-2011  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW  
NO. -2011, A LOCAL LAW AMENDING THE COUNTY  
AFFORDABLE HOUSING PROGRAM TO PROVIDE  
AFFORDABLE HOUSING TO HOMEOWNERS DISPLACED NY  
NATURAL DISASTER**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on 2011, a proposed local law entitled, **“A LOCAL LAW AMENDING THE COUNTY AFFORDABLE HOUSING PROGRAM TO PROVIDE AFFORDABLE HOUSING TO HOMEOWNERS DISPLACED NY NATURAL DISASTER”**; 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. -2011, SUFFOLK COUNTY, NEW YORK A LOCAL  
LAW AMENDING THE COUNTY AFFORDABLE HOUSING PROGRAM  
TO PROVIDE AFFORDABLE HOUSING TO HOMEOWNERS  
DISPLACED NY NATURAL DISASTER**

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

**Section 1. Legislative Intent.**

This Legislature finds and determines that Local Law No. 17-2004 (Article 36 of the Suffolk County Administrative Code) increased affordable housing opportunities by providing additional housing and funding options, including the creation of a workforce housing program and by further streamlining the process by which individuals and municipalities may work with the County to achieve these goals.

This Legislature also finds and determines that Suffolk County is always vulnerable to threats of hurricane, flood or tornado. In many cases, our residents cannot obtain insurance for these perils. It is in the interest of the County to assist only the most vulnerable members of our population with these perils. This assistance can be provided at little or no cost to the County, while the County advances the important public policy of affordable housing.

This Legislature also finds that the goals of the affordable housing program can be advanced if the County makes available to qualified homeowners displaced by hurricane, flood or tornado property for their relocation upon the condition that affordability restrictions that run with the land in perpetuity are imposed on the property. This way the County can restore stability to people who have lost their homes through natural disaster, while still assuring that parcels are forever dedicated to the public purpose of providing people to the working men and women of this County.

Therefore, the purpose of this law is to increase affordable housing opportunities under the County's Affordable Housing Program by expanding the 72-h transfer program set forth in Article XXXVI of the Suffolk County Administrative Code to include property transfers to benefit qualified homeowners who are displaced from their homes due to hurricane, flood or tornado upon the conditions that the transfers are restricted in perpetuity for affordability.

**Section 2. Amendments.**

Section A36-2 of the Suffolk County Administrative Code is hereby amended as follows:

**Article XXXVI  
Affordable Housing**

\*\*\*\*

**§ A36-2. Suffolk County housing opportunities programs.**

\*\*\*\*

**C.) New York State General Municipal Law § 72-h transfer program for homeowners displaced by natural disaster.**

- 1.) Designated uninhabitable improved parcels and vacant parcels shall be transferred by the County to participating municipalities for nominal consideration and shall be constructed and/or reconstructed for affordable housing purposes for homeowners displaced by a natural disaster. These parcels shall be subject to covenants and restrictions requiring cooperating municipalities to transfer these parcels to eligible individuals whose income is no more than two times the HUD-established limits for the Nassau-Suffolk PMSA adjusted by family size. Units constructed and/or reconstructed on a parcel transferred pursuant to this Subsection C, and sold to homeowners displaced by natural disaster, subject to a hierarchy of local preferences established by the participating municipality, shall be constructed and/or reconstructed, as the case may be, using design and construction features in compliance with § A36-3 of this article.
- 2.) For purposes of this section, natural disaster means (a) hurricane, flood or tornado which renders uninhabitable a person's primary residence, and (b) that there was not available for purchase prior to the loss of the primary residence from any private insurance or government sponsored insurance program insurance for loss caused by hurricane, flood or tornado, and (c) that no other source of indemnity for the loss is available to the homeowner from any other Federal, State or County program.
- 3.) **Deed restrictions.**

**a.)** Parcels transferred pursuant to this section shall contain deed covenants and restrictions, which covenants shall run with the land, as follows:

i. "The use of the parcel herein described is hereby restricted solely to the development of a single family residential dwelling unit for a homeowner displaced by a natural disaster with all right, title, and interest reverting back to the County of Suffolk, at the sole option of the County of Suffolk, in the event the grantee, at any time, uses or attempts to use the parcel herein

described for any other use or purpose, including, without limitation, no use or purpose.

ii. "All right, title, and interest to the parcel herein described shall revert back to the County of Suffolk should any one or more of the following events occur:

1. construction of a single family residential dwelling for a homeowner displaced by a natural disaster upon the parcel described herein within three (3) years from the date of transfer to the grantee, unless one or more extensions of time is granted, in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Notwithstanding the foregoing, such extensions shall not exceed, in the aggregate, a period of four (4) years from the date of transfer to the grantee, unless approved by a duly enacted resolution of the County of Suffolk;

2. If the income of the homeowner displaced by a natural disaster, at the time of occupancy of the single family dwelling constructed on the parcel described herein, should exceed two times the HUD established median income for the Nassau-Suffolk Primary Metropolitan Statistical Area adjusted by family size;

3. If the sale price of the single family dwelling constructed on the parcel described herein exceeds sixty percent (60%) of the median sales price for Suffolk County single family dwellings, based upon the State of New York Mortgage Agency Guidelines;

4. If the homeowner displaced by a natural disaster fails to occupy the single family dwelling constructed on the parcel described herein as his and/or her primary residence for a period of ten (10) consecutive years from the time of occupancy of such single family dwelling; provided, however, that right title and interest shall not revert to the County of Suffolk, when the homeowner displaced by a natural disaster sells to a first time home owner or buyer meeting the income qualifications set forth in section A42-4(H)(1)(b)(2) of the Suffolk County Administrative Code, or as amended; and

a.) providing further that any gain realized from such sale up to and including the fifth anniversary of ownership shall be paid to the County of Suffolk, and

any realized gain during the sixth year of ownership up to and including the tenth anniversary of ownership, shall be paid to the County of Suffolk declining ratably thereafter to fifty percent (50%), and any realized gain after the tenth year of ownership shall not be paid to the County of Suffolk; and

b.) providing further that the income qualifications and the formula for recapture of realized gain set forth in this paragraph shall apply to each and every subsequent sale;

5. If all or any portion of the single family residential dwelling is rented or leased to any other person, whether or not by written agreement;

6. If the grantee fails to certify to the Suffolk County Director of Affordable Housing, (or his or her designee), prior to closing of the title by a homeowner displaced by a natural disaster:

a.) the dates of completion and occupancy of the single family dwelling constructed on the parcel described herein; and

b.) the total income, from all sources, of all occupants of the single family dwelling constructed on the parcel described herein; and

c.) the sales price of the single family dwelling constructed on the parcel described herein; and

d.) the single family dwelling constructed on the parcel described herein meets all applicable building and zoning codes, rules and regulations;

7. If the grantee fails to provide the Suffolk County Director of Affordable Housing, (or his or her designee), with a detailed, annual written report no later than December 31 of each year commencing in the year immediately subsequent to the date of this deed, which report shall include any and all information as may be required by the said Director, including, but not limited to, the status of the development and/or sale of the parcel described herein, and an accounting of all sums directly or indirectly attributable to the use of the parcel described herein."

[C]D.

[D]E.

[E]F.

**Section 3. Applicability.**

This Law shall apply to all transfers made pursuant to General Municipal Section 72-h made on or after the effective date of this law, and shall be for the benefit of all homeowners who meet the income requirements of this Law who have been heretofore displaced, or are hereafter displaced, by hurricane, flood or tornado.

**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:

1012

OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK

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



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

DATE: January 13, 2011  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW AMENDING THE COUNTY AFFORDABLE HOUSING PROGRAM TO PROVIDE AFFORDABLE HOUSING TO HOMEOWNERS DISPLACED BY NATURAL DISASTERS

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 1/13/11 PUBLIC HEARING: 3/8/11

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

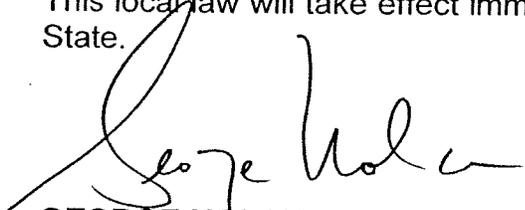
This proposed law would amend the County's section 72-h/affordable housing program to provide a local preference for homeowners displaced by a natural disaster.

Under the proposed law, the County may transfer properties to participating municipalities for the purpose of constructing housing for persons whose primary residence was made inhabitable by a hurricane, flood or tornado. Such persons must demonstrate that they could not purchase insurance for the damaged residence and that there is no other source of indemnity to compensate them for the damages suffered.

The proposed law would allow applicants with incomes up to twice the HUD established limits for the Nassau-Suffolk PMSA to participate in the program. Parcels transferred under this program would be subject to the following covenants and restrictions:

1. Parcels must be used to develop a single family residence.
2. Construction must start within 3 years of transfer.
3. The sale price of the residence cannot exceed 60% of the median sales price for a single family residence in Suffolk County.
4. The homeowner displaced by natural disaster must occupy the residence for a period of 10 years. If the property is sold during that period, Suffolk County shall receive a percentage of the profits based upon the home's original date of purchase under this program.
5. Title shall revert if all or a portion of the residence is rented or leased to another person.
6. Title shall revert if the grantee fails to provide the Suffolk County Director of Affordable Housing with an annual report on the status of the development and/or sale of parcels in this program.

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



**GEORGE NOLAN**  
**Counsel to the Legislature**

**GN:**

s:\rule28\28-affordable housing natural disasters

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

**RESOLUTION NO. -2011, AUTHORIZING PUBLIC HEARING  
FOR RENEWAL OF FERRY LICENSE AND FARES OF TONY'S  
FREIGHT SERVICE, INC.**

**WHEREAS**, Tony's Freight Service, Inc. has applied to the Suffolk County Legislature, by a Petition dated and verified January 19 2011, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Local Law No. 7 of 1982 of Suffolk County for the renewal of its existing Ferry License for service over and upon the waters of the Great South Bay, within the County of Suffolk between the Town of Islip facility of Sayville, New York and various communities on Fire Island, New York including Fair Harbor, Fire Island Pines, Cherry Grove, Barrett Beach, Ocean Bay Park, Sailor's Haven, Watch Hill, Seaview, Kismet, Saltaire, Water Island, Point O' Woods, Atlantique Beach, Fire Island, New York; and by a petition dated and verified January 19, 2011, to be approved by the Suffolk County Legislature to maintain said rates; now, therefore be it

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

Consideration of the application of Tony's Freight Service, Inc. for the purposes of publication of the notice required by the Suffolk County Legislature, the Public Hearing on this application shall be held at the Regular Meeting of the Suffolk County Legislature at 6:30 p.m. on the 22<sup>nd</sup> day of March, 2011 at Hauppauge, New York; and it is further

**2<sup>nd</sup>**           **RESOLVED**, that pending the consideration of this application and the public hearing, the application be and it hereby is referred to the Public Works Committee for its consideration and recommendation to the Suffolk County Legislature.

DATED:

APPROVED BY:

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

Date:

**RESOLUTION NO. -2011, APPROVING RENEWAL AND  
EXTENSION OF FERRY LICENSE AND FARES FOR TONY'S  
FREIGHT SERVICE, INC.**

**WHEREAS**, Tony's Freight Service, Inc. has applied to the Suffolk County Legislature, by petition dated and verified January 19, 2011 pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Local Law No. 7 of 1982 of Suffolk County; and

**WHEREAS**, Tony's Freight Service, Inc. has heretofore filed with the Clerk of the Suffolk County Legislature it's undertaking with a surety all pursuant to Article 8 of the Navigation Law of the State of New York; now, therefore be it

**1<sup>st</sup> RESOLVED**, pursuant to Chapter 287 of the SUFFOLK COUNTY CODE that:

(1) The Petition of Tony's Freight Service, Inc. dated and verified is hereby approved;

(2) The undertaking heretofore filed with the Clerk of the Suffolk County Legislature in the sum of \$20,000.00 is hereby approved.

(3)The Ferry License and Franchise heretofore granted to Tony's Freight Service, Inc. to operate a public ferry service for the transportation of property over and upon the waters of the Great South Bay within the County of Suffolk between the Town of Islip facility of Sayville, New York and various communities of Fire Island, New York including Fair Harbor, Fire Island Pines, Cherry Grove, Barrett Beach, Davis Park, Ocean Beach, Ocean Bay Park, Sailor's Haven, Watch Hill, Seaview, Kismet, Saltaire, Water Island, Point O' Woods, Atlantique Beach, and Fire Island, New York is hereby extended for a period of five (5) years commencing on the date of approval hereof up to, and including, March 14, 2016.

(4) This Ferry License and Franchise is granted subject to all existing laws, rules and regulations of all Federal, State, County and Municipal governments and agencies thereof having jurisdiction thereover;

(5) The rates and fares to be charged for the transportation pursuant to this License and Franchise shall not exceed the rates and fares authorized to the said Tony's Freight Service, Inc. from time to time by the Suffolk County Legislature pursuant to Article 8 of the Navigation Law, Section 71 of the Transportation Corporations Law, Section 131-g of the Highway Law and Local Law No. 7 of 1982 of Suffolk County.

(6) The said rates and fares schedules, if any, shall be posted at each entrance of the ferry pursuant to Section 113 of the Navigation Law and Section 72 of the Transportation Corporation Law.

DATED:

APPROVED BY:

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

Date:

Introductory Resolution No. 1015-11 Laid on Table 2/1/11

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  
ARTHUR LIMA  
0400-210.00-02.00-018.000

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 210.00, Block 02.00, Lot 018.000, and acquired by tax deed on June 29, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 30, 2010, in Liber 12629, at Page 469, and otherwise known and designated by the Town of Huntington, as part of Lots 35 and 36 in Block 4, on a certain map entitled, "Map of Section A, Greenlawn Manor" and filed in the Office of the Clerk of Suffolk County on June 24, 1907 as Map No 528; and

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

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

**WHEREAS**, ARTHUR LIMA has made application of said above described parcel and ARTHUR LIMA has paid the application fee and has paid \$51,867.79, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to ARTHUR LIMA, 31-20 92nd Street, East Elmhurst, NY 11369, 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

1015

December 02, 2010

Tax Map No.: 0400-210.00-02.00-018.000  
Name of Last Legal Fee Owner: ARTHUR LIMA

TREASURER'S COMPUTATION..... \$50,917.79

Taxes.....2010/2011..... OPEN

License/Storage Fee..... \$950.00

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL.....\$51,867.79

Monies Received.....\$51,867.79

RESOLUTION AMOUNT.....\$51,867.79

APPROVED:

Karen A. Slater 12/17/10  
Accounting  
DB:lag

PREPARED BY:

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

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0400	210.00	02.00 1015	018.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	7159.54
2006/07	11782.59
2007/08	10065.71
2008/09	9609.60
2009/10	7566.06

TOTAL: 46183.50

B. INTEREST DUE	2309.63
C. TOTAL	48493.13
D. 5% LINE C	2424.66
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$50,917.79

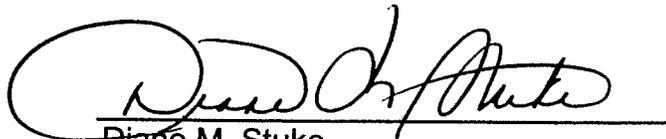
*(10)*  
12/17/10

**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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1015

1. Type of Legislation

Resolution X  
Tax Map Number 0400-210.00-02.00-018.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of Impact  
The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding  
N/A

9. Timing of Impact  
2010

10. Typed Name & Title of Preparer	Signature of Preparer	Date
<u>Diane Bishop</u>	<u></u>	<u>12/16/10</u>



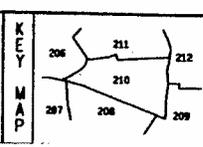


220810-00.00-00.00-018.000

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



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



TOWN OF HUNTINGTON  
 VILLAGE OF  
 DISTRICT NO 0400

SECTION NO  
**210**  
 PROPERTY MAP

Gen A1

COUNTY OF SUFFOLK

1015

DEC 20 2010



STEVE LEVY  
COUNTY EXECUTIVE

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

December 20, 2010

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

Re: Tax Map No. 0400-210.00-02.00-018.000  
ARTHUR LIMA

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

DB:lag

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

Copy of Resolution to:

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

Copy of letter to:

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

Introductory Resolution No. 1016-11 Laid on Table 2/1/11

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  
**ALICE J. BAUER, AS SURVIVING TENANT**  
**0800-061.00-01.00-036.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800, Section 061.00, Block 01.00, Lot 036.000, and acquired by tax deed on August 18, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 19, 2010, in Liber 12634, at Page 964, and otherwise known and designated by the Town of Smithtown, as Lot 128 on a certain map entitled, "Map of Burr Winkle Section No. 3" filed in the Office of the Clerk of Suffolk County on September 5, 1958 as file No. 2857; 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 18, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 19, 2010 in Liber 12634 at Page 964.

**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**, ALICE J. BAUER, AS SURVIVING TENANT has made application of said above described parcel and ALICE J. BAUER, AS SURVIVING TENANT has paid the application fee and will be paying \$48,204.73, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2<sup>nd</sup> - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to ALICE J. BAUER, AS SURVIVING TENANT, 37 Hayrick Lane, Commack NY 11725, 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: \_\_\_\_\_

1016

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

---

December 09, 2010

Tax Map No.: 0800-061.00-01.00-036.000

Name of Last Legal Fee Owner: ALICE J. BAUER, AS SURVIVING TENANT

TREASURER'S COMPUTATION.....	\$48,204.73
Taxes.....2010/2011.....	OPEN
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$48,204.73
<hr/> <hr/>	
Monies to be Received.....	\$48,204.73
<hr/>	
<u>RESOLUTION AMOUNT</u> .....	\$48,204.73
<hr/> <hr/>	

APPROVED:

Karen A. Slater 12/17/10  
Accounting  
DB:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0800	061.00	01.00 1016	036.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	3653.82
2006/07	11294.41
2007/08	10883.05
2008/09	10149.30
2009/10	7982.72

TOTAL: 43963.30

B. INTEREST DUE	1945.97
C. TOTAL	45909.27
D. 5% LINE C	2295.46
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

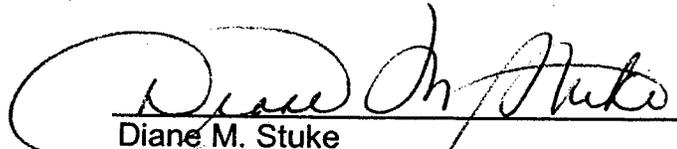
\$48,204.73

108  
12/17/10

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-Dec-10

  
Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 05/31/11

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

1016

Resolution X  
Tax Map Number 0800-061.00-01.00-036.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

8. Proposed Source of Funding  
N/A

9. Timing of Impact  
2010

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

Diane Bishop

Diane Bishop      12/16/10



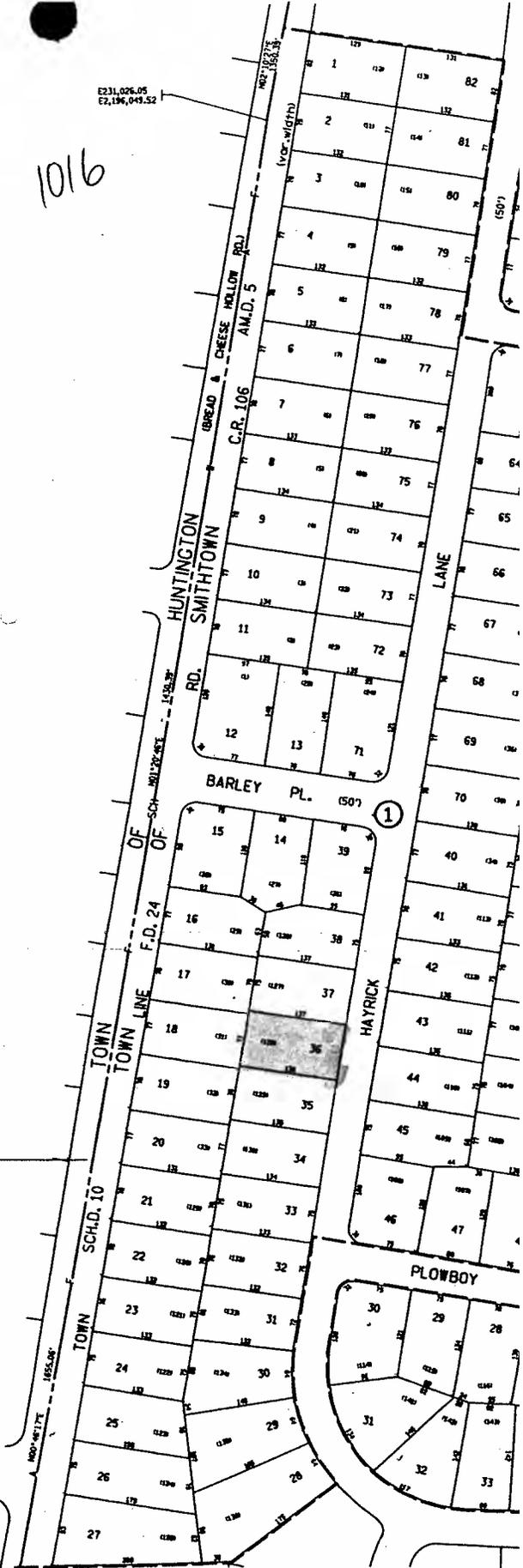
1016

0800-061-00-0100-036020



E231,026.05  
E2,196,049.52

N228,596.06  
E2,196,015.91

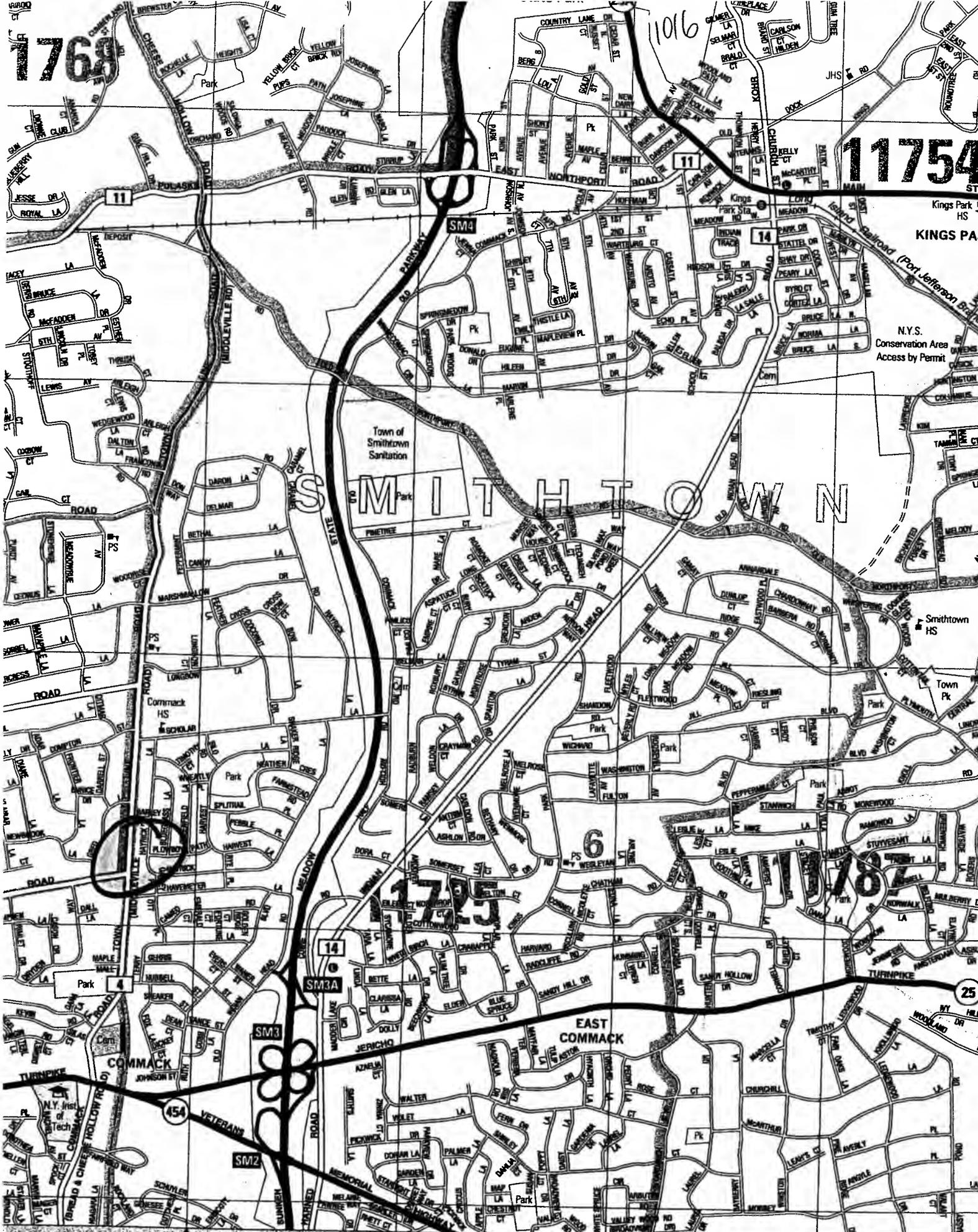


<b>LEGEND</b>	Property or BL Line	-----	Subdivision Lot No.	010	Block Line	-----	School District Line	--- SCH ---	Hydrow District Line	--- H ---	UNLESS DRAWN OTHERWISE, FOLLOW THE FOLLOWING: SCHOOL 10 FIRE 24 LIGHT WATER REFUSE AMBULANCE S
	Derives Common Owner	--- Z ---	Subdivision Block/Map No.	(21)	Block No.	(2)	Fire District Line	--- F ---	Refuse District Line	--- R ---	
	Subdivision Lot Line	-----	Soiled Direction	02	County Line	-----	Water District Line	--- W ---	Metered District Line	--- M ---	
	Stream / Shore	~~~~~	Soiled Area	03	Town Line	-----	Light District Line	--- L ---	Ambulance District Line	--- A ---	
	Parcel No.	23	Soiled Area	12.1 A4d1 or 12.2A	Water Line	-----	Park District Line	--- P ---	Sanitary District Line	--- S ---	

769

1016

11754



# SMITHTOWN

# 11755

# 11754

Gen A2

COUNTY OF SUFFOLK

1016

DEC 20 2010



STEVE LEVY  
COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT AND ENERGY

DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

December 20, 2010

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

Re: Tax Map No. 0800-061.00-01.00-036.000  
ALICE J. BAUER, AS SURVIVING TENANT

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

DB:lag

Enclosures

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

Copy of Resolution to:

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

Copy of letter to:

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

53

Introductory Resolution No. 1017-11 Laid on Table 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE  
SUFFOLK COUNTY TAX ACT  
FRANCES B. LEWIN TRUST, BY THOMAS AUSTIN LEWIN,  
AS SUCCESSOR TRUSTEE  
0200-424.00-04.00-014.000**

**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 424.00, Block 04.00, Lot 014.000, 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 part of Lot 694, Lots 695 and 696, and part of lot 697 on a certain map entitled, "Map of Highland Park, Plate 37" filed in the Office of the Clerk of Suffolk County on May 10, 1900 as Map No. 52; 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**, FRANCES B. LEWIN TRUST, BY THOMAS AUSTIN LEWIN, AS SUCCESSOR TRUSTEE has made application of said above described parcel and FRANCES B. LEWIN TRUST, BY THOMAS AUSTIN LEWIN, AS SUCCESSOR TRUSTEE has paid the application fee and will be paying \$60,233.03, 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, 2011, and

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

2<sup>nd</sup> - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to FRANCES B. LEWIN TRUST, BY THOMAS AUSTIN LEWIN, AS SUCCESSOR TRUSTEE, 30 Marcy Ave., S. Huntington NY 11745, 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

1017

December 10, 2010

Tax Map No.: 0200-424.00-04.00-014.000

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

TREASURER'S COMPUTATION.....	\$60,233.03
Taxes.....2010/2011.....	OPEN
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$60,233.03
<hr/>	
Monies Received to be received.....	\$60,233.03
<hr/>	
<u>RESOLUTION AMOUNT</u> .....	\$60,233.03
<hr/>	

APPROVED:

Karen A. Slater 12/17/10  
Accounting  
DB:lag

PREPARED BY:

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

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	424.00	04.00	014.000

1017

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	11032.47
2006/07	12379.21
2007/08	11868.02
2008/09	11169.44
2009/10	8764.01

TOTAL: 55213.15

B. INTEREST DUE	2151.64
C. TOTAL	57364.79
D. 5% LINE C	2868.24
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$60,233.03

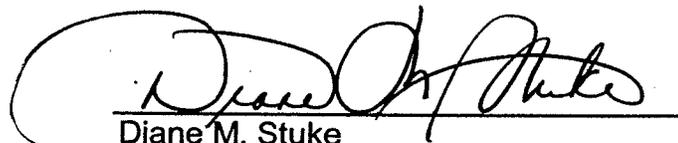
12/17/10

**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.

08-Dec-10



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 06/06/11

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1017

1. Type of Legislation

Resolution X  
Tax Map Number 0200-424.00-04.00-014.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Diane Bishop



12/16/10



District Line	— M —
Street Line	— R —
District Line	— HST —
District Line	— A —
District Line	— W —

UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS:	SCHOOL	SEWER	FIRE	HYDRANT	LIGHT	WATER	PARK	REFUSE	AMBULANCE	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:

K	392	393	394	TOWN OF
M	423	424	425	VILLAGE OF
A	445	446	447	DISTRICT NO

733

107

776

South  
Setauken  
County  
Nature  
Preserve

Ward  
Melrose HS

Comsewogue  
HS

Heatherwood  
GC

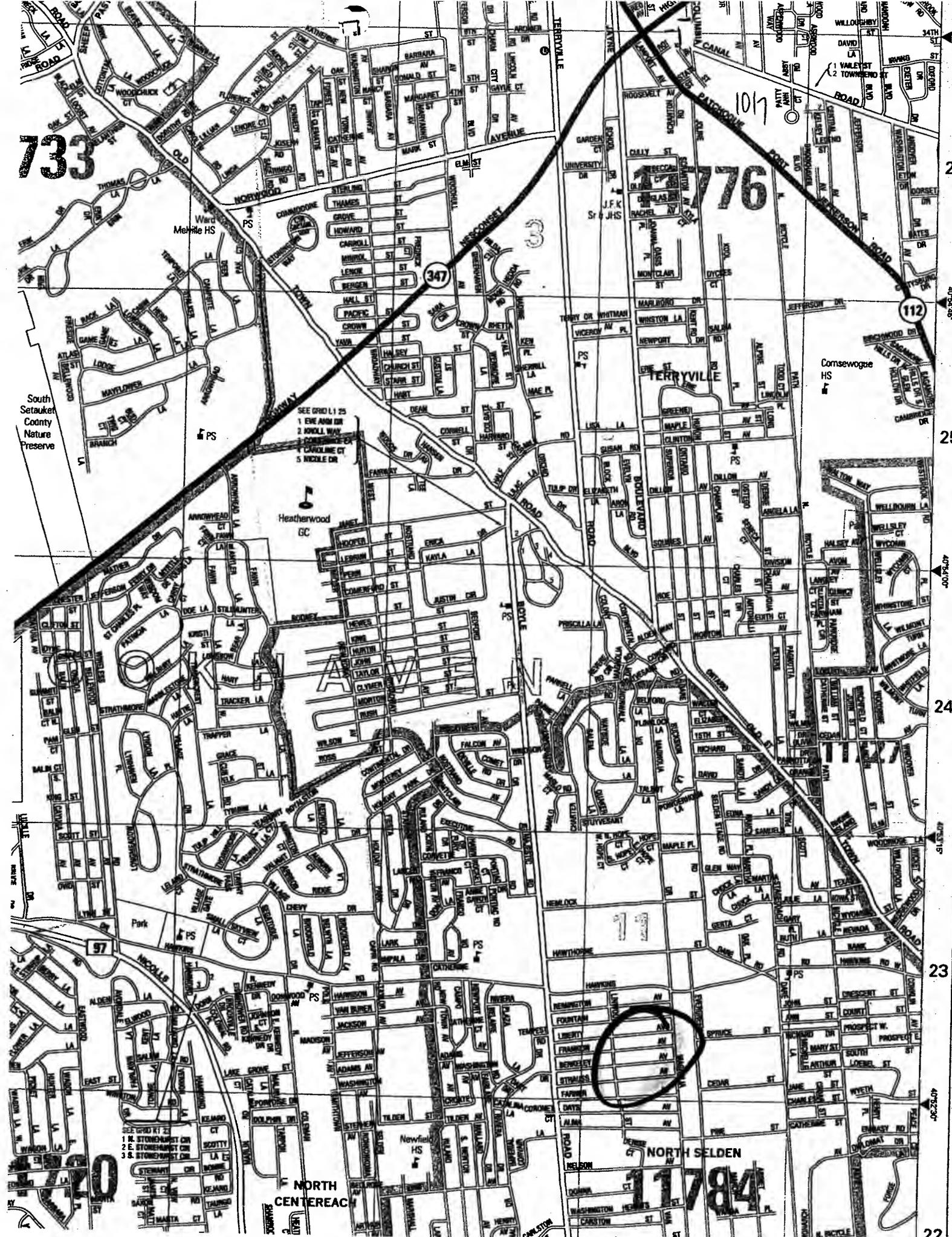
TERRYVILLE

NORTH SELDEN

NORTH  
CENTERACH

SEE GRID L1 25  
 1 ERE ANN DR  
 2 ARROLL WAY  
 3 COMSEWOGUE EX  
 4 CAROLINE CT  
 5 NICOLE DR

SEE GRID R1 23  
 1 R. STORMHURST DR  
 2 E. STORMHURST DR  
 3 B. STORMHURST DR



Gen A3

COUNTY OF SUFFOLK

1017

DEC 20 2010



STEVE LEVY  
COUNTY EXECUTIVE

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

December 20, 2010

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

Re: Tax Map No. 0200-424.00-04.00-014.000  
FRANCES B. LEWIN TRUST, BY THOMAS AUSTIN LEWIN,  
AS SUCCESSOR TRUSTEE

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

DB:lag

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

Copy of Resolution to:

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

Copy of letter to:

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

Introductory Resolution No. 1018-11 Laid on Table 2/1/11

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  
**BEATRICE REID**  
0100-014.00-06.00-032.000

**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 014.00, Block 06.00, Lot 032.000, and acquired by tax deed on September 01, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 01, 2010, in Liber 12636, at Page 227, and otherwise known and designated by the Town of Babylon, as North part of Lot 677, on a certain map entitled "Map Number 3 of West Deer Park Farms, Section 4" and filed in the Office of the Suffolk County Clerk on May 9, 1906 as Map 385; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 01, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 01, 2010 in Liber 12636 at Page 227.

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

**WHEREAS**, BEATRICE REID has made application of said above described parcel and BEATRICE REID has paid the application fee and will be paying \$13,357.10, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2<sup>nd</sup> - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to BEATRICE REID, 36 Spring Street, Wyandanch NY 11798, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

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

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

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1018

December 09, 2010

Tax Map No.: 0100-014.00-06.00-032.000  
Name of Last Legal Fee Owner: BEATRICE REID

TREASURER'S COMPUTATION..... \$13,357.10

Taxes.....2010/2011..... OPEN

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$13,357.10

Monies to be Received..... \$13,357.10

RESOLUTION AMOUNT..... \$13,357.10

APPROVED:

Athen Aplater 12/17/10  
Accounting  
LS:lag

PREPARED BY:

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

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

1018

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	014.00	06.00	032.000

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

2005/06	2150.39
2007/08	4134.58
2008/09	3379.86
2009/10	2606.87

**2006/07 PROPERTY TAXES PAID BY OWNER**

TOTAL: 12271.70

B. INTEREST DUE	449.34
C. TOTAL	12721.04
D. 5% LINE C	636.05
E. FEE	
F. MISC	
G. MISC	

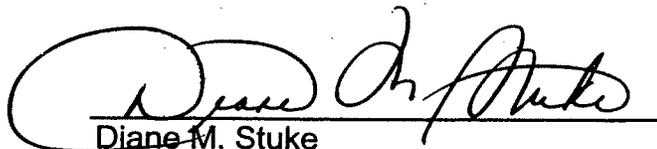
H. TOTAL DUE \$13,357.10

01 Over @ 12/17/10

**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-Nov-10



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 05/17/11

1018

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0100-014.00-06.00-032.000

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                      12/9/10

# Suffolk Co.

Joins Map 9

1018

M

73°21'00"

N

73°20'15"

O

73°19'30"

P

73°18'45"



1746

NICOLLS

WYANDANCH

THURS

104

3

34

1018



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

015	016
013	017
039	041
014	040

TOWN OF BABYLON  
 VILLAGE OF  
 DISTRICT NO 0100

SECTION NO  
**014**  
 PROPERTY MAP

COUNTY OF SUFFOLK



STEVE LEVY  
COUNTY EXECUTIVE

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

December 20, 2010

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

Re: Tax Map No. 0100-014.00-06.00-032.000  
BEATRICE REID

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

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 Kubicko, Inventory

Introductory Resolution No. 1019-11 Laid on Table 2/1/11

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  
LUIS A. LOPEZ & DIONIZIA GARCIA  
0200-973.80-03.00-017.000**

**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 973.80, Block 03.00, Lot 017.000, and acquired by tax deed on November 02, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 04, 2009, in Liber 12605, at Page 51, and otherwise known and designated by the Town of Brookhaven, as Lots 21 and 22, the northerly 20 feet of lot 20 and the southerly 10 feet of lot 23, Block 706, on a certain map entitled "Map No. 10 of New York- Brooklyn Suburban Investment Company" filed in the office of the Clerk of the County of Suffolk on August 5, 1890 as Map No. 102; and

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

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

**WHEREAS**, WELLS FARGO, N.A. has made application of said above described parcel and WELLS FARGO, N.A. has paid the application fee and has paid \$2,072.53, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to LUIS A. LOPEZ & DIONIZIA GARCIA, 549 McDonald Ave, Bellport NY 11713, 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

1019

December 09, 2010

Tax Map No.: 0200-973.80-03.00-017.000

Name of Last Legal Fee Owner: LUIS A. LOPEZ & DIONIZIA GARCIA

TREASURER'S COMPUTATION..... \$2,072.53

Taxes.....2010/2011..... OPEN

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$2,072.53

Monies Received..... \$2,072.53

RESOLUTION AMOUNT..... \$2,072.53

APPROVED:

Karen A. Slater 12/17/10  
Accounting  
DB:lag

PREPARED BY:

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT

0200

SECTION

973.80

BLOCK

03.00

1019

LOT

017.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	305.92
2007/08	604.45
2008/09	452.80
2009/10	465.46

TOTAL: 1828.63

B. INTEREST DUE

145.21

C. TOTAL

1973.84

D. 5% LINE C

98.69

E. FEE

F. MISC

G. MISC

H. TOTAL DUE

\$2,072.53

*12/17/10*

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. 16-Nov-10



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 05/15/11

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1019

1. Type of Legislation

Resolution X  
Tax Map Number 0200-973.80-03.00-017.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

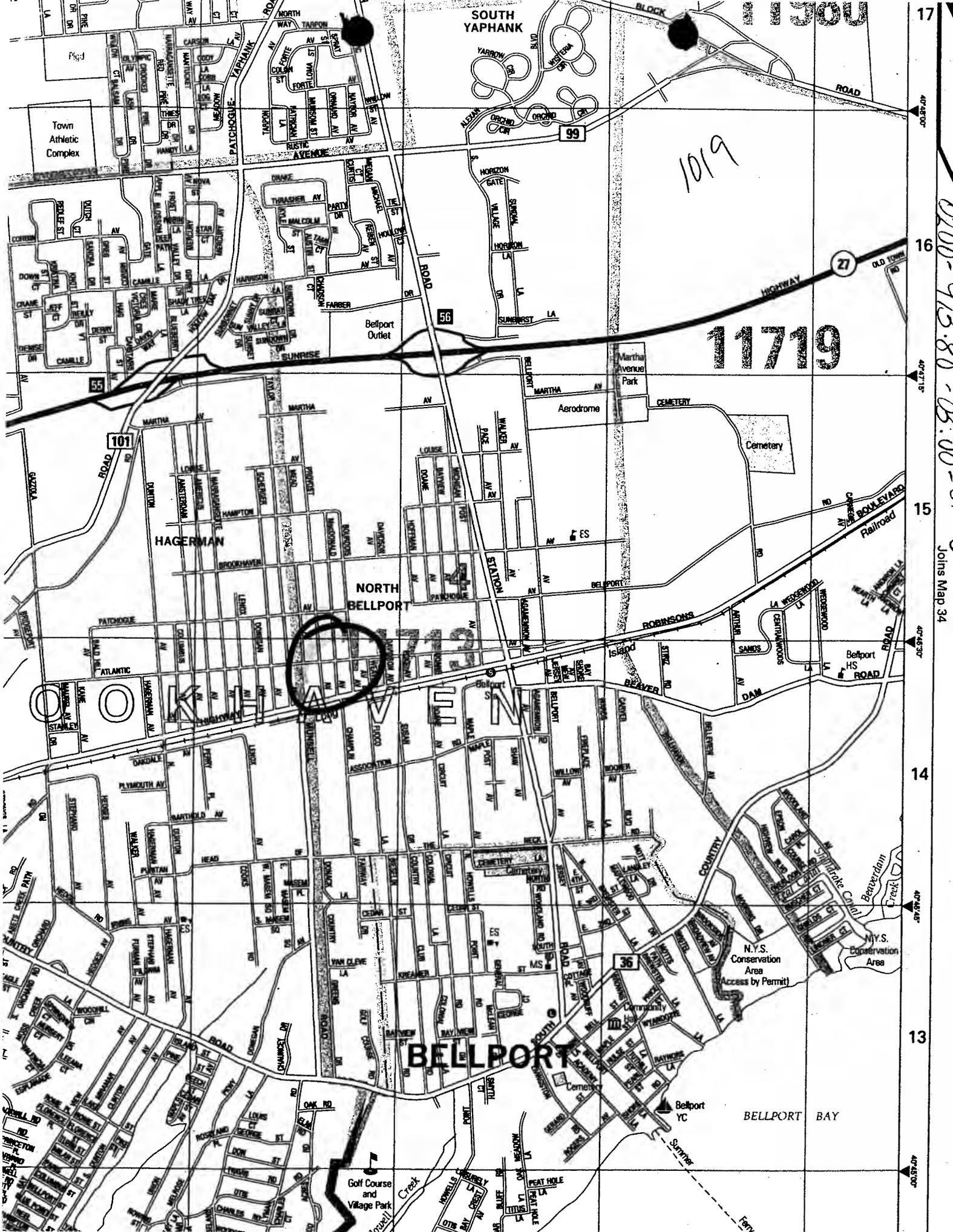
2010

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

Diane Bishop

Aiane Bishop

12/16/10



17  
40°45'00"  
16  
40°47'15"  
15  
40°49'30"  
14  
40°51'45"  
13  
40°54'00"

0100-715.80-05:00-01  
Joins Map 34

1019

11719



SOUTH YAPHANK

HAGERMAN

NORTH BELLPORT

BELLPORT

BELLPORT BAY

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

N.Y.S. Conservation Area

Golf Course and Village Park

Bellport YC

Town Athletic Complex

Aerodrome

Martha Avenue Park

Cemetery

Cemetery

Bellport HS

Bellport YC

101

56

99

36

Property or 1/2 Acre	Subdivision No.	Block List	School District Line	Hydromat District Line	UNLESS DRAWN WITHIN THE
Division County Name	Subdivision Book/Sheet No. (21)	Block No.	Fire District Line	Police District Line	SCHOOL PD 2
Subdivision Lot Line	Deed Number	County Line	Water District Line	Historical District Line	FIRE LX 1
Stream / Shore	Scout District	Town Line	Light District Line	Amusement District Line	AMBUANCE
Parcel No.	Deed Area 12.1 Acre or 12.1A	Wedge Line	Park District Line	Waterworks District Line	
	Calculated Area 12.1 Acre		Garage District Line		



0220-610-00 - 0300-017-020

Property or 1/2 Acre	Subdivision No.	Block List	School District Line	Hydromat District Line	UNLESS DRAWN WITHIN THE
Division County Name	Subdivision Book/Sheet No. (21)	Block No.	Fire District Line	Police District Line	SCHOOL PD 2
Subdivision Lot Line	Deed Number	County Line	Water District Line	Historical District Line	FIRE LX 1
Stream / Shore	Scout District	Town Line	Light District Line	Amusement District Line	AMBUANCE
Parcel No.	Deed Area 12.1 Acre or 12.1A	Wedge Line	Park District Line	Waterworks District Line	
	Calculated Area 12.1 Acre		Garage District Line		

Gen AS

COUNTY OF SUFFOLK

DEC 20 2010



1019

STEVE LEVY  
COUNTY EXECUTIVE

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

December 20, 2010

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

Re: Tax Map No. 0200-973.80-03.00-017.000  
LUIS A. LOPEZ & DIONIZIA GARCIA

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

DB:lag

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

Copy of Resolution to:

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

Copy of letter to:

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

Introductory Resolution No. 1020-11 Laid on Table 2/1/11

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  
**ELEANOR HUGHES**  
0500-372.00-01.00-007.000

**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 372.00, Block 01.00, Lot 007.000, and acquired by tax deed on September 23, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009, in Liber 12601, at Page 254, and otherwise known and designated by the Town of Islip, as District 0500, Section 372.00, Block 01.00, Lot 007.000; and

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

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

**WHEREAS**, ELEANOR HUGHES has made application of said above described parcel and ELEANOR HUGHES has paid the application fee and has paid \$68,627.71, 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

**WHEREAS**, ELEANOR HUGHES, as Executrix under the Last Will and Testament of Howard Hughes joined in a Deed together with LeRoy Spencer Hughes, as grantors in Liber D00012643 cp 238 which deed conveyed their interests in this property to Eleanor Hughes individually, which deed is out of sequence since this Legislature has not yet authorized restoration of title into Eleanor Hughes, Executrix and LeRoy Spencer Hughes; now, be it

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to ELEANOR HUGHES, 13 Irish Lane, East Islip NY 11730, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

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

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

Introductory Resolution No. 1021-11 Laid on Table 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE  
SUFFOLK COUNTY TAX ACT  
MARK ROSENMAN AND BETH ROSENMAN, HIS WIFE  
0800-044.00-05.00-013.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800, Section 044.00, Block 05.00, Lot 013.000, and acquired by tax deed on August 18, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 19, 2010, in Liber 12634, at Page 964, and otherwise known and designated by the Town of Smithtown, as Lot No. 279 as shown on a certain map entitled, "Map of Timber Ridge at Commack, Section 7" and filed in the Suffolk County clerk's Office on May 30, 1986 as Map No. 8120; 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 18, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 19, 2010 in Liber 12634 at Page 964.

**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**, MARK ROSENMAN AND BETH ROSENMAN, his wife have made application of said above described parcel and MARK ROSENMAN AND BETH ROSENMAN, his wife have paid the application fee and has paid \$118,191.24, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to MARK ROSENMAN AND BETH ROSENMAN, his wife, 17 Barbera Road, Commack NY 11725, 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: \_\_\_\_\_

1020

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

December 21, 2010

Tax Map No.: 0500-372.00-01.00-007.000

Name of Last Legal Fee Owner: ELEANOR HUGHES

TREASURER'S COMPUTATION.....	\$68,627.71
Taxes.....2010/2011.....	OPEN
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$68,627.71
<hr/>	
Monies Received.....	\$68,627.71
<hr/>	
<u>RESOLUTION AMOUNT</u> .....	\$68,627.71
<hr/>	

APPROVED:

*Karen A. Slater 12/28/10*  
Accounting  
LS:lag

PREPARED BY:

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0500	372.00	01.00	007.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	18690.44
2005/06	13374.48
2006/07	13160.49
2007/08	9932.15
2008/09	8221.89

TOTAL: 63379.45

B. INTEREST DUE	1980.28
C. TOTAL	65359.73
D. 5% LINE C	3267.99
E. FEE	
F. MISC	
G. MISC	

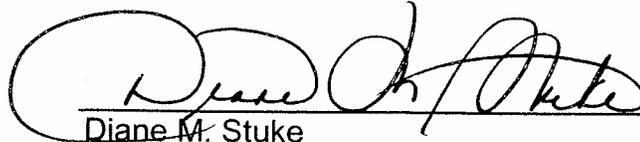
H. TOTAL DUE \$68,627.71

CERTIFICATION BY COUNTY TREASURER

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

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

05-Oct-09



Diane M. Stuke  
Deputy County Treasurer

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

01/28/10  
10  
10  
10  
10

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1020

1. Type of Legislation

Resolution X  
Tax Map Number 0500-372.00-01.00-007.000

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

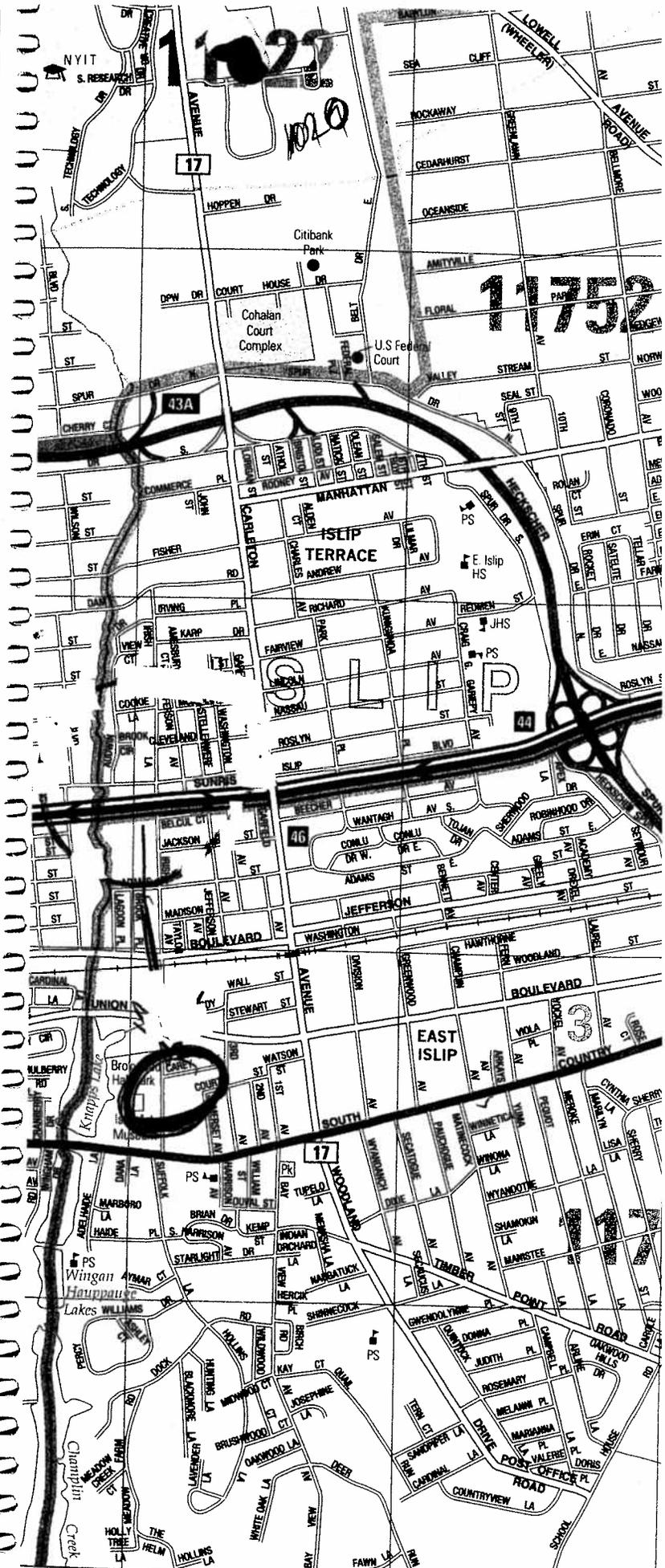
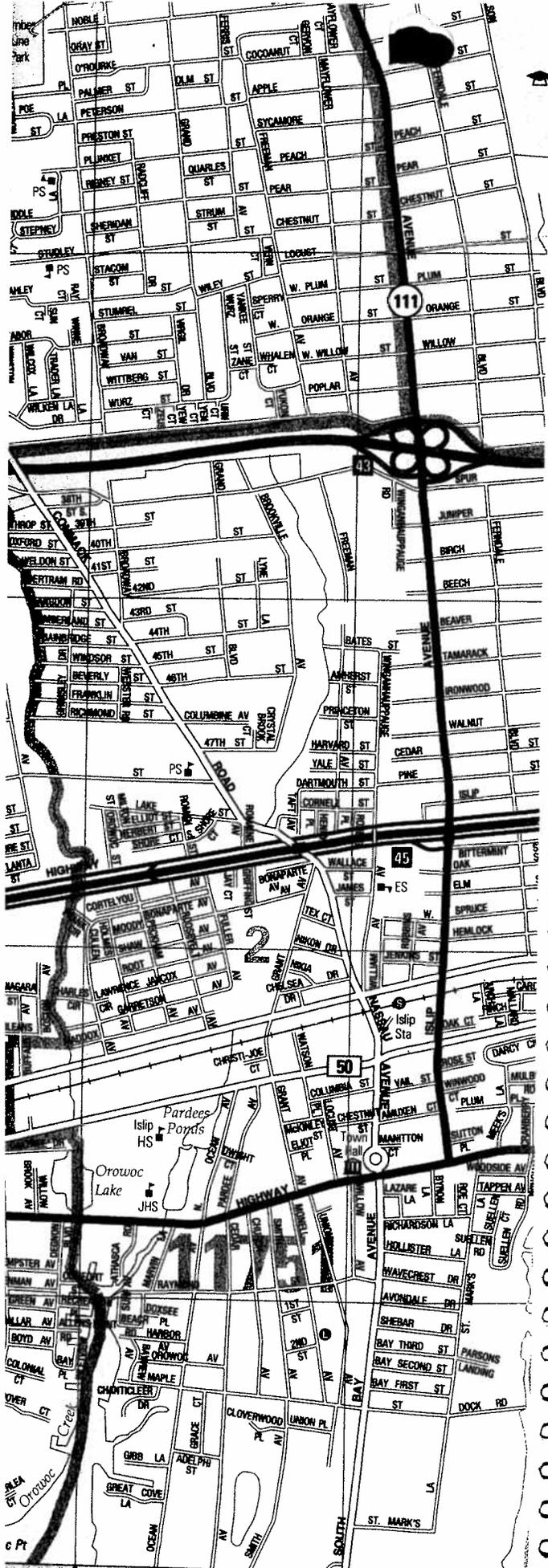
12/21/10

Revisions  
 00-13-96  
 12-16-96  
 06-03-99  
 09-22-00  
 06-21-01  
 09-21-01  
 11-28-01  
 07-01-02  
 07-25-02  
 07-26-02  
 08-13-02  
 04-30-03  
 08-01-03  
 01-05-04  
 03-19-06



00-13-96  
 05-14-97  
 05-02-00

Property or M Line Denotes Common Owner Subdivision Lot Line Survey of Share Match Line	Subdivision Lot No. Subdivision Block/Plat No. (21) Block Number Section Number Range and Township	Block List Block No. Section No. Range and Township	School District Line Fire District Line Refuse District Line Water District Line Light District Line Health District Line	Hydrant District Line Police District Line Historical District Line Ambulance District Line Municipal District Line	UNLESS DRAWN OTHERWISE, ARE WITHIN THE FOLLOWING SCHOOL DISTRICT: DISTRICT NO. 3 PLAT NO. 7 RANGE AND TOWNSHIP
---	--	--	--	---	---



73°12'30" X 73°12'45" Y

73°12'00" Z 73°11'15" A1 73°10"

Gen A4

COUNTY OF SUFFOLK



1020

STEVE LEVY  
COUNTY EXECUTIVE

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

December 28, 2010

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

Re: Tax Map No. 0500-372.00-01.00-007.000  
ELEANOR HUGHES

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 AND MANAGEMENT  
SPONSORS MEMO FOR COUNTY LEGISLATION

---

Resolution Title:

ELEANOR HUGHES  
0500-372.00-01.00-007.000

---

Purpose/Justification of Request:

Local Law No. 16 - 1976, as amended

---

Specify Where Applicable:

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

Fiscal Information:

Anticipated Revenue \$68,627.71

---

Contact Person Lori Sklar Telephone Number (631)853-5937

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1021

December 17, 2010

Tax Map No.: 0800-044.00-05.00-013.000

Name of Last Legal Fee Owner: MARK ROSENMAN AND BETH ROSENMAN, his wife

TREASURER'S COMPUTATION.....	\$100,484.45
Taxes.....2010/2011.....	\$15,156.79
License/Storage Fee.....	\$2,550.00
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$118,191.24
<hr/> <hr/>	
Monies Received.....	\$118,191.24
<hr/>	
<u>RESOLUTION AMOUNT</u> .....	\$118,191.24
<hr/> <hr/>	

APPROVED:

*Karen Slater 12/22/10*

Accounting  
DB:lag

PREPARED BY:

*Diane Bishop*

Diane Bishop  
Redemption Unit  
(631)853-5932

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0800	044.00	05.00	013.000

1021

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	19314.54
2006/07	20377.85
2007/08	19605.15
2008/09	18305.20
2009/10	14430.75

TOTAL: 92033.49

B. INTEREST DUE	3665.99
C. TOTAL	95699.48
D. 5% LINE C	4784.97
E. FEE	
F. MISC	
G. MISC	

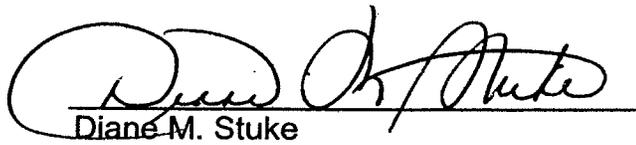
H. TOTAL DUE \$100,484.45

**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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0800-044.00-05.00-013.000

1021

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Diane Bishop

Diane Bishop

12/20/10





Gen A7

COUNTY OF SUFFOLK



STEVE LEVY  
COUNTY EXECUTIVE

1021

PAMELA J. GREENE  
DIVISION DIRECTOR

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

CARRIE MEEK-GALLAGHER  
COMMISSIONER

December 28, 2010

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

Re: Tax Map No. 0800-044.00-05.00-013.000  
MARK ROSENMAN AND BETH ROSENMAN, his wife

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

DB:lag

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

Copy of Resolution to:

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

Copy of letter to:

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

Introductory Resolution No. 1022-11 Laid on Table 2/1/11

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 NELLIE LAPORTE BY MARY LOUISE MCHUGH AS  
ADMINISTRATOR AND MARY LOUISE MCHUGH, INDIVIDUALLY,  
AND GRETA PRYOR AS TO A LIFE ESTATE  
0300-162.00-01.00-009.002**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 162.00, Block 01.00, Lot 009.002, and acquired by tax deed on September 18, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 21, 2009, in Liber 12600, at Page 594, and otherwise known and designated by the Town of East Hampton, as District 0300, Section 162.00, Block 01.00, Lot 009.002; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 18, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 21, 2009 in Liber 12600 at Page 594.

**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**, MARY LOUISE MCHUGH has made application of said above described parcel and MARY LOUISE MCHUGH has paid the application fee and will be paying \$16,273.34, 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, 2011, and

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

2<sup>nd</sup> - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to ESTATE OF NELLIE LAPORTE BY MARY LOUISE MCHUGH AS ADMINISTRATOR AND MARY LOUISE MCHUGH, INDIVIDUALLY AND GRETA PRYOR AS TO A LIFE ESTATE, 99 Springs Fireplace Road, East Hampton NY 11937, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

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

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

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1022

December 21, 2010

Tax Map No.: 0300-162.00-01.00-009.002

Name of Last Legal Fee Owner: ESTATE OF NELLIE LAPORTE BY MARY LOUISE MCHUGH AS ADMINISTRATOR AND MARY LOUISE MCHUGH, INDIVIDUALLY AND GRETA PRYOR AS TO A LIFE ESTATE

TREASURER'S COMPUTATION.....	\$6,174.90
Taxes.....2010/2011.....	\$798.44
License/Storage Fee.....	\$9,300.00
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
	_____
TOTAL.....	\$16,273.34
	=====
Monies to be Received.....	\$16,273.34
	_____
<u>RESOLUTION AMOUNT</u> .....	\$16,273.34
	=====

APPROVED:

Karen Slater 12/22/10  
Accounting  
DB:lag

PREPARED BY:

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

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0300	162.00	01.00	009.002

1072

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	566.16
2007/08	1777.35
2008/09	1483.00
2009/10	1579.14

TOTAL: 5405.65

<del>B. INTEREST DUE</del>	475.21
<del>C. TOTAL</del>	5880.86
D. 5% LINE C	294.04
E. FEE	
F. MISC	
G. MISC	

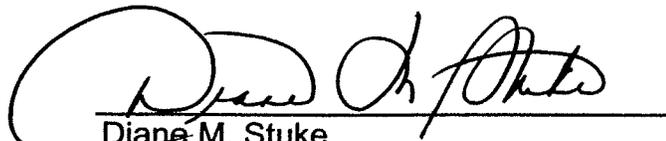
H. TOTAL DUE \$6,174.90

**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.

17-Dec-10



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 06/15/11

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1072

1. Type of Legislation

Resolution X  
Tax Map Number 0300-162.00-01.00-009.002

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Diane Bishop



12/21/10





Gen A8

COUNTY OF SUFFOLK



STEVE LEVY  
COUNTY EXECUTIVE

1022

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

December 28, 2010

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

Re: Tax Map No. 0300-162.00-01.00-009.002  
ESTATE OF NELLIE LAPORTE BY MARY LOUISE MCHUGH AS  
ADMINISTRATOR AND MARY LOUISE MCHUGH, INDIVIDUALLY AND GRETA  
PRYOR AS TO A LIFE ESTATE

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

DB:lag

Enclosures

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

Copy of Resolution to:

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

Copy of letter to:

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

Intro Res. No. 1023-11

Laid on Table 2/1/11

Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #348

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>BROOKHAVEN:</b>				
0200-813.00-01.00-008.029 (Item #3615352)	2010/11	\$36,222.17	0.00	\$36,222.17
0208-015.00-02.00-002.028 (Item #6156549)	2010/11	\$ 4,244.38	0.00	\$ 4,244.38
0208-015.00-02.00-002.027 (Item #6156548)	2010/11	\$ 4,256.34	0.00	\$ 4,256.34
0208-015.00-02.00-002.046 (Item #6156567)	2010/11	\$ 5,888.31	0.00	\$ 5,888.31
0208-015.00-02.00-002.032 (Item #6156553)	2010/11	\$ 5,978.00	0.00	\$ 5,978.00
0208-015.00-02.00-002.037 (Item #6156558)	2010/11	\$ 6,217.11	0.00	\$ 6,217.11
0208-015.00-02.00-002.047 (Item #6156568)	2010/11	\$ 6,217.11	0.00	\$ 6,217.11
0208-015.00-02.00-002.049 (Item #6156570)	2010/11	\$10,870.99	0.00	\$10,870.99
0208-015.00-02.00-002.051 (Item #6156572)	2010/11	\$11,492.71	0.00	\$11,492.71
0208-015.00-02.00-002.050 (Item #6156571)	2010/11	\$11,597.32	0.00	\$11,597.32

0208-015.00-02.00-002.048 (Item #6156569)	2010/11	\$23,941.91	0.00	\$23,941.91
0208-015.00-02.00-002.035 (Item #6156556)	2010/11	\$25,615.72	0.00	\$25,615.72
0208-015.00-02.00-002.042 (Item #6156563)	2010/11	\$25,615.72	0.00	\$25,615.72

Dated:

Approved By:

---

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1023

1. Type of Legislation

**ResolutionXXX**

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

**YES XXX**

NO

5. If the answer to item 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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

Angie M. Carpenter  
County Treasurer

11. Signature of Preparer

*Angie M. Carpenter*

12. Date

1/3/11

**Additional back-up material regarding IR 1023 is on file in the  
Legislative Clerk's Office, Hauppauge.**

Intro Res. No. 1024-11  
Introduced by Presiding Officer on the Request of the County Executive

Laid on Table 2/1/11

RESOLUTION NO. TO READJUST, COMPROMISE, AND  
GRANT REFUNDS AND CHARGEBACKS ON CORRECTION  
OR ERRORS/COUNTY TREASURER BY: COUNTY  
LEGISLATURE #347

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>SOUTHOLD:</b>				
<b>1000-133.00-01.00-015.003</b>	<b>2010/11</b>	<b>\$4,452.62</b>	<b>0.00</b>	<b>\$4,452.62</b>

Dated:

Approved By:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

**ResolutionXXX**

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

**YES XXX**

NO

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

**County**

**Town**

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

11. Signature of Preparer

12. Date

Angie M. Carpenter  
County Treasurer

*Angie M. Carpenter* 12/22/10

**Additional back-up material regarding IR 1024 is on file in the  
Legislative Clerk's Office, Hauppauge.**

Intro. Res. No 1025-11  
Introduced by the Presiding Officer on Request of the County Executive

Laid on Table 2/1/11

**RESOLUTION NO. \_\_\_\_\_, APPROVING THE  
APPOINTMENT OF DIONNE WALKER-  
BELGRAVE AS A MEMBER OF THE SUFFOLK  
COUNTY HUMAN RIGHTS COMMISSION**

**WHEREAS**, Resolution # 756-2009 appointed Yves Michel to the position of Commissioner No. 14 of the Suffolk County Human Rights Commission to serve a term through May 31, 2012; and

**WHEREAS**, Mr. Michel resigned the position of Commissioner No. 14 to serve as Suffolk County's Commissioner of Economic Development and Workforce Housing; and

**WHEREAS**, the position of Commissioner No. 14 remains vacant due to resignation; now, therefore be it

**RESOLVED**, that the appointment of Dionne Walker-Belgrave of Farmingdale, New York, as a member of the Suffolk County Human Rights Commission to the position of Commissioner No. 14 for a term of office expiring May 31, 2012, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Chapter 89-4A of the Suffolk County Code.

DATED:

APPROVED BY:

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

Date of Approval:



# DIONNE M. WALKER-BELGRAVE

\* Farmingdale, New York 11735 \*

1025

## **PROFESSIONAL ACCOMPLISHMENTS:**

### ***Strategic Planning and Development***

- Instrumental in the development of Strategic plans for Long Island Bus Authority which saved the organization over 2 million dollars in expenditures.
- Appointed to serve on the Strategic Planning Committee of Farmingdale State College by the President.
- Responsible for reporting all internal and external strategic initiatives to the President of Farmingdale State College as the Director of Affirmative Action.

### ***Financial Management***

- Created Open House and New Student programs by securing over \$50,000 in external funding.
- Awarded funds from The State University of New York Central Administration for diversity training of professional and administrative staff members.
- Managed State, Federal and Private Financial Aid funds of over 20 million dollars utilizing SCT's "Banner" integrated computer system and EDE data for management of student financial aid.
- Awarded Scholarship funds from Fleet Bank for the creation of student scholarships.

### ***Training and Development***

- Assisted in the creation of corporate programs which enhanced morale and increased productivity in the work place. (i.e. Employee Availability Program (EAP) and the Total Quality Management Program)
- Provide Student Government staff and Student Leaders with Professional Developmental training.
- Regenerated the State of New York's Regional Affirmative Action Organization in 2004.
- Implemented Equal Employment Opportunity and Affirmative Action Seminars for students and staff.
- Facilitated and created all diversity programs for Farmingdale State College.
- Developed and implemented an AFPLI professional development program for fundraising and diversity in April 2010.

### ***Organizational Assessment***

- Coordinated the development of the Key Indicator Report to provide audit management with risk analysis for each department.
- Conducted a Needs Analysis Study and Proposal for Workforce Housing to assist with the affordability of housing for new employees.
- Created Departmental Assessment Reports for financial aid.

### ***Administrative and Personnel Compliance***

- Responsible for all hiring processes for Farmingdale State College as the Director of Affirmative Action.
- Created the Farmingdale State College Financial Aid Newsletter for students and staff.
- Developed The Affirmative Action Website for Farmingdale State College.
- Constructed and implemented Affirmative Action Plans for OFCCP compliance purposes.
- Conducted discrimination and harassment investigations in compliance with Federal and State laws.
- Provided senior staff with weekly Employee Hiring Status reports.
- Provided the President with bi-weekly compliance reports regarding the College's hiring practices.

# DIONNE M. WALKER-BELGRAVE

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1025

## **PROFESSIONAL EXPERIENCE:**

**Farmingdale State University of New York, Farmingdale, New York**  
Assistant Dean of Students

June 2009 – Present

Assist the Dean of Students with Campus Judiciary and departmental processes. Farmingdale State College is a coeducational, public college with almost 6,500 undergraduate students, including about 500 resident students. Additional responsibilities include the review and processing of student financial aid waivers, assisting with the creation and implementation of student orientations, commencements. Responsible for the Office of Student Activities, management of the Student Union, and staff. Create, implement and monitor Student Activities reports, publications and programs for the College.

Director of Affirmative Action/Equity and Diversity

Aug. 2003 – June 2009

Acting Director of Affirmative Action/Equity and Diversity

Oct. 2002 – Aug. 2003

Provided guidance in developing strategies to promote equity and diversity in all aspects of campus life. Administered, monitored and enforced affirmative action procedures and policies, including recruitment and retention evaluation. Maintained knowledge of government regulations related to EEO/AA requirements; data analysis, formal and informal investigations and reporting. Maintained departmental budget. Served as a primary advisor to the President and senior administrators on matters related to strategies to enhance a diverse multi-cultural campus community.

**Assistant Director of Financial Aid**

Oct. 1999 – Oct. 2002

**Acting Assistant Director of Financial Aid**

Oct. 1998 – Oct. 1999

**Financial Aid Advisor Job Locator Coordinator**

July 1994 – Oct. 1998

Advised students and parents regarding the type, availability and eligibility criteria for Federal and State Financial Aid programs. Assisted with student recruitment initiatives. Supervised professional staff including Federal College Work Study placement and off-campus Job Location and Development Coordination. Conducted internal and external Financial Aid Workshops. Reviewed, verified and performed needs analysis regarding student information in order to package financial aid awards in accordance with established rules and procedures. Interfaced with various institutional departments regarding student funds and resolution of data. Assisted with the analysis and reporting of financial aid statistics. Prepared and maintained all statistics for the U.S. Department of Education Annual Fiscal Operations Report (FISAP). Developed and expanded off/on campus employment for students.

**The Dime Savings Bank, Garden City, New York**

Financial Auditor

July 1993 - Jan. 1994

Reviewed operating procedures for various departments to ensure compliance with established procedures. Evaluated financial reporting practices of each department to ensure accuracy of reporting. Assisted external auditors, KPMG, in audit of the Dime Savings Bank. Prepared work papers detailing test work performed to evaluate controls. Assisted in the reporting of control weaknesses and drafting of recommendations.

**Metropolitan Suburban Bus Authority, Garden City, New York**

Budget Analyst

July 1991 - July 1993

Created and downloaded approved budgets for each department. Obtained and analyzed bi-monthly and monthly reports from all departments regarding actual expenditures to ensure compliance with the established budget. Created financial analysis reports for senior management. Prepared operational analysis reports for ridership and revenue statistics.

1025

# **DIONNE M. WALKER-BELGRAVE**

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**Grumman Aircraft Systems, Bethpage, New York**

Logistics Analyst

*Oct. 1990 - July 1991*

Analyzed and monitored funds as well as inventory availability to ensure departmental compliance with military contracts. Accounted for daily manpower hours and reported on shipping delinquencies of aircraft equipment to ascertain compliance with shipping requirements specified by Grumman and defense department. Prepared monthly performance statistics.

Business Analyst

*Sept. 1989 - Oct. 1990*

Assisted with the preparation of corporate financial statements, financial planning and cost flow analysis. Monitored and assisted the staff with departmental financial budgeting. Constructed, scheduled, planned and forecasted manpower, inventory and budget requirements for assembly of the F14 aircraft. Prepared managerial presentations for meetings.

## **EDUCATION:**

**Cornell University, New York, New York**

Certificate, EEO-Affirmative Action, October 2004

Certificate, Diversity Management, November 2004

**Harvard University, Cambridge, Massachusetts**

Certificate, Management Development Program, June 2003

**Adelphi University, Garden City, New York**

Master of Science in Business Administration (Finance), with distinction, August 1993

**SUNY College at New Paltz, New Paltz, New York**

Bachelor of Science in Business Administration (Finance), May 1989

**Farmingdale State University of New York, Farmingdale, New York**

Associates of Science in Business Administration May 1987

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# **DIONNE M. WALKER-BELGRAVE**

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## **PROFESSIONAL AFFILIATIONS & COMMUNITY SERVICE:**

- American Association for Affirmative Action
- New York State Regional Affirmative Action Officers, Chair
- National Association for the advancement of Colored People (NAACP)
- Long Island's Next Generation Housing Committee
- Erase Racism, Partner
- Long Island Urban League
- Suffolk County Jack and Jill Inc., Chaplin and Group Coordinator
- Amity Villa's Home Owners Association, Former Vice President
- Living Hope Fellowship Missionary Baptist Church:
  - Christian Education Committee
  - Beautification Committee, Chair
  - Former Trustee

## **COMMITTEE PARTICIPATION:**

- Governance Budget Committee Member, 1998-2002
- Assessment Committee Member, 2001
- Middle States Review Committee 2001
- Long Island Association of Fundraising Professionals (AFPLI), Diversity Committee Chair 2009-2010
- Child Care Center Board of Directors Member, 2008-2010

**AWARDS:** Long Island Urban League Certificate of Recognition, 2001  
 New York State Financial Aid Administrators Association Award, (NYSFAAA), 2002  
 State Employee Federated Appeal Award, 2006-2008  
 Long Island Urban League Trail Blazer Award, 2007  
 Town of Babylon Certificate of Appreciation, 2007  
 Long Island Blood Services Gold Award, 2009

## **PRESENTATIONS:**

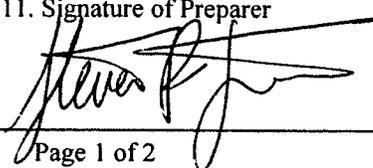
- Guest speaker for numerous diversity seminars for the Urban League of Long Island and throughout the Caribbean.
- Speaker for The Urban League Youth Counselor Diversity Awareness Seminar July, 2008
- DIVERSITY SEMINAR. A review and expansion of the traditional lens through which we view diversity today and how perceptions and assumption effect our interaction with one another. Sponsor: The Urban League of Long Island, Nassau Bahamas, July, 2005; Cozumel, Mexico, July 2006; Calica, Mexico, July 2007; Nassau Bahamas, August, 2008, , St Thomas, August 2009,
- Urban League of Long Island Diversity and You Student Counselor Training , June 2008
- Diversity Awareness Seminar- Suffolk County Boxes, September 2009

**CERTIFICATIONS:** Cornell University, New York, New York  
 Cornell Certified Diversity Advanced Professional (CCDAP), January, 2008  
 Cornell Certified Diversity Professional (CCDP), March, 2005

**REFERENCES:** Furnished upon request

1025

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
APPROVING THE APPOINTMENT OF DIONNE WALKER-BELGRAVE AS A MEMBER OF THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes _____ No <u>XX</u>		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THE HUMAN RIGHTS COMMISSION IS A NON-PAYING COMMISSION.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
THERE IS NO FISCAL IMPACT; THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION IS NOT A PAYING COMMISSION.		
8. Proposed Source of Funding		
THERE IS NO PROPOSED FUNDING SOURCE		
9. Timing of Impact		
THERE IS NO TIMING OF IMPACT; HOWEVER THE RESOLUTION IS EFFECTIVE UPON ADOPTION.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steve R. Tricarico County Executive Assistant		12/23/2010

1026

Intro. Res. No. -2011  
Introduced by Presiding Officer Lindsay

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AMENDING THE 2011  
OPERATING BUDGET TO SUPPORT PARENTS FOR  
MEGAN'S LAW**

**WHEREAS**, the 2011 Operating Budget does not include sufficient funds for Parents for Megan's Law; and

**WHEREAS**, Parents For Megan's Law, Inc. (PFML) is a not-for-profit 501(c)3 community and victim's rights organization dedicated to the prevention and treatment of sexual abuse through the provision of education, advocacy, counseling, victim services, policy and legislative support services; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to provide \$10,000 for Parents For Megan's Law; and

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

**1<sup>st</sup> RESOLVED**, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	JCJ1	4980	SAYVILLE LACROSSE CLUB	(\$5,000)
001	DSS	6004	JEP1	4980	HAVING FRIENDS INN	(\$5,000)

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	GHD1	4980	PARENTS FOR MEGAN'S LAW	+\$10,000

and be it further

**2<sup>nd</sup> RESOLVED**, that appropriations pursuant to this resolution shall be used for the sole and exclusive purpose of funding Parents For Megan's Law.

DATED:

APPROVED BY:

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

Date:

T:\BROVR 2011 OB Amendment Parents for Megan's Law GHD1.docx

1027

Intro. Res. No. -2011  
Introduced by Legislator Romaine

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, TO AMEND THE USER FEE SCHEDULE FOR SUFFOLK COUNTY PARKS TO IMPLEMENT AN UNLIMITED ANNUAL 9-HOLE GOLF PASS FOR SENIORS WHO ARE VETERANS**

**WHEREAS**, the Suffolk County Parks System contains four distinct and diverse golf courses that are open from mid-March through December, weather permitting; and

**WHEREAS**, Suffolk County has the highest number of veterans in a single county in all of New York State; and

**WHEREAS**, the Suffolk County veteran population age 65 and older is approximately 48,451; and

**WHEREAS**, it is the desire of the Legislature to provide affordable recreational opportunities to this population of seniors who are veterans; and

**WHEREAS**, it is also the desire of the Legislature to extend this affordable recreational opportunity to those Suffolk County seniors who served under the command of General Dwight D. Eisenhower as part of the Allied Forces in Europe during WWII; and

**WHEREAS**, offering an unlimited annual 9-hole golf pass would be an affordable recreational opportunity; and

**WHEREAS**, the Suffolk County Charter in § C28-3 states that all fees and charges must be approved by the County Legislature before they become effective and the County Legislature shall have the authority, by duly enacted resolution, to supersede an action or determination of the Board and otherwise establish County policy in all matters having to do with the fees and charges at parks and recreation facilities; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the golf fees at County golf courses be amended to include a \$400 annual pass for 9-hole weekday golf effective for one year from the purchase date for seniors who are veterans and seniors who served under the command of General Dwight D. Eisenhower as part of the Allied Forces in Europe during WWII, and be it further

**2<sup>nd</sup> RESOLVED**, that the effective date of this park fee schedule amendment will be at the discretion of the County Department of Parks, Recreation and Conservation but no more than 180 days from the enactment of this legislation; and be it further

**3<sup>rd</sup> RESOLVED**, that this program shall be implemented under the supervision of the Commissioner of the County Department of Parks, Recreation and Conservation, which Department shall promulgate rules and regulations to implement this Resolution; and be it further

**4<sup>th</sup> RESOLVED**, that eligibility under this program shall be conditioned upon submission of a DD Form 214, along with submission of proof that said veteran is a Suffolk County resident or, in the alternative, a Suffolk County Veteran Resident ID Card, along with

submission of proof that said veteran is a Suffolk County resident over the age of 65; and be it further

**5<sup>th</sup> RESOLVED**, for those seniors who served under the command of General Dwight D. Eisenhower as part of the Allied Forces in Europe during WWII, eligibility under this program shall be conditioned upon discharge papers from their native lands, along with submission of proof that said veteran is a Suffolk County resident over the age of 65; and be it further

**6<sup>th</sup> RESOLVED**, nothing contained herein is intended to revoke or amend the exemptions contained in Sections 688-4 and 688-5 of the Suffolk County Code, which remain in full force and effect; and be it further

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

DATED:

APPROVED BY:

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

Date:

1028

Intro. Res. No. -2011  
Introduced by Legislator Romaine

Laid on Table 2/1/11

**RESOLUTION NO. -2011, AUTHORIZING PLANNING  
STEPS FOR THE ACQUISITION OF LAND UNDER THE  
SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007  
(HERITAGE SQUARE PROPERTY - TOWN OF  
BROOKHAVEN)**

**WHEREAS**, the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

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

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

**1st RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 51.56 acres, is hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

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

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

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

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

**6th RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the

SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

**7th**               **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

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

DATED:

APPROVED BY:

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

Date:

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District 0200 Section 684.00 Block 04.00 Lot 003.001	39.96	Heritage Square Builders at East Moriches LLC 475 Rt. 25A Rocky Point, NY 11778
2	District 0200 Section 684.00 Block 03.00 Lot 009.001	11.6	Heritage Square Builders at East Moriches LLC 475 Rt. 25A Rocky Point, NY 11778
	TOTAL ACREAGE	51.56	

**EXHIBIT "A"**

1029  
Intro. Res. No. -2011  
Introduced by Legislator Romaine

UPDATED VERSION AS OF 1/20/11

Laid on Table 2/1/11

**RESOLUTION NO. -2011, AUTHORIZING THE SUFFOLK COUNTY POLICE DEPARTMENT TO QUALIFY RETIRED LAW ENFORCEMENT OFFICERS FROM OTHER LAW ENFORCEMENT AGENCIES UNDER THE FIREARMS QUALIFICATION PROGRAM**

**WHEREAS**, the Federal "Law Enforcement Officers Safety Act of 2004" ("the Act"), 18 U.S.C. § 926C, exempts qualified retired law enforcement officers from state laws prohibiting the carrying of concealed firearms, provided the retired officer meets certain qualifications; and

**WHEREAS**, Resolution No. 125-2006 established a firearms qualification program for qualified retired law enforcement officers, in furtherance of the Act; and

**WHEREAS**, at the time of its enactment, Resolution No. 125-2006 authorized the Suffolk County Police Department ("SCPD") to provide the annual training and qualification testing required under the Act for retired members of the SCPD and local law enforcement agencies; and

**WHEREAS**, the firearms qualification program should be expanded to allow retired members of any federal, State or local law enforcement agency residing in Suffolk County to meet the training requirements set forth in the Act; now, therefore be it

**1st RESOLVED**, that the Suffolk County Police Department is hereby authorized, empowered and directed to accept qualified retired federal, State and local law enforcement officers residing in Suffolk County into the training component of the firearms qualification program established pursuant to Resolution No. 125-2006; and be it further

**2nd RESOLVED**, that the Suffolk County Police Department shall provide training and qualification testing to retired Federal, State and local law enforcement officers and issue a letter of successful completion of training and qualification, at a fee of \$37.00 for each firearm so requested, as part of its established firearms qualification program; and be it further

**3rd RESOLVED**, that the Suffolk County Police Department shall continue to provide photographic identification cards only to its own qualified law enforcement retirees; and be it further

**4th RESOLVED**, that any retired law enforcement officer participating in this program must sign a release prepared by the Suffolk County Attorney prior to and as a condition to participation, said release to be prepared in suitable form for use by the Suffolk County Police Department, protecting the County from liability for any incidents occurring on the Suffolk County Range during the course of training; and be it further

**5th RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the

NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

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

Date:

s:\res\r-retired officer firearms qualification

**RESOLUTION NO. -2011, DIRECTING THE  
COUNTY ATTORNEY TO CEASE UNAUTHORIZED  
REPRESENTATION OF THE COUNTY EXECUTIVE**

**WHEREAS**, the County Executive was served with a subpoena to testify in the criminal trial of a former County Legislator, who is charged with insurance fraud; and

**WHEREAS**, the County Attorney's office has moved to quash the subpoena on behalf of the County Executive; and

**WHEREAS**, the SUFFOLK COUNTY CHARTER authorizes the County Attorney to prosecute and defend civil actions and proceedings brought by or against the County and any county officer for "an official act"; and

**WHEREAS**, similarly, NEW YORK COUNTY LAW § 501 states that the County Attorney shall be the legal advisor to the County Legislature and every officer whose compensation is paid from County funds "in all matters involving an official act of a civil nature"; and

**WHEREAS**, Chapter 35, Article I, of the SUFFOLK COUNTY CODE authorizes the County Attorney to provide a defense of any County employee "in any civil action or proceeding in any state or federal court or administrative agency arising out of any alleged act or omission which occurred or is alleged to have occurred while the employee was acting ... within the scope of his public employment or duties"; and

**WHEREAS**, there is no provision of state or local law which authorizes the County Attorney to expend public resources to represent the County Executive when he or she is called as a potential witness in a criminal proceeding; and

**WHEREAS**, there is no indication that the County Executive is being called to testify about any official act or any action he undertook while acting within the scope of his public employment; now, therefore be it

**1st RESOLVED**, that the Office of the County Attorney is hereby directed to terminate its representation of the County Executive in the matter of *People v Guldi*; and be it further

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

DATED:

APPROVED BY:

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

Date:

1031

Intro. Res. No. -2011  
Introduced by Legislator Cooper

Laid on Table 2/1/11

**RESOLUTION NO. -2011, AUTHORIZING USE OF MAKAMAH  
PRESERVE IN NORTHPORT BY NORTHPORT RUNNING  
CLUB**

**WHEREAS**, the Northport Running Club is a nonprofit club whose members are active volunteers improving and maintaining nature trails throughout Long Island; and

**WHEREAS**, the Northport Running Club would like to use the County-owned Makamah Preserve to sponsor a 5K race for the purpose of honoring Dr. Douglas Wood and benefiting the Douglas Wood Scholarship Fund, which funds would be awarded to a promising high school athlete; and

**WHEREAS**, the race would be held on Saturday, April 9, 2011 at the Makamah Preserve in Northport; and

**WHEREAS**, the County of Suffolk shall receive consideration in the total amount of Two Hundred Twenty-Five Dollars and 00/100 (\$225.00), payment of which shall be guaranteed by the Northport Running Club; and

**WHEREAS**, the use of County property for such fund drive to benefit the Douglas Wood Scholarship Fund would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

**1st RESOLVED**, that the use of County-owned property, i.e. the Makamah Preserve in Northport, in consideration of the payment of Two Hundred Twenty-Five Dollars and 00/100 (\$225.00), for the purpose of a 5K race on Saturday, April 9, 2011, between the hours of 8:30 a.m. and 11:00 a.m., is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the County's receipt of a Certificate of Insurance naming the County of Suffolk as an additional insured from the Northport Running Club, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

**2nd RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER and Section 378-7 of the SUFFOLK COUNTY CODE to issue a permit to the Northport Running Club. The Department of Parks, Recreation and Conservation and the County Department of Public Works are further authorized, empowered and directed to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for support of the services to benefit the public provided by the Northport Running Club at Makamah Preserve in Northport by the Northport Running Club; and be it further

**3rd RESOLVED**, that the Northport Running Club shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

**4th**           **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

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

Date:

s:\reslr-makamah-preserve-northport-running-club

1031



  
**NORTHPORT**  
**RUNNING CLUB**  
P.O. BOX 554, NORTHPORT, LONG ISLAND, N.Y. 11768



January 10th, 2011

Mr. John Pavacic  
Commissioner  
Suffolk County Parks and Recreation  
P.O Box 144  
Montauk Highway  
West Sayville, NY 11796-0144

Dear Commissioner Pavacic,

The Northport Road Runners Club would once again request permission to hold the ninth annual Doug Wood 5K trail run, utilizing the trails in the Makimah Nature Preserve in Northport. This scholarship event for about 400 people, will be on Saturday, April 9<sup>th</sup> 2011 at 8:30 AM.

The race course starts and finishes at the Norwood Avenue School in Northport turning east along the LIPA right of way. The runners follow the trail to the last northerly trail head into the Makamah Nature Preserve which loops two miles back to the right of way. They return west on the LIPA trail to finish at Norwood Avenue School.

This 5K cross country race (including approximately 2 miles of preserve trails) will have little to no effect on the environment do to the long distance and resulting slow pace of the participants. Our planning includes a group of volunteers dedicated to improving and protecting the natural beauty in and around the preserve.

The club has many years experience in planning and executing cross country and road events. We will provide an indemnity insurance policy of \$2,000,000 for all participants and we will take full responsibility for everyone taking part in the event.

We hope you will again approve our request to include some of the Makamah trails in this memorial race. It is a great benefit to two outstanding causes; Commemorating an outstanding resident of Suffolk County and benefiting two promising high school athletes.

Sincerely,

Bill Fleming  
NRRC Race Director, Doug Wood Memorial 5k Race

CC: Felicia Polizzi  
CC: Legislator John Cooper

UPDATED VERSION AS OF 1/24/2011

Intro. Res. No. 1032-2011  
Introduced by Legislator Cooper

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AUTHORIZING TRANSFER OF  
SURPLUS COUNTY COMPUTER SYSTEMS AND HARDWARE  
TO THE HUNTINGTON STATION ENRICHMENT CENTER/KIDZ  
CAFE**

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

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

**WHEREAS**, the Huntington Station Enrichment Center/Kidz Café has requested the donation of five (5) computer systems from the County; and

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

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

**TO:**  
Huntington Station Enrichment Center/Kidz Café  
1264 New York Avenue  
Huntington Station, NY 11746  
Contact Person: Dolores Thompson  
631-425-2640

**SERVICE TAG NO:**  
34040337  
34040326  
34040336  
34040331  
34040333

**SERVICE TAG NO.**  
MUL7007G0005490  
MUL7007G0005488  
MUL7007G0005465  
MUL7007G0005471  
MUL7007G0005455

and be it further

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

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

**4th RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II

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

DATED:

APPROVED BY:

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

Date:

s:\res\r-computer-dpw-list-huntington-stat-enrichment-center

1033

Intro. Res. No. -2011  
Introduced by Presiding Officer Lindsay

Laid on Table 2/1/11

**RESOLUTION NO. -2011, TO TERMINATE LEASE WITH  
EASTERN LONG ISLAND SOLAR PROJECT**

**WHEREAS**, Resolution No. 28-2010 authorized the County Executive to execute a lease agreement with enXco d/b/a Eastern Long Island Solar Project, LLC, to allow the construction and operation of solar energy facilities at seven County locations; and

**WHEREAS**, the County of Suffolk enacted Resolution No. 28-2010 to reduce carbon emissions and encourage the use of clean, renewable energies; and

**WHEREAS**, the County of Suffolk also entered into this lease agreement believing the solar energy project would employ local engineers, electricians and laborers, many of whom have been unemployed; and

**WHEREAS**, it is now apparent that Eastern Long Island Solar Project, LLC, fully intends to use persons from out-of-state to complete work on the solar project; and

**WHEREAS**, it is no longer in the County's best interest to proceed with this project; now, therefore be it

**1st**           **RESOLVED**, Resolution No. 28-2010 is hereby repealed; and be it further

**2nd**           **RESOLVED**, that the County of Suffolk hereby terminates its lease agreement with the Eastern Long Island Solar Project, LLC; and be it further

**3rd**           **RESOLVED**, that the Department of Public Works and the Department of Energy and Environment shall take all appropriate actions to evict Eastern Long Island Solar Project, LLC from the leased premises; and be it further

**4th**           **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

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

Date:

1034

Intro. Res. No. -2011  
Introduced by Presiding Officer Lindsay

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, APPROPRIATING FUNDS IN  
CONNECTION WITH CONSTRUCTION OF A SKATE PARK IN  
SAYVILLE (CP 7113)**

**WHEREAS**, a skateboard park facility would offer a recreational opportunity for youth to participate in a positive past time activity; and

**WHEREAS**, youth have found informal ways to participate in skateboarding that has caused damage to their communities; and

**WHEREAS**, a skateboard park facility would provide youth with an appropriate facility to engage in skateboarding activities that would reduce the incidence of destruction of community property; and

**WHEREAS**, it is the desire of the Legislature to construct a skate board park in Sayville; and

**WHEREAS**, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of planning and construction for said work under Capital Project 7113; and

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$250,000 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 2011 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 31 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

**2<sup>nd</sup> RESOLVED**, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7113.110	26	Planning for the construction of a skate park in Sayville	\$50,000
525-CAP-7113.310	26	Construction of a skate park in Sayville	\$200,000

and be it further

**3<sup>rd</sup> RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date:

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1035

Intro. Res. No. -2011  
Introduced by Legislator Romaine

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AMENDING THE 2011  
OPERATING BUDGET TO SUPPORT CORNELL  
COOPERATIVE EXTENSION'S DIABETES PREVENTION  
PROGRAM AND INTEGRATED PEST MANAGEMENT  
PROGRAM**

**WHEREAS**, the 2011 Operating Budget does not include sufficient funds for the Diabetes Education and Integrated Pest Management Programs provided by Cornell Cooperative Extension; and

**WHEREAS**, the Diabetes Prevention Program is a critical program which provides direct diabetes management services, including nutritional assessment, counseling, and follow-up monitoring to the population served by the County's Health Center system; and

**WHEREAS**, a viable diabetes education program is a required deliverable for the Prenatal Care Assistance Program (PCAP), the AIDS Drug Assistance Program (ADAP), and the Ryan White HIV grants; and

**WHEREAS**, the Integrated Pest Management Program (IPM), which is funded through the Water Protection Fund (477), aids the County in achieving the requirements of Chapter 380 and the County's pest control policy; and

**WHEREAS**, this program is to provide educational services to County employees in best management practices for controlling pests, as well as scouting County properties to perform on-the-spot diagnostics of pest problems; and

**WHEREAS**, this program works with the Community Advisory Committee to enable the County to become completely pesticide-free through finding suitable alternatives for pest management; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to transfer in excess appropriations \$77,175 to the Diabetes Prevention Program and \$37,454 to the Integrated Pest Management Program; and

**WHEREAS**, there are sufficient unexpended and uncommitted funds within the reserve balance of Fund 477 for the purposes of water quality protection; and

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

**1<sup>st</sup> RESOLVED**, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>OBJECT NAME</u>	<u>AMOUNT</u>
016	DPW	5130	0000	2030	Purchase of Automobiles	(\$77,175)

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	HSV	4100	GGW1	4980	CCE-Diabetes Prevention Program	+\$77,175
477	HSV	8751	HSM1	4980	CCE-Integrated Pest Management Program (IPM)	+\$37,454

INTERFUND TRANSFERS:

<u>FD</u>	<u>AGY</u>	<u>REV CODE</u>	<u>REVENUE NAME</u>	<u>AMOUNT</u>
016	IFT	R001	Transfer From General Fund	(\$77,175)
001	IFT	E016	Transfer To Fund 016	(\$77,175)

and be it further

**2<sup>nd</sup> RESOLVED**, that \$77,175 appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Cornell Cooperative Extension Diabetes Prevention Program; and be it further

**3<sup>rd</sup> RESOLVED**, that \$37,454 appropriated pursuant to this resolution from the Fund 477 reserve fund balance shall be used for the sole and exclusive purpose of funding the Cornell Cooperative Extension Integrated Pest Management Program

DATED:

APPROVED BY:

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

Date:

1036

Intro. Res. No. -2011  
Introduced by Legislator Romaine

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AMENDING THE 2011  
OPERATING BUDGET AND TRANSFERRING FUNDS TO  
LIFELINE MEDIATION CENTER**

**WHEREAS**, the 2011 Operating Budget does not include sufficient funds for Lifeline Mediation Center; and

**WHEREAS**, Lifeline Mediation Center provides valuable services for Suffolk County Youth, including mentoring, mediation, and tutoring; and

**WHEREAS**, preventative youth programs can benefit the County by reducing vandalism and delinquency; and

**WHEREAS**, it is the desire of this Legislature to provide \$7,000 to support Lifeline Mediation Center in its mission; and

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

**1<sup>st</sup> RESOLVED**, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	HSV	8750	HSF1	4980	CCE- AGRICULTURE & HORTICULTURE PROGRAMS	(\$3,500)
001	HSV	8750	HSG1	4980	CCE- 4H YOUTH & DEVELOP & FARM ED PROG	(\$3,500)

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	GKJ1	4980	LIFELINE MEDIATION CENTER	+\$7,000

and be it further

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



Intro. Res. No. **1037**-2011  
Introduced by Legislator Barraga

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AMENDING THE 2011  
OPERATING BUDGET FOR THE FIRST CONGREGATIONAL  
CHURCH OF BAY SHORE**

**WHEREAS**, the 2011 Operating Budget, when adopted, included funding for a food pantry at the First Congregational Church of Bay Shore; and

**WHEREAS**, the agency is unable to utilize the funding originally designated and adopted in the budget for commodities distribution; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to transfer the funding for the First Congregational Church of Bay Shore to a purpose supporting the operation of their Head Start Child Care Preschool Program; and

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

**1<sup>st</sup> RESOLVED**, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DSS	6004	JKN1	4980	First Congregational Church of Bay Shore	(\$5,000)

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DSS	6015	JKN1	4980	First Congregational Church of Bay Shore	+\$5,000

and be it further

**2<sup>nd</sup> RESOLVED**, that appropriations pursuant to this resolution shall be used for the sole and exclusive purpose of providing funding for the operational support of the First Congregational Church of Bay Shore Head Start Child Care Preschool Program.

DATED:

APPROVED BY:

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

Date:

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1038

Intro. Res. No. -2011  
Introduced by Legislator Barraga

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AUTHORIZING CERTAIN  
TECHNICAL CORRECTIONS TO THE 2011 ADOPTED  
OPERATING BUDGET FOR THE WEST ISLIP SYMPHONY  
ORCHESTRA, INC.**

**WHEREAS**, the 2011 Operating Budget, when adopted, contained technical errors to certain contract agencies; and

**WHEREAS**, the County Legislature desires to make technical corrections to the 2011 Adopted Operating Budget to assist in funding the West Islip Symphony Orchestra, Inc.; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Clerk of the Legislature shall make the following technical corrections to the 2011 Adopted Operating Budget;

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	HRD1	4980	West Islip Community Orchestra	\$5,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	HRD1	4980	West Islip Symphony Orchestra, Inc.	\$5,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the West Islip Symphony Orchestra, Inc.

**DATED:**

**APPROVED BY:**

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

Date:

UPDATED VERSION AS OF 1/26/2011

Intro. Res. No. 1039-2011  
Introduced by Presiding Officer Lindsay

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE UPGRADING COURT MINUTES APPLICATION (CP 1681)**

**WHEREAS**, sufficient funds were not included in the 2011 Capital Budget and Program to commence the Upgrading Court Minutes Application project, and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

**WHEREAS**, the upgrading of the Court Minutes Application System would consolidate and web-enable the following databases: indexes of oaths, requisitions, resolutions, Requests for Judicial Interventions, Suffolk County Assessment Review Petition System (SCARPS), notes of issue, jury demands, stipulations, court and trust fund transfers, notice of appeals, subpoenas, stipulation of settlements, motion and cross motions, pulled files, and military and fireman exemptions; and

**WHEREAS**, this upgrading will allow the general public to view the indexed data in real time from a single point of access and will allow for data consolidation in an effort to reduce duplicated data; and

**WHEREAS**, due to New York State mandates related to e-filing requirements, the County Clerk’s Office is required to commence this capital project in 2011; and

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$282,000 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 2011 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-two (32) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

**2<sup>nd</sup> RESOLVED**, that the 2011 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1651

Project Title: Historic Documents Library / Book Room Shelving Project

	Total Est'd Cost	Current 2011 Capital Budget &	Revised 2011 Capital Budget &
<u>Cost Elements</u>			

3. Construction	\$0	<u>Program</u> \$ 75,000B	<u>Program</u> \$0
5. Furniture & Equipment	<u>\$168,000</u>	<u>\$375,000B</u>	<u>\$168,000B</u>
TOTAL	\$168,000	\$450,000	\$168,000

Project Number: 1681  
Project Title: Upgrading Court Minutes Application

	Total	Current 2011 Capital Budget & <u>Program</u>	Revised 2011 Capital Budget & <u>Program</u>
<u>Cost Elements</u>	<u>Est'd Cost</u>		
1. Planning, Design, & Supervision	<u>\$572,000</u>	<u>\$0</u>	<u>\$282,000B</u>
TOTAL	\$572,000	\$0	\$282,000

and be it further

**3<sup>rd</sup>** **RESOLVED**, that the proceeds of \$282,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1681.110	09	Upgrading Court Minutes Application	\$282,000

and be it further

**4<sup>th</sup>** **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 this funding forthwith; and be it further

**5<sup>th</sup>** **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) 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.

DATED:

APPROVED BY:

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

Date:

1040

Intro. Res. No. -2011  
Introduced by Presiding Officer Lindsay

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE DIGITAL IMAGE STORAGE REPOSITORY (CP 1809)**

**WHEREAS**, sufficient funds were not included in the 2011 Capital Budget and Program to commence the Digital Image Storage Repository project, and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

**WHEREAS**, the existing repository equipment was purchased in 1998 and will reach its end of life cycle in June of 2011 at which time this equipment will no longer have maintenance support; and

**WHEREAS**, this storage device is used as the County's back-up of all images of land records, judgments, Lis Pendens, court records, and other official documents; and

**WHEREAS**, the replacement digital image storage repository equipment will double the existing County Clerk's Office digital image storage capacity and use less energy; and

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$93,000 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 2011 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 49 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

**2<sup>nd</sup> RESOLVED**, that the 2011 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1651

Project Title: Historic Documents Library / Book Room Shelving Project

	Total Estimated Cost	Current 2011 Capital Budget & Program	Revised 2011 Capital Budget & Program
<u>Cost Elements</u>			
5. Furniture & Equipment	<u>\$282,000</u>	<u>\$375,000B</u>	<u>\$282,000B</u>
TOTAL	<u>\$357,000</u>	<u>\$450,000</u>	<u>\$357,000</u>

Project Number: 1809  
 Project Title: Replacement of Digital Image Storage Repository

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2011 Capital Budget &amp; Program</u>	<u>Revised 2011 Capital Budget &amp; Program</u>
5. Furniture & Equipment	<u>\$186,000</u>	<u>\$0</u>	<u>\$93,000B</u>
TOTAL	<u>\$186,000</u>	<u>\$0</u>	<u>\$93,000</u>

and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$93,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1809.510	09	Replacement of Digital Storage Image Repository	\$93,000

and be it further

**4<sup>th</sup> 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 this funding forthwith; and be it further

**5<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same.

DATED:

APPROVED BY:

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

Date:

1041

Intro. Res. No. -2011  
Introduced by Legislator Romaine

Laid on Table 2/1/11

**RESOLUTION NO. -2011, DESIGNATING THE SECOND  
WEEK OF NOVEMBER AS TOLERANCE AND ACCEPTANCE  
WEEK IN SUFFOLK COUNTY**

**WHEREAS**, the United States has long been considered "the great melting pot", where people of different ethnicities, nationalities, cultures and faiths come together to live in harmony; and

**WHEREAS**, it is the differences among us, in familial background, abilities and life experience, that have created and sustained our nation's rich and vibrant culture; and

**WHEREAS**, there are individuals in our society who do not embrace our collective differences, but instead choose to act out against persons whom they perceive as different from themselves, as was demonstrated most clearly in the tragic death of Marcelo Lucero in November 2008, who was attacked and killed by teenagers in Patchogue; and

**WHEREAS**, following the death of Mr. Lucero, residents throughout Suffolk County came together to denounce such hateful acts and encourage tolerance, understanding and an appreciation of our differences; and

**WHEREAS**, Suffolk County should continue to foster an atmosphere of tolerance and acceptance among all County residents towards all members of our community; now, therefore be it

**1st RESOLVED**, that the week of November 6 – 12, 2011, and every second week in November in each year thereafter shall be designated "Tolerance and Acceptance Week" in Suffolk County, to nurture an environment of understanding and acceptance of any and all residents in Suffolk County; and be it further

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

DATED:

APPROVED BY:

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

Date:

1042

Intro. Res. No. -2011  
Introduced by Legislator Cooper

Laid on Table 2/1/11

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW TO REQUIRE RESPONSIBLE DISPOSAL OF EXPIRED AND UNUSED MEDICATIONS BY HOSPITALS, NURSING HOMES, HOSPICE FACILITIES AND LONG-TERM CARE FACILITIES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2011, a proposed local law entitled, "A LOCAL LAW TO REQUIRE RESPONSIBLE DISPOSAL OF EXPIRED AND UNUSED MEDICATIONS BY HOSPITALS, NURSING HOMES, HOSPICE FACILITIES AND LONG-TERM CARE FACILITIES" now, therefore, be it

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

**LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO REQUIRE RESPONSIBLE DISPOSAL OF EXPIRED AND UNUSED MEDICATIONS BY HOSPITALS, NURSING HOMES, HOSPICE FACILITIES AND LONG-TERM CARE FACILITIES**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Suffolk County has demonstrated a commitment to protecting our environment and the health and safety of County residents.

This Legislature also finds and determines that Suffolk County is located on a sole source aquifer which supplies the County's drinking water.

The Legislature also finds that Suffolk County is surrounded by three estuary systems that include numerous harbors and bays that provide recreational and commercial benefits to residents.

This Legislature further finds and determines that, in recent years, communities across the nation, including New York City, have discovered trace amounts of prescription and over-the-counter medications in their drinking water.

This Legislature finds that these medications enter water supplies and costal waters through improper disposal methods which can directly introduce medications into the water supply and surface waters or allow pills to degrade in soil and enter groundwater systems.

This Legislature also finds that the long term effects of exposure to these trace amounts in humans is unknown. However, negative effects have been observed in fish, frogs and turtles.

This Legislature determines that hospitals, nursing homes, hospice facilities and long-term care facilities utilize large quantities of medications in providing health services to those in need.

This Legislature also finds that these facilities should have an established protocol for the safe disposal of unused and expired medications that protects the County's drinking water supply and the County's rivers, estuaries, bays and ocean.

This Legislature also finds that the Environmental Protection Agency and New York State Department of Environmental Conservation have issued protocols against flushing unwanted pharmaceuticals.

This Legislature further finds that ensuring that these facilities have an established policy for the safe disposal of unused and expired medications protects the environment and County residents from any harm they may incur from exposure to medications in the drinking water supply.

Therefore, the purpose of this law is to require all hospitals, nursing homes, hospice facilities and long-term care facilities to annually establish and file with the Suffolk County Department of Health Services a plan for the safe disposal of unused and/or expired medications.

**Section 2. Requirements.**

- A. All hospitals, hospice facilities, nursing homes, and long term care facilities located in the County of Suffolk shall file with the Department of Health Services a written plan for the safe disposal of unused and/or expired medications. Such plan must establish the means by which the facility will dispose of such medications in an environmentally safe manner to prevent medications from entering our drinking water supply and our rivers, estuaries, bays and ocean.
- B. Commencing in 2012 and continuing each year thereafter, each facility shall file their written medication disposal plan with the Suffolk County Department of Health Services on or before January 30<sup>th</sup>.

**Section 3. Penalties.**

Failure to file a written medication disposal plan with the Department of Health Services shall constitute a violation and shall be punishable by a civil fine of five hundred dollars (\$500.00).

**Section 4. Enforcement.**

This law shall be enforced by the Department of Health Services in accordance with the procedures set forth in §760-202 through 760-215 of the Suffolk County Sanitary Code.

**Section 5. Rules and Regulations.**

The Commissioner of the Department of Health Services is hereby authorized and empowered to establish rules and regulations necessary for the implementation 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 immediately upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

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

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



1042

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

DATE: January 27, 2011  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW TO REQUIRE RESPONSIBLE DISPOSAL OF EXPIRED AND UNUSED MEDICATIONS BY HOSPITALS, NURSING HOMES, HOSPICE FACILITIES AND LONG-TERM CARE FACILITIES

SPONSOR: LEGISLATOR COOPER

DATE OF RECEIPT BY COUNSEL: 1/26/11 PUBLIC HEARING: 3/8/11  
DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would require all hospitals, hospice facilities, nursing homes and long term care facilities located in the County of Suffolk to file with the Department of Health Services a written plan for the safe disposal of unused and/or expired medications. This plan must provide for the environmentally safe disposal of medications to prevent medications from entering the County's drinking water supply and waterways. Commencing in 2012, such plans shall be filed by each facility on an annual basis.

Failure to file a written medication disposal plan with the Department of Health Services shall be punishable by a civil fine of five hundred dollars.

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-drug disposal plans hospitals

1043

Intro. Res. No. -2011  
Introduced by the Presiding Officer

Laid on Table 2/1/11

**RESOLUTION NO. -2011, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED STORMWATER IMPROVEMENTS TO MESCHUTT BEACH COUNTY PARK, TOWN OF SOUTHAMPTON**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Stormwater Improvements to Meschutt Beach County Park, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves dune stabilization and the reconstruction of the Meschutt Beach County Park parking lot for the installation of a stormwater remediation system including leaching basins and a vegetated median filter strip to capture stormwater runoff; and

**WHEREAS**, at its January 19, 2011 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works and a presentation was made regarding this proposal by a representative from the Suffolk County Department of Energy and Environment in connection with this project; and

**WHEREAS**, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and (6) and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated January 20, 2011 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Stormwater Improvements to Meschutt Beach County Park, Town of Southampton constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and (6) and Chapter 279 of the Suffolk County Code, since it involves dune stabilization and the reconstruction of the Meschutt Beach County Park parking lot for the installation of a stormwater remediation system including leaching basins and a vegetated median filter strip to capture stormwater runoff; and be it further

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

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

DATED:

Introductory Resolution No. 1044-11 Laid on Table 2/1/11

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  
**ANTHONY VULTAGGIO AND VICTORIA VULTAGGIO, HIS WIFE**  
0800-023.00-01.00-040.000

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800, Section 023.00, Block 01.00, Lot 040.000, and acquired by tax deed on August 18, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 19, 2010, in Liber 12634, at Page 964, and otherwise known and designated by the Town of Smithtown, as Lot No. 9 on a certain map entitled, "Map of Old Bridge Estates at Smithtown", and filed in the Office of the Clerk of the County of Suffolk on November 4, 1963 as Map No. 3902; 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 18, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 19, 2010 in Liber 12634 at Page 964.

**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**, ANTHONY VULTAGGIO AND VICTORIA VULTAGGIO, HIS WIFE have made application of said above described parcel and ANTHONY VULTAGGIO AND VICTORIA VULTAGGIO, HIS WIFE have paid the application fee and have paid \$65,495.25, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2<sup>nd</sup> - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to ANTHONY VULTAGGIO AND VICTORIA VULTAGGIO, HIS WIFE, 20 Glen Lane, Kings Park NY 11754, 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

1044

January 04, 2011

Tax Map No.: 0800-023.00-01.00-040.000

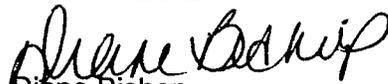
Name of Last Legal Fee Owner: ANTHONY VULTAGGIO AND VICTORIA VULTAGGIO, HIS WIFE

TREASURER'S COMPUTATION.....	\$62,495.25
Taxes.....2010/2011.....	OPEN
License/Storage Fee.....	\$3,000.00
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$65,495.25
<hr/> <hr/>	
Monies Received.....	\$65,495.25
<hr/>	
<u>RESOLUTION AMOUNT</u> .....	\$65,495.25
<hr/> <hr/>	

APPROVED:

  
Accounting  
DB:lag

PREPARED BY:

  
Diane Bishop  
Redemption Unit  
(631)853-5932

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0800	023.00	01.00	040.000

1044

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	11112.78
2006/07	12866.15
2007/08	12482.84
2008/09	11809.05
2009/10	9285.11



TOTAL: 57555.93

B. INTEREST DUE	1963.35
C. TOTAL	59519.28
D. 5% LINE C	2975.96
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$62,495.25

01  
over  
1/6/11

**CERTIFICATION BY COUNTY TREASURER**

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 29-Sep-10

Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 03/28/11

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1044

1. Type of Legislation

Resolution   
Tax Map Number 0800-023.00-01.00-040.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

8. Proposed Source of Funding

N/A

9. Timing of Impact

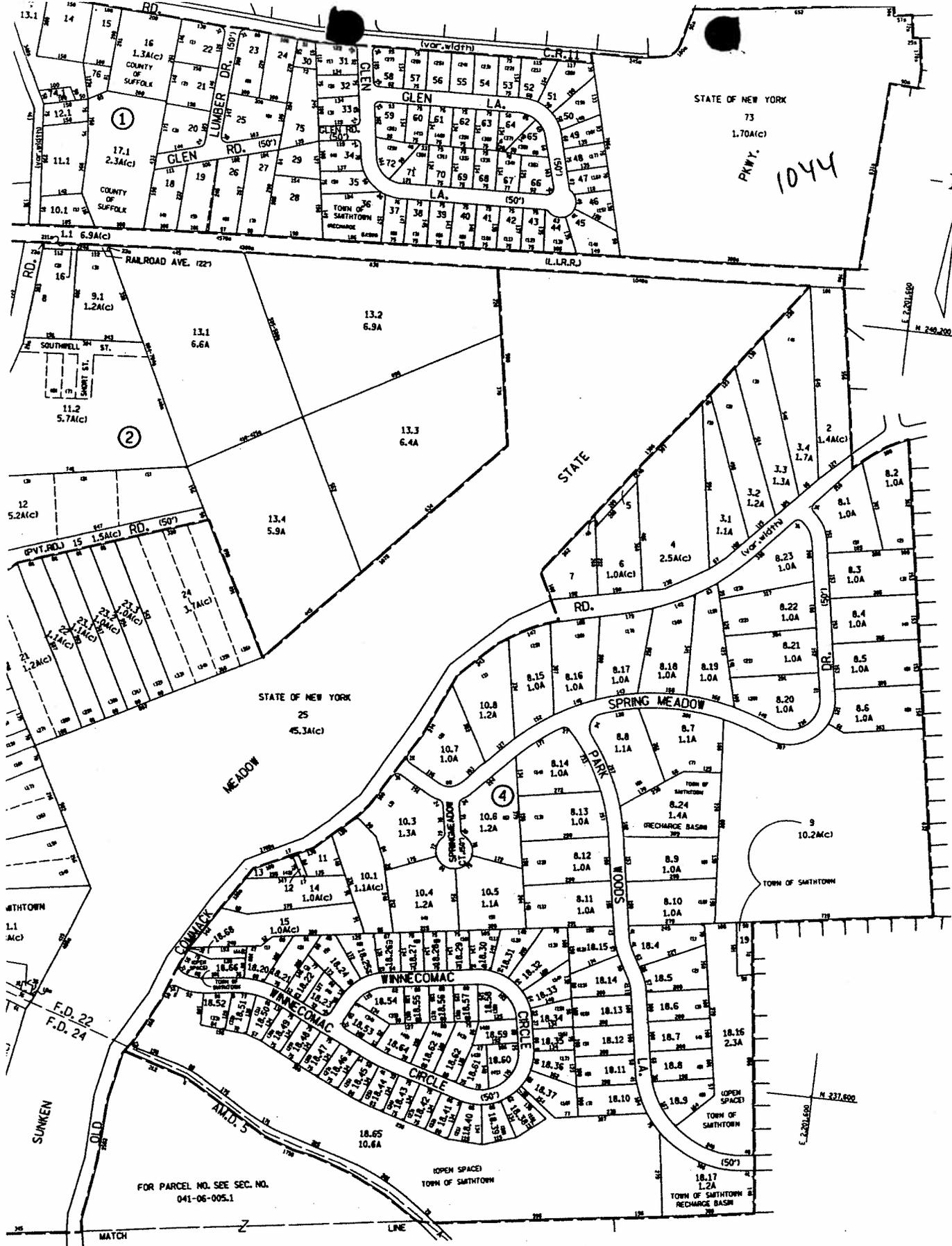
2011

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

Diane Bishop



1-4-11

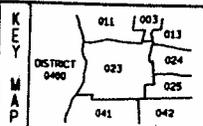
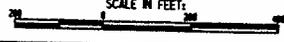


FOR PARCEL NO. SEE SEC. NO.  
041-06-005.1

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



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



TOWN OF **SMITHTOWN**  
VILLAGE OF  
DISTRICT NO **0800**

SECTION NO  
**023**  
PROPERTY MAP

0800-023.00-01.00-040.000

COMPILED DATE: 10-18-1997

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0800-02300-0100-040 000

Scale 1:24,000

1044

Map  
8



Joins Map 7



Joins Map 14

COUNTY OF SUFFOLK



1044

STEVE LEVY  
COUNTY EXECUTIVE

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

January 18, 2011

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

Re: Tax Map No. 0800-023.00-01.00-040.000  
ANTHONY VULTAGGIO AND VICTORIA VULTAGGIO, HIS WIFE

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

DB:lag

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

Copy of Resolution to:

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

Copy of letter to:

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

Introductory Resolution No. 1045-11 Laid on Table 2/1/11

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  
THERESA HEINERT  
0500-131.00-05.00-002.000

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 131.00, Block 05.00, Lot 002.000, and acquired by tax deed on September 22, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2010, in Liber 12638, at Page 405, and otherwise known and designated by the Town of Islip, as Lot No. 649 on a certain map entitled, "Map of Parkland, Section 9", and filed in the Office of the Clerk of the County of Suffolk on July 16, 1974 as Map No. 6128; 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 22, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2010 in Liber 12638 at Page 405.

**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**, THERESA HEINERT has made application of said above described parcel and THERESA HEINERT has paid the application fee and will be paying \$69,560.94, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2<sup>nd</sup> - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to THERESA HEINERT, P.O. Box 286 Wall Street Station, New York NY 10268, 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

1045

January 05, 2011

Tax Map No.: 0500-131.00-05.00-002.000

Name of Last Legal Fee Owner: THERESA HEINERT

TREASURER'S COMPUTATION..... \$61,112.29

Taxes.....2010/2011..... \$8,448.65

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$69,560.94

Monies to be Received..... \$69,560.94

RESOLUTION AMOUNT..... \$69,560.94

APPROVED:

Karen A. Slater 1/6/11  
Accounting  
LS:lag

PREPARED BY:

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

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0500	131.00	05.00	002.000

1045

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	12218.46
2006/07	12503.29
2007/08	11642.57
2008/09	10970.48
2009/10	8431.97

**2010/11 PROPERTY TAXES \$8,448.65 NOT INCLUDED IN COMPUTATION**

TOTAL: 55766.77

B. INTEREST DUE	2435.41
C. TOTAL	58202.18
D. 5% LINE C	2910.11
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$61,112.29

108  
1/6/11

**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-Jan-11



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 07/02/11

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1045

1. Type of Legislation

Resolution X  
Tax Map Number 0500-131.00-05.00-002.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

8. Proposed Source of Funding

N/A

9. Timing of Impact

2011

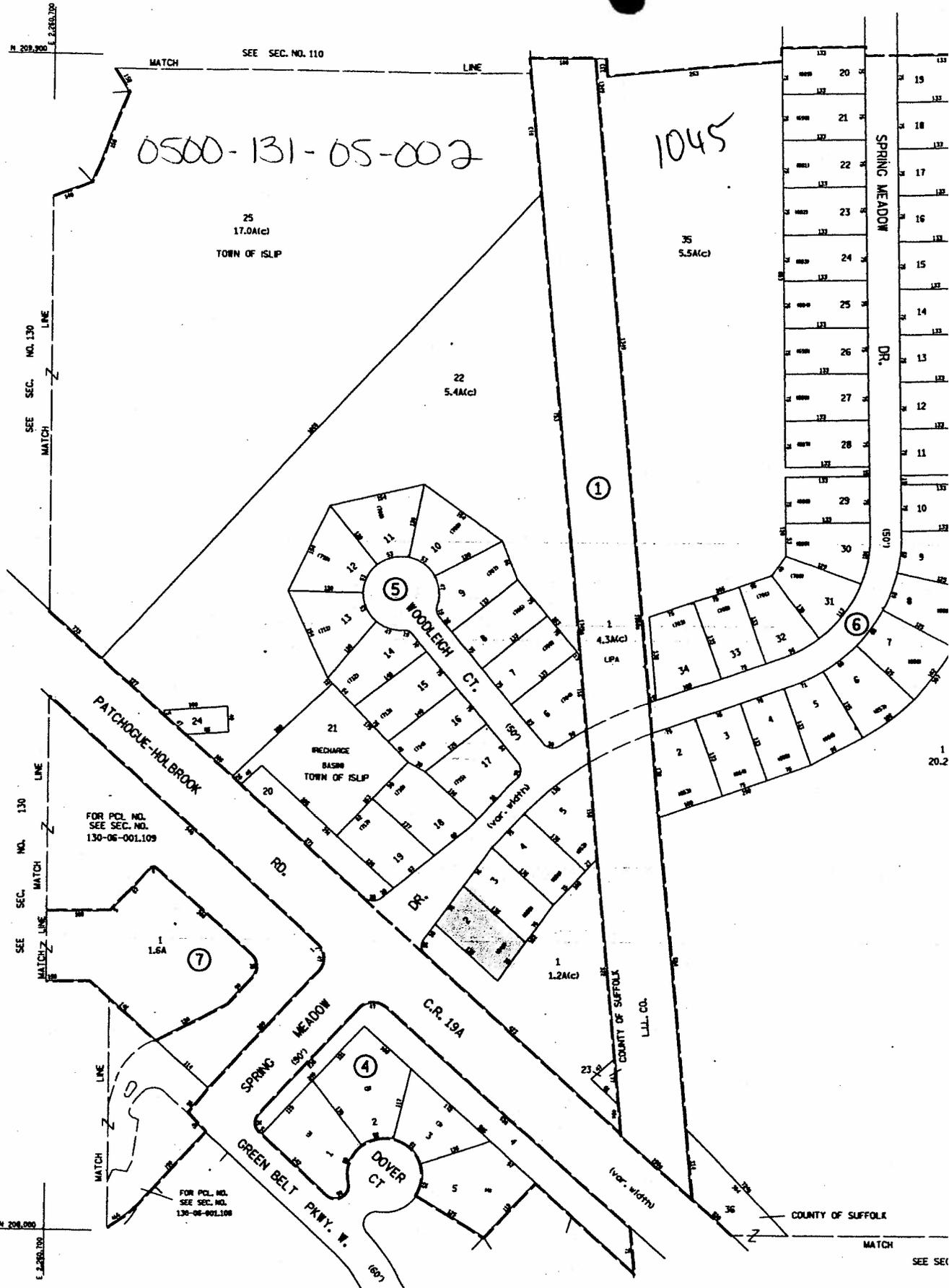
10. Typed Name & Title of Preparer      Signature of Preparer      Date

Lori Sklar

Lori Sklar

1/5/11

Revisions  
 09-14-00  
 06-26-01  
 06-29-01



Property or All Line	Subdivision Lot No.	Block	School District Line	Hydrant District Line	UNLESS DRAWN OTHERWISE, ARE WITHIN THE FOLLOWING SCHOOL DISTRICTS: FIRE 11 LIGHT WATER PARK REFUSE AMBULANCE WASTER
Barbed Common Corner	Subdivision Block/Block No.	Block No.	Fire District Line	Refuse District Line	
Subdivision Lot Line	Block Dimension	County Line	Water District Line	Water District Line	
Stream / Shore	Scale Dimension	Town Line	Light District Line	Waste District Line	
Parcel No.	Block Area 12.1 A(c) or 12.1A Consumed Area 12.1 A(c)	Village Line	Park District Line	Waste District Line	



Gen B2

COUNTY OF SUFFOLK



1045

STEVE LEVY  
COUNTY EXECUTIVE

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

January 18, 2011

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

Re: Tax Map No. 0500-131.00-05.00-002.000  
THERESA HEINERT

Dear Mr. Crannell:

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

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

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

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

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

Introductory Resolution No. 1046-11

Laid on Table 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976  
MATTHEW R. POOLE & SARA K. POOLE, his wife  
(SCTM NO. 0200-559.00-01.00-008.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 559.00 Block 01.00 Lot 008.000 and acquired by Tax Deed on August 16, 2004 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at CP 445 and described as follows, known and designated as Lot 66 in Block 3 on a certain map entitled "Map of Camp Nestledown", and filed in the Office of the Clerk of the County of Suffolk on September 22, 1926,

**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**, Matthew R. & Sara K. Poole, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$ 200.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

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

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

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

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

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any 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.

**3<sup>rd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Matthew R. Poole & Sara K. Poole, 7 Maple Lane, Manorville, New York 11949.

DATED:

APPROVED BY

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

Date of Approval:

1046

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

**SUMMARY STATEMENT**

**DIRECT SALE:**

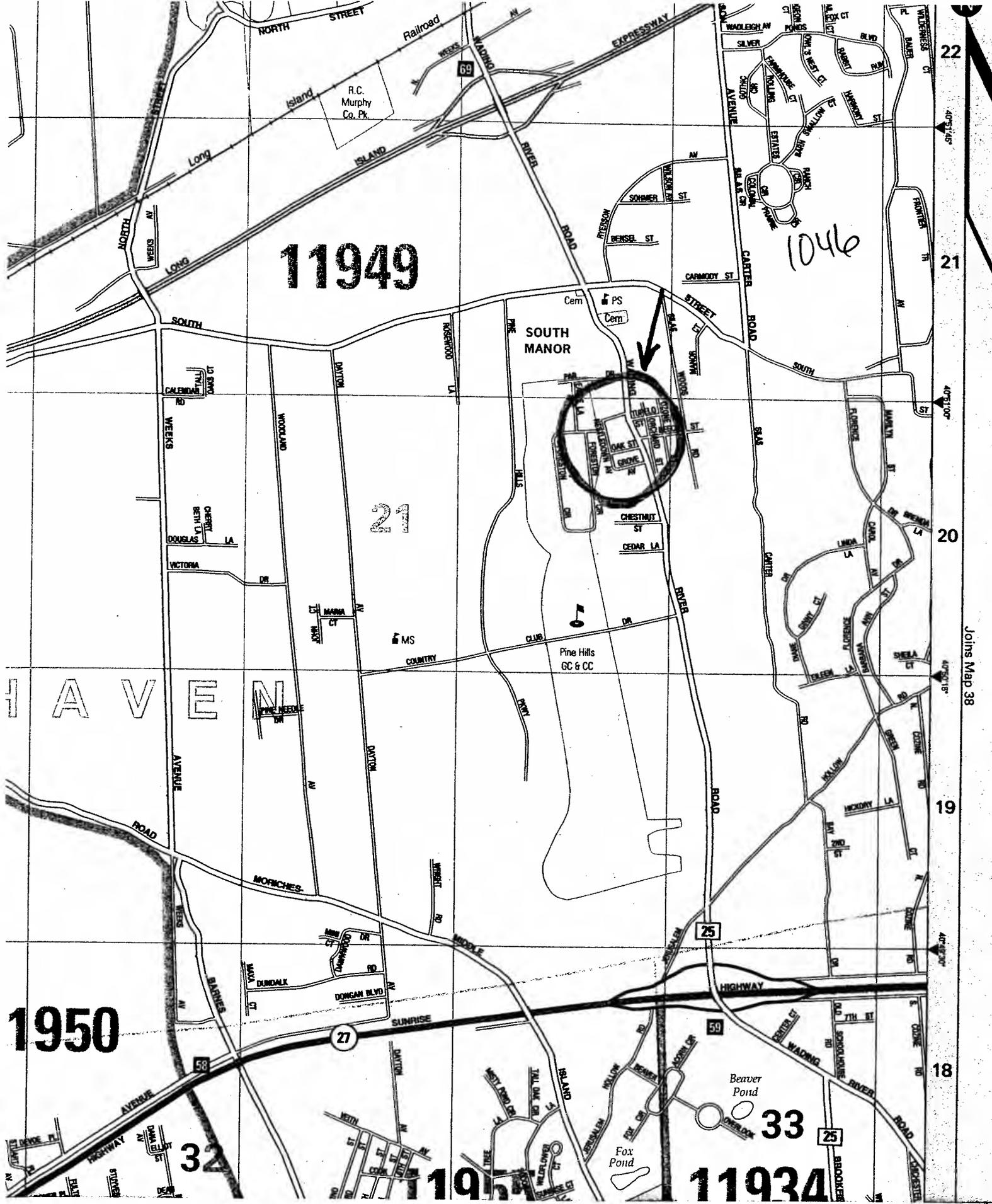
Suffolk County Local Law No. 13-1976  
Tax Map No. 0200-559.00-01.00-008.000

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Matthew R. & Sara K. Poole 7 Maple Lane Manorville, New York 11949 0200-559.00-01.00-009.000	\$200.00		
Stephen Carlino 2 Nestledown Avenue Manorville, New York 11949 0200-559.00-01.00-007.051	\$0		
Joseph Danowski, Jr. 4 Par Street Manorville, New York 11949 0200-559.00-01.00-007.057	\$0		

SIZE OF PARCEL: 28' x 120' x 20' x 100'  
APPRAISED VALUE: \$200.00  
COMMENT: Direct Sale to Adjacent Owner

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





11949

1046

21

1950

32

11954

11934

33

M# 0200-559.00-01.00-008.000

Joins Map 38

1046



1046

**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  
2011

10. Name & Title of Preparer Signature of Preparer Date  
 R.J. Bhatt - LMS IV   R.J. Bhatt   1/18/11

Gen DS

COUNTY OF SUFFOLK



1046

JAN 19 2011

PAMELA J. GREENE  
DIVISION DIRECTOR

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

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

January 18, 2011

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

Re: Tax Map Number: 0200-559.00-01.00-008.000

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

Copy to:

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

Introductory Resolution No. 1047-11

Laid on Table 2/11/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976  
MARK EBSEN and ANDREA EBSEN, his wife  
(SCTM NO. 0200-969.00-01.00-039.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 969.00 Block 01.00 Lot 039.000 and acquired by Tax Deed on August 15, 2007 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at CP 725 and described as follows, known and designated as Lot 154 on a certain map entitled "Map of Mastic Acres, Unit 6B", and filed in the Office of the Clerk of the County of Suffolk on April 5, 1946 as Map No. 1479,

**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**, Mark Ebsen and Andrea Ebsen, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$ 2,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$ 2,000.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, the Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$ 2,000.00, pursuant to said purchase offer; and

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

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

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any 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.

**3<sup>rd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Mark Ebsen and Andrea Ebsen, 134 Mayfield Drive, Mastic Beach, New York 11951.

DATED:

APPROVED BY

---

County Executive of Suffolk County

Date of Approval:

1047

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

**SUMMARY STATEMENT**

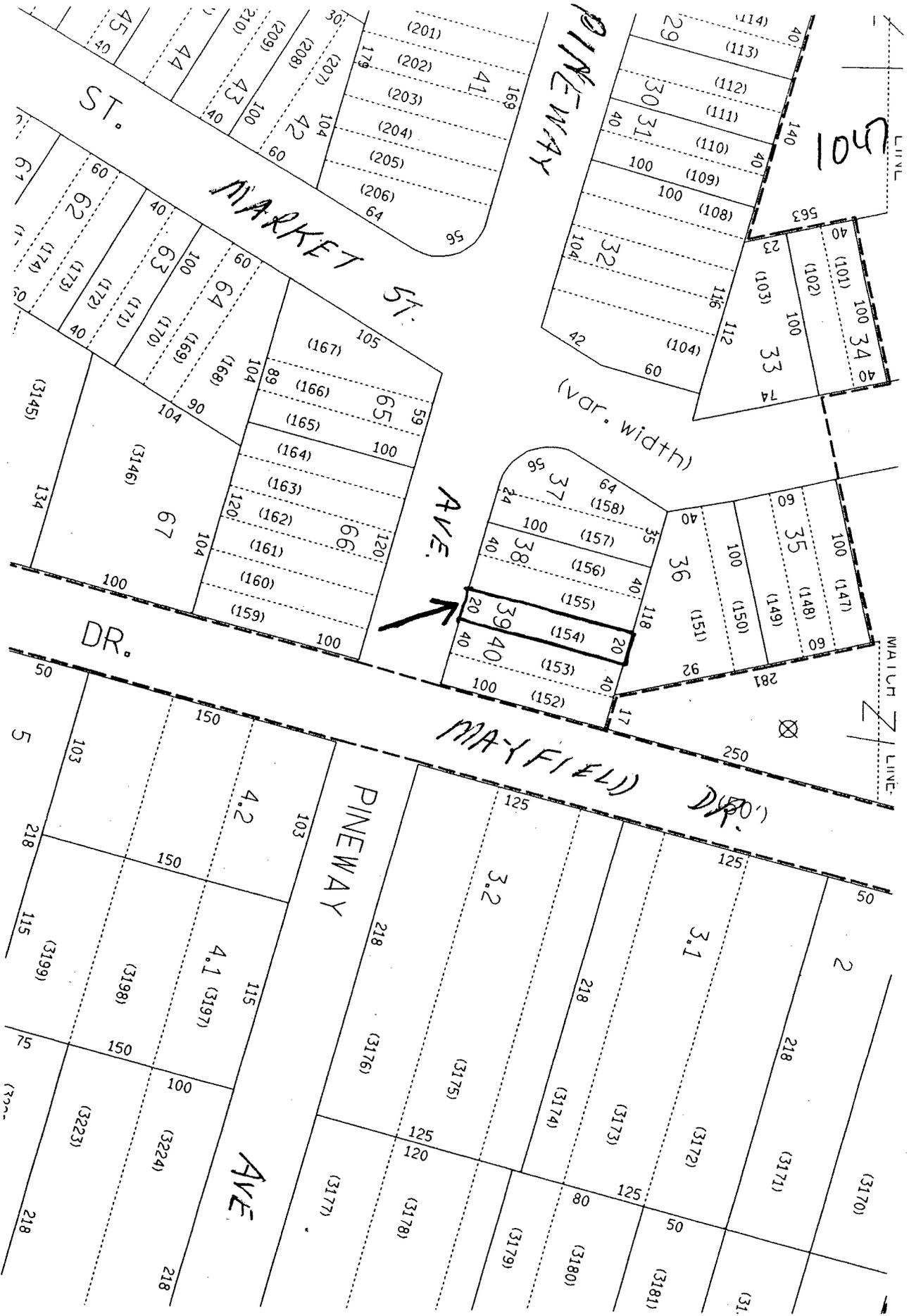
**DIRECT SALE:**

Suffolk County Local Law No. 13-1976  
Tax Map No. 0200-969.00-01.00-039.000

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Mark & Andrea Ebsen 134 Mayfield Drive Mastic Beach, New York 11951 0200-969.00-01.00-040.000	\$2,000.00		
Mary Hardy 63 Market Street Mastic Beach, New York 11951 0200-969.00-01.00-036.000	\$0		
Daniel & Deborah Fischer 115 Pineway Avenue Mastic Beach, New York 11951 0200-969.00-01.00-038.000	\$0		

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

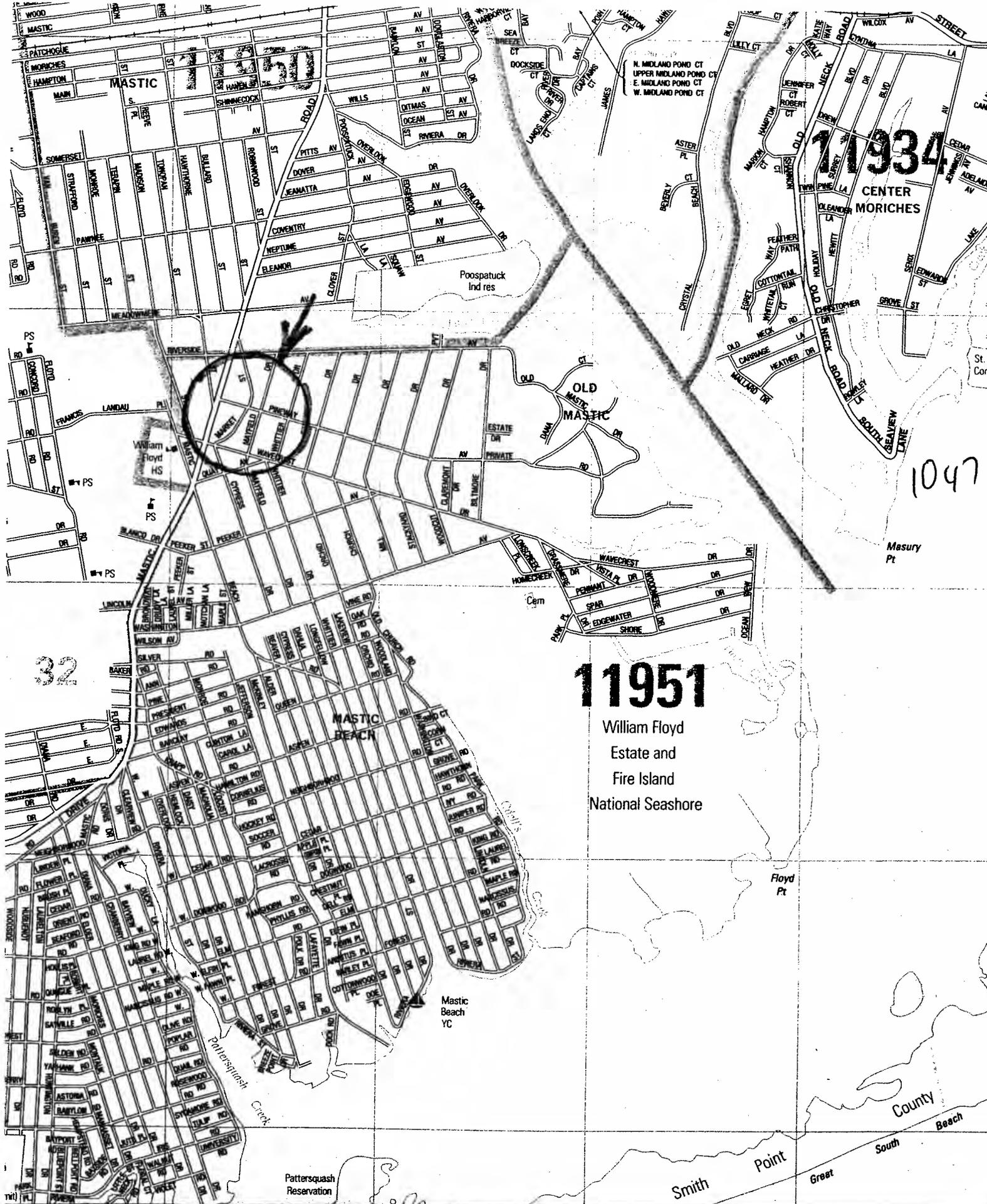
Wayne R. Thompson  
Property Manager  
(631) 853-5971



Map # 0200-969.00-01.00-039.000

1047





11934

CENTER MORICHES

1047

32

11951

William Floyd  
Estate and  
Fire Island  
National Seashore

TM# 0200-969.00-01.00-039.000

1047

**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  
2011

10. Name & Title of Preparer Signature of Preparer Date  
 R.J. Bhatt - LMS IV   *RJ Bhatt*   1/13/11

Gen B4

COUNTY OF SUFFOLK

JAN 19 2011



1047

PAMELA J. GREENE  
DIVISION DIRECTOR

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

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

January 13, 2011

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

Re: Tax Map Number: 0200-969.00-01.00-039.000

Dear Mr. Crannell:

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

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

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

Copy to:

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

Introductory Resolution No. 1048 -11

Laid on Table 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976  
GLENNA MARGARET CRAW  
(SCTM NO. 0800-006.00-02.00-026.002)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800 Section 006.00 Block 02.00 Lot 026.002 and acquired by Tax Deed on May 18, 1990 from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on May 25, 1990 in Liber 11074 at CP 154 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Smithtown under SCTM # District 0800 Section 006.00 Block 02.00 Lot 026.002; and

**WHEREAS**, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

**WHEREAS**, Glenna Margaret Crow, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$ 550.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$ 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 \$ 550.00, pursuant to said purchase offer; and

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

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

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any 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.

**3<sup>rd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Glenna Margaret Craw, 31 Meadow Glen Road, Northport, New York 11768.

DATED:

APPROVED BY

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

Date of Approval:

1048

**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:**

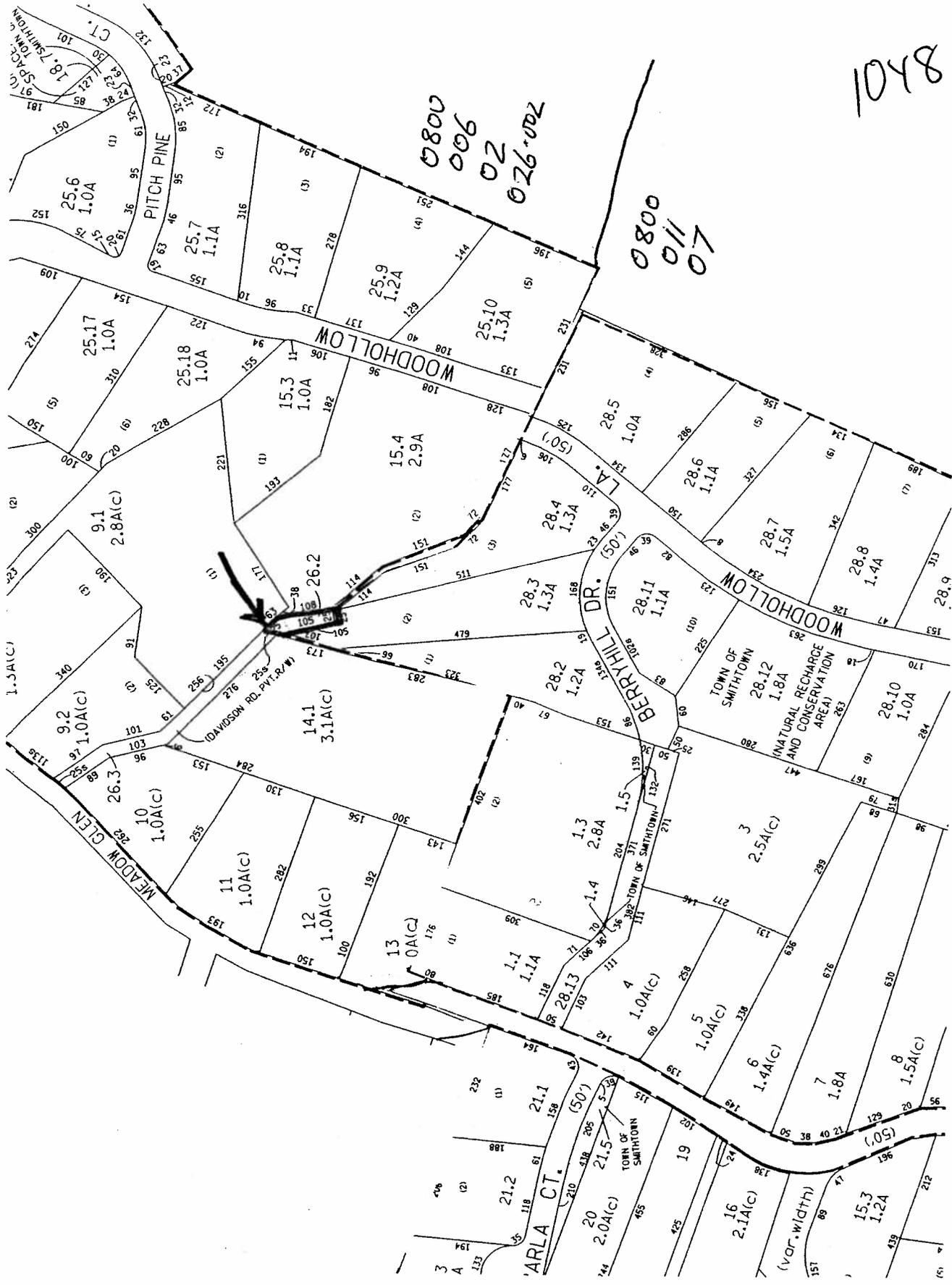
Suffolk County Local Law No. 13-1976  
Tax Map No. 0800-006.00-02.00-026.002

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Glenna Margaret Crow 31 Meadow Glen Road Northport, New York 11768 0800-006.00-02.00-026.003	\$550.00		
Michael Nickerson 27 Meadow Glen Road Northport, New York 11768 0800-006.00-02.00-009.001	\$0		
Francis M. & Margaret M. Foley 22 Woodhollow Lane Northport, New York 11768 0800-006.00-02.00-015.004	\$0		
Stephen K. & Victoria D. Salhus 3 Berryhill Drive Northport, New York 11768 0800-011.07.00-028.003	\$0		

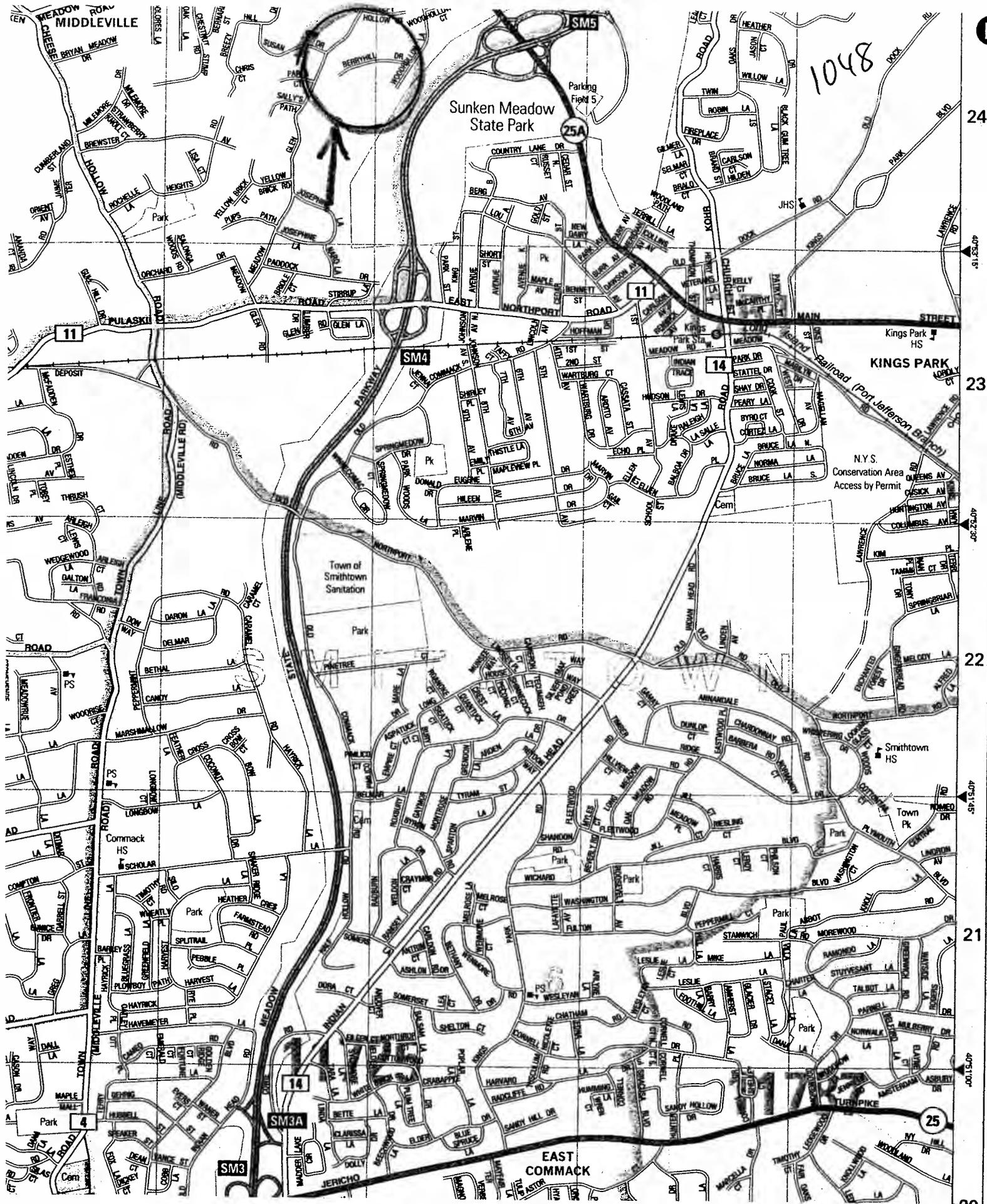
SIZE OF PARCEL: 25' x 105' x variable  
APPRAISED VALUE: \$500.00  
COMMENT: Direct Sale to Adjacent Owner

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

1048



Map # 0800-006-00-02-00-026-00'2



1048

TM# 0800-00600-0200-026002

1048

**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  
2011

10. Name & Title of Preparer                      Signature of Preparer                      Date  
 R.J. Bhatt – LMS IV                                                1/11/11

Gen 25

COUNTY OF SUFFOLK



1048

JAN 14 2011

PAMELA J. GREENE  
DIVISION DIRECTOR

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

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

January 11, 2011

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: 0800-006.00-02.00-026.002

Dear Mr. Crannell:

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

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

PJG:WRT:sib  
Resolution + 1 copy  
Summary Statement  
Tax Map & Aerial Map  
Hagstrom Map  
Sponsor's Memo

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

Introductory Resolution No. 1049-11

Laid on Table 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976  
BIG BLUE SIX CORP.  
(SCTM NO. 0500-393.00-03.00-081.001)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 393.00 Block 03.00 Lot 081.001 and acquired by Tax Deed on November 18, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on December 9, 2003 in Liber 12288 at CP 737 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Islip under SCTM # District 0500 Section 393.00 Block 03.00 Lot 081.001;

**WHEREAS**, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

**WHEREAS**, Big Blue Six Corp., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$ 806.66. 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 \$ 750.00, 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 \$ 806.66, pursuant to said purchase offer; and

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

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

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any 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.

**3<sup>rd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said, Big Blue Six Corp., 32 Bay Shore Avenue, Bay Shore, New York 11706.

DATED:

APPROVED BY

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

Date of Approval:

1049

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

**SUMMARY STATEMENT**

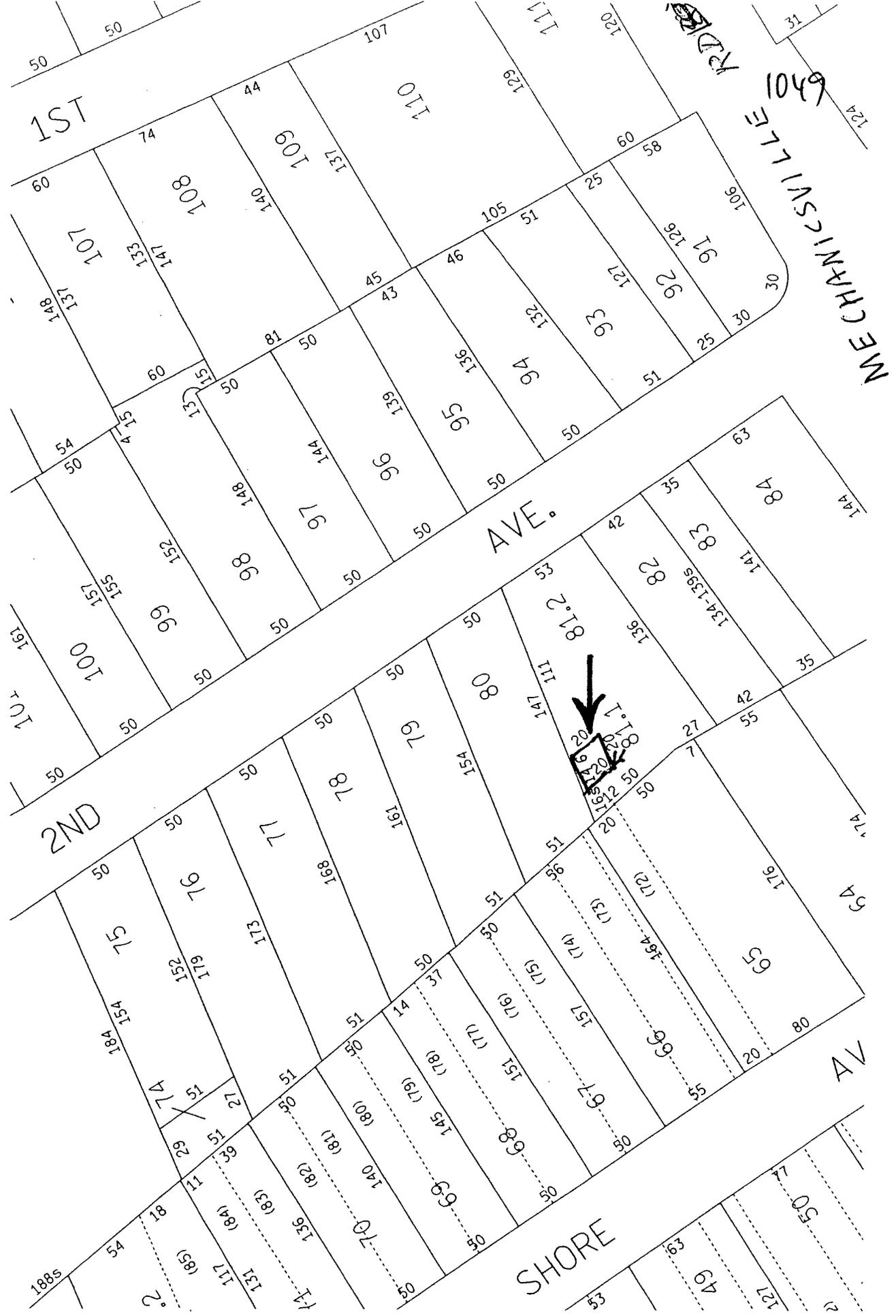
**DIRECT SALE:**

Suffolk County Local Law No. 13-1976  
Tax Map No. 0500-393.00-03.00-081.001

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Big Blue Six Corp. 32 Bay Shore Avenue Bay Shore, New York 11706 0500-393.00-03.00-081.002	\$806.66		
JC Rehab Ltd. P.O. Box 12072 Hauppauge, New York 11788 0500-393.00-03.00-080.000	\$0		

SIZE OF PARCEL: 20' x 19.9' x var.  
APPRAISED VALUE: \$750.00  
COMMENT: Direct Sale to Adjacent Owner

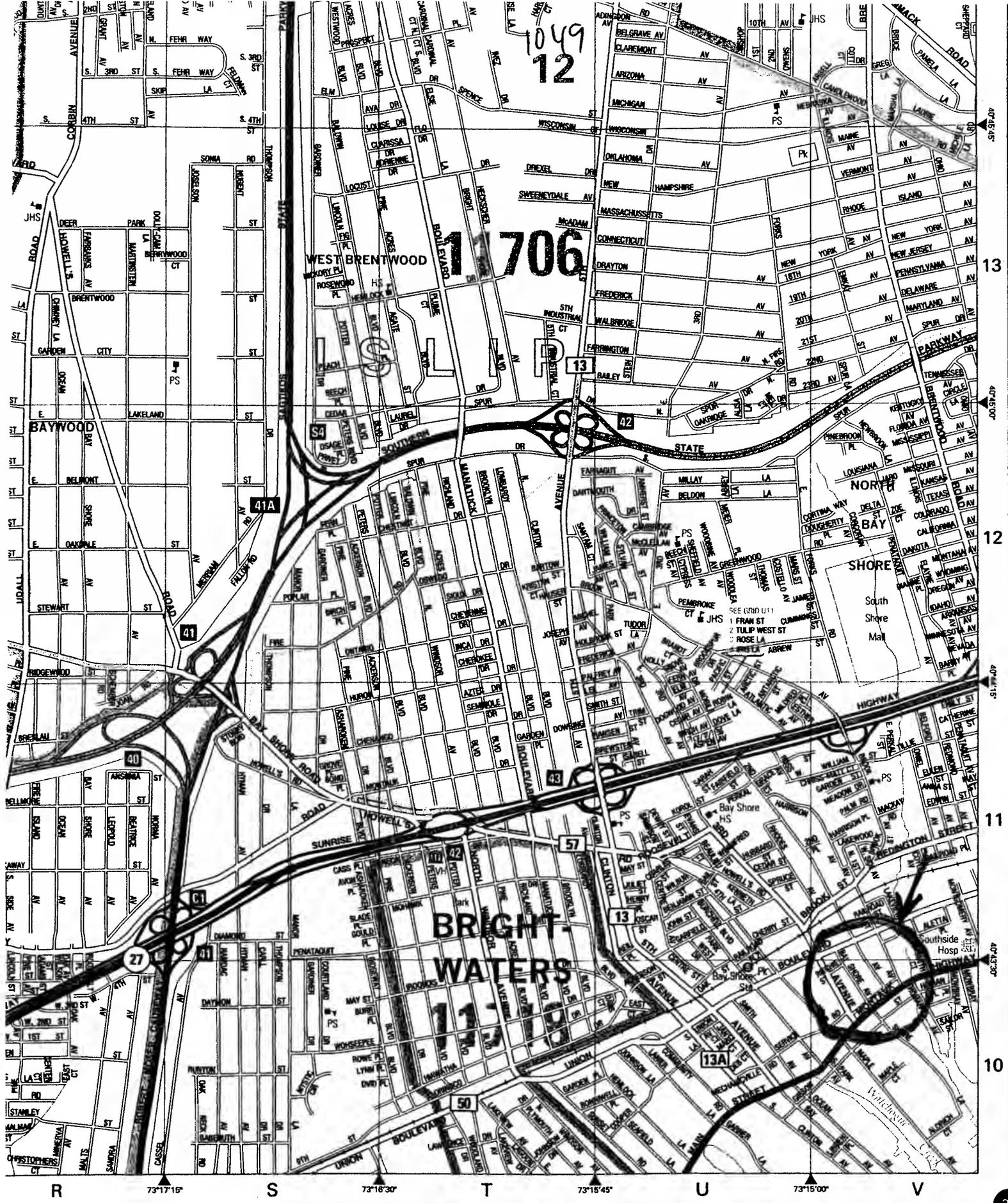
Wayne R. Thompson  
Property Manager  
(631) 853-5971



TM# 0500-393.00-03.00-081.001

1049





1049  
12

WEST BRENTWOOD  
1706

BRIGHT WATERS

R 73°17'15" S 73°16'30" T 73°15'45" U 73°15'00" V

Joins Map 11

©Hegstrom Map Company, Inc.

TM # 0500-393.00-03.00-081.001

1049

**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

2011

10. Name & Title of Preparer

Signature of Preparer

Date

R.J. Bhatt - LMS IV



1/11/11

Gen B6

COUNTY OF SUFFOLK



1049

JAN 14 2011

PAMELA J. GREENE  
DIVISION DIRECTOR

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

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

January 11, 2011

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

Re: Tax Map Number: 0500-393.00-03.00-081.001

Dear Mr. Crannell:

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

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

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

Copy to:

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

Introductory Resolution No. 1050-11

Laid on Table 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976  
GUY SCHAFFER & ANN MARIE SCHAFFER, his wife  
(SCTM NO. 0500-361.00-01.00-098.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 361.00 Block 01.00 Lot 098.000 and acquired by Tax Deed on June 5, 1997 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 16, 1997 in Liber 11835 at CP 668 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Islip under SCTM # District 0500 Section 361.00 Block 01.00 Lot 098.000

**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**, Guy Schaffer & Ann Marie Schaffer, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$ 3,100.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$ 3,000.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, the Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$ 3,100.00, pursuant to said purchase offer; and

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

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

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any 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.

**3<sup>rd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Guy Schafer & Ann Marie Schafer, 52 Doncaster Avenue, West Islip, New York 11795.

DATED:

APPROVED BY

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

Date of Approval:

1050

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

**SUMMARY STATEMENT**

**DIRECT SALE:**  
Suffolk County Local Law No. 13-1976  
Tax Map No. 0500-361.00-01.00-098.000

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Guy & Ann Marie Schafer 52 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-068.000	\$3,100.00		
Joseph & Diane Sixsmith 75 Boulevard Avenue West Islip, New York 11795 0500-335.00-01.00-050.000	\$0		
George & Christine Botz 69 Boulevard Avenue West Islip, New York 11795 0500-335.00-01.00-051.000	\$0		
Hope Schuffenhauer 65 Boulevard Avenue West Islip, New York 11795 0500-335.00-01.00-052.000	\$0		
George & Anne Rentz 61 Boulevard Avenue West Islip, New York 11795 0500-335.00-01.00-053.000	\$0		

SIZE OF PARCEL: 0.38 acre  
APPRAISED VALUE: \$3,000.00  
COMMENT: Direct Sale to Adjacent Owner

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

1050

**DIRECT SALE:**

Tax Map No. 0500-361.00-01.00-098.000

Page 3

ADJOINING OWNER	BID	BID	BID
Joseph Giacobbe Jr. 15 Boulevard Avenue West Islip, New York 11795 0500-361.00-01.00-074.000	\$0		
Mary Biehayn, James & Thomas Boyle 19 Boulevard Avenue West Islip, New York 11795 0500-361.00-01.00-075.000	\$0		
Donald & Carol Hitchcock 23 Boulevard Avenue West Islip, New York 11795 0500-361.00-01.00-076.000	\$0		
Arnold & Adrienne Sharlup 27 Boulevard Avenue West Islip, New York 11795 0500-361.00-01.00-077.000	\$0		
William & Dianne Connaughton 31 Boulevard Avenue West Islip, New York 11795 0500-361.00-01.00-078.000	\$0		
Sebastiano & Lisa Bonanno 39 Boulevard Avenue West Islip, New York 11795 0500-361.00-01.00-081.000	\$0		
James Rizzo & Samantha Cristallo 43 Boulevard Avenue West Islip, New York 11795 0500-361.00-01.00-082.000	\$0		
Alvin & Florence Landau 47 Boulevard Avenue West Islip, New York 11795 0500-361.00-01.00-083.000	\$0		

1050

**DIRECT SALE:**

Tax Map No. 0500-361.00-01.00-098.000

Page 2

ADJOINING OWNER	BID	BID	BID
Ann Spence 59 Boulevard Avenue West Islip, New York 11795 0500-335.00-01.00-054.000	\$0		
Edward & Frances Quinn 55 Boulevard Avenue West Islip, New York 11795 0500-335.00-01.00-055.000	\$0		
Charles & Patricia Cinquemani 68 Doncaster Avenue West Islip, New York 11795 0500-336.00-02.00-064.000	\$0		
Michael & Maryann Savino 64 Doncaster Avenue West Islip, New York 11795 0500-336.00-02.00-065.000	\$0		
Andrew & Pauline Malachowsky 60 Doncaster Avenue West Islip, New York 11795 0500-336.00-02.00-066.000	\$0		
Peter & Tammy Botte 56 Doncaster Avenue West Islip, New York 11795 0500-336.00-02.00-067.000	\$0		
Gerard Magee & Renee Davidson 305 Hunter Avenue West Islip, New York 11795 0500-361.00-01.00-072.000	\$0		
Allison Lorentzen 11 Boulevard Avenue West Islip, New York 11795 0500-361.00-01.00-073.003	\$0		

1050

**DIRECT SALE:**

Tax Map No. 0500-361.00-01.00-098.000

Page 4

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
William & Kathleen Mosher 51 Boulevard Avenue West Islip, New York 11795 0500-361.00-01.00-084.000	\$0		
Allen & Maureen Crowley 48 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-085.000	\$0		
Robert & Joyce Peterson 44 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-086.000	\$0		
John & Carol Bacany Jr. 40 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-087.000	\$0		
Gregory & Joanne Olenik 36 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-088.000	\$0		
Mary Boyle 32 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-089.000	\$0		
Richard & Linda Hay 28 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-090.000	\$0		
Thomas Dauria 24 Doncaser Avenue West Islip, New York 11795 0500-361.00-01.00-091.000	\$0		

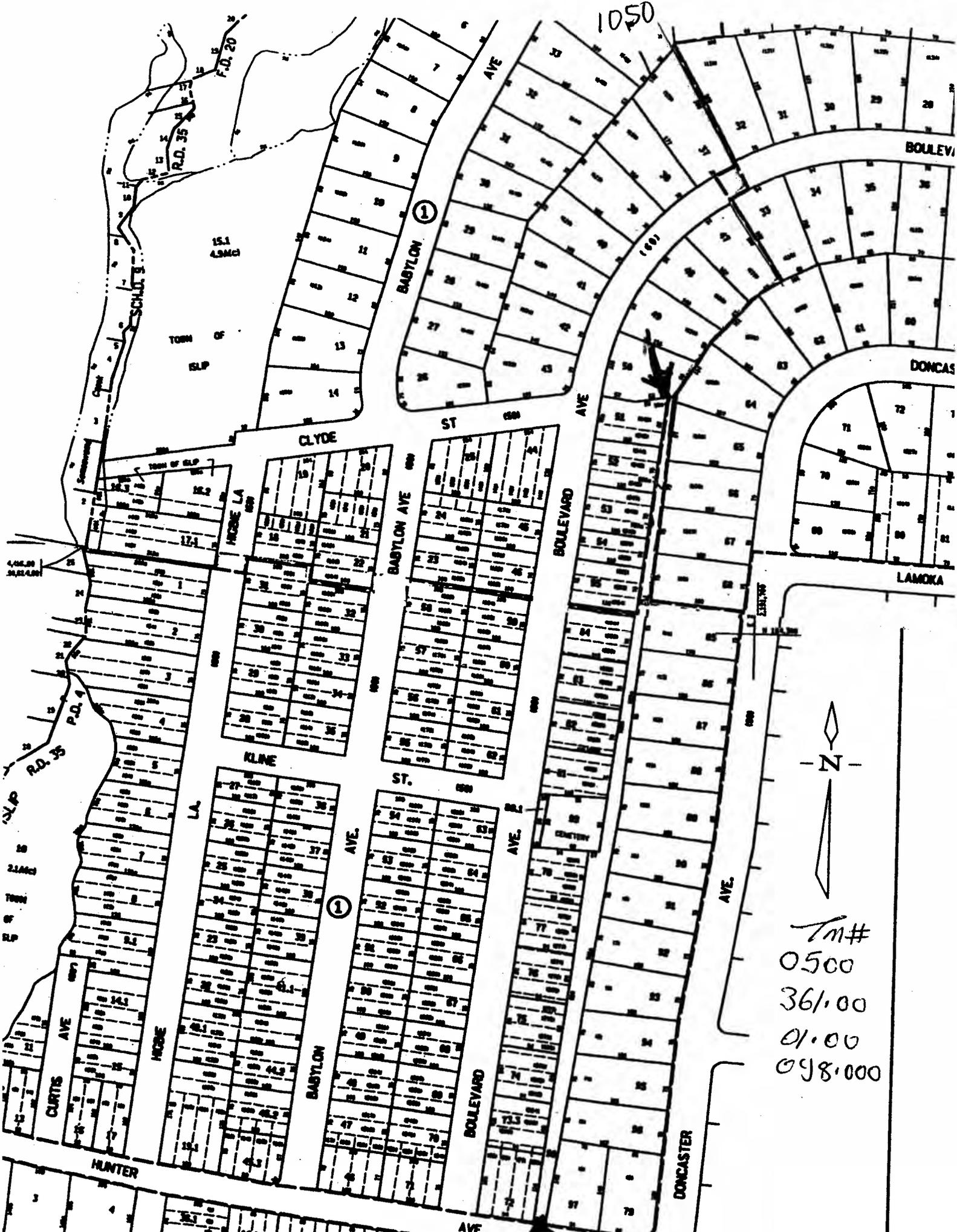
1050

**DIRECT SALE:**

Tax Map No. 0500-361.00-01.00-098.000

Page 5

ADJOINING OWNER	BID	BID	BID
Paul & Alice Risley 20 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-092.000	\$0		
Mark O'Brien 16 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-093.000	\$0		
Eileen Lillis 12 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-094.000	\$0		
Salvatore Incandela Jr. 8 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-095.000	\$0		
Mark & Janice Dagostino 4 Doncaster Avenue West Islip, New York 11795 0500-361.00-01.00-096.000	\$0		
Vincent & Muriel Meade 311 Hunter Avenue West Islip, New York 11795 0500-361.00-01.00-097.000	\$0		



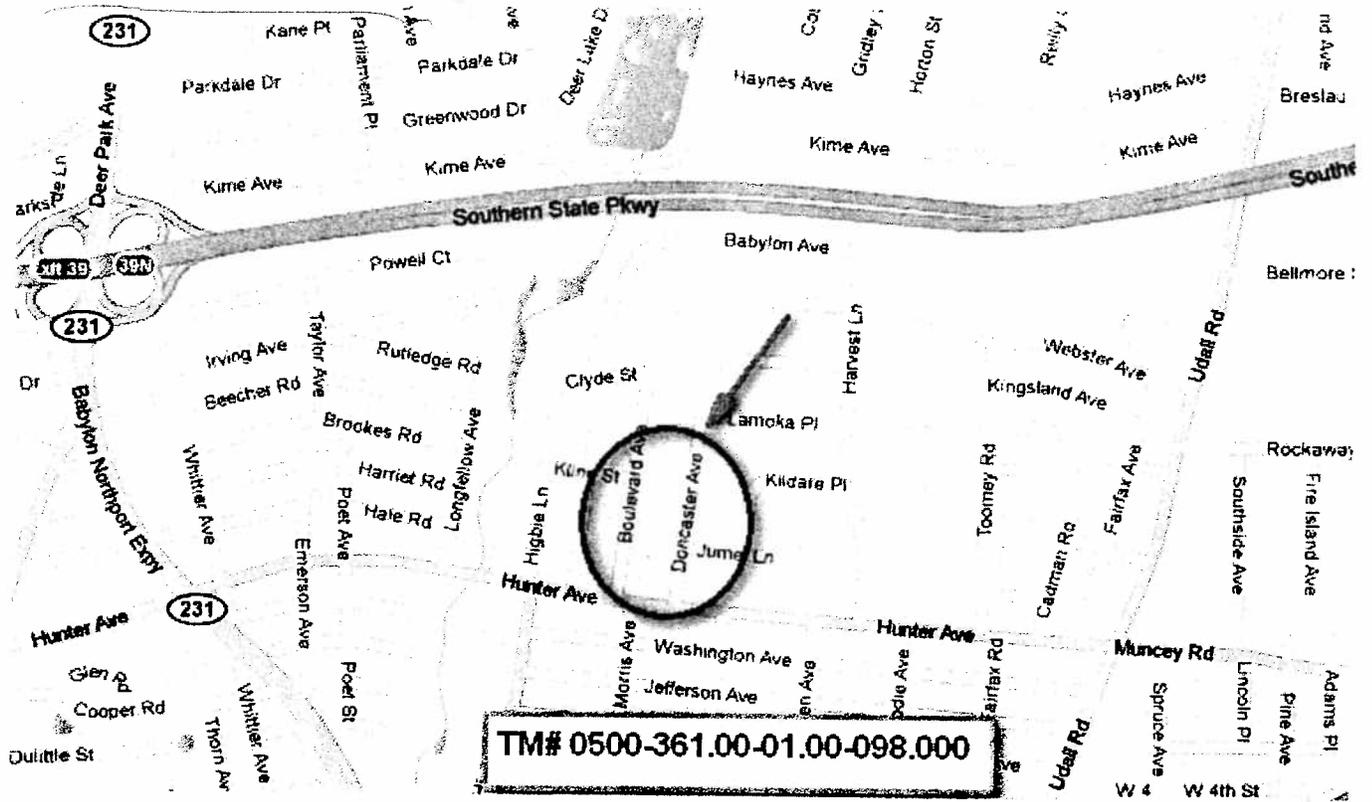
1050

TM#  
 0500  
 361.00  
 01.00  
 098.000

1050



1050



1050

**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

2011

10. Name & Title of Preparer

Signature of Preparer

Date

R.J. Bhatt – LMS IV



1/11/11

Gen 37

COUNTY OF SUFFOLK



JAN 14 2011

1050

PAMELA J. GREENE  
DIVISION DIRECTOR

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

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

January 5, 2011

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

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Dear Mr. Crannell:

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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

1051  
Intro. Res. No. 2011  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 2/1/11

**RESOLUTION NO. -2011, AUTHORIZING  
ACQUISITION OF LAND UNDER THE SUFFOLK  
COUNTY OPEN SPACE PRESERVATION PROGRAM –  
FOR THE K. DUNNE, M. DUNNE & BARTILUCCI  
PROPERTY – ROBERT CUSHMAN MURPHY COUNTY  
PARK ADDITION - PINE BARRENS CORE (TOWN OF  
RIVERHEAD – SCTM#0600-134.00-01.00-010.000)**

**WHEREAS**, Resolution No. 762-1986 established a Capital Budget and Program for the acquisition of land designated as the Open Space Preservation Program and appropriated sixty million dollars (\$60,000,000.00) in connection therewith; and

**WHEREAS**, subsequent resolutions have been adopted to increase funding for the Open Space Preservation Program; and

**WHEREAS**, any of these proposed acquisitions shall be consummated in accordance with and subject to the provisions of Resolution 762-1986 establishing and outlining the role of the Board of Trustees of the Department of Parks, Recreation and Conservation in connection with such Open Space acquisitions; and

**WHEREAS**, Resolution No.264-2002 authorized planning steps for acquisition of the subject property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; and, therefore, be it

**1<sup>ST</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of One Hundred Twenty Four Thousand Two Hundred Ninety Seven Dollars (\$124,297.00+/-), at Seven Thousand Five Hundred Dollars (\$7,500.00) per acre, at 5.037+ acres, and Seventy Five Thousand Dollars (\$75,000.00) per Pine Barren credit, at 1.15 credits, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title report and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u> <u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER</u> <u>AND ADDRESS:</u>
No. 1	District 0600 Section 134.00 Block 01.00 Lot 010.000	5.037+acres	Kenneth J. & Margaret Dunne 119 Church Street Edenton, NC 27932 and Joan Bartilucci 355 Stillwell Lane Laurel Hollow, NY 11791

; and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Open Space Preservation Program, for a purchase price of One Hundred Twenty Four Thousand Two Hundred Ninety Seven Dollars (\$124,297.00±), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$124,297.00±, subject to a final survey, from previously appropriated funds in Capital Project 7144.213, Suffolk County Open Space Preservation Program, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports, and environmental audits, making tax adjustments, and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**5<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

**6<sup>th</sup> RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

**7<sup>th</sup> RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) will be passive recreation; ;and
- 3.) if not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

**8<sup>th</sup> RESOLVED**, that in accordance with Section 279(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.

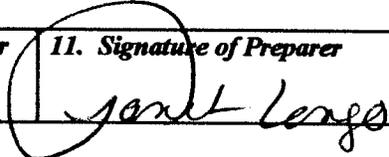
DATED:

APPROVED BY:

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

Date of Approval:

**STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1051**

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/> X	Local Law
		Charter Law
2. Title of Proposed Legislation		
Authorizing the acquisition under the Suffolk County Open Space Preservation Program (1986), of the K. Dunne, M. Dunne & Bartilucci property (Robert Cushman Murphy County Park Additon/Pine Barrens Core, SCTM#0600-134.00-01.00-010.000, (Town of Riverhead).		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Suffolk County Open Space Preservation Program (1986)		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Janet M. Longo Acquisition Supervisor		January 3, 2011

Gen 38

# COUNTY OF SUFFOLK

JAN 14 2011



**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

1051

CARRIE MEEK GALLAGHER  
COMMISSIONER  
PAMELA J. GREENE  
DIVISION DIRECTOR

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

January 10, 2011

Mr. Ken Crannell, Deputy County Executive  
H. Lee Dennison Building - 12<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the K. Dunne, M. Dunne & Bartilucci property Robert Cushman Murphy County Park Addition / Pine Barrens Core), in the Town of Riverhead, under the Suffolk County Open Space Preservation (1986) Program. The purchase price is \$124,297.00± for 5.037± acres.

Please contact me if you require any additional information.

Sincerely,

*Pamela J. Greene*  
Pamela J. Greene  
Director

PJG:pd

Att.

- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
- Lauretta Fischer, Principal Environmental Analyst, S.C. Planning Dept.
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Peter Belyea, Acquisition Agent
- CE Reso Review (e-mail copy only)

LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

1052

Intro. Res. No. - 2011

Laid on Table

2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011 AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) FOR THE KALAMARAS, U. ALTOP & H. ALTOP PROPERTY- TRIANGLE FARM (TOWN OF RIVERHEAD -SCTM#0600-079.00-01.00-005.001 P/O)**

**WHEREAS**, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

**WHEREAS**, Resolution No. 235-2008, authorized planning steps for the acquisition of farmland development rights of the subject property; and

**WHEREAS**, pursuant thereto, said acquisition is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation of the Suffolk County Farmland Committee; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition of farmland development rights; and

**WHEREAS**, based upon the Environmental Trust Review Board approved value, an offer to acquire the rights to subject property was made to and accepted by the owner of said property; and

**WHEREAS**, contracts to acquire said rights were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the office of the County Attorney; now, therefore, be it:

**1st RESOLVED**, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, for a total purchase price of Two Million One Thousand Dollars (\$2,001,000.00+), at Fifty Eight

Thousand Dollars (\$58,000.00) per acre for 34.5± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<b><u>PARCEL:</u></b> No. 1	<b>SUFFOLK COUNTY <u>TAX MAP NUMBER:</u></b> District 0600 Section 079.00 Block 01.00 Lot 005.001 p/o	<b><u>ACRES:</u></b> 34.5±	<b><u>REPUTED OWNER AND ADDRESS:</u></b> George Kalamaras 79 Eatondale Avenue Blue Point, NY 11715  Ugur Alton 2 Sound Breeze Drive Miller Place, NY 11764  Haluk Altop 1221 Rockwood Drive Fox Chapel Pittsburgh, PA 15205 as tenants-in-common
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; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Two Million One Thousand Dollars (\$2,001,000.00±), at Fifty Eight Thousand Dollars (\$58,000.00) per acre for 34.5± acres, subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$2,001,000.00±, 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 December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**5<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing

the acquisition of farmland development rights as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:

Gen B 9

# COUNTY OF SUFFOLK

JAN 14 2011



**STEVE LEVY**  
**SUFFOLK COUNTY EXECUTIVE**

1052

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

PAMELA J. GREENE  
DIVISION DIRECTOR

January 13, 2011

Mr. Ken Crannell, Deputy County Executive  
H. Lee Dennison Building -12<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the farmland development rights for the Kalamaras, U. Altop & H. Altop property (Triangle Farm), in the Town of Riverhead, under the New Suffolk County ¼% Drinking Water Protection Program-Farmland. The purchase price is \$2,001,000.00+ for 34.5+ acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene  
Director

PJG:pd  
Att.

- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condernnation
- Lauretta Fischer, Principal Environmental Analyst, S.C. Planning Dept.
- Jessica Kalmbacher, Planner, S. C. Planning Dept,
- Amy Engel, County Executive Assistant
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Bob Zaher, Acquisition Agent
- CE Reso Review (e-mail copy only)

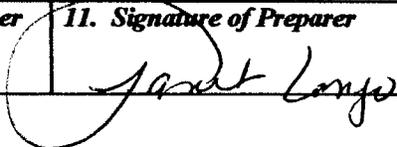
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1052

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
2. Title of Proposed Legislation Authorizing the acquisition of farmland development rights under the New Suffolk County ¼% Drinking Water Protection Program-Farmland, of the Kalamaras, U. Altop & H. Altop property (Triangle Farm), SCTM#0600-079.00-01.00-005.001 p/o, (Town of Riverhead).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  New Suffolk County ¼% Drinking Water Protection Program-Farmland		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date January 13, 2011

1053  
Intro. Res. No. - 2011

Laid on Table 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011 AUTHORIZING THE  
ACQUISITION OF FARMLAND DEVELOPMENT  
RIGHTS UNDER THE NEW SUFFOLK COUNTY  
DRINKING WATER PROTECTION PROGRAM  
(EFFECTIVE DECEMBER 1, 2007) FOR THE  
ROSELLE BUILDING COMPANY, INC.  
PROPERTY (TOWN OF RIVERHEAD -  
SCTM#0600-061.00-02.00-009.000)**

**WHEREAS**, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

**WHEREAS**, Resolution No. 809-2009, authorized planning steps for the acquisition of farmland development rights of the subject property; and

**WHEREAS**, pursuant thereto, said acquisition is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation of the Suffolk County Farmland Committee; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition of farmland development rights; and

**WHEREAS**, based upon the Environmental Trust Review Board approved value, an offer to acquire the rights to subject property was made to and accepted by the owner of said property; and

**WHEREAS**, contracts to acquire said rights were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the office of the County Attorney; now, therefore, be it:

**1st RESOLVED**, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, for a total purchase price of Four Million One Hundred Ninety Seven Thousand Six Hundred Dollars (\$4,197,600.00+), at Seventy Two Thousand Dollars (\$72,000.00) per acre for 58.3±

acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0600	58.3±	Roselle Building Company, Inc.
	Section 061.00		80 Windsor Avenue
	Block 02.00		Mineola, NY 11501
	Lot 009.000		

; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Four Million One Hundred Ninety Seven Thousand Six Hundred Dollars (\$4,197,600.00±), at Seventy Two Thousand Dollars (\$72,000.00) per acre for 58.3± acres, subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$4,197,600.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**5<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

DATED:

APPROVED BY:

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

Date of Approval:

Gen B10

# COUNTY OF SUFFOLK



1053

JAN 14 2011

**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

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

PAMELA J. GREENE  
DIVISION DIRECTOR

January 13, 2011

Mr. Ken Crannell, Deputy County Executive  
H. Lee Dennison Building -12<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the farmland development rights of the Roselle Building Company, Inc. property, in the Town of Riverhead, under the New Suffolk County ¼% Drinking Water Protection Program-Farmland. The purchase price is \$4,197,600.00+ for 58.3+ acres, at \$72,000.00 per acre.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene  
Director

PJG:pd  
Att.

- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condernnation
- Lauretta Fischer, Principal Environmental Analyst, S.C. Planning Dept.
- Jessica Kalmbacher, Planner, S. C. Planning Dept.
- Brendan Chamberlain, Director, Intergovernmental Relations
- Amy Engel, County Executive Assistant
- Tom Vaughn, County Executive Assistant
- Bob Zaher, Acquisition Agent
- CE Reso Review (e-mail copy only)

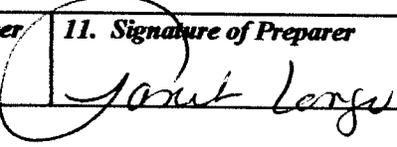
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1053

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition of the farmland development rights under the New Suffolk County ¼% Drinking Water Protection Program-Farmland, of the Roselle Building Company, Inc. property, SCTM#0600-061.00-02.00-009.000, (Town of Riverhead).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  New Suffolk County ¼% Drinking Water Protection Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date January 13, 2011

1054  
Intro. Res. No. - 2011

Laid on Table 2/11/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011 AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) FOR THE WICKHAM PROPERTY - WICKHAM FRUIT FARM (TOWN OF SOUTHOLD -SCTM#1000-103.00-11.00-022.000)**

**WHEREAS**, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

**WHEREAS**, Resolution No. 405-2001, authorized planning steps for the acquisition of farmland development rights of the subject property; and

**WHEREAS**, pursuant thereto, said acquisition is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation of the Suffolk County Farmland Committee; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition of farmland development rights; and

**WHEREAS**, based upon the Environmental Trust Review Board approved value, an offer to acquire the rights to subject property was made to and accepted by the owner of said property; and

**WHEREAS**, contracts to acquire said rights were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the office of the County Attorney; now, therefore, be it:

**1st RESOLVED**, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, for a total purchase price of Four Hundred Eighty Six Thousand Dollars (\$486,000.00±), at Eighty One Thousand Dollars (\$81,000.00) per acre for 6.0± acres, subject to a final survey;

and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 1000 Section 103.00 Block 11.00 Lot 022.000	6.0±	Jonathan Wickham 2056 S 1H-45 Wilmer, TX 75172  John L. Wickham 11752 Harford Road Glen Arm, MD 21057

; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Four Hundred Eighty Six Thousand Dollars (\$486,000.00±), at Eighty One Thousand Dollars (\$81,000.00) per acre for 6.0± acres, subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$486,000.00±, 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 December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**5<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

**DATED:**

**APPROVED BY:**

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

**Date of Approval:**

Gen B11

# COUNTY OF SUFFOLK

JAN 14 2011



1054

**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

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

PAMELA J. GREENE  
DIVISION DIRECTOR

January 6, 2011

Mr. Ken Crannell, Deputy County Executive  
H. Lee Dennison Building -12<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the farmland development rights for the Wickham property (Wickham Fruit Farm), in the Town of Southold, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is \$486,000.00<sup>±</sup>, for 6.0<sup>±</sup> 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
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
- Lauretta Fischer, Principal Environmental Analyst, S.C. Planning Dept.
- Jessica Kalmbacher, Planner, S. C. Planning Dept. (Farmland only)
- Brendan Chamberlain, Director, Intergovernmental Relations
- Amy Engel, County Executive Assistant
- Tom Vaughn, County Executive Assistant
- Bob Zaher, Acquisition Agent

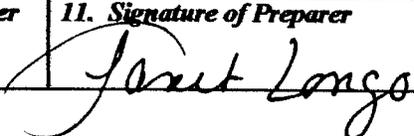
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1054

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition of the farmland development rights under the New Suffolk County ¼% Drinking Water Protection Program, of the Wickham property (Wickham Fruit Farm), SCTM#1000-103.00-11.00-022.000, (Town of Southold).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  New Suffolk County ¼% Drinking Water Protection Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date January 6, 2011

1055

Intro. Res. No. - 2011  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 2/1/11

**RESOLUTION NO. -2011 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] – FOR THE BERGMANN PROPERTY – PINE BARRENS CORE (TOWN OF SOUTHAMPTON - SCTM#0900-333.00-03.00-007.000)**

**WHEREAS**, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

**WHEREAS**, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

**WHEREAS**, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(b) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of such land; and

**WHEREAS**, Resolution No. 264-2002, authorized planning steps for the acquisition of the subject property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and had approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(b), as amended and effective as of November 30, 2000, for a total purchase price of Twenty Five Thousand Six Hundred Eighty Dollars (\$25,680.00+), at Five Thousand Dollars (\$5,000.00) per acre, for 1.47+ acres, residual fee, and 0.235 Pine Barrens Credits at Seventy Eight Thousand Dollars (\$78,000.00) per credit, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900	1.47+	Donald Bergmann
	Section 333.00		46 Neptune Avenue
	Block 03.00		Patchogue, NY 11772
	Lot 007.000		

; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Twenty Five Thousand Six Hundred Eighty Dollars (\$25,680.00+), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$25,680.00+, subject to a final survey, from previously appropriated funds in 475-MS-1940 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**5<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

**6<sup>th</sup> RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

**7<sup>th</sup> RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) will be passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

**8<sup>th</sup> RESOLVED**, in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATE:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:

Green B

# COUNTY OF SUFFOLK



1055

**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE  
DIVISION DIRECTOR

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

January 20, 2011

Mr. Ken Crannell, Deputy County Executive  
H. Lee Dennison Building -12<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Bergmann property (Pine Barrens Core), in the Town of Southampton, under the Old Suffolk County Drinking Water Protection Program. The purchase price is \$25,680.00<sub>±</sub>, for 1.47<sub>±</sub> 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
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condensation
- Lauretta Fischer, Principal Environmental Analyst, S.C. Planning Dept.
- √ Brendan Chamberlain, Director, Intergovernmental Relations
- Amy Engel, County Executive Assistant
- Tom Vaughn, County Executive Assistant
- Peter Belyea, Acquisition Agent
- CE Reso Review (e-mail copy only)

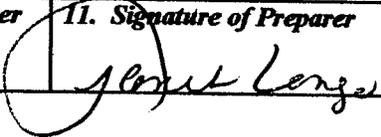
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1055

1. Type of Legislation		
Resolution	<b>X</b>	Local Law
		Charter Law
2. Title of Proposed Legislation		
Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Bergmann property (Pine Barrens Core), SCTM#0900-333.00-03.00-007.000, (Town of Southampton).		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Old Suffolk County Drinking Water Protection Program		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Janet M. Longo Acquisition Supervisor		January 20, 2011

1056

2/1/11

Intro. Res. No. -2011 Laid on Table  
Introduced by the Presiding Officer on request of the County Executive and Legislator  
Schneiderman

**RESOLUTION NO. - 2011 AMENDING RESOLUTION  
1129-2007 IN CONNECTION WITH THE SUFFOLK COUNTY  
MULTIFACETED LAND PRESERVATION PROGRAM AND  
AUTHORIZING ACQUISITION UNDER THE SUFFOLK COUNTY  
MULTIFACETED LAND PRESERVATION PROGRAM -  
PARKLAND PURPOSES - FOR THE BOYS & GIRLS HARBOR,  
INC. PROPERTY (TOWN OF EAST HAMPTON - SCTM#0300-  
092.00-01.00-011.001 & 0300-074.00-05.00-030.002)**

**WHEREAS**, Resolution No. 1129-2007, as amended by Resolution No. 22-2008, approved the acquisition of such lands known as the Boys and Girls Harbor, Inc. property; and

**WHEREAS**, subsequent to the approval of Resolution No. 1129-2007 the Supreme Court of the State of New York, County of Suffolk issued an order requiring additional SEQRA review; and

**WHEREAS**, pursuant to said order, a management plan was approved by the Town of East Hampton for the Boys and Girls Harbor, Inc. property on July 15, 2010 by East Hampton Town Board Resolution No. 2010-687, and such management plan was submitted to the Suffolk County Council on Environmental Quality for their recommendations; and

**WHEREAS**, said management plan was reviewed and recommendations were made by the Suffolk County Council on Environmental Quality on October 20, 2010; and

**WHEREAS**, this resolution now amends the parkland uses for the property and related matters, and is presented for approval with the following amendments; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the 8th Resolved clause of Resolution No. 1129-2007 shall be amended to read as follows:

**8th RESOLVED**, that the parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation primarily for passive recreational uses including the creation and maintenance of an entrance road (approx. 326 feet in length), [and walking/jogging] hiking trails, and non-motorized biking trails with the addition of certain limited, active recreational uses including but not limited to: [picnic areas with nearby restroom facilities; the continued use of the existing ball field; horseshoes; climbing wall;] the use of 1 existing building for educational activities, and an existing ropes course, [and the use of 7 or 8 existing buildings for park activities, park staff and maintenance needs,] with adequate parking spaces provided for these intended uses, as described in the Boys and Girls Harbor Management Plan, dated July 15, 2010; and, be it further

**2<sup>nd</sup> RESOLVED**, that the 11th Resolved clause of Resolution No. 1129-2007 shall be amended to read as follows:

**11<sup>th</sup> RESOLVED**, that the project will not have a significant [effect] adverse impact on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code; and
- 3.) the parcels do not appear to suffer from any severe environmental development constraints (no limiting soils properties, no high groundwater, and no unmanageable slopes); and
- 4.) the proposed use of the subject parcel(s) [will be for park purposes as stated in the 8<sup>th</sup> RESOLVED clause above; and] is primarily passive recreation with a limited active parkland component, as described in the Boys and Girls Harbor management Plan, dated July 15, 2010; and
- 5.) 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

**3<sup>rd</sup> RESOLVED**, that in all other respects the Resolved clauses set forth in Resolution No. 1129-2007 shall remain unchanged and in full force and effect, and the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; the County Department of Parks, Recreation and Conservation; the County Department of Public Works; the County Comptroller; and the County Treasurer are hereby authorized, empowered, and directed to take such actions and procedures necessary to implement the directives of Resolution No. 1129-2007 and which are required to acquire such County interest in said lands; and, be it further

**4<sup>th</sup> 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:**

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1056

PAMELA J. GREENE  
DIVISION DIRECTOR

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

January 20, 2011

Mr. Ken Crannell, Deputy County Executive  
H. Lee Dennison Building -12<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to amend Resolution No. 1129-2007 authorizing the acquisition of the Boys and Girls Harbor, Inc. property, in the Town of East Hampton.

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
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
- Lauretta Fischer, Principal Environmental Analyst, S.C. Planning Dept.
- ✓Brendan Chamberlain, Director, Intergovernmental Relations
- Amy Engel, County Executive Assistant
- Tom Vaughn, County Executive Assistant
- Peter Belyea, Acquisition Agent
- CE Reso Review (e-mail copy only)

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, ACCEPTING AND APPROPRIATING ADDITIONAL 100% GRANT FUNDS FROM THE NEW YORK STATE OFFICE OF FAMILY AND CHILDREN SERVICES (OCFS) TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE CHILD CARE COUNCIL OF SUFFOLK, INC. FOR DAY CARE REGISTRATION AND INSPECTION CONTRACT**

**WHEREAS**, the New York State Office of Children and Family Services has awarded Suffolk County Department of Social Services 100% grant funds in the amount of \$1,033,079.00, of which \$46,960.00 is an increase to the child care registration and inspection services program; and

**WHEREAS**, the 2011 Adopted budget includes \$939,193.00 for a contract with the Child Care Council of Suffolk, Inc., as well as, \$46,926 of indirect costs incurred by the Department of Social Services' Child Care Bureau; and

**WHEREAS**, the increased amount is designated for the Child Care Council of Suffolk, Inc., to continue to provide day care registration and inspection services to the child care providers of Suffolk County and oversee a program that provides child care services to over 3,600 children; and

**WHEREAS**, it is the intention of the Department of Social Services to continue to contract these activities to the Child Care Council of Suffolk, Inc. and this funding will increase their program budget in the amount of \$46,960.00 from \$939,193.00 to \$986,153.00.; and

**WHEREAS**, this program is 100% funded and it is in the best interest of Suffolk County to accept these funds; now, therefore be it

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

<u>REVENUES:</u>		<u>\$46,960</u>
001-4620	FEDERAL AID: Child Care Block Grant	\$46,960

and be it further

**2<sup>nd</sup> RESOLVED**, that total funds in the amount of \$46,960 be and are hereby appropriated as follows:

<u>ORGANIZATIONS:</u>	<u>\$46,960</u>
-----------------------	-----------------

Department of Social Services  
Client Benefits Administration  
001-DSS -6015

<u>4000 – Contractual Expenses</u>		<u>\$46,960</u>
4980 – GGN1–	Child Care Council: Registration and Inspection	46,960

and be it further

**3<sup>rd</sup> RESOLVED**, that the County Executive and the Commissioner of Social Services be and they are hereby are authorized to modify the contract with the Child Care Council of Suffolk, Inc. for Child Care Registration and Inspection program.

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

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

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

1057



October 10, 2010

New York State  
Office of  
Children &  
Family  
Services

Commissioner Gregory J. Blass  
Thomas Contegni, Director  
Suffolk County Department of Social Services  
3085 Veterans Memorial Highway  
Ronkonkoma, New York 11779

Dear Commissioner Blass:

David A. Paterson  
Governor

Gladys Carrión, Esq.  
Commissioner

Capital View Office Park

52 Washington Street  
Rensselaer, NY  
12144-2796

The New York State Office of Children and Family Services ("OCFS") through the Division of Child Care Services ("DCCS") is pleased to inform you of the OCFS intentions to renew the Memorandum of Understanding (MOU) for your Local Department of Social Services, (LDSS) 2011 Day Care Registration and Inspection program. This letter serves to provide you with the funding level for calendar year 2011. The MOU documents included in the email attachments that accompany this letter will provide your agency with the necessary information to complete the 2011-Day Care Registration and Inspection Project electronic application. Please complete all documents in the electronic application and submit the documents electronically to Diane Miller DCCS program manager at [ay3710@dfa.state.ny.us](mailto:ay3710@dfa.state.ny.us) Please be advised that the **signature of an authorized LDSS representative will only be required at the time that your agency receives the hard copies of the MOU from your contract manager for review and approval.**

The disbursement of funding for your registration contract is described below:

New MOU Period: January 1, 2011 to December 31, 2011  
Maximum Funding Available: **\$1,033,079.00**

Please take note that DCCS is currently reviewing the 2011 registration performance standards to see if any updates are needed. Once this is completed within the next few weeks we will forward both the Appendix C and Appendix C-1 to you as well for your review. This should not however stop your completion and submission of your 2011 registration renewal package. This year the registration MOU electronic application includes your 2011 Appendix D (application pages) and the 2011 simplified budget(s).



An Equal Opportunity Employer

The LDSS Districts that utilize a **subcontractor** to conduct the Day Care Registration and Inspection services will have included in their electronic application an additional subcontractor budget that also needs to be completed. The subcontractor's budget if applicable should be included in your completed electronic application package prior to submitting the 2011 application to both the DCCS Regional Office

Manager and the DCCS contract manager for review. DCCS has included your agency's prior budget(s) in your agency's 2011 electronic application. The previously completed budget(s) documents are an attempt to save you time. Updating the budget(s) rather than having to re-enter all the information should expedite the process. DCCS has entered the 2011 dates into the Day Care Registration application and budget(s) pages for you. If you would prefer new blank attachments please contact your DCCS contract manager.

Please be reminded where applicable the LDSS, as the contractor, is responsible for the day care registration and inspection project. Therefore it is required that LDSS if they utilize a subcontractor to perform the Registration services on their behalf; include in their subcontractor's agreement the standard performance levels of the registration MOU found in Appendix C-1. It is required that a signed copy of the subcontractor's agreement must be provided at the time of renewal each year to the appropriate DCCS Regional Office Manager. In addition, if the LDSS utilizes a subcontractor to conduct the Day Care Registration services, it is essential that the subcontract agreement contain the same rules of confidentiality and professional conduct that are required of all registration staff in the LDSS and the DCCS Regional Offices. DCCS is also requesting that the 2011 subcontract agreements include the following statement: **It is important to note that during the Day Care Registration and Inspection contract period training will be conducted and attendance is required as determined by the OCFS DCCS Regional Office.** Again if your county utilizes a sub-contractor to provide the registration services please provide to the Regional Office a signed copy of the sub contract agreement.

As it is the legal responsibility of the contractor, LDSS to provide supervision and oversight for the Day Care Registration and Inspection Project, DCCS requires that for each renewal year LDSS identify a designate/liaison for the Day Care Registration and Inspection Project. It is a requirement that the LDSS staff person is employed at a professional level. Therefore it is necessary to provide your region's DCCS Regional Office with the name of the current LDSS registration staff person responsible for the monitoring of the registration activities.

The Appendix C-1 performance standards include the requirement that the contractor maintain identified staffing levels that are necessary to conduct the registration activities and that there be specific designated staff conducting the registration activities. Therefore all registration staff must be identified, by name, as well as their percent of time scheduled for the registration project; this information will be recorded on the personnel page of the budget format. It is a project requirement that at the beginning of each MOU renewal term that the registration staffing plans, which would include staff resumes, must be submitted to the DCCS Regional Office for review and approval. The staffing levels are also reviewed and updated quarterly on the Summary of Quarterly Registration Review Report by the DCCS Regional Office. If any staffing requirements are not satisfactorily met, there will be a reduction of the quarterly performance payment as described in the Registration MOU Appendix C-1.

The performance based claiming process provides quarterly payments for the registration and inspection services upon verification of the standard performance levels being met. Therefore at the end of each quarter, a voucher must be submitted to your

1057

DCCS Regional Office. The appropriate DCCS Regional Office Manager, after completing a Summary of Quarterly Registration Review Report, will attach their completed and signed quarterly registration report to the quarterly standard voucher submitted by the LDSS. The DCCS Regional Office report will specify if a full quarterly payment will be allocated. If a performance standard is not met a payment reduction percentage must be applied as established in the Appendix-C-1. A copy of the completed signed Summary of Quarterly Registration Review Report will be provided to the LDSS contractor and where applicable the subcontractor. This documentation and voucher will also be forwarded to the Registration Contract Manager at DCCS Central Office for the processing of the quarterly payment.

Please be assured that all efforts that you are able to make to submit your completed registration packages electronically by **October 27, 2010** will be greatly appreciated. It is essential to take into consideration that the MOU processing time frame remains at a two-month minimum from the time that the MOU and budget are reviewed and approved by DCCS. Obviously the sooner your registration renewal package is returned to your DCCS Regional Office Manager and your contact manager, the sooner we can begin the review and approval process, your contribution in this process cannot be overstated.

Please contact the following Contract Managers with any questions or concerns:

Kevin Helems at [AD8338@dfa.state.ny.us](mailto:AD8338@dfa.state.ny.us) phone number (518) 402-6860 or  
Kathy Pierone at [Ty3532@dfa.state.ny.us](mailto:Ty3532@dfa.state.ny.us) phone number (518) 402-6771

Again please email a copy of your completed electronic registration renewal documents directly to my attention, Diane Miller at [ay3710@dfa.state.ny.us](mailto:ay3710@dfa.state.ny.us) phone number (518) 474-9614

Thank you for your continued partnership and your commitment to the children and families in New York State.

Sincerely,  
Diane Miller  
Program Manager  
Division of Child Care Services  
NYSOCFS

cc: DCCS Regional Office Managers

1057

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING ADDITIONAL 100% GRANT FUNDS FROM THE NEW YORK STATE OFFICE OF FAMILY AND CHILDREN SERVICES (OCFS) TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE CHILD CARE COUNCIL OF SUFFOLK, INC. FOR DAY CARE REGISTRATION AND INSPECTION CONTRACT</b>		
3. Purpose of Proposed Legislation		
SAME AS ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  </u> No <u>  X  </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify): DAV
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THERE IS NO NET EFFECT ON THE OPERATING BUDGET		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
NO FISCAL IMPACT- 100% GRANT FUNDING		
8. Proposed Source of Funding		
NEW YORK STATE OFFICE OF FAMILY AND CHILDRENS SERVICES		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Suzanne Martin Senior Budget Analyst	<i>Suzanne Martin</i>	January 24, 2011

SCIN FORM 175b (10/95)

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

1057

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1058  
Intro. Reso. No. -2011

Laid on Table: 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011 REQUESTING LEGISLATIVE APPROVAL  
OF CONTRACT AWARD FOR A SOLE BIDDER TO OPERATE A CENTRAL  
KITCHEN TO PROVIDE MEALS FOR NUTRITION PROGRAMS FOR THE  
ELDERLY**

**WHEREAS**, Local Law No. 3-1996 requires the County Legislature to approve any Contract in excess of \$20,000 awarded pursuant to and RFP process in which only one party Responds to the County's solicitation of proposals; and

**WHEREAS**, the Office for the Aging continually strives to offer nutrition programs to the elderly of Suffolk County; and

**WHEREAS**, the Office for the Aging requested an RFP for the operation of a central kitchen to provide meals to the elderly in Brookhaven town; and

**WHEREAS**, such services have provided nutritionally balanced meals to help maintain health and wellness; and

**WHEREAS**, the Purchasing Division of the Department of Public Works advertised for these serviced on September 30, 2010 under RFP No. 10 10027; and

**WHEREAS**. Only a single proposal was received from the Suffolk County Chapter of the American National Red Cross; and

**WHEREAS**, an independent evaluation committee reviewed the proposals on December 22, 2010 and found the quality of work and experience satisfactory, and its cost proposal submissions satisfactory, and have recommended that the Office for the Aging enter into a contractual agreement with this vendor; and

**WHEREAS**, there are sufficient funds in the 2011 Suffolk County Operating Budget to cover the cost of this contract, now, therefore be it

**1ST RESOLVED**, that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996, the Office for the Aging enter into a contractual agreement with the Suffolk County Chapter of the American National Red Cross for the operation of a central kitchen to provide meals for Brookhaven seniors.

DATED:

APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1058

<b>1. Type of Legislation</b> Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>											
<b>2. Title of Proposed Legislation</b>  Requesting Legislative approval of contract award for a sole bidder to operate a central kitchen to provide meals for nutrition programs for the elderly.											
<b>3. Purpose of Proposed Legislation</b>  See No. 2											
<b>4. Will the Proposed Legislation Have a Fiscal Impact?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>											
<b>5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;"><input checked="" type="checkbox"/> County</td> <td style="width: 33%; border: none;"><input type="checkbox"/> Town</td> <td style="width: 33%; border: none;"><input type="checkbox"/> Economic Impact</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Village</td> <td style="border: none;"><input type="checkbox"/> School District</td> <td style="border: none;"><input type="checkbox"/> Other (Specify):</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Library District</td> <td style="border: none;"><input type="checkbox"/> Fire District</td> <td style="border: none;"></td> </tr> </table>			<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact	<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):	<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact									
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):									
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District										
<b>6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact</b>  N/A											
<b>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</b>  N/A											
<b>8. Proposed Source of Funding</b>  N/A											
<b>9. Timing of Impact</b> The funds needed for this agreement are included in the 2011 adopted budget and the resolution is only requesting approval - no impact.											
<b>10. Typed Name &amp; Title of Preparer</b>  Beth A. Reynolds Principal Executive Analyst	<b>11. Signature of Preparer</b>  	<b>12. Date</b>  1/20/2011									

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

1058

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**NOTES:**

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

Ben C

COUNTY OF SUFFOLK



Steve Levy  
COUNTY EXECUTIVE

1058

OFFICE FOR THE AGING  
Holly S. Rhodes-Teague  
DIRECTOR

MEMORANDUM

**To:** Ken Crannell  
Deputy County Executive

**From:** Holly Rhodes-Teague  
Director

**Re:** Resolution to request Legislative approval of contract award to a sole bidder to operate a central kitchen

**Date:** December 27, 2010

As per ADH 01-10, I am enclosing Draft Resolution and Request for the Introduction of Suffolk County Legislation (Form 175a) to request Legislative approval of contract award to a sole bidder to operate a central kitchen. Please include as a late start at the next legislative session.

If you require any further information, please contact Joanne Kandell, Principal Accountant, at 853-8212.

  
 \_\_\_\_\_  
 Holly Rhodes-Teague

HRT:JK  
Enclosures

cc: Christopher Kent, Chief Deputy County Executive  
 Joanne Kandell, Principal Accountant  
 Maureen Porta, Senior Citizens Program Administrator II  
 Evelyn Creen, Federal and State Aid Examiner

1059

Intro. Res. No. - 2011

Laid on the Table

2/1/11

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

**RESOLUTION NO. - 2011, ACCEPTING AND APPROPRIATING 50% FEDERAL GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF ENVIRONMENTAL QUALITY FOR THE NATIONAL ESTUARY PROGRAM**

**WHEREAS**, the United States Environmental Protection Agency has awarded 50% grant funds to the Department of Health Services for the National Estuary Program in the amount of \$650,000 for the period 10/01/10-09/30/14; and

**WHEREAS**, this program provides long-term planning and management of the Peconic Estuary and combats pollution, development and overuse; and

**WHEREAS**, a portion of these funds are already included in the 2011 Operating Budget and \$472,000 needs to be appropriated; and

**WHEREAS**, these funds are 50% Federally funded; now, therefore be it

**1<sup>ST</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$472,000 in Federal grant funds as follows:

REVENUES

001-4910 Federal Aid: Water Pollution \$472,000

APPROPRIATIONS

Department of Health Services (HSV)  
Division of Environmental Quality  
National Estuary Program  
001-HSV-4410

<u>Supplies, Materials and Other</u>	<u>\$5,000</u>
3010 Office Supplies	\$1,000
3500 Other: Unclassified	\$2,000
3510 Rent: Business Machines	\$2,000
 <u>Fees for Service</u>	 <u>\$467,000</u>
4560 Fees for Services, Non employees	
US Geological Survey (Water Quality Monitoring and Long Term Monitoring)	\$120,000
Cornell Cooperative Extension (HAB/Bioremediation and Shellfish Restoration -Scallop Habitat Utilization Study	\$40,000
Cornell Cooperative Extension (Public Education and Outreach)	\$50,000
Town of East Hampton (HAB/Bioremediation & Shellfish Restoration-Scallop Restoration/Broodstock Support)	\$42,000

Town of Southampton (Public Health/Stormwater Mngmt-Homeowner Rebate)	\$50,000
Town of Southold (Public Health/Stormwater Mngmt-Homeowner Rebate)	\$50,000
National Atmospheric Deposition Program (Illinois State Water Survey & Frontier Geosciences)	\$15,000
To be determined (Other priority living resource and CCMP tasks-Conceptual Design Plans)	\$100,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute contracts with the above named agencies and with the United States Environmental Protection Agency as needed for the planning and implementation of this program; and

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

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

DATED:

APPROVED BY:

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

Date of Approval:

HSV #1-2011

1059

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING 50% FEDERAL GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF ENVIRONMENTAL QUALITY FOR THE NATIONAL ESTUARY PROGRAM		
3. Purpose of Proposed Legislation		
THIS PROGRAM PROMOTES LONG-TERM PLANNING AND MANAGEMENT OF THE PECONIC ESTUARY. THE PROGRAM AIMS TO COMBAT POLLUTION, DEVELOPMENT AND OVERUSE WHILE FOSTERING RESTORATION AND PROTECTION OF THE ESTUARINE ENVIRONMENT.		
4. Will the Proposed Legislation Have a Fiscal Impact?    Yes _____    No <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision.		
Grant funding in the amount of \$650,000 is designated to the Department of Health Services for the period 10/1/10-9/30/14.		
8. Proposed Source of Funding.		
50% FEDERAL FUNDS		
9. Timing of Impact.		
Immediate		
10. Typed Name &	11. Signature of Preparer	12. Date
Title of Preparer Theresa Lollo Principal Financial Analyst		January 20, 2011

SCIN FORM 175b (10/95)

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

1059

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1059

<b>COORDINATION OF GRANT APPLICATION OR CONTRACT</b> County of Suffolk		<b>DATE:</b> 5/25/2010
Submitting Department / Agency: Department of Health Services	Location: 225 Rabro Drive East, Hauppauge, NY 11788	
Contact Person in Department / Agency Kim Barbour	Telephone Number 852-5805	Grant Application Due Date

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

**I. Background Information**

1. Grant Title  
Peconic National Estuary Program, FY 2010

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)  
Federal funds from US EPA

3. Grant / Contract Status (Check One Box)

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

4. General Purpose of Grant / Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)  
 This program promotes long-term planning and management of the Peconic Estuary. The program aims to combat pollution, development and overuse while fostering restoration and protection of the estuarine environment.

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: 9/30/2014

2. Financial Assistance Requested

Source	First Funding Cycle		Second Funding Cycle		Third Funding Cycle	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$ 650,000	50.0%				
State						
Private						
County	\$ 650,000	50.0%				
<b>Total</b>	<b>\$ 1,300,000</b>	<b>100.0%</b>				

1059

3. Explanation of Requested County Financial Assistance

Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE	\$ 650,000		\$ 650,000
A. Cash Contribution			
B. In-Kind Contribution	\$ 650,000		\$ 650,000

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

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)  
NONE

7. What do you anticipate happening when the Federal, State and/or Private Financial Assistance is discontinued (That is, program termination, reduced services, financial implications, layoffs, etc.)?  
Funding at a similar level is foreseen as unabated in future years.

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

**III. COUNTY EXECUTIVE'S OFFICE REVIEW**

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

4. Comments

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

8. Comments

COUNTY OF SUFFOLK



1059

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:** December 1, 2010  
**Subject:** Request for resolution – FFY10 Peconic Estuary Program

FFY10 Peconic Estuary Program  
Budget Period 10/1/10-09/30/14  
001-4410  
Revenue Code 4910

Please write a resolution to accept and appropriate 50% Federal grant funds from US EPA for the above-mentioned program. The total award for the program is \$650,000 and we need to appropriate the \$472,000 under grant organization code 4410. The appropriations are as follows:

	<u>472,000</u>
SUPPLIES, MATERIALS & OTHER	<u>5,000</u>
3010 Office Supplies	1,000
3500 Other Unclassified	2,000
3510 Rent: Business Machines	2,000
FEES FOR SERVICES	<u>467,000</u>
4560 Fees for Services, Non-Employees	467,000
US Geological Survey (Water Quality Monitoring and Long term Monitoring	120,000
Cornell Coop Ext (HAB/Bioremediation and Shellfish Restoration – Scallop Habitat Utilization Study)	40,000
Town of East Hampton (HAB/Bioremediation and	42,000



1059

Shellfish Restoration – Scallop Restoration/Brookstock Support)	
Town of Southampton (Public Hlth/Stormwater Mgmt-Homeowner Rebate)	50,000
Town of Southold (Public Hlth/Stormwater Mgmt-Homeowner Rebate)	50,000
National Atmospheric Deposition Prgm (Illinois State Water Survey & Frontier Geosciences)	15,000
Cornell Coop Ext (Public Education and Outreach)	50,000
To Be Determined (Other Priority Living Resource and CCMP Tasks-Conceptual Design Plans)	100,000

Thank you for your help. Backup is attached and will be emailed.



FEDERAL & STATE AID CLAIMS UNIT  
Riverhead County Center, Rm N216, 300 Center Drive, Riverhead, NY 11901  
(631) 852-2810 Fax (631) 852-2818

Gen 3

COUNTY OF SUFFOLK



1059

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

January 10, 2011

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

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution to accept and appropriate 50% Federal grant funds from the United States Environmental Protection Agency to the Department of Health Services, Division of Environmental Quality for the National Estuary Program. This program promotes long-term planning and management of the Peconic Estuary and combats pollution, development, and overuse.

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-EQ NEP.doc".

Sincerely,

A handwritten signature in cursive script, appearing to read "James L. 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  
Evelyn Creen, Federal and State Aid Claims Examiner  
Angela Kohl, Accountant  
Christopher Caci, Senior Contracts Examiner  
Diane E. Weyer, Principal Financial Analyst



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

**Additional back-up material regarding IR 1059 is on file in the  
Legislative Clerk's Office, Hauppauge.**

1060

Intro. Res. No. - 2011

Laid on the Table

2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2011, AMENDING THE 2011 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES TO MARYHAVEN CENTER OF HOPE, INC. FOR AN ADOLESCENT OUTPATIENT CHEMICAL DEPENDENCY PROGRAM**

**WHEREAS**, the New York State budget for Fiscal Year 2011 includes funding in Aid to Localities to support the provision of chemical dependence, prevention, gambling prevention and treatment programs; and

**WHEREAS**, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) has allocated \$148,000 in 100% State aid for the period 01/01/11-12/31/11 to Maryhaven Center of Hope, Inc. for an adolescent outpatient chemical dependency program; and

**WHEREAS**, this 100% State aid from NYS OASAS is not currently included in the 2011 Adopted Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$148,000 in State aid as follows:

REVENUES:

001-HSV 3486 State Aid: Narcotics Addiction Control \$148,000

ORGANIZATIONS

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

<u>XORG</u>	<u>OBJECT NAME</u>	<u>2011 Adopted Budget</u>	<u>Increase/ Decrease</u>	<u>2011 Modified Budget</u>
XXXX	Maryhaven Center of Hope, Inc.	\$0	+\$148,000	\$148,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with Maryhaven Center of Hope, Inc.; and be it further

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

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

DATED:

APPROVED BY:

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

Date of Approval:

HSV #2-2011

1060

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

1. Type of Legislation		
Resolution <u>  X  </u> Local Law                      Charter Law		
Title of Proposed Legislation Amending the 2011 Adopted Operating Budget to accept and appropriate 100% State aid from the New York State Office of Alcoholism and Substance Abuse Services to Maryhaven Center of Hope, Inc. for an adolescent outpatient chemical dependency program.		
3. Purpose of Proposed Legislation This legislation is needed to accept and appropriate 100% State aid from the New York State Office of Alcoholism and Substance Abuse Services to Maryhaven Center of Hope, Inc. for an adolescent outpatient chemical dependency program.		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <u>  </u> NO <u>  X  </u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Not applicable		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. None		
8. Proposed Source of Funding 100% State aid from the New York State Office of Alcoholism and Substance Abuse Services		
9. Timing of Impact 2011		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst	11. Signature of Preparer <i>Diane E. Weyer</i>	Date <i>12/15/10</i>
<i>Theresa Lollo</i> Principal Financial Analyst	<i>Theresa Lollo</i>	<i>1/20/11</i>

FINANCIAL IMPACT  
2011 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1060

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 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1060



**OASAS**  
Improving Lives.

NEW YORK STATE  
OFFICE OF ALCOHOLISM & SUBSTANCE ABUSE SERVICES  
*Addiction Services for Prevention, Treatment, Recovery*

December 6, 2010

**RECEIVED**  
DEC 7 2010

Suffolk County Dept. of Health Services  
Community Mental Hygiene

Art Flescher, Director  
Suffolk County Department of Health  
Division of Community mental Hygiene Services  
North County Complex C928  
PO Box 6100  
Hauppauge, NY 11788

Dear Mr. Flescher:

This letter is notification of state aid allocation for *Maryhaven Center of Hope* adolescent outpatient chemical dependency program in the net amount of \$148,000. The allocation (see attached budget of record) is for the calendar year 2011 from January 1, 2011 through December 31, 2011.

Please contact the LI Field Office if you need further information.

Sincerely,

Lisa Lite-Rottmann  
Regional Director

Cc: Jaci Best  
Anthony Rotundo  
Oscar Rivera

NYS Office of Alcoholism and Substance Abuse Services  
State Aid Budget and Reporting System

Agency Comparative Analysis  
2011 Budget vs. 2011 Budget  
Allocated Programs Only

1060

County: SUFFOLK

Region: LONG ISLAND

Agency Name: MARYHAVEN CENTER OF HOPE, INC.

Agency Code: 86050

Fiscal Summary	Total Agency Summary		352000					
			Medically Supervised Outpatient					
	2011	2011	Difference		52062 ('11)		Difference	
BUDGET	BUDGET	\$	%	2011	2011	\$	%	
				BUDGET	BUDGET			
Personal Services	158,913	158,913	0	0	158,913	158,913	0	0
Fringe Benefits	71,509	71,509	0	0	71,509	71,509	0	0
OTPS	24,300	24,300	0	0	24,300	24,300	0	0
Equipment	3,000	3,000	0	0	3,000	3,000	0	0
Property	8,000	8,000	0	0	8,000	8,000	0	0
Agy Admin Alloc	19,104	19,104	0	0	19,104	19,104	0	0
Adjust Expense	0	0	0	0	0	0	0	0
<b>Total Expenses</b>	<b>284,826</b>	<b>284,826</b>	<b>0</b>	<b>0</b>	<b>284,826</b>	<b>284,826</b>	<b>0</b>	<b>0</b>
Partic Fees	0	0	0	0	0	0	0	0
SSI and SSA	0	0	0	0	0	0	0	0
Home Relief	0	0	0	0	0	0	0	0
Medicaid Regular	86,000	86,000	0	0	86,000	86,000	0	0
Medicare	0	0	0	0	0	0	0	0
Other Third Party	50,826	50,826	0	0	50,826	50,826	0	0
Transp Medicaid	0	0	0	0	0	0	0	0
Food Stamps	0	0	0	0	0	0	0	0
Net Deficit Fund								
Oth Part Revenue	0	0	0	0	0	0	0	0
DSH	0	0	0	0	0	0	0	0
Oth Oper Revenue	0	0	0	0	0	0	0	0
Federal Grants	0	0	0	0	0	0	0	0
State Grants	0	0	0	0	0	0	0	0
Non-Oper Revenue	0	0	0	0	0	0	0	0
Local Tax	0	0	0	0	0	0	0	0
School District Tax	0	0	0	0	0	0	0	0
Stop DWI	0	0	0	0	0	0	0	0
Donations	0	0	0	0	0	0	0	0
Voluntary Contrib	0	0	0	0	0	0	0	0
CAE Rev/Don All'd	0	0	0	0	0	0	0	0
Foster Care	0	0	0	0	0	0	0	0
Other Revenue	0	0	0	0	0	0	0	0
Prior Year Rev	0	0	0	0	0	0	0	0
<b>Total Gross Rev</b>	<b>136,826</b>	<b>136,826</b>	<b>0</b>	<b>0</b>	<b>136,826</b>	<b>136,826</b>	<b>0</b>	<b>0</b>
<b>Total Adj Revenue</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Revenue</b>	<b>136,826</b>	<b>136,826</b>	<b>0</b>	<b>0</b>	<b>136,826</b>	<b>136,826</b>	<b>0</b>	<b>0</b>
<b>Net Operating Cost</b>	<b>148,000</b>	<b>148,000</b>	<b>0</b>	<b>0</b>	<b>148,000</b>	<b>148,000</b>	<b>0</b>	<b>0</b>
State Aid	148,000	148,000	0	0	148,000	148,000	0	0
Local Government	0	0	0	0	0	0	0	0
Non-Funded	0	0	0	0	0	0	0	0
<b>Total Deficit</b>	<b>148,000</b>	<b>148,000</b>	<b>0</b>	<b>0</b>	<b>148,000</b>	<b>148,000</b>	<b>0</b>	<b>0</b>

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1060

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

**Date:** December 8, 2010

**Subject:** REQUEST FOR LEGISLATIVE RESOLUTION

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The New York State Office of Alcoholism and Substance Abuse Services (NYSOASAS) has allocated 100% state aid in the amount of \$148,000 to Maryhaven Center of Hope, Inc. for an adolescent outpatient chemical dependency program. The allocation is for the calendar year 2011 from January 1, 2011 through December 31, 2011.

The Division of Community Mental Hygiene requests introduction of a legislative resolution to accept and appropriate this state aid from the NYSOASAS.

We have attached a draft copy of the fiscal impact statement, as well as the resolution to amend the 2011 Adopted Operating Budget to accept and appropriate \$148,000 in 100% state aid. We have also attached a copy of the NYSOASAS notification of state aid allocation for Maryhaven Center of Hope, Inc., dated December 6, 2010.

Thank you.

AF:PM  
Attachments

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



Public Health  
Protect. Promote. Prevent.

DIVISION OF COMMUNITY MENTAL HYGIENE  
North County Complex, Bldg. C928, 725 Veterans Memorial Highway, PO Box 6100 Hauppauge, NY 11788  
(631) 853-8500 Fax (631) 853-3117

COUNTY OF SUFFOLK



1060

JAN 06 2011

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

January 10, 2011

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

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution to accept and appropriate 100% State aid from the New York State Office of Alcoholism and Substance Abuse Services to Maryhaven Center of Hope, Inc. for an adolescent outpatient chemical dependency program.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Anthony Rotundo at 3-8500. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-MH Maryhaven.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, Director of Community Mental Hygiene Services
- Anthony Rotundo, Coordinator of Community Based Drug Programs
- Diane E. Weyer, Principal Financial Analyst



Intro. Res. No. 1061-11

Laid on Table

2/1/11

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS AWARDED BY THE DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE SECOND CHANCE ACT REENTRY DEMONSTRATION PROGRAM: TARGETING OFFENDERS WITH CO-OCCURRING SUBSTANCE ABUSE AND MENTAL HEALTH DISORDERS FOR THE SUFFOLK COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL TO SUFFOLK COUNTY PROBATION DEPARTMENT**

**WHEREAS**, the Office of Justice Programs has awarded funding under the FY 10 Second Chance Act Reentry Demonstration Program: Targeting Offenders with Co-occurring Substance Abuse and Mental Health Disorders: county or city government agencies serving adults in the amount of \$591,112 for Suffolk County Criminal Justice Coordinating Council for 2 years; and

**WHEREAS**, Suffolk County was one of only 12 counties nationally awarded this competitive grant; and

**WHEREAS**, The Suffolk County Day Reporting Program and Dual Recovery Program are both operated through a joint effort between the County Probation and Community Mental Hygiene Departments; Both are licensed to provide mental health and substance abuse services to probationers; and

**WHEREAS**, the project will serve high-risk offenders who have been dually diagnosed with serious mental health disorders and alcohol or substance addictions; and

**WHEREAS**, the program will serve 24 adults (male and female) in year one and 24 in year two; Adults are defined as 16 years old and older; Participants will be selected from those released from the jail and sentenced to probation with drug/alcohol and mental health treatment conditions; and

**WHEREAS**, the funding will create one full time probation officer position and one full time social worker position in Community Mental Hygiene, support the part time efforts of the principal research analyst to coordinate the program and contract for a part time psychiatrist and psychologist to provide mental health and substance abuse assessments, diagnostics, and treatment; and

**WHEREAS**, the funding will contract for program evaluation services through the Center for Effective Management Strategies, provide for travel expenses for staff to attend the mandatory Justice Department Conference, and provide housing stipends for offenders to assist them in securing safe housing, and provide educational and psychological testing and assessment materials, and office supplies; and

**WHEREAS**, the Suffolk County Integrated Financial Management System will be setup with revenue code 4623 – Second Chance Act and expense units in Probation 001-PRO-3659 with the title SECOND CHANCE ACT GRANT and in the Health Department Division of Community Mental Hygiene as 001-HSV-4332 for the segregation of all expenditures to be reimbursed under this grant; and

**WHEREAS**, said funds have not been included in the 2011 Suffolk County Operating Budget; now, therefore, be it

**1st RESOLVED**, that the County Executive is authorized to execute any Agreement, as necessary, to secure said funds and implement the program; and be it further

**2nd RESOLVED**, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of individuals filling the positions created by this resolution at the conclusion of the grant funding provided for such position created by said grant; and be it 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 \$591,112 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
4623 – Second Chance Act \$591,112	

001- PRO- 3659 – 4623: Second Chance Act	\$433,553
001- HSV- 4332 – 4623: Second Chance Act	\$157,559

<u>APPROPRIATIONS:</u>	<u>AMOUNT</u>
Suffolk County Probation Department Second Chance Act 001-PRO-3659 \$430,552.	

1100-Permanent Salaries	\$160,258
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<u>3000-Supplies</u>	<u>\$5,800</u>
3010-Office Supplies	\$1200
3030-Photostat Supplies	\$600
3100-Instructional Supplies	\$4,000

<u>4000-Contractual</u>	<u>\$200,495</u>
4340-Travel Other	\$ 3,024
4690 – Assistance Programs	\$ 62,500
4560-Fees for Services: Non Employees	\$134,971

<u>8000-Employee Benefits</u>	<u>\$63,999</u>
8280-State Retirement	\$18,500
8330-FICA	\$16,499
8360-Health Insurance	\$25,000
8380-Benefit Fund Contribution	\$4,000

Suffolk County Health Department  
Division of Community Mental Hygiene

Second Chance Act  
001-HSV-4332  
\$160,560

1100-Permanent Salaries	\$116,280
<u>8000-Employee Benefits</u>	<u>\$44,280</u>
8280-State Retirement	\$13,500
8330-FICA	\$11,000
8360-Health Insurance	\$15,780
8380-Benefit Fund Contribution	\$ 4,000

and be it further

**4th RESOLVED**, that the following positions be and it hereby is created as follows:

<u>FUND</u>	<u>JC</u>	<u>SPEC.</u> <u>NO.</u>	<u>POSITION TITLE</u>	<u>GRADE</u>	<u>NO.CREATED</u>
001-3659-0100-0001	C	6512	Senior Probation Officer	23	1

<u>FUND</u>	<u>JC</u>	<u>SPEC.</u> <u>NO.</u>	<u>POSITION TITLE</u>	<u>GRADE</u>	<u>NO.CREATED</u>
001-4332-0100-0001	C	2511	Psychiatric Social Worker	21	1

DATED:

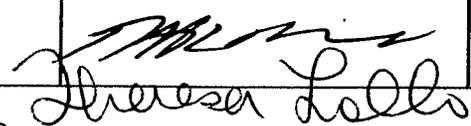
APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1061

<b>1. Type of Legislation</b> Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
<b>2. Title of Proposed Legislation</b> To accept and appropriate 100% Federal funds from the U.S. Department of Justice, under the Bureau of Justice Assistance Second Chance Act Reentry Demonstration Program: Targeting Offenders with Co-occurring Substance Abuse and Mental Health Disorders: county or city government agencies serving adults into the 2010 Suffolk County Operating Budget.		
<b>3. Purpose of Legislation</b> To accept and appropriate the \$591,112.00 grant award from the U.S. Department of Justice, under the 2010 Bureau of Justice Assistance Second Chance Act Reentry Demonstration Program.		
<b>4. Will the Proposed Legislation Have a Fiscal Impact?</b> Yes ___ No <input checked="" type="checkbox"/>		
<b>5. If the answer to item 5 is "yes", on what will it impact? (Circle appropriate category)</b> County                      Town                      Economic Impact Village                      School District    Other (Specify): Library District              Fire District		
<b>6. If the answer to item 5 is "yes", provide Detailed Explanation of Impact</b>		
<b>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision</b> None to the County. 100% grant funds for program expenses.		
<b>8. Proposed Source of Funding</b> Federal Aid Revenue (001-4263) Second Chance Act		
<b>9. Timing of Impact</b> Immediate		
<b>10. Typed Name &amp; Title of Preparer</b>  Robert C. Marmo, Ph.D. Chief Planner, CJCC	<b>11. Signature of Preparer</b> 	<b>12. Date</b> November 8, 2010

Theresa Lollo  
Principal Financial  
analyst

Theresa Lollo      1/20/11

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

1061

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



1061

Department of Justice  
Office of Justice Programs

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Office of the Assistant Attorney General

Washington, D.C. 20531

September 17, 2010

Dr. Robert C. Marmo  
Suffolk County Criminal Justice Coordinating Council  
P.O. Box 205  
Building 110 East Avenue  
Yaphank, NY 11980-0205

Dear Dr. Marmo:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 10 Second Chance Act Reentry Demonstration Program: Targeting Offenders with Co-occurring Substance Abuse and Mental Health Disorders: County or city government agencies serving adults in the amount of \$591,112 for Suffolk County Criminal Justice Coordinating Council.

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

If you have questions regarding this award, please contact:

- Program Questions, Ania Dobrzanska, Program Manager at (202) 353-2155; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

Congratulations, and we look forward to working with you.

Sincerely,

Laurie Robinson  
Assistant Attorney General

Enclosures



Department of Justice  
Office of Justice Programs  
Office for Civil Rights

1061

Washington, D.C. 20531

September 17, 2010

Dr. Robert C. Marmo  
Suffolk County Criminal Justice Coordinating Council  
P.O. Box 205  
Building 110 East Avenue  
Yaphank, NY 11980-0205

Dear Dr. Marmo:

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.

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## 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 (EEO), 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 EEO 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 EEO 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 EEO and submit it to OCR for review **within 60 days from the date of this letter**. For assistance in developing an EEO, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop.htm>. You may also request technical assistance from an EEO 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 EEO, but it does not have to submit the EEO to OCR for review. Instead, your organization has to maintain the EEO 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 EEO 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 EEO, 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/>.

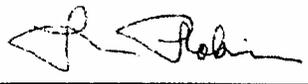
Sincerely,



Michael L. Alston  
Director

cc: Grant Manager  
Financial Analyst

1061

 Department of Justice Office of Justice Programs <b>Bureau of Justice Assistance</b>		<b>Grant</b>		PAGE 1 OF 4	
1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Suffolk County Criminal Justice Coordinating Council P.O. Box 205 Building 110 East Avenue Yaphank, NY 11980-0205		4. AWARD NUMBER: 2010-RW-BX-0020			
		5. PROJECT PERIOD: FROM 10/01/2010 TO 09/30/2012 BUDGET PERIOD: FROM 10/01/2010 TO 09/30/2012			
		6. AWARD DATE 09/17/2010		7. ACTION Initial	
1A. GRANTEE IRS/VENDOR NO. 116000471		8. SUPPLEMENT NUMBER 00			
		9. PREVIOUS AWARD AMOUNT \$ 0			
3. PROJECT TITLE Suffolk County Second Chance MICA Program		10. AMOUNT OF THIS AWARD \$ 591,112			
		11. TOTAL AWARD \$ 591,112			
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).					
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY10 (BJA - Offender Reentry Demonstration Programs) 42 USC 3797w					
15. METHOD OF PAYMENT GPRS					
AGENCY APPROVAL			GRANTEE ACCEPTANCE		
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL  Laurie Robinson Assistant Attorney General			18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL  Robert C. Marmo Chief Planner		
17. SIGNATURE OF APPROVING OFFICIAL  			19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL		19A. DATE
AGENCY USE ONLY					
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR    FUND CODE    BUD. ACT.    DIV. OFC.    REG.    SUB.    POMS    AMOUNT X            B            RW            80            00            00                       591112				21. JRWUGT3106	

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

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

1061



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 2 OF 4

PROJECT NUMBER 2010-RW-BX-0020

AWARD DATE 09/17/2010

*SPECIAL CONDITIONS*

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General  
U.S. Department of Justice  
Investigations Division  
950 Pennsylvania Avenue, N.W.  
Room 4706  
Washington, DC 20530

e-mail: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov)

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at [www.usdoj.gov/oig](http://www.usdoj.gov/oig).

6. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
7. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.
8. The award recipient agrees to participate in a data collection process measuring program outputs and outcomes. The data elements for this process will be outlined by the Office of Justice Programs.

1061



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 3 OF 4

PROJECT NUMBER 2010-RW-BX-0020

AWARD DATE 09/17/2010

*SPECIAL CONDITIONS*

9. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.
10. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
11. Recipient understands and agrees that it must submit quarterly Federal Financial Reports (SF-425) and semi-annual performance reports through GMS (<https://grants.ojp.usdoj.gov>), and that it must submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website ([www.bjaperformancetools.org](http://www.bjaperformancetools.org)). For more detailed information on reporting and other requirements, refer to BJA's website. Failure to submit required reports by established deadlines may result in the freezing of grant funds and High Risk designation.
12. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
13. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)  
  
This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.
14. Recipient agrees that funds provided under this award may not be used to operate a "pay-to-stay" program in any local jail. Recipient further agrees not to subaward funds to local jails which operate "pay-to-stay" programs.
15. All contracts under this award should be competitively awarded unless circumstances preclude competition. When a contract amount exceeds \$100,000 and there has been no competition for the award, the recipient must comply with rules governing sole source procurement found in the current edition of the OJP Financial Guide.
16. Grantee agrees that assistance funds awarded under this grant will not be used to support any inherently religious activities, such as worship, religious instruction, or proselytization. If the grantee refers participants to, or provides, a non-Federally funded program or service that incorporates such religious activities, (1) any such activities must be voluntary for program participants, and (2) program participants may not be excluded from participation in a program or otherwise penalized or disadvantaged for any failure to accept a referral or services. If participation in a non-Federally funded program or service that incorporates inherently religious activities is deemed a critical treatment or support service for program participants, the grantee agrees to identify and refer participants who object to the inherently religious activities of such program or service to, or provide, a comparable secular alternative program or service.
17. Recipient may not obligate, expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has reviewed and approved the Program Narrative portion of the application and has issued a Grant Adjustment Notice (GAN) informing the recipient of the approval.

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Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 4 OF 4

PROJECT NUMBER 2010-RW-BX-0020

AWARD DATE 09/17/2010

*SPECIAL CONDITIONS*

18. The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
19. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.



Department of Justice  
Office of Justice Programs  
*Bureau of Justice Assistance*

1061

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Washington, D.C. 20531

**Memorandum To:** Official Grant File

**From:** Orbin Terry, Environmental Coordinator

**Subject:** Categorical Exclusion for Suffolk County Criminal Justice Coordinating Council

Awards under this program will be used to develop demonstration, training, and technical assistance programs. None of the following activities will be conducted whether under the Office of Justice Programs federal action or a related third party action:

- (1) New construction.
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species.
- (3) A renovation which will change the basic prior use of a facility or significantly change its size.
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment.
- (5) Implementation of a program involving the use of chemicals.

Additionally, the proposed action is neither a phase nor a segment of a project which when reviewed in its entirety would not meet the criteria for a categorical exclusion. Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of the Code of Federal Regulations.

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 <p>Department of Justice Office of Justice Programs Bureau of Justice Assistance</p>	<b>GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY</b>  <b>Grant</b>	
	PROJECT NUMBER 2010-RW-BX-0020	PAGE 1 OF 1

This project is supported under FY 10 (BJA - Offender Reentry Demonstration Programs) 42 USC 3797w

<b>1. STAFF CONTACT (Name &amp; telephone number)</b>  Ania Dobrzanska (202) 353-2155	<b>2. PROJECT DIRECTOR (Name, address &amp; telephone number)</b>  robert Marmo Chief Planner po box 205 Building 110 East Ave Yaphank, NY 11980 (631) 852-6825
--	--

<b>3a. TITLE OF THE PROGRAM</b> BJA FY 10 Second Chance Act Reentry Demonstration Program: Targeting Offenders with Co-occurring Substance Abuse and Mental Health Disorders: County or city government agencies serving adults	<b>3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)</b>
--	--

<b>4. TITLE OF PROJECT</b>  Suffolk County Second Chance MICA Program
---

<b>5. NAME &amp; ADDRESS OF GRANTEE</b>  Suffolk County Criminal Justice Coordinating Council P.O. Box 205 Building 110 East Avenue Yaphank, NY 11980-0205	<b>6. NAME &amp; ADDRESS OF SUBGRANTEE</b>
--	--

<b>7. PROGRAM PERIOD</b> FROM: 10/01/2010 TO: 09/30/2012	<b>8. BUDGET PERIOD</b> FROM: 10/01/2010 TO: 09/30/2012
---	--

<b>9. AMOUNT OF AWARD</b> \$ 591,112	<b>10. DATE OF AWARD</b> 09/17/2010
---	--

<b>11. SECOND YEAR'S BUDGET</b>	<b>12. SECOND YEAR'S BUDGET AMOUNT</b>
---------------------------------	--

<b>13. THIRD YEAR'S BUDGET PERIOD</b>	<b>14. THIRD YEAR'S BUDGET AMOUNT</b>
---------------------------------------	---------------------------------------

**15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)**

The Second Chance Act of 2007 (Pub. L. 110-199) provides a comprehensive response to the increasing number of people who are released from prison and jail and returning to communities, including resources to address the myriad needs of these offenders to achieve a successful return to their communities. Section 201 of the Second Chance Act authorizes the Second Chance Act Reentry Demonstration Program Targeting Offenders with Co-occurring Substance Abuse and Mental Health Disorders Program, which is designed to provide treatment and recovery support services to offenders during incarceration and after their return to the community. This section specifically addresses the treatment needs of offenders who have substance abuse disorders and authorizes grants to states, units of local government, territories, and Indian tribes to improve the provision of drug treatment to offenders in prisons, jails, and juvenile facilities during the period of incarceration and through the completion of parole or other court supervision after release into the community.

The term co-occurring disorders (COD) refers to co-occurring substance-related and mental disorders. Clients said to have COD have one or more substance-

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related disorders as well as one or more mental disorders. At the individual level, COD exist when at least one disorder of each type can be established independent of the other and is not simply a cluster of symptoms resulting from [a single] disorder. Projects will implement or expand offender treatment programs for re-entering offenders with co-occurring substance abuse and mental health disorders. Programs should require urinalysis and/or other proven reliable forms of drug and alcohol testing for program participants, including both periodic and random testing, and for former participants while they remain in the custody, or under community supervision, of the state, local, or tribal government.

The Suffolk County Criminal Justice Coordinating Council will use grant funds in the amount of \$591,112 to implement programs that will target 24 adults each year with co-occurring mental health and substance abuse disorders. The Suffolk County Day Reporting Program (DRC) and Dual Recovery Program are both operated through a joint effort between the County Probation and Community Mental Hygiene Departments. Both are licensed to provide mental health and substance abuse services to probationers. The DRC is a comprehensive, multi-service center. The overall DRC goals are to provide the supervision and services that will help probationers achieve sobriety, maintain good physical and mental health, and acquire education and training for future success. The DRC program will target higher-risk offenders who have been dually diagnosed with serious mental health disorders and alcohol or substance addictions. Probationers with drug/alcohol and mental health treatment conditions released from jail and sentenced to probation are eligible to participate in the Day Reporting Center Program (DRC).

CA/NCF

1062

Intro. Res. No. - 2010 Laid on the Table 2/1/11  
 Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. - 2010, AMENDING THE 2011  
 ADOPTED OPERATING BUDGET TO TRANSFER FUNDING  
 FROM PROGRAMS OPERATED BY SUFFOLK COMMUNITY  
 COUNCIL TO THE UNITED WAY OF LONG ISLAND, INC.**

**WHEREAS**, the Suffolk Community Council provides mediation and housing services to the mentally ill and developmentally disabled consumers of Suffolk County; and

**WHEREAS**, in the Fall of 2010, the Board of Directors of the Suffolk Community Council, Inc. voted to dissolve the corporation and transfer all staff and operations to the United Way of Long Island; and

**WHEREAS**, the United Way of Long Island has been overseeing the daily operations of these programs for the past several months since the dissolution of Suffolk Community Council; and

**WHEREAS**, to ensure continuation of services after the close of 2010 and as the County begins the last year of the current contract term, the Board of Suffolk Community Council requests that the contracts be transferred to the United Way of Long Island, Inc. effective January 1, 2011 through December 31, 2011; and

**WHEREAS**, a Request for Proposal will be requested for the new contract term beginning on January 1, 2012; and

**WHEREAS**, if the current contract ends without transferring to the United Way of Long Island, Inc. crucial services to consumers residing in Community Residences and Supported Housing Units in Suffolk County will be seriously impacted; and

**WHEREAS**, the United Way of Long Island, Inc. is willing and prepared to assume the responsibility for this contract; now, therefore be it

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

ORGANIZATIONS:

Department of Health Services (HSV)  
 Division of Community Mental Hygiene Services  
 001-HSV-4320-4980

<u>XORG</u>	<u>OBJECT NAME</u>	2011 Adopted <u>Budget</u>	Increase/ <u>Decrease</u>	2011 Modified <u>Budget</u>
ARV1	Suff Comm Cncl-Clrng House	\$60,402	-\$60,402	\$ 0
XXXX	United Way-Mediatn & Clrng House	\$ 0	+\$60,402	\$60,402

Department of Health Services (HSV)  
 Division of Community Mental Hygiene Services

001-HSV-4330-4980

<u>XORG</u>	<u>OBJECT NAME</u>	2011 <u>Adopted</u> <u>Budget</u>	<u>Increase/</u> <u>Decrease</u>	2011 <u>Modified</u> <u>Budget</u>
GZD1	Suffolk Community Council-SPA	\$26,071	-\$26,071	\$ 0
XXXX	United Way-SPA	\$ 0	+\$26,071	\$26,071

and be it further

**2<sup>nd</sup> RESOLVED** that the County Executive be and hereby is authorized to execute a contract with the United Way of Long Island, Inc.; and be it further

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

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

DATED:

APPROVED BY:

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

Date of Approval:

HSV #40-2010

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

1062

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

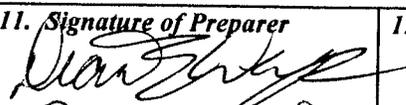
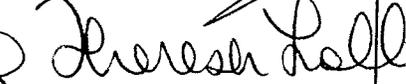
	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

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

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1. Type of Legislation		
Resolution <u>X</u>	Local Law	Charter Law
2. Title of Proposed Legislation Amending the 2011 Adopted Operating Budget to transfer funding from programs operated by Suffolk Community Council to the United Way of Long Island, Inc.		
3. Purpose or Proposed Legislation This Legislation is needed to transfer funding from Suffolk Community Council to the United Way of Long Island Inc. to ensure the continuation of mediation and housing services to the mentally ill and developmentally disabled consumers of Suffolk County beginning January 1, 2011.		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <u>    </u> NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Not applicable.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. None		
8. Proposed Source of Funding A transfer of 2011 Adopted Operating funds for contracted agencies (pseudo codes) within the Division of Community Mental Hygiene Services.		
9. Timing of Impact  Immediate upon approval of the Resolution and execution of contracts with provider agencies.		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst	11. Signature of Preparer 	12. Date 12/14/10
Theresa Lollo Principal Financial Analyst		1/24/11

SCIN FORM 1736 (10/95) St

COUNTY OF SUFFOLK

1062



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

**Date:** December 10, 2010

**Subject:** REQUEST FOR CN LEGISLATIVE RESOLUTION

---

Suffolk Community Council provides services to both the Mentally Ill and Developmentally Disabled consumers of Suffolk County. The agency maintains two programs that focus on providing and maintaining crucial housing services to existing and potential consumers. The Clearinghouse contract provides mediation services for existing housing clients and maintains a housing database of Supported Housing and Community Residence locations throughout Suffolk county. The Single Point of Access (SPA) program works closely with the Division's Housing Single Point of Access staff. The programs are unique to both the County and Suffolk Community Council.

Several months ago, the Board of Directors of Suffolk Community Council voted to dissolve the corporation. After the loss of the Executive Director, the United Way of Long Island has been overseeing the operation of the programs and has expressed an interest in continuing for the last year in the contract term. As the calendar year comes to a close, there remains one more year on the current contract term which runs from 2009 through 2011.

The Division respectfully requests a Certificate of Necessity in order to insure the continuation of the above mentioned services effective January 1, 2011 through December 31, 2011. The United Way of Long Island, Inc. has the support of both the S.C.C. Board and of the Division. If the transition does not occur, effective January 1, 2011, services to the housing clients in Suffolk County will be severely impacted. Attached are drafts of the intro resolution, fiscal impact statement, routing form as well as correspondence from the Board of Directors of Suffolk Community Council, dated November 18, 2010 and the United Way of Long Island, Inc., dated November 24, 2010.

Thank you for your consideration.

AF:ADT:pm  
Attachments

Cc: D.Weyer, L.Wright, S.Reagan, A. Flescher, J. Best, A. Rotundo, A. Torres



Public Health

DIVISION OF COMMUNITY MENTAL HYGIENE  
North County Complex, Bldg. C928, 725 Veterans Memorial Highway, PO Box 6100 Hauppauge, NY 11788  
(631) 853-8500 Fax (631) 853-3117

Attachment A

1062  
Copy Karen  
RTM



Creating Strong Communities

November 18, 2010

NOV 22 2010  
COMMUNITY MENTAL  
HYGIENE

Mr. Arthur Flescher, LCSW, CASAC  
Acting Director  
Suffolk County Division of Community Mental Hygiene Services  
Division of Community Mental Hygiene  
North County Complex, Building C928,  
725 Veterans Memorial Highway,  
P.O. Box 6100,  
Hauppauge, NY 11788

Dear Mr. Flescher,

I am writing on behalf of the Board of Directors of the Suffolk Community Council, Inc. to request that the programs operated by the Suffolk Community Council under contract with the County of Suffolk be transitioned to the United Way of Long Island, Inc. at the beginning of the new contract period on January 1, 2011. As you are aware, the Board of Directors has decided to dissolve the corporation and cease operations.

We are concerned that the programs continue to serve the people of Suffolk County without interruption. For the past several months, the United Way of Long Island has capably managed these programs in the absence of the Council's Executive Director. Since program operations are currently housed in the United Way's offices, a transition to the United Way would be the least disruptive way to maintain them.

It is my understanding that the United Way of Long Island is prepared to assume responsibility for these contract during the next contract year.

Please let me know if you require additional information.

Sincerely,  
Michael L McClain  
President

cc: Theresa Regnante, United Way of Long Island  
Board of Directors, Suffolk Community Council

819 Grand Boulevard, Deer Park, NY 11729  
631-434-9277 Fax 631-434-9311

[www.suffolkcommunitycouncil.org](http://www.suffolkcommunitycouncil.org)

[info@suffolkcommunitycouncil.org](mailto:info@suffolkcommunitycouncil.org)

Attachment B

1062  
Karen  
FTM



United Way of Long Island

RECEIVED

NOV 29 2010

COMMUNITY MENTAL  
HYGIENE DIVISION

November 24, 2010

Mr. Art Flescher, LCSW, CASAC  
Acting Director  
Department of Health Services  
Division of Community Mental Hygiene  
North County Complex, Building C928  
725 Veterans Memorial Highway, P.O. Box 6100  
Hauppauge, NY 11788

Dear Mr. Flescher.

This letter will serve as confirmation that United Way of Long Island is in a position to accept the following Suffolk County contracts if so awarded:

1. Clearinghouse (SFCLR) Inclusive of Mediation Services
2. Single Point of Access (SPA)

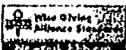
The acceptance of these contracts is an effort to provide the smooth transition with no disruption of services as Suffolk Community Council dissolves its affiliation as contract manager as of December 31, 2010.

Sincerely,

A handwritten signature in black ink, appearing to read "Theresa Regnante".

Theresa Regnante  
President and CEO  
United Way of Long Island

Change lives where you live.



819 Grand Boulevard, Deer Park, NY 11729 • 631.940.3700 • Fax 631.940.2551 • [www.unitedwayli.org](http://www.unitedwayli.org)

Department Request  
for  
Certificate of Necessity

1062

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Resolution Title:

**AMENDING THE 2011 ADOPTED OPERATING BUDGET TO TRANSFER FUNDING FROM PROGRAMS OPERATED BY SUFFOLK COMMUNITY COUNCIL TO THE UNITED WAY OF LONG ISLAND, INC.**

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Reason for Urgency:

Suffolk Community Council's Board of Directors voted to dissolve the corporation in the fall of 2010. For the past several months, the United Way of Long Island has managed the Clearinghouse/ Mediation contract; as well as, the Housing Single Point of Access programs and has done so in an effective and efficient manner. It is necessary to amend the 2011 Suffolk County Adopted budget in order to ensure the continuation of the program into 2011 without disruption of services.

These programs are vital to both the mental health and developmentally disabled population and are the only programs of their nature in Suffolk County. For the Single Point of Access Housing Program alone, over 192 people with severe and persistent mental illness are served every year through the mediation project. This service includes contacts with housing providers, case managers, treatment staff, family members, and the client all toward resolving the complicated problems associated with this population. For example, the mediation project of Suffolk Community Council works closely with Nassau Suffolk Law Services to prevent evictions. No one else provides this service. The Council works on processing housing applications and maintaining the Clearinghouse database. Without the transition to the United Way of Long Island, Inc. for the remainder of the contract term (January 1 through December 31, 2011), these vital programs will cease entirely on December 31, 2010.

We respectfully request consideration of a Certificate of Necessity to continue the program without interruption into 2011.

---

Instructions: All departments requesting a Certificate of Necessity must submit this form along with the resolution and explanation to Suffolk County Executive Office, Intergovernmental Relations.

COUNTY OF SUFFOLK

Gen 26  
DEC 14 2010



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1062

DEPARTMENT OF HEALTH SERVICES

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

December 14, 2010

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

**RE: Resolution Request along with a Certificate of Necessity**

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution to amend the 2011 Adopted Operating Budget to transfer funding from programs operated by Suffolk Community Council to the United Way of Long Island, Inc. These programs provide mediation and housing services to the mentally ill and developmentally disabled consumers of Suffolk County. A *Certificate of Necessity* is included to ensure the continuation of these vital services in 2011.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Anthony Rotundo at 3-8517. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-MH SCC to United Way.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, Director of Community Mental Hygiene Services
- Anthony Rotundo, Coordinator of Community Based Drug Programs
- Sheila Reagan, Senior Program Examiner
- Frank McCluskey, Principal Financial Analyst
- Diane E. Weyer, Principal Financial Analyst



1063

Intro. Res. No. -2011  
Introduced by Legislator Browning

Laid on Table 2/1/11

**RESOLUTION NO. -2011, AMENDING THE COMPOSITION  
OF THE ENVIRONMENTAL TRUST REVIEW BOARD**

**WHEREAS**, Resolution No. 626-2004 created the Environmental Trust Review Board ("ETRB") to review appraisals for proposed open space acquisitions and to authorize the Division of Real Property Acquisition and Management to commence negotiations at prices determined by ETRB; and

**WHEREAS**, the Commissioners of the Department of Health Services and the Department of Parks, Recreation and Conservation are members of the ETRB; and

**WHEREAS**, these Commissioners should have the opportunity to designate representatives to serve on the ETRB; now, therefore be it resolved

**1st RESOLVED**, Section 712-24 of the **SUFFOLK COUNTY CODE** is hereby amended as follows:

**§ 712-24. Environmental Trust Review Board; duties; review process.**

- A. Prior to negotiating for a proposed acquisition, it shall be presented to the Environmental Trust Review Board, which shall meet at least monthly and which shall consist of the following nine members:

\* \* \* \*

- (8) A representative of the Department of Health Services' Division of Environmental Quality, to be selected by [T]the Commissioner of the Suffolk County Department of Health Services; and
- (9) The Commissioner of the Suffolk County Department of Parks, Recreation, and Conservation, or his or her designee.

\* \* \* \*

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

DATED:

APPROVED BY:

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

Date:

s:\res\ir-amend environmental trust review board

1064  
Intro. Res. No. -2011  
Introduced by Legislator Kennedy

Laid on Table

2/1/11

**RESOLUTION NO. -2011, AUTHORIZING TRANSFER OF  
SURPLUS COUNTY COMPUTER SYSTEMS AND HARDWARE  
TO RSVP**

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

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

**WHEREAS**, RSVP has requested the donation of fifty (50) computer systems from the County; and

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

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

**TO:**  
RSVP  
811 West Jericho Turnpike, Suite 103W  
Smithtown, NY 11787  
Contact Person: Joel Becker  
631-979-9490

**ITEMS REQUESTED:**  
50 CPU's, 50 Monitors,  
50 Keyboards, 50 Mice, and  
50 CPU Plugs

and be it further

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

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

**4th RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

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

Date:

s:\res\r-computer-RSVP-labor

1065

Intro. Res. No. -2011  
Introduced by Legislator Viloría-Fisher

Laid on Table 2/1/11

**RESOLUTION NO. -2011, AUTHORIZING TRANSFER OF  
SURPLUS COUNTY COMPUTER SYSTEMS AND HARDWARE  
TO PRINCESS RONKONKOMA PRODUCTIONS**

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

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

**WHEREAS**, Princess Ronkonkoma Productions has requested the donation of five (5) computer systems from the County; and

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

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

**TO:**  
Princess Ronkonkoma Productions  
PO Box 2508  
Lake Ronkonkoma, NY 11779-0409  
Contact Person: Hedi Flickstein  
631-331-2438

**ITEMS REQUESTED:**  
5 CPU's, 5 Monitors,  
5 Keyboards, 5 Mice, and  
5 CPU Plugs

and be it further

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

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

**4th RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\reslr-computer-labor-princess-ronkonkoma-productions

1066

Intro. Res. No. - 2011

Laid on the Table 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011 REQUESTING THE CONVEYANCE OF A PARCEL OF REAL PROPERTY, HAVING A SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBER OF DISTRICT 0100 SECTION 053.00 BLOCK 01.00 LOT 062.000, FOR PUBLIC HIGHWAY PURPOSES AND REQUESTING APPROVAL FROM THE TOWN OF BABYLON FOR CONVEYANCE OF SAME, PURSUANT TO NEW YORK STATE GENERAL MUNICIPAL LAW §72-H**

**WHEREAS**, a certain parcel of real property presently owned by The Town of Babylon, County of Suffolk, New York, and having a Suffolk County Tax Map Identification Number of District 0100 Section 053.00 Block 01.00 Lot 062.000, is situated within the geographical boundaries of the Town of Babylon, Suffolk County, New York; and

**WHEREAS**, the County of Suffolk, New York is interested in acquiring said parcel of real property (hereinafter referred to as the "Subject Premises") for the purpose of using said portion for public highway purposes in conjunction with the County's CR 3, Pinelawn Road improvement project; and

**WHEREAS**, the Town of Babylon, Suffolk County, New York, acquired the Subject Premises by Deed dated 02/07/2005, which was recorded in the Office of the Suffolk County Clerk on 05/01/2006 at Deed Liber D00012447 Cp. 891 (a copy of said Deed being attached hereto as Exhibit "A"); now, therefore be it

**1<sup>st</sup> RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR Part 617; and be it further

**2<sup>nd</sup> RESOLVED**, that the action will not have a significant adverse impact on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria of Title 6 NYCRR Part 617.7(c), which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
  2. The proposed action simply transfers ownership of the land for public highway improvement purposes, an eventual Type II action under SEQRA;
- and be it further

**3<sup>rd</sup> RESOLVED**, that the County of Suffolk does hereby request the acquisition of that portion of the parcel having a Suffolk County Tax Map Identification Number of District 0100 Section 053.00 Block 01.00 Lot 062.000, more particularly described in Exhibit "A", attached hereto and requests that the Town of Babylon, Suffolk County, New York and the State of New York, Office of General Services, approve conveyance of same pursuant to New York State General Municipal Law §72-h, for a consideration not to exceed One Hundred and 00/100 Dollars (\$100.00), payable from Capital Project No. 5510.210; and be it further

**4<sup>th</sup> RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works, or his duly appointed designee, be and hereby is authorized to execute and acknowledge all documents necessary to convey the Subject Premises described herein into the County of Suffolk; and be it further

**5<sup>th</sup> RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works, or his duly appointed designee, be and hereby is authorized and directed to prepare and submit to the Town of Babylon, Suffolk County, New York a petition to abandon all paper streets fronting the parcel described herein.

DATED:

APPROVED BY:

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

Date of Approval:

1066



SUFFOLK COUNTY CLERK  
RECORDS OFFICE  
RECORDING PAGE

Type of Instrument: DEEDS/DDD  
Number of Pages: 5  
Receipt Number : 06-0043214  
TRANSFER TAX NUMBER: 05-36776

Recorded: 05/01/2006  
At: 01:53:53 PM  
LIBER: D00012447  
PAGE: 891

District: 0100                      Section: 053.00                      Block: 01.00                      Lot: 062.000

EXAMINED AND CHARGED AS FOLLOWS

Deed Amount: \$0.00

Received the Following Fees For Above Instrument

		Exempt			Exempt
Page/Filing	\$15.00	NO	Handling	\$5.00	NO
COE	\$5.00	NO	NYS SRCHG	\$15.00	NO
EA-CTY	\$5.00	NO	EA-STATE	\$165.00	NO
TP-584	\$5.00	NO	Cert.Copies	\$5.00	NO
RPT	\$30.00	NO	SCTM	\$0.00	NO
Transfer tax	\$0.00	NO			
			Fees Paid	\$250.00	

TRANSFER TAX NUMBER: 05-36776

THIS PAGE IS A PART OF THE INSTRUMENT  
THIS IS NOT A BILL

Judith A. Pascale  
County Clerk, Suffolk County

1066

1		2	3	
Number of pages <u>5</u>			RECORDED 2006 May 01 01:53:53 PM Judith A. Pascale CLERK OF SUFFOLK COUNTY L 000012447 P 891 DT# 05-36776	
TORRENS				
Serial # _____				
Certificate # _____				
Prior Clf. # _____		<u>6</u>		
Deed / Mortgage Instrument		Deed / Mortgage Tax Stamp	Recording / Filing Stamps	

4		FEES	
Page / Filing Fee <u>15</u>		Mortgage Amt. _____	
Handling <u>5</u>		1. Basic Tax _____	
TP-584 <u>5</u>		2. Additional Tax _____	
Notation _____		Sub Total _____	
EA-52 17 (County) <u>5</u>	Sub Total <u>30</u>	Spec./Assit. _____	
EA-5217 (State) <u>165</u>		Or _____	
R.P.T.S.A. <u>30</u>		Spec./Add. _____	
Comm. of Ed. <u>5.00</u>		TOT. MTG. TAX _____	
Affidavit _____		Dual Town _____ Dual County _____	
Certified Copy <u>5</u>		Field for Apportionment _____	
Reg. Copy _____		Transfer Tax <u>0</u>	
Other <u>15</u>	Sub Total <u>220</u>	Mansion Tax _____	
	GRAND TOTAL <u>250</u>	The property covered by this mortgage is or will be improved by a one or two family dwelling only.	
		YES _____ or NO _____	
		If NO, see appropriate tax clause on page # _____ of this instrument.	<u>27.00</u>



5	Real Property Tax Service Agency Verification	6	Community Preservation Fund
Stamp	Dist. <u>06015114</u>	Consideration Amount \$ <u>6</u>	
Date	Section <u>0100</u>	CPF Tax Due \$ _____	
Initials	Block <u>05300</u>	Improved _____	
	Parcel <u>0100 062000</u>	Vacant Land _____	



7	Satisfactions/Discharges/Releases List Property Owners Mailing Address RECORD & RETURN TO:
	TOWN OF BABYLON Community Development 47 West Main Street Babylon NY 11702

8	Title Company Information
	Co. Name _____
	Title # _____

9 Suffolk County Recording & Endorsement Page

This page forms part of the attached Quitclaimed Deed made by:

County of Suffolk (SPECIFY TYPE OF INSTRUMENT)

The premises herein is situated in SUFFOLK COUNTY, NEW YORK.

In the Township of Babylon

In the VILLAGE of \_\_\_\_\_

or HAMLET of Wyandanch

TO Town of Babylon C.D.A.

**IMPORTANT NOTICE**

1066

If the document you've just recorded is your **SATISFACTION OF MORTGAGE**, please be aware of the following:

If a portion of your monthly mortgage payment included your property taxes, \*you will now need to contact your local Town Tax Receiver so that you may be billed directly for all future property tax statements.

Local property taxes are payable twice a year: on or before January 10<sup>th</sup> and on or before May 31<sup>st</sup>. Failure to make payments in a timely fashion could result in a penalty.

**Please contact your local Town Tax Receiver with any questions regarding property tax payment.**

Babylon Town Receiver of Taxes  
200 East Sunrise Highway  
North Lindenhurst, N.Y. 11757  
(631) 957-3004

Riverhead Town Receiver of Taxes  
200 Howell Avenue  
Riverhead, N.Y. 11901  
(631) 727-3200

Brookhaven Town Receiver of Taxes  
250 East Main Street  
Port Jefferson, N.Y. 11777  
(631) 473-0236

Shelter Island Town Receiver of Taxes  
Shelter Island Town Hall  
Shelter Island, N.Y. 11964  
(631) 749-3338

East Hampton Town Receiver of Taxes  
300 Pantigo Place  
East Hampton, N.Y. 11937  
(631) 324-2770

Smithtown Town Receiver of Taxes  
99 West Main Street  
Smithtown, N.Y. 11787  
(631) 360-7610

Huntington Town Receiver of Taxes  
100 Main Street  
Huntington, N.Y. 11743  
(631) 351-3217

Southampton Town Receiver of Taxes  
116 Hampton Road  
Southampton, N.Y. 11968  
(631) 283-6514

Islip Town Receiver of Taxes  
40 Nassau Avenue  
Islip, N.Y. 11751  
(631) 224-5580

Southold Town Receiver of Taxes  
53095 Main Street  
Southold, N.Y. 11971  
(631) 765-1803

Sincerely,



Edward P. Romaine, Jr.  
Suffolk County Clerk  
745 Old Country Road  
Suffolk, NY 11988

dw  
2/99

1066

**SUFFOLK COUNTY  
QUITCLAIM DEED**

THIS INDENTURE, made the 7<sup>th</sup> day of February, 2005

BETWEEN the COUNTY OF SUFFOLK, a municipal corporation of the State of New York, having its principal office at the Suffolk County Center, Center Drive, Riverhead, New York 11901, party of the first part, and

TOWN OF BABYLON, CDA, a municipal corporation of the State of New York, having its principal offices at 47 West Main Street, Suite 1, Babylon, New York 11702, party of the second part,

WITNESSETH, that the party of the first part, pursuant to Resolution Number 48-2006 adopted by the Suffolk County Legislature on January 17, 2006 and, thereafter, approved by the County Executive on January 27, 2006, in consideration of ten dollars, payment waived and other valuable consideration paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL, that certain plot, piece or parcel of land with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 053.00, Block 01.00, Lot 062.000, and acquired by Tax Deed on July 9, 1990 from General L. Rains, the Deputy County Treasurer of Suffolk County, New York and recorded on July 10, 1990 in Liber 11100, CP 283, and otherwise known as and by Town of Babylon, Filed Map 44, Lot 1-6 Inc. & 9 & 64, Blk 71,

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 9, 1990 from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 10, 1990 in Liber 11100, CP 283.

PROVIDED, however, that the party of the second part, will be restricted in its use of the subject premises and will use said premises solely and exclusively for affordable housing purposes; with all right, title, and interest reverting to the party of the first part, at the sole option of the party of the first part, in the event that the party of the second part, at any time uses or attempts to use said subject premises for other than affordable housing purposes, in accordance with the approved plan submitted by the party of the second part. The reverter clauses contained herein shall apply to the grantee, or any transferee from the grantee undertaking the construction, reconstruction or rehabilitation of affordable housing on the subject premises.

Additionally, if any one or more of the following occurs, the property secured by this deed shall revert as hereinbefore set forth to the party of the first part:

1) If the party of the second part fails to construct or complete construction of affordable housing unit or units on said property within three (3) years from the date of this deed unless an extension of time is granted in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto;

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

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

-----  
DISTRICT  
0100

-----  
SECTION  
053.00

-----  
BLOCK  
01.00

-----  
LOT  
062.000

AM 2-3-06  
WST 2-3-06

1066

4) If the rent should exceed HUD established HOME Low Rent Limit based on bedroom size;

5) If the affordable housing unit or units are owner-occupied, if the unit or units fails to remain the principal residence of the owner for a period of five (5) years. If the affordable housing unit or units are tenant-occupied, if the unit or units fails to remain affordable for ten (10) years.

6) If the party of the second part fails to certify to the Suffolk County Director of Affordable Housing prior to closing of the title with any affordable housing grantee:

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

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

**SUBJECT** to the condition that neither Grantee nor any Municipality shall bill or charge back to Grantor any cost incurred or projected to be incurred for the cleaning up of any debris on said property. In the event that such charge back or bill is rendered to the Grantor this Deed shall be void ab initio and the realty shall revert to the Grantor.

It is intended and agreed that the agreements and covenants herein shall be covenants running with the land and that they shall, in any event, and without regard to technical classification or designation, legal or otherwise, and except only by law, binding for the benefit and in favor of, and enforceable by, the party of the first part. It is further understood that such agreements and covenants shall be binding only upon the party of the second part, if it be a municipality or any assignee of the party of the second part, undertaking the construction, reconstruction or rehabilitation of affordable housing, only for such period as they shall have title to or an interest in or possession of the property or part thereof.

**TOGETHER** with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof;

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**SUBJECT** to all covenants, restrictions and easements of record, if any.



STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1066

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
<p><b>RESOLUTION NO.     -2011 REQUESTING THE CONVEYANCE OF A PARCEL OF REAL PROPERTY, HAVING A SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBER OF DISTRICT 0100 SECTION 053.00 BLOCK 01.00 LOT 062.000, FOR PUBLIC HIGHWAY PURPOSES AND REQUESTING APPROVAL FROM THE TOWN OF BABYLON FOR CONVEYANCE OF SAME, PURSUANT TO NEW YORK STATE GENERAL MUNICIPAL LAW §72-H</b></p>		
3. Purpose of Proposed Legislation		
See No. 2 above.		
4. Will the Proposed Legislation Have a Fiscal Impact?            Yes <u>  X  </u> No <u>      </u>		
5. If the answer to item 4 is "yes", on what will it impact?    (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 100px; height: 100px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <span style="margin: 0 10px;">County</span> <span style="margin: 0 10px;">Town</span> </div>	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		
Conveyance requested so federal aided project can go forward.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Conveyance consideration not to exceed \$100.		
9. Timing of Impact		
Upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		January 20 <sup>th</sup> , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1066

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$458,773,751	\$1,025.82		\$2.303

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$458,773,751	\$837.28		\$1.099

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Geo B1

1066

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: November 19, 2010  
December 2, 2010 (revised)

RE: **Requesting the Conveyance of a Parcel of Real Property, Having a Suffolk County Tax Map Identification Number of District 0100 Section 053.00 Block 01.00 Lot 062.000, for Public Highway Purposes and Requesting Approval from the Town of Babylon for Conveyance of Same, Pursuant to Section 72-H of the New York State General Municipal Law**

Attached is a draft resolution and duplicate copy requesting the conveyance of a parcel of real property situated in the Town of Babylon, Suffolk County, New York, pursuant to New York State General Municipal Law §72-H.

The purpose of this conveyance from the Town of Babylon to the County of Suffolk is for public highway purposes, in conjunction with the County's CR 3, Pinelawn Road improvement project. Consideration for this conveyance is in the amount of \$100.00 (charged to CP 5510.211) and will allow the Federal Aid reimbursement aspect of this project to remain open.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-GML 72h Conveyance from Babylon.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

1067

Intro. Res. No. -2011  
Introduced by Legislator Kennedy

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AMENDING RESOLUTION NO. 622-2006 IN CONNECTION WITH STORMWATER SYSTEM DISCHARGE REMEDIATION AND STREAM WATER SILT REMOVAL AND REMEDIATION AT THE NISSEQUOGUE TRIBUTARY HEADWATERS NORTH FROM CR 76, TOWNLINE ROAD, TO MILLER'S POND, SMITHTOWN (CP 8710)**

**WHEREAS**, Resolution No. 622-2006 approved funding this program with Fund 477 Water Quality Protection and Restoration Funds in connection with stormwater system discharge remediation and stream water silt removal and remediation at the Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown (CP 8710); and

**WHEREAS**, the intent of the resolution was to provide funding for planning and construction on this project; and

**WHEREAS**, a portion of the funding assigned to planning is necessary for construction; and

**WHEREAS**, there exists enough funding in the planning phase of this project to cover construction costs; and

**WHEREAS**, it is necessary to amend Resolution No. 622-2006 by re-appropriating \$225,000 from planning to construction; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this 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; and be it further

**2<sup>nd</sup> RESOLVED**, that the 7th RESOLVED clause of Resolution No. 622-2006 is hereby amended by reducing the appropriation for planning by \$225,000 and increasing the appropriation for construction by \$225,000 as follows:

**7th RESOLVED**, that the transfer in the amount of \$250,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.114	50	Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown	[\$250,000] <u>\$25,000</u>

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
<u>525-CAP-8710.323</u>	<u>50</u>	<u>Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown</u>	<u>\$225,000</u>

and be it further

**3<sup>rd</sup>** **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to effectuate the associated cash transfers for this capital project.

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

DATED:

APPROVED BY:

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

Date:

Intro. Res. No. 1068-11

Laid on Table 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION FOR BEACH EROSION AND COASTLINE PROTECTION – SMITH POINT BEACH AND MESCHUTT BEACH COUNTY PARKS (CP 5380)**

**WHEREAS**, the United States Department of Homeland Security through the Federal Emergency Management Agency (FEMA) declared that Suffolk County is eligible to receive federal disaster assistance under its Public Assistance Program as a result of damage sustained at Smith Point Beach and Meschutt Beach County Parks during an incident period beginning November 12, 2009; and

**WHEREAS**, Smith Point County Park and Meschutt Beach County Park were damaged by storm activity during an incident period beginning November 12, 2009, and said storm activity was a Federal Emergency Management Agency (FEMA) declared disaster; and

**WHEREAS**, Smith Point County Park and Meschutt Beach County Park sustained damage to protective fencing that was constructed along existing dune systems to help reinforce the dunes; and

**WHEREAS**, the protective fencing should be reinstalled in conjunction with the reconstruction of said dune systems in order to safeguard park infrastructure; and

**WHEREAS**, FEMA awarded both Smith Point County Park and Meschutt Beach County Park fencing on one award; and

**WHEREAS**, FEMA's Public Assistance Program is an aid program that will provide Suffolk County with \$127,323 which represents 75 percent of the eligible costs of repairs; and

**WHEREAS**, 12.5 percent of the local share requirement of \$21,220 will be funded by the New York State Emergency Management Office (SEMO); and

**WHEREAS**, the remaining 12.5 percent local share requirement of \$21,220 will be funded by the County; and

**WHEREAS**, the agreements for Federal and associated State financial assistance impose certain obligations upon the County; and

**WHEREAS**, the County must in first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal and State shares of the project; and

**WHEREAS**, sufficient funds have not been included within the 2011 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 2011 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 \$169,763 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the New York State Department of Environmental Conservation (“DEC”) is the lead agency for this project under SEQRA; and be it further

**2<sup>nd</sup> 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 No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the 2011 Capital Budget and Program be and they are hereby amended as follows:

**Project No.** 5380  
**Project Title:** Beach Erosion and Coastline Protection

	Total Estimated Cost	Current 2011 Capital Program and Budget	Revised 2011 Capital Program and Budget
3. Construction	<u>\$169,763</u>	<u>\$0</u>	\$ 21,220 B \$127,323 F <u>\$ 21,220 S</u>
TOTAL	\$169,763	\$0	\$ 169,763

and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of Federal Emergency Management Agency, Public Assistance Program Aid of \$127,323 be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5380.313	56	Beach Erosion and Coastline Protection - Smith Point Beach and Meschutt Beach County Parks	\$127,323

and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of New York State Emergency Management Office aid of \$21,220 be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5380.313	56	Beach Erosion and Coastline Protection - Smith Point Beach and Meschutt Beach County Parks	\$ 21,220

and be it further

**6<sup>th</sup> RESOLVED**, that the proceeds of \$21,220 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5380.313 (Fund 001 Debt Service)	56	Beach Erosion and Coastline Protection - Smith Point Beach and Meschutt Beach County Parks	\$ 21,220

and be it further

**7<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the additional Federal and State shares of this project totaling \$148,543; and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept additional Federal and State funding in the amount of \$21,220; and be it further

**9<sup>th</sup> RESOLVED**, that the Department of Public Works will be the lead agency in overseeing the engineering and performance of this project and will coordinate with the Department of Parks, Recreation and Conservation and the Department of Fire, Rescue & Emergency Services (FRES) in communicating with all Federal and State agencies to ensure compliance and that all associated aid is captured; and be it further

**10<sup>th</sup> RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the United States Department of Homeland Security through the Federal Emergency Management Agency and New York State Emergency Management Office 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 of Approval:



**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1068

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$4,633</b>	<b>\$0.01</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$458,773,751</b>	<b>\$1,025.82</b>		<b>\$2.303</b>

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$458,778,384</b>	<b>\$837.29</b>		<b>\$1.099</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County  
General Obligation Serial Bonds  
Level Debt

1068

Term of Bonds: 5 Yrs  
Amount to Bond: \$21,220

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/10/2011					
5/10/2012					
11/10/2012	3.000%	\$3,996.88	\$636.60	\$4,633.48	\$4,633.48
			\$258.35	\$258.35	
11/9/2012	3.000%	\$4,116.79	\$258.35	\$4,375.14	\$4,633.48
			\$196.59	\$196.59	
11/10/2013	3.000%	\$4,240.29	\$196.59	\$4,436.89	\$4,633.48
			\$132.99	\$132.99	
11/10/2014	3.000%	\$4,367.50	\$132.99	\$4,500.49	\$4,633.48
			\$67.48	\$67.48	
11/10/2015	3.000%	\$4,498.53	\$67.48	\$4,566.01	\$4,633.48
		\$21,220.00	\$1,947.42	\$23,167.42	\$23,167.42

1068

481.6 hours. The average hourly rate of pay with benefits for the Suffolk County Parks Department is \$33.05/HR. The applicant will utilize a pickup truck and a farm type tractor to assist in the installation. There are (2) two posts per 10 LF of fence zig zag pattern with an additional post at each end. There are (5) fence ties per post. Equipment – One 1 Ton Pickup Truck (8802) - 481.6 HRS @ \$ 25/HR) = \$12,040.00 Labor – One Employee (Operate Pickup Truck) - 481.6 HRS @ \$ 33.05/HR) = \$15,916.88 Equipment – One Farm Type Tractor (8401) - 481.6 HRS @ \$ 25/HR) = \$12,040.00 Labor – One employee (Operate Tractor) - 481.6 HRS @ \$ 33.05/HR = \$15,916.88 Labor - One employee (Laborer) - 481.6 HRS @ \$ 33.05/HR = \$15,916.88 Material - Posts - 3,014 @ \$ 5.64/EA = \$16,998.96 Material - Sand Fence - 30,100/LF @ \$ .74/LF = \$22,274.00 Material - Fence Ties - 15,070 @ \$0.02/EA= \$301.40 Therefore, total cost to place 30,100 LF of sand fence with wood cedar posts is \$111,405.00 The applicant has been advised that all permits and approvals from all regulatory agencies must be obtained before beginning the replacement of the sand fence and posts. The subgrantee is requesting Direct Administrative Costs that are directly chargeable to this specific project. Associated eligible work is related to administration of this Public Assistance project only and in accordance with 44 CFR – 13.22. These costs are treated consistently and uniformly as direct cost in all Federal awards and other sub grantee activities and are not included in any approved indirect cost rates.

Does the Scope of Work change the pre-disaster conditions at the site? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Special Considerations included? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Hazard Mitigation proposal included? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is there insurance coverage on this facility? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**PROJECT COST**

ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
1	0000	Work to be Completed	0/LS	\$ 0.00	\$ 0.00
2	9000	CEF Cost Estimate (See Attached Spreadsheet)	1/LS	\$ 168,451.00	\$ 168,451.00
3	9901	Direct Administrative Costs (Subgrantee)	1/LS	\$ 1,312.00	\$ 1,312.00
				<b>TOTAL COST</b>	<b>\$ 169,763.00</b>

PREPARED BY Robert Lynn	TITLE FEMA Project Specialist	SIGNATURE
APPLICANT REP. John W Pavacic	TITLE Commissioner	SIGNATURE

1068

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 *[Signature]*

CC: CHRISTOPHER KENT, Chief Deputy County Executive

DATE: JANUARY 11, 2011

RE: INTRODUCTORY RESOLUTION AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PLANNING AND CONSTRUCTION FOR BEACH EROSION AND COASTLINE PROTECTION - SMITH POINT BEACH AND MESCHUTT BEACH COUNTY PARKS (CP 5380)

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-Amending Capital Budget and Appropriating Funds for CP 5380 Beach Erosion and Coastline Protection - Smith Point and Meschutt Beach County Parks.doc."

After consulting with the Department of Public Works, and in anticipation of Federal (FEMA) and State (SEMO) funds to reimburse the County for most of the costs associated with this project, I am submitting this resolution for consideration which seeks to amend the 2011 Capital Budget and Program in order to provide funds for Capital Project 5380 ("Beach Erosion and Coastline Protection) for construction at Smith Point Beach and Meschutt Beach County Parks for work associated with storm damage incurred beginning on November 12, 2009.

Should you require anything further, please contact my office at 4-4984.

Enclosures



Intro. Res. No. 1069-11  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table

2/1/11

**RESOLUTION NO. -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PLANNING AND CONSTRUCTION FOR BEACH EROSION AND COASTLINE PROTECTION – SHINNECOCK EAST COUNTY PARK (CP 5380)**

**WHEREAS**, the United States Department of Homeland Security through the Federal Emergency Management Agency (FEMA) declared that Suffolk County is eligible to receive federal disaster assistance under its Public Assistance Program as a result of damage sustained at Shinnecock East County Park during March 13-31, 2010; and

**WHEREAS**, Shinnecock East County Park was damaged by storm activity during March 13-31, 2010, and said storm activity was a Federal Emergency Management Agency (FEMA) declared disaster; and

**WHEREAS**, Shinnecock East County Park sustained damage to a protective dune that shielded park infrastructure from tidal and storm activity; and

**WHEREAS**, the protective dune should be reconstructed to safeguard park infrastructure from future tidal and storm activity; and

**WHEREAS**, FEMA's Public Assistance Program is an aid program that will provide Suffolk County with \$35,679 which represents 75 percent of the eligible costs of repairs; and

**WHEREAS**, 12.5 percent of the local share requirement of \$5,946 will be funded by the New York State Emergency Management Office (SEMO); and

**WHEREAS**, the remaining 12.5 percent local share requirement of \$5,946 will be funded by the County; and

**WHEREAS**, the agreements for Federal and associated State financial assistance impose certain obligations upon the County; and

**WHEREAS**, the County must in first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal and State shares of the project; and

**WHEREAS**, sufficient funds have not been included within the 2011 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 2011 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 \$47,571 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the New York State Department of Environmental Conservation (“DEC”) is the lead agency for this project under SEQRA; and be it further

**2<sup>nd</sup> 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 No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the 2011 Capital Budget and Program be and they are hereby amended as follows:

**Project No.** 5380

**Project Title:** Beach Erosion and Coastline Protection

	<u>Total Estimated Cost</u>	<u>Current 2011 Capital Program and Budget</u>	<u>Revised 2011 Capital Program and Budget</u>
1. Planning	\$ 4,755	\$0	\$ 594 B \$ 3,567 F \$ 594 S
3. Construction	<u>\$42,816</u>	<u>\$0</u>	\$ 5,352 B \$ 32,112 F <u>\$ 5,352 S</u>
TOTAL	\$47,571	\$0	\$ 47,571

and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of Federal Emergency Management Agency, Public Assistance Program Aid of \$35,679 be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5380.111	56	Beach Erosion and Coastline Protection - Shinnecock East County Park	\$3,567
525-CAP-5380.312	56	Beach Erosion and Coastline Protection - Shinnecock East County Park	\$32,112

and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of New York State Emergency Management Office aid of \$5,946 be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5380.111	56	Beach Erosion and Coastline Protection - Shinnecock East County Park	\$ 594

525-CAP-5380.312	56	Beach Erosion and Coastline Protection - Shinnecock East County Park	\$ 5,352
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and be it further

**6<sup>th</sup> RESOLVED**, that the proceeds of \$5,964 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5380.111 (Fund 001 Debt Service)	56	Beach Erosion and Coastline Protection Shinnecock East County Park	\$ 594
525-CAP-5380.312 (Fund 001 Debt Service)	56	Beach Erosion and Coastline Protection Shinnecock East County Park	\$5,352

and be it further

**7<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the additional Federal and State shares of this project totaling \$41,625; and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept additional Federal and State funding in the amount of \$41,625; and be it further

**9<sup>th</sup> RESOLVED**, that the Department of Public Works will be the lead agency in overseeing the engineering and performance of this project and will coordinate with the Department of Parks, Recreation and Conservation and the Department of Fire, Rescue & Emergency Services (FRES) in communicating with all Federal and State agencies to ensure compliance and that all associated aid is captured; and be it further

**10<sup>th</sup> RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the United States Department of Homeland Security through the Federal Emergency Management Agency and New York State Emergency Management Office 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 of Approval:

1069

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<p><b>RESOLUTION NO. -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PLANNING AND CONSTRUCTION FOR BEACH EROSION AND COASTLINE PROTECTION – SHINNECOCK EAST COUNTY PARK (CP 5380)</b></p>		
3. Purpose of Proposed Legislation		
See No. 2 above.		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<p><b>County</b></p>	<p><b>Town</b></p>	<p><b>Economic Impact</b></p>
<p><b>Village</b></p>	<p><b>School District</b></p>	<p><b>Other (Specify):</b></p>
<p><b>Library District</b></p>	<p><b>Fire District</b></p>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
<p>There are Federal funds available from the Federal Emergency Management Agency (FEMA) for this project; with a share allocation of seventy-five (75%) percent FEMA funds (\$35,679), twelve and a half (12.5%) percent County funds (\$5,946) and twelve and a half (12.5%) percent New York State Emergency Management Office (SEMO) funds (\$5,946).</p> <p>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.</p>		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Federal FEMA Funds 75% and Suffolk County Serial Bonds 12.5%, NYS SEMO Funds 12.5%.		
9. Timing of Impact		
2012 for Suffolk County Serial Bonds.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		January 11 <sup>th</sup> , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1069

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$1,298</b>	<b>\$0.00</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$458,773,751</b>	<b>\$1,025.82</b>		<b>\$2.303</b>

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$458,775,049</b>	<b>\$837.28</b>		<b>\$1.099</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**Suffolk County**  
**General Obligation Serial Bonds**  
**Level Debt**

1069

Term of Bonds: 5  
 Amount to Bond: \$5,946

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
<del>11/10/2011</del>					
5/10/2012					
11/10/2012	<span style="border: 1px solid black; padding: 1px;">3.000%</span>	\$1,119.96	\$178.38	\$1,298.34	\$1,298.34
			\$72.39	\$72.39	
11/9/2012	<span style="border: 1px solid black; padding: 1px;">3.000%</span>	\$1,153.55	\$55.09	\$1,225.95	\$1,298.34
			\$55.09	\$55.09	
11/10/2013	<span style="border: 1px solid black; padding: 1px;">3.000%</span>	\$1,188.16	\$55.09	\$1,243.25	\$1,298.34
			\$37.26	\$37.26	
11/10/2014	<span style="border: 1px solid black; padding: 1px;">3.000%</span>	\$1,223.81	\$37.26	\$1,261.07	\$1,298.34
			\$18.91	\$18.91	
11/10/2015	<span style="border: 1px solid black; padding: 1px;">3.000%</span>	\$1,260.52	\$18.91	\$1,279.43	\$1,298.34
		<b>\$5,946.00</b>	<b>\$545.68</b>	<b>\$6,491.68</b>	<b>\$6,491.68</b>

<b>PA-02-NY-1899-PW-00524(0)</b>	
Applicant Name:	Application Title:
SUFFOLK (COUNTY) / DEPT. OF PARKS/RECREATION	SP002CB - Shinnecock East County Park Beach/Dune
Period of Performance Start:	Period of Performance End:
04-16-2010	10-16-2010

1069

Bundle Reference # (Amendment #)	Date Awarded
PA-02-NY-1899-State-0026(25)	08-30-2010

**Subgrant Application - FEMA Form 90-91**

**Note:** The Effective Cost Share for this application is 75%

FEDERAL EMERGENCY MANAGEMENT AGENCY PROJECT WORKSHEET					
DISASTER		PROJECT NO.	PA ID NO.	DATE	CATEGORY
FEMA	1899 - DR -NY	SP002CB	103-99103-03	07-16-2010	B
APPLICANT: SUFFOLK (COUNTY) / DEPT. OF PARKS/RECREATION				WORK COMPLETE AS OF:	
				06-08-2010 : 0 %	
Site 1 of 1					
DAMAGED FACILITY:			COUNTY: Suffolk		
Beach/Dune					
LOCATION:				LATITUDE:	LONGITUDE:
PA-02-NY-1899-PW-00524(0): Shinnecock East County Park				40.84441	-72.47103
DAMAGE DESCRIPTION AND DIMENSIONS:					
PA-02-NY-1899-PW-00524(0): During the incident period (March 13-31, 2010) of the declared event, flooding and strong winds severely eroded dunes and beach at Shinnecock East County Park. The damages to the applicant's owned and maintained facility include: <input type="checkbox"/> Loss of 415 lf of 25 ft wide by 6 ft high dune along the park access road from 40.845197, -72.469463 to 40.844529, -72.470690 <input type="checkbox"/> Loss of 100 lf of 10 ft wide by 4 ft high dune along the park access road from 40.844529, -72.470690 to 40.844407, -72.471026 Latitude, longitude in the previous section reflects the beginning of damage, which continues to 40.844407, -72.471026. Loss of the aforementioned dune has placed the paved park access road at risk of damage from a five-year storm.					
SCOPE OF WORK:					
PA-02-NY-1899-PW-00524(0): Work to be Completed: Applicant will use force account labor to place an emergency protective berm along the 515 lf stretch of shore north of the park access road. Assuming a standard wedge to be placed against the remaining dune, the volumes of sand to be placed are as follows: 25 ft wide x 6 ft tall x 1 lf = 75 cf per lf / 27 cf per cy = 2.78 cy per lf x 415 lf = 1,154 cy of sand to be placed from 40.845197, -72.469463 to 40.844529, -72.470690 10 ft wide x 4 ft tall x 1 lf = 20 cf per lf / 27 cf per cy = 0.74 cy per lf x 100 lf = 74 cy of sand to be placed from 40.844529, -72.470690 to 40.844407, -72.471026 Total sand for project = 1,154 cy + 74 cy = 1,228 cy, which approximates pre-disaster conditions Compatible beach sand to be obtained from a DEC approved source, TBD. Cost to place and shape the sand, using a 55 h.p. wheeled loader, were obtained from "Get-A-Quote" ( <a href="http://www.get_a_quote.net">http://www.get_a_quote.net</a> ), 2009 National Construction Estimator, page 605, see attached. Direct administrative costs were estimated using the FEMA Estimated Values of Sub grantee Direct Administrative Costs					

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(SDAC), dated March 12, 2008. General Notes: The applicant must obtain all necessary Local, State, and Federal permits prior to commencement of construction. This application is for estimating purposes only and is not an authorization for any work to be done without the approval of all regulating agencies involved. The sub grantee is requesting direct administrative costs associated that are directly chargeable to this specific project. Associated eligible work is related to administration of the PA project only and in accordance with 44 CFR 13.22. These costs are treated consistently and uniformly as direct costs in all Federal Awards and other sub-grantee activities and are not included in any approved indirect cost rates. The estimated value of sub grantee Direct Administrative Cost (SDAC) sheet based on the total eligible value of PW which includes Labor, Travel, Supplies and Equipment. Complete records and cost documents for all approved work must be maintained for at least 3 years from the date the last project was completed or from the date final payment was received, whichever is later. Applicant is aware of New York State Coastal Erosion Hazard Area (CEHA) requirements and has access to CEHA map. Environmental Specific Historic Preservation and Environmental Notes (per Donna Bolognino, FEMA, 06/24/10 email correspondence): Any beach work shall be seasonally restricted. (Work shall be prohibited between March 15 and November 1). The applicant may survey areas after July 1 to determine if there is no active threatened or endangered shorebird nests and may re-open consultation with the Service and the New York State Department of Environmental Conservation (NYSDEC) to implement sand-fencing installation prior to the end of the seasonal restriction window (November 1). Approvals from the Service and the NYSDEC are required prior to implementation during the seasonal window and all known sea-beach amaranth areas must be avoided during the amaranth window. The sub-grantee is requesting direct administrative costs that are directly chargeable to this specific project. Associated eligible work is related to administration of this PA project only and in accordance with 44 CFR 13.22. These costs are treated consistently and uniformly as direct costs in all Federal awards and other sub-grantee activities and are not included in any approved indirect cost rates.

Does the Scope of Work change the pre-disaster conditions at the site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Special Considerations included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Hazard Mitigation proposal included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Is there insurance coverage on this facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**PROJECT COST**

ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
1	0000	Work to be Completed	0/LS	\$ 0.00	\$ 0.00
2	9999	Beach Compatible Sand	1228/CY	\$ 35.60	\$ 43,716.80
3	9999	Sand, Placed and Shaped	1228/CY	\$ 2.67	\$ 3,278.76
4	9901	Direct Administrative Costs (Subgrantee)	1/LS	\$ 576.00	\$ 576.00
				<b>TOTAL COST</b>	<b>\$ 47,571.56</b>
PREPARED BY Candace Beauvais John Cahill		TITLE Project Specialist		SIGNATURE	
APPLICANT REP. Joe Montuori		TITLE Commissioner		SIGNATURE	

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1069

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 *[Signature]*

**CC:** CHRISTOPHER KENT, Chief Deputy County Executive

**DATE:** JANUARY 11, 2011

**RE:** INTRODUCTORY RESOLUTION AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PLANNING AND CONSTRUCTION FOR BEACH EROSION AND COASTLINE PROTECTION - SHINNECOCK EAST COUNTY PARK (CP 5380)

---

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-Amending Capital Budget and Appropriating Funds for CP 5380 Beach Erosion and Coastline Protection - Shinnecock East County Park.doc."

After consulting with the Department of Public Works, and in anticipation of Federal (FEMA) and State (SEMO) funds to reimburse the County for most of the costs associated with this project, I am submitting this resolution for consideration which seeks to amend the 2011 Capital Budget and Program in order to provide funds for Capital Project 5380 ("Beach Erosion and Coastline Protection) for planning and construction at Shinnecock East County Park for work associated with storm damage incurred from March 13-31, 2010.

Should you require anything further, please contact my office at 4-4984.

Enclosures



RESOLUTION NO.

CONTROL#841-2011

Intro. Res. # 1070-11

Laid on Table 2/1/11

INTRODUCED BY THE PRESIDING OFFICER  
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. \_\_\_\_\_ 2011  
TO READJUST, COMPROMISE, AND GRANT  
REFUNDS AND CHARGE-BACKS ON REAL  
PROPERTY CORRECTION OF ERRORS BY:  
COUNTY LEGISLATURE (CONTROL #841-2011)

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#841-2011

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#841-2011

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

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
A	BROOKHAVEN	09/10	0200 52000 0200 057000	6517.33	2780.70	3736.63
A	BROOKHAVEN	10/11	0200 52000 0200 057000	6701.74	2849.65	3852.09
A	BROOKHAVEN	09/10	0206 01700 0300 003003	52423.32	46389.56	6033.76
A	BROOKHAVEN	10/11	0200 22910 0100 010000	12582.90	5293.76	7289.14
A	BROOKHAVEN	10/11	0200 22910 0100 009000	8989.65	3595.86	5393.79
A	BROOKHAVEN	10/11	0200 22910 0100 007000	8989.65	3595.86	5393.79
A	BROOKHAVEN	10/11	0200 22910 0100 006000	8989.65	3595.86	5393.79
A	BROOKHAVEN	10/11	0200 22910 0100 005000	8390.34	3356.14	5034.20
A	BROOKHAVEN	10/11	0200 22910 0100 002000	8390.34	3356.14	5034.20
A	BROOKHAVEN	10/11	0200 22910 0100 001000	8989.65	3595.86	5393.79
A	BROOKHAVEN	10/11	0200 85700 0300 024001	20381.20	16962.40	3418.80
A	BROOKHAVEN	10/11	0200 18100 0700 022001	4123.60	449.48	3674.12
A	BROOKHAVEN	10/11	0200 24100 0200 067000	10394.28	7201.70	3192.58
A	HUNTINGTON	10/11	0400 07000 0100 018004	11483.67	5708.36	5775.31
A	HUNTINGTON	10/11	0400 24700 0100 019000	10980.10	8311.95	2668.15
A	HUNTINGTON	10/11	0400 28101 0100 048000	12844.66	5209.48	7635.18
A	HUNTINGTON	10/11	0400 03400 0400 026001	51516.41	27385.66	24130.75
A	HUNTINGTON	10/11	0400 17200 0200 122000	14407.07	11469.57	2937.50
C	ISLIP	10/11	0500 17200 0100 042001	32284.21	28450.86	3833.35

RESOLUTION NO.

CONTROL#841-2011

C	ISLIP	09/10	0500 17200 0100 042001	31393.98	27666.34	3727.64
A	ISLIP	10/11	0500 15000 0100 003001	41657.04	35009.64	6647.40
C	ISLIP	10/11	0500 10500 0200 040013	50466.83	40618.58	9848.25
C	ISLIP	09/10	0500 10500 0200 040013	49087.83	39508.68	9579.15
C	ISLIP	08/09	0500 10500 0200 040013	47427.51	38172.36	9255.15
A	ISLIP	10/11	0500 09900 0200 066000	32153.84	29515.19	2638.65
A	ISLIP	10/11	0500 09500 0200 064000	7467.27	527.74	6939.53
A	RIVERHEAD	10/11	0600 02100 0200 018002	11133.84	2979.92	8153.92
A	RIVERHEAD	10/11	0600 02100 0200 018006	2773.05	260.90	2512.15
A	RIVERHEAD	10/11	0600 02100 0200 018007	4267.40	421.99	3845.41
A	RIVERHEAD	10/11	0600 02100 0200 018009	4067.12	390.15	3676.97
A	RIVERHEAD	10/11	0600 04600 0100 040001	2871.43	289.12	2582.31
A	RIVERHEAD	10/11	0600 06700 0300 017002	9461.89	1125.51	8336.38
A	RIVERHEAD	10/11	0600 06700 0300 026002	7283.27	757.33	6525.94
A	RIVERHEAD	10/11	0600 07501 0100 032000	4277.05	1767.41	2509.64
A	SOUTHAMPTON	09/10	0900 03500 0200 054004	34510.28	18718.15	15792.13
A	SOUTHOLD	10/11	1000 06600 0200 002005	20232.86	15476.44	4756.42

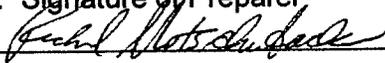
\*As Provided and Requested By Town Assessor or Receiver of Taxes  
 APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1070

1. Type of Legislation						
Resolution	<input checked="" type="checkbox"/>	Local Law	<input type="checkbox"/>	Charter Law	<input type="checkbox"/>	
2. Title of Proposed Legislation						
TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS						
3. Purpose of Proposed Legislation			Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
SEE NO. 2 ABOVE						
4. Will the Proposed Legislation Have a Fiscal Impact?			Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
5. If the answer to item 4 is "yes," on what will it impact? (circle appropriate category)						
County	<input type="checkbox"/>	Town	<input type="checkbox"/>	Economic Impact	<input type="checkbox"/>	
Village	<input type="checkbox"/>	School District	<input type="checkbox"/>	Other (Specify):		
Library District	<input type="checkbox"/>	Fire District	<input type="checkbox"/>			
6. If the answer to item 5 is "yes," Provide Detailed Explanation of Impact			N/A			
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.			N/A			
8. Proposed Source of Funding			N/A			
9. Timing of Impact			2011			
10. Typed Name & Title of Preparer		11. Signature of Preparer		12. Date		
R. Motschenbacher RPAT. II				January 19, 2011		

**Additional back-up material regarding IR 1070 is on file in the  
Legislative Clerk's Office, Hauppauge.**

1071  
Intro. Res. No. -2011

Introduced by the Presiding Officer on request of the County Executive

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF SEWER FACILITY MAINTENANCE EQUIPMENT (CP 8164)**

**WHEREAS**, the sewerage facility infrastructure is increasing and regulations mandate increasing sewer attention necessitating an increase in the Sanitation Fleet; and

**WHEREAS**, the Commissioner of Public Works has requested funds for the purchase of equipment for sewer facility maintenance; and

**WHEREAS**, there are sufficient funds included within the 2011 Adopted Capital Budget to cover the cost of said sewer facility maintenance equipment; and

**WHEREAS**, there are sufficient funds included within the 2011 Adopted Operating Budget (261-IFT-E527) to cover the transfer of funds to the Capital Fund for said sewer facility maintenance equipment; and

**WHEREAS**, the Commissioner of Public Works requests that these funds be transferred and appropriated for the purchase of sewer facility maintenance equipment; 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 2011 Capital Budget, as the basis for funding capital projects such as this project; and

**WHEREAS**, Resolution 321-2003 requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature"; 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; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-one (61), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that an increase in the Sanitation Fleet is hereby authorized for sewer maintenance activities; and be it further

**4<sup>th</sup> RESOLVED**, that the purchase of vehicles/equipment as detailed on the attached is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with County vehicle standard; and be it further

5<sup>th</sup> **RESOLVED**, that excess funds of prior years may be utilized toward the purchase of the vehicles/equipment; and be it further

6<sup>th</sup> **RESOLVED**, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept Interfund revenues for the purchase of sewer facility maintenance equipment as follows:

<u>Fund/Agency/Source</u>	<u>Description</u>	<u>Activity</u>	<u>Amount</u>
527-IFT-R261	Transfer from Sewer Maintenance	D	\$1,000,000

and be it further

7<sup>th</sup> **RESOLVED**, that the proceeds of \$1,000,000 in Interfund revenues be and they are hereby appropriated as follows:

**APPROPRIATION**

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8164.530	50	Sewer Facility Maintenance Equipment Various Sewer Districts	\$1,000,000

DATED:

APPROVED BY:

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

Date of Approval:



1071

(CP #8164)  
Department of Public Works  
Purchase of Sanitation Maintenance Equipment

2011

<u>BERGEN POINT</u>		<u>SEWER DISTRICTS</u>	
1- Combination vacuum/sewer jet unit	\$360,000	Utility truck w/electricians bucket	\$160,000
3- 4x4 pick-ups w/plow	\$96,000	Asphalt Roller	\$30,000
1- Dump trailer	\$44,000	35 ton lowboy trailer	\$60,000
		2 emergency response 4x4 Explorers	\$80,000
		3 F-250 4x4 pick-up trucks w/plow & light bar	\$90,000
		4 ton asphalt hot box	\$28,000
		Stainless steel dump/spreader w/hook lift	\$52,000
<b>TOTAL</b>	<b>\$500,000</b>		<b>\$500,000</b>

Gen DG

COUNTY OF SUFFOLK



1071

JAN 24 2011

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

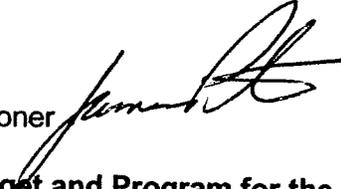
JAMES PETERMAN, P.E.  
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.  
COMMISSIONER

LOUIS CALDERONE  
DEPUTY COMMISSIONER

M E M O R A N D U M

TO: Ken Crannell, Deputy County Executive

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

SUBJECT: **Appropriating Funds in the 2011 Capital Budget and Program for the purchase of Sewer Facility Maintenance Equipment (CP 8164)**

DATE: January 7, 2011

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW-CP 8164 – Sewer Maintenance Equipment 1-7-11 and backup filed as Backup DPW-CP 8164 – Sewer Maintenance Equipment 1-7-11. The resolution transfers from the 2011 Operating Budget \$1,000,000 for sewer maintenance equipment per the attached list, and authorizes an increase in the number of vehicles in the Sanitation fleet. This Capital Project is for the purpose of ensuring that the proper sewerage facility maintenance equipment for various districts is available. The majority of this equipment is associated with the sewer system response, rehabilitation and repair. Attention and focus has been increasing annually as the 1,250 miles of sewers require attention and regulations concerning maintenance are implemented.

We request this resolution be laid on the table at your convenience.

JP:BW:ni  
Attachment

cc: Christopher Kent, Chief Deputy County Executive  
 Gil Anderson, P.E., Commissioner  
 Brendan Chamberlain, Director of Intergovernmental Relations  
 Lynne Bizzarro, Esq., Deputy County Attorney  
 Kathy LaGuardia, Executive Director for Finance & Administration  
 Carmine Chiusano, Budget Office  
 John Donovan, P.E., Acting Chief Engineer, Sanitation  
 Ben Wright, P.E., Principal Civil Engineer, Sanitation  
 Robert Murphy, Public Works Capital Projects Manager  
 Paul Michael James, Asst. Fleet Service Manager  
**CE RESO REVIEW**  
 jp-bw1-7-11 Backup DPW Purchase CP 8164 memo to KCrannell

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

1072

Intro. Res. No. 2011

Laid on Table 2/1 /2011

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. \_\_\_\_\_, 2011 TRANSFERRING FUNDS FROM THE ASSESSMENT STABILIZATION RESERVE FUND, AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 23 – COVENTRY MANOR (CP 8149)**

**WHEREAS**, the Coventry Manor Wastewater Treatment Plant requires infrastructure improvements; and

**WHEREAS**, a public hearing was held on August 8, 2009 of the County Legislature in Riverhead, New York in connection with the proposed improvements; and

**WHEREAS**, a findings resolution approving the increase and consistent with the Public Hearing, resolutions authorizing \$1,000,000 for this project and this resolution which appropriates additional funds has been submitted to the Legislature for approval; and

**WHEREAS**, funds have been appropriated in an amount of \$1,000,000; and

**WHEREAS**, additional construction funds are needed and will be requested herewith from the Assessment Stabilization Reserve Funds and will not jeopardize the project hearing process since there will be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Fund all residents of sewer districts experience only a 3% annual increase regardless of any improvements performed; and

**WHEREAS**, the remaining funds of this project in the amount of \$250,000 will be funded by a transfer from the Assessment Stabilization Reserve Fund; and

**WHEREAS**, the Administrative Head of Sewer District No. 23 – Coventry Manor has requested that the additional funds be appropriated to cover costs associated with the improvement 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 2011 Capital Budget; as the basis for funding Capital Projects such as this project; and

**WHEREAS**, pursuant to State Environmental Quality Review Act, Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution 371-2006 determined that the proposed sewerage facility improvement and/or rehabilitation to the Sewer District No. 23 – Coventry Manor constitutes an unlisted action pursuant to provisions of NYCRR Part 617; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the transfer of \$250,000 in Assessment Stabilization Reserve Funds; now, therefore be it

**1<sup>st</sup> 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 No. 471-1994 as revised by Resolution 461-2006; and be it further

**2<sup>nd</sup> RESOLVED**, that the Assessment Stabilization Reserve Fund shall provide the sum of \$250,000 for the purpose of implementing the construction phase of the project; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized and directed to transfer funds and accept proceeds as follows:

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E527 - Transfer to Fund 527	\$250,000
527-IFT-R404 – Transfer from Fund 404	\$250,000

and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$250,000 in Assessment Stabilization Reserve Funds be and they hereby are appropriated as follows:

<u>PROJECT NO.</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
527-CAP-8149.312	Improvements to Sewer District 23– Coventry Manor Construction	\$250,000

and be it further

**5<sup>th</sup> 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 improvements to SD 23 – Coventry Manor.

DATED:

APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1072

1. Type of Legislation Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation Transferring Funds from the Assessment Stabilization Reserve Fund, and Appropriating Funds in Connection with Improvements to Suffolk County Sewer District No. 23 – Coventry Manor (CP 8149)		
3. Purpose of Proposed Legislation  To appropriate construction funds.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  X  </u> No _____		
5. If the answer to Item 4 is "yes," on what will it impact?    (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact  Regardless of the project cost, the district rates will only increase by 3% per year.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  \$250,000 over a number of years		
8. Proposed Source of Funding ASRF		
9. Timing of Impact 2011		
10. Typed Name & Title of Preparer  Ben Wright, P.E. Principal Civil Engineer Sanitation	11. Signature of Preparer  	12. Date  1/10/11

Get 107

COUNTY OF SUFFOLK

1072

JAN 24 2011



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 *James Peterman*

SUBJECT: **A Draft Resolution Transferring Funds from the Assessment Stabilization Reserve Fund, and Appropriating Funds in Connection with Improvements to Suffolk County Sewer District No. 23 – Coventry Manor (CP 8149)**

DATE: January 10, 2011

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8149 SD #23 – Coventry Manor ASRF Improvements dated 1-10-11 and backup filed as Reso-Backup DPW CP 8149 SD #23 – Coventry Manor ASRF Improvements dated 1-10-11. The resolution transfers Assessment Stabilization Reserve Funds for construction purposes. It is noted that a public hearing was held indicating that the project amount of \$1 million was necessary to perform the project.

During 2010, additional planning funds were requested and at this time construction funds are insufficient to implement the project and have been included in the 2011 Adopted Capital Program. As we have indicated in past resolutions based on the guidance of the County Attorney's office due to the use of the Assessment Stabilization Reserve Funds, there will be no fiscal impact to the benefited properties based on the Suffolk County Assessment Stabilization Reserve Fund allowing all residents of the sewer district to experience only a 3% annual increase regardless of any improvements performed, therefore, will not jeopardize the project hearing process. This resolution, therefore, appropriates the additional construction funding of \$250,000.

We would appreciate the draft resolution being laid on the table at your convenience.

JP:BW:ni  
Encl.

- cc: Christopher Kent, Chief Deputy County Executive
- Gil Anderson, P.E., Commissioner
- Brendan Chamberlain, Director of Intergovernmental Relations
- Lynne Bizzarro, Esq., Deputy County Attorney
- Kathy LaGuardia, Executive Director for Finance & Administration
- Carmine Chiusano, Budget Office
- John Donovan, P.E., Acting Chief Engineer
- Ben Wright, P.E., Principal Civil Engineer, Sanitation
- Robert Murphy, Public Works Capital Projects Manager
- CE Reso Review

jp-bw1-10-11 Backup DPW ASRF Improvements sd23 CP 8149 memo to KC Crannell  
SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Intro Res. No 1073-11  
Introduced by the Presiding Officer on request of the County Executive

LOT 2/1/11

**RESOLUTION NO. -2011, TO REPEAL RESOLUTION  
NO. 652-1997 WHICH ABOLISHED THE CHARGING OF  
LEGAL FEES BY THE DEPARTMENT OF LAW IN  
CHILD SUPPORT SERVICES (CSS) CASES**

**WHEREAS**, by Resolution No. 652-1997, this Legislature directed that the Department of Law no longer charge legal fees for legal assistance rendered to parents in Child Support Services (CSS) cases; and

**WHEREAS**, the Department of Law has heretofore provided legal services in these cases pursuant to a retainer agreement with the recipients of such legal services, and

**WHEREAS**, this Legislature is cognizant that in August 2009, the New York State Legislature passed and the Governor signed into law Chapter 343 of the 2009 Session Laws of New York known as the "Child Support Modernization Act" which, among other provisions, amended Social Services Law §111-c by adding a new subdivision 4 as follows:

SSL §111-c (4)

4. a. A social services district represents the interests of the district in performing its functions and duties as provided in this title and not the interests of any party. The interests of a district shall include, but are not limited to, establishing paternity, and establishing, modifying and enforcing child support orders.

b. Notwithstanding any other provision of law, the provision of child support services pursuant to this title does not constitute nor create an attorney-client relationship between the individual receiving services and any attorney representing or appearing for the district. A social services district shall provide notice to any individual requesting or receiving services that the attorney representing or appearing for the district does not represent the individual and that the individual has a right to retain his or her own legal counsel.

**WHEREAS**, this Legislature is cognizant that the New York State Office of Temporary and Disability Assistance has now promulgated a final Administrative Directive, 10-ADM-02, entitled "*Legal Services and Cost Recovery for Recipients of Child Support Services*", which became effective on March 23, 2010, and which requires that the cost of providing legal services must be billed to and recovered from the individual receiving such services, except in a situation where the court has ordered the noncustodial parent to pay counsel fees; and

**WHEREAS**, Administrative Directive, 10-ADM-02, mandates that legal services must be provided in the same manner for both local and interstate cases; and

**WHEREAS**, Administrative Directive 10-ADM-02 states that federal law permits states to recover costs beyond an application fee and that New York has elected to recover costs through an actual costs methodology if the legal services are procured through a cooperative agreement; and

**WHEREAS**, Administrative Directive 10-ADM-02 directs that legal services, provided by a county attorney's office be pursuant to a cooperative agreement; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that in light of the amendment to Social Services Law §111-c and the promulgation of Administrative Directive 10-ADM-02 by the NYS Office of Temporary and Disability Assistance, Resolution No. 652-1997 is repealed in order that the Department of Social Services and the Department of Law may take the necessary steps to comply with the requirements of SSL §111-c and 10-ADM-02 in the provision of legal services in both local and interstate child support cases.

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

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

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



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

1073

1. Type of Legislation		
Resolution <input type="checkbox"/> Local Law <input checked="" type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation		
RESOLUTION TO REPEAL RESOLUTION NO. 652-1997 WHICH ABOLISHED THE CHARGING OF LEGAL FEES BY THE DEPARTMENT OF LAW IN CHILD SUPPORT SERVICES (CSS) CASES.		
3. Purpose of Proposed Legislation		
To repeal resolution #652-1997 which will permit Suffolk County CSEB to recover the cost of legal services provided to CSS clients.		
4. Will the Proposed Legislation Have a Fiscal Impact?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision.		
No financial impact		
8. Proposed Source of Funding.		
n/a		
9. Timing of Impact.		
Immediate		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Patricia A. Clark Director of Management and Research		10/22/10

SCIN FORM 175b (10/95)

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SUPPORTING DOCUMENTATION FOR PROPOSED RESOLUTION TO REPEAL

RESOLUTION NO. 652-1997

Federal regulations allow States to recover the cost of legal services in non-public assistance cases from child support collected on behalf of the custodial parent. From 1988 – 1993, legal services were provided free of charge in these cases by Nassau/Suffolk Law Services under a NYS DSS sponsored pilot “Legal Assistance Program.” Nassau/Suffolk Law Services was overwhelmed by the number of requests for legal services and when the pilot program ended, all clients were then represented by the County Attorney. Owing to the high volume, enhanced staffing went to the CA, justified by the fact that some costs could be recovered from child support collections under federal and state law and regulations. Costs were recovered on all cases with collections *regardless of the financial situation of the recipient*. In 1997, the Suffolk County Legislature sought to establish income guidelines to be used in cost recovery. It was determined that this was contrary to state policy, requiring services be provided equally to all clients *regardless of their income levels*. Resulting county legislation (*Resolution No. 652-1997*) directed Suffolk CSEB to cease recovering the costs of legal representation from *all CSEB* clients.

*Recent amendments to Social Services Law §111-c now clearly provide that the attorneys for the social services district shall represent the district, not the individual recipient of child support services. Further, the provision of legal services does not create an attorney-client relationship between the attorney for CSEB and the child support services recipient. State-wide enabling regulations, which were long awaited, require the recovery of the cost of legal services from the child support of the non-public assistance client in both local and interstate cases, except in very limited situations. The new legislation and regulations mandate the need for the attached resolution, which will allow Suffolk to be in compliance with the most recent requirements of Social Services Law and state-wide regulations.*

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Intro. Res. No. 1684-97

Laid on the Table 7/14/97

Introduced by Legislator Postal, Legislator Carpenter

**RESOLUTION NO. 652 - 1997, TO REPEAL RESOLUTION  
NO. 35-1997, IN CONNECTION WITH COUNTY  
DEPARTMENT OF LAW FEE SCHEDULE FOR LEGAL  
ASSISTANCE TO PARENTS IN CHILD SUPPORT CASES**

**WHEREAS**, federal law has been changed in such a manner as to render Resolution No. 35-1997, a "Resolution Directing the County Department of Law to Reform Fee Schedule for Legal Assistance to Parents in Child Support Cases," unnecessary; now, therefore, be it

**RESOLVED**, that Resolution No. 35-1997, a "Resolution Directing the County Department of Law to Reform Fee Schedule for Legal Assistance to Parents in Child Support Cases," is hereby repealed in its entirety, effective immediately; and be it further

**RESOLVED**, that nothing contained herein shall affect the validity of any fees heretofore collected pursuant to Resolution No. 35-1997.

**DATED:** August 12, 1997

**APPROVED BY:**

  
County Executive of Suffolk County

**Date of Approval:** 8/21/97



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NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
40 NORTH PEARL STREET  
ALBANY, NY 12243-0001

DAVID A. PATERSON  
GOVERNOR

**Administrative Directive**

**Section 1**

<b>Transmittal:</b>	10-ADM-02
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Child Support Enforcement (DCSE) Center for Child Well-Being (CCWB)
<b>Date:</b>	March 23, 2010
<b>Subject:</b>	Legal Services and Cost Recovery for Recipients of Child Support Services
<b>Suggested Distribution:</b>	Child Support Enforcement Coordinators Support Collection Unit Supervisors IV-D Attorneys Accounting Supervisors
<b>Contact Person(s):</b>	Division of Child Support Enforcement at 1-800-343-8859 Office of Legal Affairs – Brian Wootan at 1-518-473-6188
<b>Attachments:</b>	<u>Attachment 1-Cooperative Agreement/Purchase of Services Agreement</u> <u>Attachment 2-Right to Recovery Agreement for Legal Services (LDSS-4920)</u> <u>Attachment 3-Right to Recovery Agreement for Legal Services (LDSS-4920 SP)</u> <u>Attachment 4-Worksheet to Calculate the DSS Attorney Hourly Rate for Legal Services</u> <u>Attachment 5-Time Record for Legal Services Provided</u> <u>Attachment 6-SCU Notice of Total Costs for Legal Services</u> <u>Attachment 7-Notice to Custodial Parent of Total Costs for Legal Services</u> <u>Attachment 8-Notice to Noncustodial Parent of Total Costs for Legal Services</u> <u>Attachment 9-Notice of Court Order for Counsel Fees</u> <u>Attachment 10-Legal Representation on Objection or Appeal</u> <u>Attachment 11-Notice of Possible Conflict of Interest</u>
<b>Attachment Available On – Line:</b>	<input checked="" type="checkbox"/>

**Filing References**

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
77 ADM 20	Dear Colleague Letter issued	18 NYCRR	SSL § 111-g	Fiscal Reference	

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85 ADM 32

1/20/98  
Dear Colleague  
Letter issued 2/16/99  
77 ADM 20  
85 ADM 32

347.17

SSL 111-c(4) as  
added by  
Chapter 343 of the  
Laws of 2009

Manual  
Volume 3  
(Volume 4 for  
New York City),  
Chapters 3, 4, 5,  
and 7

**Section 2**

**I. Summary**

This administrative directive provides the local district Child Support Enforcement Unit (CSEU) with procedures to obtain legal services, provide legal services to requesting child support services recipients (hereafter referred to as "CSS recipients"), and recover costs of those services.

**II. Purpose**

The purpose of this administrative directive is to provide procedures and forms for obtaining legal services for the child support program, for providing legal services to requesting CSS recipients and for recovering the costs for providing those legal services.

**III. Background**

Under federal and State law and regulation, child support enforcement services must be made available by the child support enforcement program operated in compliance with Title IV-D of the Federal Social Security Act (Title IV-D) equally to both public assistance recipients and non-public assistance recipients. If the children are not in receipt of public assistance, either the custodial or noncustodial parent may apply for such services. Federal law requires that services under the State plan must be made available to any eligible individual who files an application (45 CFR 302.33(a)). Under State law, legal services must be made available by the CSEU to all persons applying for services pursuant to Social Services Law (SSL) § 111-g (CSS recipient).

On August 11, 2009, the Governor signed Chapter 343 of the Laws of 2009, the "Child Support Modernization Act." The bill was effective immediately. Among other things, the bill clarifies that an attorney representing or appearing for the district, (hereafter referred to as the "CSEU attorney") does not represent the CSS recipient in a traditional attorney-client relationship but rather represents the child support agency in performing its functions and duties.

As originally conceived in the 1970s, child support enforcement programs operating in compliance with Title IV-D were responsible for establishing paternity and obtaining support for custodial parents. Over the last several decades, the Title IV-D program has expanded to require state certified programs to provide services to both custodial and noncustodial parents and the caseload composition has changed from predominantly public assistance families to former or never-assistance families. Attorneys providing legal services to the IV-D program are generally government employees (county attorneys or local county department of social services employees) or are under contract

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with local governments. In order to fulfill this expanded role and ensure compliance with attorney ethical obligations, the child support enforcement attorney's role has been clarified in states nationwide to provide that the IV-D attorney and the IV-D staff do not represent individual parties but instead represent the agency with respect to the delivery of IV-D services, and specifically to establish paternity and establish, modify and enforce orders of support.

Legal services to establish paternity, and establish, modify or enforce child support must be provided to all CSS recipients who request such services, and must be provided in the same manner for both local and interstate cases. Either the custodial or the noncustodial parent may apply for child support services, including legal services. Local district child support programs must ensure that there are sufficient numbers of attorneys available to provide legal services (see 18 NYCRR 347.17 and 45 CFR 303.20[f]).

Legal services may be provided by the local district DSS attorney's office, by the county attorney by cooperative agreement, or by a purchase of service agreement with a private attorney or not-for-profit legal services attorney.

Federal law allows states to recover costs beyond an application fee, either by recovering the actual cost of the services or a standardized cost (42 USC § 654(E) (ii)). A state that recovers standardized costs must develop a written methodology to determine standardized costs which are as close to actual costs as is possible (45 CFR § 302.33(d)(2)). New York has elected to recover costs through the standardized costs methodology if the cost is incurred by a DSS attorney, or actual costs if the service is procured through a cooperative agreement or a purchase of services agreement. This administrative directive will provide a methodology for determining costs that can be recovered either from the noncustodial parent or from the custodial parent.

Information about cooperative agreements and cost recovery are consolidated into this administrative directive and replace the existing instructions found in 77 ADM 20 and 85 ADM 32.

#### **IV. Program Implications**

Local districts must review current procedures for obtaining and providing legal services to CSS recipients and ensure compliance with the statute and regulation and these instructions. Implementation of these procedures will ensure that CSS recipients who request legal services for child support are provided legal services in the same manner for both local and interstate cases.

#### **V. Required Action**

##### **A. CSEU Procedures for Obtaining Legal Services**

##### **1. CSEU Options for Legal Services**

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Legal services for child support may be obtained through the DSS attorney, the County Attorney's Office by cooperative agreement, or by purchase of service agreement with a private attorney or not-for-profit legal services attorney.

Federal regulations established specific criteria in 45 CFR 303.107 which all cooperative agreements and purchase of service agreements must meet to be eligible for federal reimbursement under the Title IV-D program. Attachment 1, *Cooperative Agreement/Purchase of Services Agreement*, provides local districts with a sample contract that includes necessary federal and State requirements that must be used when developing a cooperative agreement for legal services. A Purchase of Service Agreement may be based on the draft *Cooperative Agreement/Purchase of Services Agreement* as well. Additionally, local districts should review Chapter 5 of Volume 3 (Volume 4 for New York City) of the Fiscal Reference Manual for information about cooperative agreements.

**Note:** All child support enforcement services cooperative agreements and purchase of service agreements are subject to prior approval by DCSE, and must be sent to DCSE's Bureau of Program Operations for prior approval.

## 2. Clarification of No Attorney-Client Relationship

### a. Services Provided

When a CSS recipient applies for legal services, they are requesting that an attorney appear on behalf of the child support agency and provide assistance to the CSEU in the child support matter. The attorney providing legal services does not represent the individual requesting services in a traditional attorney-client. Instead, the attorney represents the CSEU for the purpose of helping it perform its statutory functions. A limited exception to this rule is set forth below in V.A.2.c. These functions include establishing paternity, establishing or modifying child support obligations in accordance with the Child Support Standards Act, and enforcing child support obligations. The assistance of counsel may be very beneficial to the individual requesting legal services, but it also creates an additional cost. The CSS recipient will be required to reimburse the CSEU for this cost, as set out below.

The provision of legal services to CSS recipients requesting such services does not create an attorney-client relationship with the CSEU attorney. A limited exception to this rule is set forth below in V.A.2.c. Either the custodial or the noncustodial parent may apply for child support services, including legal services. As in cases where the custodial parent has applied for public assistance and assigned his or her child support rights, no attorney/client

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privilege or right to confidentiality in communications between the CSEU attorney and the CSS recipient exists. The *Right to Recovery Agreement for Legal Services* form (Attachment 2, Attachment 3 for a Spanish version) provides an explanation and a disclaimer that any legal services provided by CSEU attorneys are provided to the CSEU, not to the CSS recipient individually. The notice advises that if at any time the CSS recipient's interests are different from the CSEU's, the attorney's role is to represent the interest of the CSEU.

It is important that the CSEU attorney, when providing legal services, clearly disclose his or her role to the CSS recipient at each appropriate opportunity. Full disclosure can eliminate honest misunderstandings or the creation of an implied attorney-client relationship. The CSEU attorney should not by word or conduct imply that an attorney/client relationship exists. The *Right to Recovery Agreement for Legal Services* form also advises the CSS recipient that they may obtain a private attorney to represent their interests.

In order to avoid the creation of an implied attorney-client relationship, it is also important that staff is trained about the delivery of legal services and should not suggest to the CSS recipient that the CSEU attorney is the CSS recipient's attorney. Instead, CSEU staff should be reminded to refer to the CSS recipient as "customers" or "recipient of services" rather than "clients." The CSEU attorney should do the same.

In providing legal services to the CSEU in CSS cases, the attorney should seek to achieve the goal of the child support program - to ensure that children receive appropriate financial and medical support. The Child Support Standards Act (CSSA) guideline percentages provide the presumptively correct amount of support. The attorney should generally seek a guidelines order and enforce that order according to its terms. As in cases where the child is in receipt of public assistance, the attorney should prepare for trial, call witnesses, offer evidence and take all necessary steps to establish, modify or enforce a child support order.

However, unlike the public assistance case, the person receiving services has the ultimate financial interest, and may also participate in the hearing, testify on his or her own behalf and offer evidence. The parents may stipulate to a non-guidelines award. The CSEU attorney should assist the court in making sure that the agreement meets the requirements to deviate (opt-out) from the guidelines (FCA 413(h)). This assists in ensuring that the parties make an informed decision. The court should review agreements to ensure

(073)

that they are in the best interests of the child and meet the statutory requirements.

The CSEU attorney should object to an agreement of the parties that is contrary to state law and Title IV-D requirements (i.e., direct payments in a SSL § 111-g case, stays on enforcement, suspended orders, repayment schedules or alternate additional amounts). The attorney should object to any order that directs the CSEU to act or refrain from acting in a manner inconsistent with program requirements.

**b. Transition of Existing Cases**

If the CSEU provided legal services in a manner that created an attorney-client relationship between the CSS recipient and the attorney, the CSEU attorney will need to ensure that there is no conflict of interest arising from the prior representation. Counsel should review the requirements of Rules 1.6, 1.9, and 1.11 of the Rules of Professional Conduct. Counsel may not reveal confidential information or use such information to the disadvantage of a CSS recipient or for the advantage of the lawyer or a third person unless the CSS recipient gives informed consent.

If the lawyer (including his or her present or former law office) formerly represented a CSS recipient, he or she must determine if the new application for services involves the same or a substantially related matter in which the CSS recipient's interests are materially adverse to the interests of the CSEU. If so, the attorney cannot appear on behalf of the CSEU unless the CSS recipient gives informed consent, confirmed in writing. The consent should authorize the CSEU attorney to use confidential information of the former CSS recipient protected by Rule 1.6. A sample consent form is attached as Attachment 11. Absent informed consent of the CSS recipient as required herein, the attorney shall not provide legal services.

If the attorney must recuse him or herself due to a conflict of interest, and if the recipient of services does not sign the waiver but still wants legal services (by checking option #2 on Attachment 11), then alternate arrangements will have to be made by the child support agency. Paragraph (b) of rule 1.11 of the Rules of Professional Conduct provides guidance as to when another attorney in the DSS legal bureau or the county attorney's office may provide legal services:

**1.11(b)** When a lawyer is disqualified from representation under paragraph (a), no lawyer in a firm with which that

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lawyer is associated may knowingly undertake or continue representation in such a matter unless:

- (1) the firm acts promptly and reasonably to:
  - (i) notify, as appropriate, lawyers and non-lawyer personnel within the firm that the personally disqualified lawyer is prohibited from participating in the representation of the current client;
  - (ii) implement effective screening procedures to prevent the flow of information about the matter between the personally disqualified lawyer and the others in the firm;
  - (iii) ensure that the disqualified lawyer is apportioned no part of the fee therefrom; and
  - (iv) give written notice to the appropriate government agency to enable it to ascertain compliance with the provisions of this Rule; and
- (2) there are no other circumstances in the particular representation that create an appearance of impropriety.

If compliance with this rule is not possible, the CSEU will be required to procure outside counsel to provide legal services on the case.

**c. Special Considerations: Not-for-profit legal services**

A CSEU may elect to enter into a purchase of service agreement with a not-for-profit legal services corporation or agency (Corporation or Agency) to provide legal services for the establishment of paternity and the establishment, modification and enforcement of support in accordance with Title IV-D. Where the provision of legal services by such Corporation or Agency would be precluded because of conflict of interest barriers, the CSEU may elect to structure the delivery of legal services by the Corporation or Agency under a purchase of services agreement with the CSEU in a manner that that does not require such Corporation or Agency to represent the district in providing legal services to CSS recipients and permits the creation of an attorney-client relationship between the CSS recipient and the Corporation or Agency attorney. All other requirements of this ADM are applicable to such arrangements including the recovery of costs for legal services. Any form adaptations necessary for implementing the legal services requirement in such manner will require the prior approval of DCSE and must be sent to DCSE's Bureau of Program Operations for such approval.

Districts are reminded of their responsibilities to secure compliance with Title IV-D state plan requirements by any entity or person under contract with the district including compliance with Title IV-D confidentiality requirements.

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**3. Calculating Costs of Legal Services**

A standard hourly rate must be set for child support legal services as follows:

**a. Legal Services Costs if Provided by DSS Attorney**

When the CSEU attorney is the DSS attorney, the DSS attorney's standardized hourly rate for legal services can be obtained from information provided on the LDSS-2347, "Schedule D, DSS Administrative Expenses Allocation and Distribution by Function and Program." The *Worksheet to Calculate the DSS Attorney Hourly Rate for Legal Services* (Attachment 4) is provided to assist local districts with the calculation. The CSEU may use the standardized rate for the individual attorney assigned to a case, or the average standardized rate for all attorneys that provide legal services in CSS cases.

**b. Legal Services Costs if Provided by County Attorney or Private Attorney**

When a local district provides legal services by a cooperative agreement with the County Attorney's Office or by a purchase of services agreement with a private attorney or not-for-profit legal services attorney, the agreement must set forth an hourly rate that will be charged for legal services. The hourly rate charged for legal services by the County Attorney's Office should be a standardized rate that is as close to actual costs, including salary, fringe benefits and administrative overhead, as possible. While the *Worksheet to Calculate the DSS Attorney Hourly Rate for Legal Services* (Attachment 4) cannot be completed line-by-line by the County Attorney's Office, it can be used as a guide to assist in calculating the hourly rate based on actual costs. The rate charged by either the private attorney or not-for-profit legal services attorney must also be reasonable and representative of the usual costs of legal services in the community. For example, in some counties, private attorneys agree to represent persons applying for legal services at the same hourly rate as assigned counsel or law guardians (currently \$75.00 per hour).

The hourly rate will be the basis for the recovery from the person receiving services.

The hourly rate for services set forth in the *Right to Recovery Agreement for Legal Services* form shall continue throughout the duration of the support proceeding regardless of any change in rates that may occur.

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**c. Attorney Notification to Support Collection Unit (SCU) of Attorney Costs**

The attorney must provide the SCU with an itemized statement based on their records for the total hours required to provide legal services. The *Time Record for Legal Services Provided* (Attachment 5) is provided to assist attorneys with providing and maintaining these records. Attorneys should record the services provided and the time expended contemporaneously with the provision of the services; these records should not be created after the services have been rendered. At the conclusion of the case the attorney must determine the total hours expended and provide the SCU with the information necessary to advise the CSS recipient of those total costs and perform the necessary account adjustments. The attorney should complete and provide the SCU with the *SCU Notice of Total Costs for Legal Services* (Attachment 6) and a copy of the *Time Record For Legal Services Provided* (Attachment 5).

**B. CSEU Procedures for Providing Legal Services to CSS Recipients**

**1. Eligibility for Legal Services**

**a. CSS Applicant/Recipients**

The CSEU must make available legal services as described in section V.B.3. to establish paternity and establish, modify, adjust, or enforce child support to CSS applicant/recipients who sign a *Right to Recovery Agreement for Legal Services*. CSS applicant/recipients are individuals who have applied for child support services pursuant to SSL § 111-g or who are no longer in receipt of public assistance, Medicaid or foster care but are continuing to receive child support services and request legal services.

**b. Interstate Cases**

The CSS recipient may have or be applying for services in New York State, including directly from another state or through a child support program in another state. In any case, a request for legal services must be accommodated by having the CSS recipient complete a *Right to Recovery Agreement for Legal Services* as provided in section V.B.2. A person receiving child support services in another state must receive the same services as a person who applies for child support services in New York.

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**c. International Cases**

Per 42 USC 654, section 454(c) of the federal Social Security Act, there cannot be any fees imposed in international child support cases to a party living in another country. Therefore, legal services should be provided without cost recovery on all such cases. This does not apply to parties living in other countries who apply directly to New York for child support services, nor does it apply to parties residing in New York on international cases. It only applies to parties living in other countries who apply for child support services to the foreign country's child support agency. These cases should be handled similarly to other cases in that services should be provided on all applicable cases, but no cost recovery will take place.

**2. Requests for Legal Services**

**a. CSS Applicants/Recipients**

To request legal services, a CSS applicant/recipient must sign the *Right to Recovery Agreement for Legal Services* portion of the "Application for Child Support Services" (LDSS 2521 or the new application/referral LDSS 4882, when available), or by signing a separate *Right to Recovery Agreement for Legal Services* form (LDSS 4920) for interstate cases or for cases where an application is already on file. Copies of LDSS 4920 and the LDSS 4920 SP, the Spanish language version of the form are attached (Attachments 2 and 3, respectively). A *Right to Recovery Agreement for Legal Services* must be completed each time a CSS recipient makes a new request for legal services. This will ensure that they are aware of any changes to the hourly rate.

**b. Interstate Cases**

Although New York has notified other jurisdictions of its cost recovery policy and provided the *Right to Recovery Agreement for Legal Services* form, it is possible for an out-of-state local support agency to be unaware of the need to submit a *Right to Recovery Agreement for Legal Services* form. It is recommended that the CSEU or the CSEU attorney forward a *Right to Recovery Agreement for Legal Services* form, including the hourly rate of legal services, to the out-of-state local agency. If the transmittal package does not include a request to testify electronically, it is recommended that the CSEU or the CSEU attorney send a request for electronic testimony to persons receiving services that reside in other states.

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**c. International Cases**

A Child Support Enforcement Transmittal #1 received from a foreign country is sufficient to provide legal services for these cases. No separate *Right to Recovery Agreement for Legal Services* form is required.

**3. Legal Services Subject to Cost Recovery**

**a. Legal Services Costs that are Recoverable**

Costs that may be recovered for reasonable and usual legal services rendered in the course of the child support proceeding include:

- i. reviewing the file or petitions, discovery, and preparation for court appearances and hearings;
- ii. court appearances and hearings;
- iii. client conferences, correspondence, discussions with opposing counsel, etc;
- iv. drafting letters/notices, drafting and filing objections/appeals, assisting with the creation of non-standard petitions, and orders prepared by counsel's office; and
- v. presenting objections and appeals.

**b. Non-Recoverable Legal Services Costs**

Costs that may not be recovered for legal services related activities include:

- i. drafting petitions (except in circumstances where the complexity of the issues requires that it be prepared or reviewed by counsel's office);
- ii. service of process;
- iii. drafting orders (unless prepared or reviewed by counsel's office); and
- iv. preparing and issuing administrative subpoenas.

New York regulations do not permit recovery of other costs or expenses associated with providing legal services, such as filing fees. Such costs are program administrative expenses.

**4. Recovery of Costs for Legal Services**

**a. Costs Recovered from CSS Recipient**

Costs recovered from the CSS recipient who is a custodial parent can only be recovered from support collected: 1) at the rate of 25%

of the current child support obligation amount; 2) if there is no current support obligation, an amount equal to 25% of the former current support obligation amount; or 3) if there never was a current support obligation, at a rate of 25% of the additional amount determined pursuant to 18 NYCRR 347.9(e), until such time as the CSEU is reimbursed for the total cost of legal services provided.

If legal services are provided at the request of a CSS recipient who is a noncustodial parent, he or she must pay the CSEU: 1) at the rate of 25% of the current child support obligation amount; 2) if there is no current support obligation, an amount equal to 25% of the former current support obligation amount; or 3) if there never was a current support obligation, at a rate of 25% of the additional amount determined pursuant to 18 NYCRR 347.9(e), until such time that the CSEU is reimbursed for the total cost of the legal services provided.

**b. CSS Recipient Notice of Legal Services Hourly Rate**

Before signing an agreement the CSS recipient should review the *Right to Recovery Agreement for Legal Services* (Attachment 2) with the CSS recipient to ensure that they understand the legal services disclaimer, the hourly rate which the CSEU should include in the Agreement, and the method of recovering the cost of legal services. If the CSS recipient has questions, he or she should be referred to the appropriate staff person or attorney for clarification.

**c. CSS Recipient Notice of Total Costs of Legal Services Provided**

At the conclusion of the proceedings, the CSS recipient must be advised of the total cost of legal services rendered. Once the SCU receives the *SCU Notice of Total Costs for Legal Services* and the *Time Record for Legal Services Provided* from the attorney, local districts should complete and mail to the CSS recipient the *Notice of Total Costs for Legal Services* (Attachment 7 for custodial parents and Attachment 8 for noncustodial parents) to advise the CSS recipient of those total costs and the manner in which they will be recovered.

**d. Court Ordered Counsel Fees from Noncustodial Parent**

Family court has discretion to award counsel fees to the custodial parent or DSS in proceedings to establish paternity or establish, modify, or enforce an order of child support. See Family Court Act (FCA) sections 438(a) and 536. However, if the noncustodial parent is found to be in willful violation of a child support order,

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the court "shall" order payment of counsel fees; including costs incurred pursuant to a *Right to Recovery Agreement for Legal Services* form. See FCA sections 438(b) and 454(3). Where appropriate, counsel must request the court to order counsel fees to be paid by the noncustodial parent. The CSEU attorney should request that the court order a payment schedule and state in the disposition of the order that payments must be made as directed by the SCU. Any counsel fees ordered to be paid by the noncustodial parent should not be assessed to or recovered from the CSS recipient.

**e. Notice to Noncustodial Parent of Court Ordered Payments for Counsel Fees**

When the court orders the noncustodial parent to pay counsel fees, the SCU must create a separate account for the court ordered payments as explained under section V.B.5. The *Notice of Court Order for Counsel Fees* (Attachment 9) should be completed and sent to the noncustodial parent advising of the obligation, payment schedule, date to begin payments, account number, and how to make payments.

**f. Enforcement of Court Ordered Counsel Fees or the Cost of Legal Services from Noncustodial Parents**

If the noncustodial parent does not pay court awarded counsel fees or repay the cost of legal services under the *Right to Recovery Agreement for Legal Services*, the amount due may not be enforced using regular child support enforcement tools. Instead these amounts must be enforced by other means permitted by law.

When the court orders the noncustodial parent to pay counsel fees it should state the manner in which the fees should be repaid. The issuing court may enforce such a provision directly, using its contempt powers. The court may also reduce the amount due to judgment, and the debt may be enforced using the general enforcement provisions of Civil Practice Laws & Rules (CPLR) Article 52.

However, the family court does not have jurisdiction to enforce an agreement to repay the cost of legal services costs. This debt arises from the *Right to Recovery Agreement for Legal Services* Agreement and would be enforced as a contract action in civil court. The court would reduce the amount due to a judgment, enforceable under the general enforcement provisions of CPLR Article 52.

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**5. CSMS Account Creation/Adjustments for Legal Services Costs**

The following actions should be taken for creating and adjusting CSMS accounts to address legal services costs:

**a. Costs Payable by the Custodial Parent CSS Recipient**

If the court does not order counsel fees to be paid by the noncustodial parent (section V.B.5.b.), the ledger for recovery of legal services costs from the CP should be set up as follows:

- i. An account should be created (or adjusted if it exists) with a ledger for the current support payable to the CP/CSS recipient (e.g., 11BW ledger). The obligation amount on this ledger should be 75% of the amount indicated for current support in the order. The distribution switch, located in the DIST-SW field on the individual ledger screen, should be set to a "1" (disburse all applied per court order), and the billing switch, located in the BILL-SW field on the IVDQRY screen, should be set to a "4" (same as 1, except income execution amount is greater than zero).
- ii. A sub-account (ledger) should be created for the "fee for services" payable to DSS with a ledger type 24CZ (DSS Voluntary Agreement Arrears, Non-IV-D Fee for Service). The obligation amount on the 24CZ ledger should be 25% of the current support obligation amount as indicated in the order or in an arrears-only case, the former current support obligation, or in a never current support case, at a value of 25% of the additional amount.
- iii. The total "fee for services" rendered should be entered on the 24CZ ledger as an Arrears Set At Balance (ASAB), via a 62 Batch Type.
- iv. When the NET DUE on the 24CZ equals the ASAB, increase the obligation amount on the 11BW ledger by the obligation amount on the 24CZ ledger and set the obligation amount on the 24CZ ledger to 0.00. A district can monitor this by setting a tickler date when these two fields are expected to be equal.
- v. When the ASAB on the 24CZ ledger reaches zero, the message "ARREARS SATISFIED" will appear on the Daily Action Listing and the status of that ledger, located in the STATUS field, should be changed to "03" (terminated). When this happens, increase the obligation amount on the

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11BW ledger by the obligation amount on the 24CZ ledger, or 100% of the current support order obligation, if the situation in section V.B.5.a.iv. has not already occurred.

- vi. Each payment received by the SCU will be credited to the account based on the normal distribution hierarchy. This would cause CSMS to account for, apply, and disburse the payments following the normal distribution rules.
- vii. The total applied amount for the 24CZ ledger appears on the MADE AND RETAINED NON-IV-D FEE FOR SERVICES roll and should be reported on line 17 "Deductible Collection Costs" of the Schedule D-8.

**b. Costs Payable by the Noncustodial Parent**

If the noncustodial parent is receiving CSS services or if the court orders the noncustodial parent to pay counsel fees, the legal services costs are not recovered as a portion of a child support payment and are not enforceable as child support. For example, an income execution cannot be issued to recover the cost. Therefore, the noncustodial parent is responsible for making payments as ordered by the court or pursuant to the *Right to Recovery Agreement for Legal Services*.

- i. An account should be created for the noncustodial parent (if one does not already exist) with a ledger for the current support payable to the client (e.g., an 11BW ledger). The obligation amount on this ledger should be the amount indicated in the order. The DIST-SW field should be set to a "1" and the BILL-SW field should be set to a "4."
- ii. A sub-account should be created for the legal services costs payable by the noncustodial parent to DSS with a ledger type 24C\_ or a 34C\_ if the NCP is ordered to repay a custodial parent's private attorney. If the order is for arrears only, create a 12BW ledger for the amount of arrears that were established. The obligation amount on the 24C\_ or 34C\_ ledger should be the amount indicated for legal services in the order.
- iii. The total costs payable by the noncustodial parent should be entered on the 24C\_ or 34C\_ ledger as an ASAB, via a 62 Batch Type.
- iv. The noncustodial parent must be notified on how and where to make payments for legal services. Local districts should use the *Notice to Noncustodial Parent of Total*

1073

*Costs of Legal Services (Attachment 8) or Notice of Court Order for Counsel Fees (Attachment 9) to provide the noncustodial parent with payment instructions.*

**VI. Systems Implications**

None.

**VII. Additional Information**

**A. Fiscal Claiming of Recovery of Costs of Legal Services**

When a recovery is made from the CSS recipient, the dollar amount is considered to be a reduction in child support administrative costs (unless a private attorney or non-for-profit legal services attorney was providing the legal services and the cost of those services was not claimed as an administrative expense). Therefore, the actual amount recovered is a deductible collection cost and must be reported on Schedule D-8, Line 17, Section 2. This is found under administrative expenditures for the Child Support Program (the F-8 function) and is claimed on Schedule D-8 (LDSS-2547) *Allocation for Claiming Title IV-D Child Support Activities & Support Collection Unit Expenditures*. Any recovery amounts received during a month should be credited against the child support administrative costs for the same month.

Instructions for cooperative agreements may be found in the Fiscal Reference Manual, Volume 3 (Volume 4 for NYC) County Cost Allocation Plan, Chapter 5. Instructions for the Schedule D are found in Chapter 7; instructions for time records are found in Chapter 4; and instructions for completing Schedule D-8 are found in Chapter 15.

**B. Legal Representation on Objection or Appeal**

Legal services include those for objections or appeals from an order when appropriate. Attachment 10 is a memorandum which discusses legal representation on objection or appeal, and may be referenced by attorneys when considering this issue.

**C. Obtaining Notices/Forms**

All notices included with this ADM will be available through ERS or may be locally reproduced from the publication of this ADM. In order to ensure that use of the revised *Right to Recovery Agreement for Legal Services* begins in a timely manner, local districts must destroy all previous versions of this notice immediately, make copies of the attachment, and provide those copies to applicants/recipients until the local district orders and receives, or otherwise prepares, a supply of the revised forms. This can be done in one of three ways.

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1. **OTDA-876 Process:** local districts must request printed copies of the revised LDSS form by completing and submitting an OTDA-876 "Request For Forms or Publication," to:  
Office of Temporary and Disability Assistance  
BMS Document Services and Operational Support  
P.O. Box 1990  
Albany, New York 12201  
Questions concerning ordering forms should be directed to BMS Document Services at 1-800-343-8859, ext. 4-9522.
2. **OTDA Intranet Website:** Documents may also be ordered via the intranet. To order the forms you must obtain an OTDA-876 electronically by going to the OTDA Intranet Website at <http://otda.state.ny.net/>, then to the Division of Program Support & Quality Improvement page and then to the PSQI E-Forms page, to the Bureau of Management Services section (this section contains the electronic OTDA-876). For a complete list of forms available for downloading, please refer to OTDA Intranet site: [http://otda.state.ny.net/ldss\\_eforms/default.htm](http://otda.state.ny.net/ldss_eforms/default.htm).
3. **Via E-Mail:** For those who cannot access OTDA's intranet, the Internet e-mail address is: [gg7359@otda.state.ny.us](mailto:gg7359@otda.state.ny.us).

**VIII. Effective Date**

This administrative directive is effective immediately.

**Issued By:**  
**Name:** Scott E. Cade  
**Title:** Deputy Commissioner and Director  
**Division/Office:** New York State OTDA  
Center for Child Well-Being  
Division of Child Support Enforcement

1074

2/11/11

Intro. Reso. No. -2011

Laid on the Table

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, ACCEPTING AND APPROPRIATING A GRANT AWARD FOR A HEALTH WORKFORCE RETRAINING INITIATIVE GRANT PROGRAM FROM THE NEW YORK STATE DEPARTMENT OF HEALTH, 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, Suffolk County Community College has received a grant award from the New York State Department of Health, in the amount of \$140,868, including indirect costs, for a two-year Health Workforce Retraining Initiative Grant Program, entitled "NILE II: Nurse Informatics and Leadership Education II", for the period of January 1, 2010 through December 31, 2011; and

**WHEREAS**, funding for the initial period of January 1, 2010 through December 31, 2010 was in the amount of \$21,219, including indirect costs; and

**WHEREAS**, funding for the period of January 1, 2011 through December 31, 2011 will be in the amount of \$119,649, including indirect costs; and

**WHEREAS**, the grant provides for health informatics training (HIT), nurse leadership and diversity education to underemployed healthcare workers; and

**WHEREAS**, no matching funds are required as the program is 100% reimbursed by State funds; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant award on August 10, 2010 by Resolution No. 2010.44; and

**WHEREAS**, the College anticipates spending the \$119,649, including indirect costs, for the second year of the program, in accordance with the terms of said grant award by December 31, 2011; now therefore be it

**1<sup>st</sup> RESOLVED**, that said grant award, in the amount of \$119,649, including \$8,775 in indirect costs, for year two of a two-year Health Workforce Retraining Initiative Grant Program, entitled "NILE II: Nurse Informatics and Leadership Education II" be accepted and appropriated for the operation of the program as follows:

<b><u>REVENUES:</u></b>	<b><u>AMOUNT:</u></b>
State Aid: NILE II: Nurse Informatics and Leadership Education II: GC58-GC5811-543293-G000	\$119,649
<b><u>APPROPRIATIONS:</u></b>	<b><u>AMOUNT:</u></b>
NILE II: Nurse Informatics and Leadership Education II: GC58-GC5811	\$110,874

Suffolk County Community College  
NILE II: Nurse Informatics and Leadership Education II  
GC58-GC5811

<u>61-Salaries and Wages</u>	<u>\$ 48,753</u>
611170-Part-Time Instructors	18,916
611570-Full-time Overload	29,837
<u>62-Employee Benefits</u>	<u>\$ 9,751</u>
628160-TIAA-CREF Retirement	3,836
628280-State Retirement	1,958
628330-Social Security	3,730
628350-Unemployment Insurance	227
<u>71A-Equipment</u>	<u>\$ 50,370</u>
712440-Instructional Equipment	50,370
<u>71C-Utilities, Travel and Other</u>	<u>\$ 2,000</u>
714560-Fees for Service	2,000

DATED:

APPROVED BY:

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

Date of Approval:

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

1074

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1074

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

1. Type of Legislation

Resolution X      Local Law \_\_\_\_\_      Charter Law \_\_\_\_\_

2. Title of Proposed Legislation

Accepting and Appropriating a Grant Award for a Health Workforce Retraining Initiative Grant Program from the New York State Department of Health, 100% Reimbursed by State Funds at Suffolk County Community College

3. Purpose of Proposed Legislation

To accept a grant award from the New York State Department of Health, in the amount of \$119,649, including indirect costs, for year two of a two-year Health Workforce Retraining Initiative Grant Program, entitled "NILE II: Nurse Informatics and Leadership Education II", during the 2010-2011 fiscal year and completing during the 2011-2012 fiscal year.

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

The grant will provide \$119,649, including indirect costs, for operating costs for year two of a two-year Health Workforce Retraining Initiative Grant Program from the New York State Department of Health, for the period of January 1, 2011 through December 31, 2011, to be used for the operation of the grant program during the 2010-2011 fiscal year and completing during the 2011-2012 fiscal year.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdiv.  
Not Applicable

8. Proposed Source of Funding:                      New York State Department of Health

9. Timing of Impact:                      January 1, 2010 through December 31, 2011  
Year 1: January 1, 2010 through December 31, 2010  
Year 2: January 1, 2011 through December 31, 2011

10. Typed Name & Title of Preparer Deborah E. Lesser, M.S. Senior Accountant	11. Signature of Preparer <i>Deborah E. Lesser</i>	12. Date December 13, 2010
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<i>STEVEN FORST</i> SENIOR ACCOUNTANT	<i>Steven Forst</i>	JANUARY 25, 2011
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# Suffolk

COUNTY COMMUNITY COLLEGE

1074

To: Ken Crannell, Deputy County Executive  
Christopher Kent, Chief Deputy County Executive  
✓Brendan Chamberlain, Director, Intergovernmental

From: John Bullard, Jr., Assoc. Dean of Financial Affairs

Date: December 22, 2010

Subject: Request for a Resolution Accepting and Appropriating a Grant Award for a Suffolk County Community College Program

Enclosed are the application and requisite forms to request acceptance and appropriation of the grant award for a program at Suffolk County Community College.

Proposal      Grant Award        Subcontract \_\_\_\_\_

Program Name: NILE II: Nurse Informatics & Leadership Education II

Funding Source: New York State Department of Health  
Health Workforce Retraining Initiative Grant  
Program

Amount of Grant: \$140,868; Year 1: \$21,219; Year 2: \$119,649

Amount of Appropriation Year 2: \$110,874

Full Time Positions:                      None

Please call me if there are questions regarding this request.  
An e-mail version of the resolution was sent to CE RESO REVIEW:  
File names: Reso-SCCC-NILE II Award 11.doc  
Backup-SCCC-NILE II Award 11.doc

cc: C. Green, Assistant Professor, School of Nursing  
M. L. Araneo, Vice President for Institutional Advancement

1075

Intro. Res. No. - 2011

Laid on the Table 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2011, APPROPRIATING FUNDS FOR THE PURCHASE OF REPLACEMENT VHF MOBILE RADIOS FOR AMBULANCE VEHICLES AND DESKTOP RADIOS FOR HOSPITALS (CP 4080)**

**WHEREAS**, the Commissioner of Health Services has requested the appropriation of funds in connection with the purchase of replacement VHF mobile radios for ambulance vehicles and desktop radios for hospitals; and

**WHEREAS**, it is necessary to purchase these replacement radios to comply with the Federal Communications Commission (FCC) requirements, based on the Association of Public Communications Officials Project 25 requirements for the Public Radio Spectrum frequency allocation to maintain emergency medical service related communication; and

**WHEREAS**, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said request under Capital Program Number 4080; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$400,600 in Suffolk County Serial Bonds; and

**WHEREAS**, Resolution No. 471-1994 as 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

**1<sup>st</sup> 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 and as amended by Resolution No. 453-2009; and be it further

**2<sup>nd</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) 20, 21, 25 and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, 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

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$400,600 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-4080.510	40	Purchase of Replacement VHF Mobile Radios for Ambulance Vehicles and Desktop Radios for Hospitals	\$400,600

DATED:

APPROVED BY:

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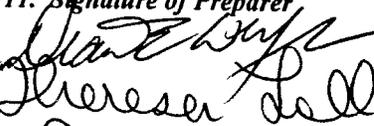
County Executive of Suffolk County

Date of Approval:

HSV # 3-2011

1075

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/>	Local Law	Charter Law
2. Title of Proposed Legislation Appropriating funds for the purchase of replacement VHF mobile radios for ambulance vehicles and desktop radios for hospitals (CP 4080).		
3. Purpose of Proposed Legislation This legislation is needed to purchase replacement radios to comply with the Federal Communications Commission (FCC) requirements, based on the Association of Public Communications Officials Project 25 requirements for the Public Radio Spectrum frequency allocation to maintain emergency medical service related communication.		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County <input checked="" type="checkbox"/>	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 Diane E. Weyer Principal Financial Analyst Theresa Lollo Principal Financial Analyst	11. Signature of Preparer  Theresa Lollo	12. Date 12/29/10 1/20/11

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1075

DEPARTMENT OF HEALTH SERVICES

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

TO: Diane Weyer  
Principle Financial Analyst

FROM: Robert Delagi, MA, NREMT-P  
Acting Director

*Robert Delagi*

DATE: December 28, 2010

RE: Request for Introductory Resolution for 2011-2013 Capital Project 4080

We are requesting that the above referenced Capital Project (CP) be appropriated. This CP requires swift action as the equipment must be specified, ordered, purchased, received, inventoried and installed prior to the Federal Communications Commission (FCC) deadline of December 31, 2012. This mandate is linked to the Association of Public Communications Officials (APCO) Project 25 requirements for public radio spectrum frequency allocation.

This CP provides for one (1) mobile UHF high-band radio for each ambulance operated by volunteer fire departments and volunteer ambulance corps in the Suffolk County EMS System, and each hospital in the county. This is needed to comply with federal narrow banding specifications, making current ambulance radios, originally purchased by the Department of Health Services, obsolete. This action is necessary to maintain inter-operability across the EMS System, and provide for redundant form of radio communications to support the county's 800 MHz Trunked Radio System, thereby enhancing our regional communications systems for ambulances, hospitals and the county's dispatch center.

Thank you for your time and attention in this matter, please feel free to call (38308) or email [Robert.delagi@suffolkcountyny.gov](mailto:Robert.delagi@suffolkcountyny.gov) if you have any questions or require any additional assistance.

cc: J. Demarzo  
L. Mermelstein, MD, MPH



Public Health  
Prevent. Promote. Protect.

DIVISION OF EMERGENCY MEDICAL SERVICES  
P.O. Box 6100, Hauppauge, NY 11788-0099 (631) 853-5800 Fax (631) 853-8307

COUNTY OF SUFFOLK

GEN E3



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

JAN 06 2011

1075

DEPARTMENT OF HEALTH SERVICES

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

January 10, 2011

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

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution to appropriate funds for the purchase of replacement VHF mobile radios for ambulance vehicles and desktop radios for hospitals (CP 4080). This legislation is needed to purchase replacement radios to comply with the Federal Communications Commission (FCC) requirements, based on the Association of Public Communications Officials Project 25 requirements for the Public Radio Spectrum frequency allocation to maintain emergency medical service related communication.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Robert Delagi at 3-5800. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP 4080 VHF Radios.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  
Robert Delagi, Coordinator of Emergency Medical Services  
Linda Mermelstein, M.D., M.P.H., Acting Medical Director EMS  
Diane E. Weyer, Principal Financial Analyst



1076

LOT 2/1/11

Intro. Res. No -2011:  
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.-2011, APPROPRIATING FUNDS IN CONNECTION WITH THE RENOVATION OF KREILING HALL – AMMERMAN CAMPUS (CP 2114)**

**WHEREAS**, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at \$65,274,000; and

**WHEREAS**, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State’s share estimated at \$32,547,000; and

**WHEREAS**, sufficient funds have been included in the 2011 Capital Budget and Program to cover the County’s cost of the 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 2011 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 \$150,000 in Suffolk County Serial Bonds; and, now, therefore be it

**1<sup>st</sup>RESOLVED**, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(18) and (27), since it constitutes a local legislative decision in connection with information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soil studies that do not commit the agency to undertake, fund or approve any Type 1 or Unlisted action. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-two (52), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup>RESOLVED**, that the proceeds of \$150,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>
525-CAP-2114.110 (Fund 818 Debt Service)	Planning for the Renovation of Kreiling Hall – Ammerman Campus	30	\$150,000

and be it further

**4<sup>th</sup>RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>
525-CAP-2114.110	Planning for the Renovation of Kreiling Hall – Ammerman Campus	30	\$150,000

DATED:

APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

107b

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
APPROPRIATING FUNDS IN CONNECTION WITH THE RENOVATION OF KREILING HALL – AMMERMAN CAMPUS (CP 2114)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No <u>      </u>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
50% SERIAL BONDS 50% STATE AID		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
STEVEN FORST SENIOR ACCOUNTANT	<i>Steven Forst</i>	JANUARY 25, 2011

SCIN FORM 175b (10/95)

**Suffolk County**  
**General Obligation Serial Bonds**  
**Level Debt**

1076

Term of Bonds: 5  
 Amount to Bond: \$150,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/10/2013					
5/10/2012					
11/10/2012	3.000%	\$28,253.19	\$4,500.00	\$32,753.19	\$32,753.19
			\$1,826.20	\$1,826.20	
11/9/2012	3.000%	\$29,100.78	\$1,826.20	\$30,926.98	\$32,753.19
			\$1,389.69	\$1,389.69	
11/10/2013	3.000%	\$29,973.80	\$1,389.69	\$31,363.50	\$32,753.19
			\$940.08	\$940.08	
11/10/2014	3.000%	\$30,873.02	\$940.08	\$31,813.10	\$32,753.19
			\$476.99	\$476.99	
11/10/2015	3.000%	\$31,799.21	\$476.99	\$32,276.20	\$32,753.19
		\$150,000.00	\$13,765.93	\$163,765.93	\$163,765.93

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1076

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$32,753</b>	<b>\$0.06</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$32,753</b>	<b>\$0.06</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



1076

**Central Administration - Capital Projects/Facilities Department**

January 4, 2011

Ken Crannell  
Deputy County Executive  
H. L. Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788

Re: Proposed Capital Budget Resolution

Dear Mr. Crannell:

The College respectfully requests that the proposed resolution enclosed herein be introduced at the next meeting of the Legislature:

- Appropriating funds in connection with the renovation of Kreiling Hall – Ammerman Campus (CP2114)

This draft resolution was e-mailed to the distribution list CE Reso Review saved under the title "Reso-SCCC-Kreiling.docx" on January 4, 2011.

Please feel free to call me at (451-4233) if any additional information is required.

Sincerely,

  
Jon DeMaio, P.E.  
Administrative Director of Educational Facilities

Enclosure

Cc: Christopher Kent – Chief Deputy County Executive  
George Gatta – Executive Vice President, SCCC  
Paul Cooper, P.E. – Executive Director of Facilities/Technical Support, SCCC  
Sara Gorton – Principal Auditor, SCCC

Central Administration  
533 College Road  
Selden, NY 11784-2899  
(631) 451-4112

Ammerman Campus  
533 College Road  
Selden, NY 11784-2899  
(631) 451-4110

Grant Campus  
Crooked Hill Road  
Brentwood, NY 11717-1092  
(631) 851-6700

Eastern Campus  
121 Speonk-Riverhead Road  
Riverhead, NY 11901-3499  
(631) 548-2500

1077

LOT 2/1/11

Intro. Res. No -2011  
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.-2011, APPROPRIATING FUNDS IN CONNECTION WITH THE HEALTH AND SPORTS FACILITY – EASTERN CAMPUS (CP 2120)**

**WHEREAS**, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at \$65,274,000; and

**WHEREAS**, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State’s share estimated at \$32,547,000; and

**WHEREAS**, sufficient funds have been included in the 2011 Capital Budget and Program to cover the County’s cost of the 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 2011 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 \$500,000 in Suffolk County Serial Bonds; and, now, therefore be it

**1<sup>st</sup>RESOLVED**, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(18) and (27), since it constitutes a local legislative decision in connection with information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soil studies that do not commit the agency to undertake, fund or approve any Type 1 or Unlisted action. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-eight (38), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup>RESOLVED**, that the proceeds of \$500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>
525-CAP-2120.110 (Fund 818 Debt Service)	Planning for the Health and Sports Facility – Eastern Campus	30	\$500,000

and be it further

**4<sup>th</sup>RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>
525-CAP-2120.110	Planning for the Health and Sports Facility – Eastern Campus	30	\$500,000

DATED:

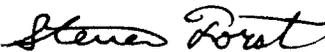
APPROVED BY:

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

Date of Approval:

1077

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
<b>APPROPRIATING FUNDS IN CONNECTION WITH THE HEALTH AND SPORTS FACILITY – EASTERN CAMPUS (CP 2120)</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No <u>      </u>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
50% SERIAL BONDS 50% STATE AID		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
STEVEN FORST SENIOR ACCOUNTANT		JANUARY 25, 2011

SCIN FORM 175b (10/95)

**Suffolk County**  
**General Obligation Serial Bonds**  
**Level Debt**

1077

Term of Bonds: 20  
 Amount to Bond: \$500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/10/2011					
5/10/2012					
11/10/2012	3.000%	\$94,177.29	\$15,000.00	\$109,177.29	\$109,177.29
			\$6,087.34	\$6,087.34	
11/9/2012	3.000%	\$97,002.60	\$6,087.34	\$103,089.94	\$109,177.29
			\$4,632.30	\$4,632.30	
11/10/2013	3.000%	\$99,912.68	\$4,632.30	\$104,544.98	\$109,177.29
			\$3,133.61	\$3,133.61	
11/10/2014	3.000%	\$102,910.06	\$3,133.61	\$106,043.67	\$109,177.29
			\$1,589.96	\$1,589.96	
11/10/2015	3.000%	\$105,997.36	\$1,589.96	\$107,587.33	\$109,177.29
		\$500,000.00	\$45,886.43	\$545,886.43	\$545,886.43

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1077

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$109,177	\$0.20		\$0.000

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$109,177	\$0.20		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

# Suffolk

COUNTY COMMUNITY COLLEGE

1077

## Central Administration - Capital Projects/Facilities Department

January 4, 2011

Ken Crannell  
Deputy County Executive  
H. L. Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788

Re: Proposed Capital Budget Resolution

Dear Mr. Crannell:

The College respectfully requests that the proposed resolution enclosed herein be introduced at the next meeting of the Legislature:

- Appropriating funds in connection with the Health and Sports Facility – Eastern Campus (CP2120)

This draft resolution was e-mailed to the distribution list CE Reso Review saved under the title "Reso-SCCC-Health Sports Facility.docx" on January 4, 2011.

Please feel free to call me at (451-4233) if any additional information is required.

Sincerely,



Jon DeMaio, P.E.  
Administrative Director of Educational Facilities

Enclosure

Cc: Christopher Kent – Chief Deputy County Executive  
George Gatta – Executive Vice President, SCCC  
Paul Cooper, P.E. – Executive Director of Facilities/Technical Support, SCCC  
Sara Gorton – Principal Auditor, SCCC

Central Administration  
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Ammerman Campus  
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Crooked Hill Road  
Brentwood, NY 11717-1092  
(631) 851-6700

Eastern Campus  
121 Speonk-Riverhead Road  
Riverhead, NY 11901-3499  
(631) 548-2500

1078

LOT 2/1/11

Intro. Res. No -2011

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.-2011, APPROPRIATING FUNDS IN CONNECTION WITH THE INSTALLATION OF COOLING SYSTEMS (CP 2138)**

**WHEREAS**, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at \$65,274,000; and

**WHEREAS**, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State’s share estimated at \$32,547,000; and

**WHEREAS**, sufficient funds have been included in the 2011 Capital Budget and Program to cover the County’s cost of the 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 2011 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 \$3,500,000 in Suffolk County Serial Bonds; and, now, therefore be it

**1<sup>st</sup>RESOLVED**, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(2) and (27), since it constitutes a local legislative decision in connection with replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-four (44), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup>RESOLVED**, that the proceeds of \$3,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>
525-CAP-2138.310 (Fund 818 Debt Service)	Construction for Installation of Cooling Systems – College Wide	30	\$3,500,000

and be it further

**4<sup>th</sup>RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>
525-CAP-2138.310	Construction for Installation of Cooling Systems – College Wide	30	\$3,500,000

DATED:

APPROVED BY:

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

Date of Approval:

1078

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>APPROPRIATING FUNDS IN CONNECTION WITH THE INSTALLATION OF COOLING SYSTEMS (CP 2138)</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
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		
50% SERIAL BONDS 50% STATE AID		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
STEVEN FORST SENIOR ACCOUNTANT	<i>Steven Forst</i>	JANUARY 25, 2011

SCIN FORM 175b (10/95)

**Suffolk County**  
**General Obligation Serial Bonds**  
**Level Debt**

1078

Term of Bonds: 10  
 Amount to Bond: \$3,500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/10/2011					
5/10/2012					
11/10/2012	3.000%	\$304,321.97	\$107,454.78	\$411,776.75	\$411,776.75
			\$49,055.84	\$49,055.84	
11/9/2012	3.000%	\$313,665.07	\$49,055.84	\$362,720.91	\$411,776.75
			\$44,240.87	\$44,240.87	
11/10/2013	3.000%	\$323,295.02	\$44,240.87	\$367,535.88	\$411,776.75
			\$39,278.07	\$39,278.07	
11/10/2014	3.000%	\$333,220.62	\$39,278.07	\$372,498.68	\$411,776.75
			\$34,162.90	\$34,162.90	
11/10/2015	3.000%	\$343,450.94	\$34,162.90	\$377,613.85	\$411,776.75
			\$28,890.70	\$28,890.70	
11/9/2016	3.000%	\$353,995.36	\$28,890.70	\$382,886.05	\$411,776.75
			\$23,456.63	\$23,456.63	
11/9/2017	3.000%	\$364,863.50	\$23,456.63	\$388,320.12	\$411,776.75
			\$17,855.72	\$17,855.72	
11/10/2018	3.000%	\$376,065.30	\$17,855.72	\$393,921.03	\$411,776.75
			\$12,082.86	\$12,082.86	
11/10/2019	3.000%	\$387,611.02	\$12,082.86	\$399,693.88	\$411,776.75
			\$6,132.77	\$6,132.77	
11/9/2020	3.000%	\$399,511.21	\$6,132.77	\$405,643.98	\$411,776.75
		\$3,500,000.00	\$617,767.48	\$4,117,767.48	\$4,117,767.48

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1078

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$411,777</b>	<b>\$0.75</b>		<b>\$0.001</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$411,777</b>	<b>\$0.75</b>		<b>\$0.001</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

# Suffolk

COUNTY COMMUNITY COLLEGE

1078

## Central Administration - Capital Projects/Facilities Department

January 4, 2011

Ken Crannell  
Deputy County Executive  
H. L. Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788

Re: Proposed Capital Budget Resolution

Dear Mr. Crannell:

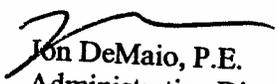
The College respectfully requests that the proposed resolution enclosed herein be introduced at the next meeting of the Legislature:

- Appropriating funds in connection with the Installation of Cooling Systems (CP2138)

This draft resolution was e-mailed to the distribution list CE Reso Review saved under the title "Reso-SCCC-Cooling Systems Constr.docx" on January 4, 2011.

Please feel free to call me at (451-4233) if any additional information is required.

Sincerely,

  
Jon DeMaio, P.E.  
Administrative Director of Educational Facilities

Enclosure

Cc: Christopher Kent - Chief Deputy County Executive  
George Gatta - Executive Vice President, SCCC  
Paul Cooper, P.E. - Executive Director of Facilities/Technical Support, SCCC  
Sara Gorton - Principal Auditor, SCCC

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121 Speonk-Riverhead Road  
Riverhead, NY 11901-3499  
(631) 548-2500

1079

LOT 2/1/11

Intro. Res. No. -2011  
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.-2011, APPROPRIATING FUNDS IN CONNECTION WITH THE PARTIAL RENOVATION OF THE PECONIC BUILDING(CP 2181)**

**WHEREAS**, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at \$65,274,000; and

**WHEREAS**, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State’s share estimated at \$32,547,000; and

**WHEREAS**, sufficient funds have been included in the 2011 Capital Budget and Program to cover the County’s cost of the 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 2011 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 \$655,000 in Suffolk County Serial Bonds; and, now, therefore be it

**1<sup>st</sup>RESOLVED**, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(2), (25), and (27) since it constitutes a local legislative decision in connection with replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, and, the purchase of furnishings, equipment and supplies. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-two (42), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup>RESOLVED**, that the proceeds of \$655,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>
525-CAP-2181.310 (Fund 818 Debt Service)	Construction for the Partial Renovation of the Peconic Building	30	\$525,000
525-CAP-2181.510 (Fund 818 Debt Service)	Furniture and Equipment for the Partial Renovation of the Peconic Building	30	\$130,000

and be it further

**4<sup>th</sup>RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>
525-CAP-2181.310	Construction for the Partial Renovation of the Peconic Building	30	\$525,000
525-CAP-2181.510	Furniture and Equipment for the Partial Renovation of the Peconic Building	30	\$130,000

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval:

1079

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
<b>APPROPRIATING FUNDS IN CONNECTION WITH THE PARTIAL RENOVATION OF THE PECONIC BUILDING (CP 2181)</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  X  </u> No <u>      </u>		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
50% SERIAL BONDS 50% STATE AID		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
STEVEN FORST SENIOR ACCOUNTANT		JANUARY 25, 2011

SCIN FORM 175b (10/95)

**Suffolk County**  
**General Obligation Serial Bonds**  
**Level Debt**

1079

Term of Bonds: 10  
 Amount to Bond: \$655,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/10/2011					
5/10/2012					
11/10/2012	3.000%	\$56,951.68	\$20,109.39	\$77,061.08	\$77,061.08
			\$9,180.45	\$9,180.45	
11/9/2012	3.000%	\$58,700.18	\$9,180.45	\$67,880.63	\$77,061.08
			\$8,279.36	\$8,279.36	
11/10/2013	3.000%	\$60,502.35	\$8,279.36	\$68,781.72	\$77,061.08
			\$7,350.61	\$7,350.61	
11/10/2014	3.000%	\$62,359.86	\$7,350.61	\$69,710.47	\$77,061.08
			\$6,393.34	\$6,393.34	
11/10/2015	3.000%	\$64,274.39	\$6,393.34	\$70,667.73	\$77,061.08
			\$5,406.69	\$5,406.69	
11/9/2016	3.000%	\$66,247.70	\$5,406.69	\$71,654.39	\$77,061.08
			\$4,389.74	\$4,389.74	
11/9/2017	3.000%	\$68,281.60	\$4,389.74	\$72,671.34	\$77,061.08
			\$3,341.57	\$3,341.57	
11/10/2018	3.000%	\$70,377.94	\$3,341.57	\$73,719.51	\$77,061.08
			\$2,261.22	\$2,261.22	
11/10/2019	3.000%	\$72,538.63	\$2,261.22	\$74,799.86	\$77,061.08
			\$1,147.70	\$1,147.70	
11/9/2020	3.000%	\$74,765.67	\$1,147.70	\$75,913.37	\$77,061.08
		\$655,000.00	\$115,610.77	\$770,610.77	\$770,610.77

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1079

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$77,061</b>	<b>\$0.14</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$77,061</b>	<b>\$0.14</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

# Suffolk

COUNTY COMMUNITY COLLEGE

1079

## Central Administration – Capital Projects/Facilities Department

January 4, 2011

Ken Crannell  
Deputy County Executive  
H. L. Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788

Re: Proposed Capital Budget Resolution

Dear Mr. Crannell:

The College respectfully requests that the proposed resolution enclosed herein be introduced at the next meeting of the Legislature:

- Appropriating funds in connection with the partial renovation of the Peconic Building (CP2181)

This draft resolution was e-mailed to the distribution list CE Reso Review saved under the title "Reso-SCCC-Peconic Bldg Constr.docx" on January 4, 2011.

Please feel free to call me at (451-4233) if any additional information is required.

Sincerely,



John DeMaio, P.E.

Administrative Director of Educational Facilities

Enclosure

Cc: Christopher Kent – Chief Deputy County Executive  
George Gatta – Executive Vice President, SCCC  
Paul Cooper, P.E. – Executive Director of Facilities/Technical Support, SCCC  
Sara Gorton – Principal Auditor, SCCC

Central Administration  
533 College Road  
Selden, NY 11784-2899  
(631) 451-4112

Ammerman Campus  
533 College Road  
Selden, NY 11784-2899  
(631) 451-4110

Grant Campus  
Crooked Hill Road  
Brentwood, NY 11717-1092  
(631) 851-6700

Eastern Campus  
121 Speonk-Riverhead Road  
Riverhead, NY 11901-3499  
(631) 548-2500

1080

Intro. Res. No. -2011

Laid on Table 2 // 2011

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, AUTHORIZING EXECUTION OF A SEWER EASEMENT AGREEMENT TO ABANDON AN EXISTING EASEMENT IN FAVOR OF AN ALTERNATE EASEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN WITH SAMANTHA DRIVE SUBDIVISION (BR-1568)**

**WHEREAS**, on February 10, 1986, the Suffolk County Sewer Agency adopted Resolution No. 17-1986, authorizing the connection of the Strathmore Oaks (BR-0767) subdivision to Suffolk County Sewer District No. 11 – Selden; and

**WHEREAS**, the Construction Agreement dated March 28, 1986, established easement No. 5 as a pump station and/or temporary sanitary system area for said project in Coram, New York, on property identified on the Suffolk County Tax Map as District 0200, Section 428.00, Block 01.00, Lot 001.112; and

**WHEREAS**, Strathmore Oaks is connected to the District through an alternate pump station (SCSD #11 – Selden PS No. 20), and said property is no longer required for the purposes of a pump station and/or temporary sanitary system area. However, a Forcemain is located on the property; and

**WHEREAS**, the developer has requested the abandonment of the easement over the entire parcel, has subdivided the parcel into two parcels and proposed an alternate easement on the north side of the northernmost subdivided parcel encompassing the location of the Forcemain, on the lot now known on the Suffolk County Tax Map as District 0200, Section 428.00, Block 01.00, Lot 001.116; and

**WHEREAS**, the Suffolk County Department of Health Services and the Suffolk County Department of Public Works agree that easement No. 5, established in 1986, is no longer required for said purposes; and

**WHEREAS**, it has been determined by the Administrative Head of Suffolk County Sewer District No. 11 - Selden that the request for abandonment of the existing easement in favor an alternate easement is reasonable and appropriate, provided certain conditions and specifications are satisfied; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk grant the request for abandonment of the existing easement in favor an alternate easement, under such terms and conditions as are deemed appropriate by the Administrative Head of Suffolk County Sewer District No. 11 - Selden and reviewed by the County Attorney, said alternate easement is described as follows:

Legal Description for Sanitary Sewer Easement  
SCTM District 0200 Section 428 Block Lot 1.116  
(previously sanitary disposal field)  
Strathmore Oaks Section 1 (Map No. 8193)

This is intended to amend the easement and bill of sale deed Liber 10612 Page 101 between Levitt Homes Incorporated and the County of Suffolk for Sanitary Sewer Easement #5 outside of section, Strathmore Oaks Section 1, Coram, Suffolk County, New York.

BEGINNING at a point on the Westerly line of Samantha Drive as shown on the Map of Strathmore Oaks Section 2 filed November 20, 1989, Map No. 8855. said point being the Southeastern corner of Lot 82 as shown on the aforementioned map and being 150.81 distant from the intersection of the Southerly line of Swan Court and the Westerly line of Samantha Drive;

RUNNING THENCE Southerly along the Westerly line of Samantha Drive South 04 degrees 50 minutes 41 seconds East, 20.00 feet;

THENCE South 85 degrees 09 minutes 19 seconds West, 92.30 feet;

THENCE South 68 degrees 18 minutes 07 seconds West, 34.79 feet;

THENCE South 85 degrees 09 minutes -19 seconds West, 31.53 feet to the Easterly line of Patchogue-Port Jefferson Road (N.Y.S. Route 112);

THENCE Northerly along the Easterly line of Patchogue -Port Jefferson Road North 04 degrees 37 minutes 57 seconds West, 30.09 feet to the Southerly line of Lot 82 as shown on the Map of Strathmore Oaks, Section 2;

THENCE along the aforementioned line North 85 degrees 09 minutes 19 seconds East, 157.02 feet to the POINT OR PLACE OF BEGINNING.

and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Administrative Head of Suffolk County Sewer District No. 11 - Selden is authorized and directed to execute such documents and take whatever other steps are necessary to effectuate the easement authorized by this resolution and the connection agreement authorized by Resolution No. 1981-2009; and be it further

**3<sup>rd</sup>** **RESOLVED**, that this Legislature, being the State Environmental quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to Section 617.5(c)(11) and (20) of the SEQRA regulations, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date:

1080

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<b>1. Type of Legislation</b> Resolution <u>  X  </u> Local Law _____                      Charter Law _____														
<b>2. Title of Proposed Legislation</b> RESOLUTION NO.            -2010, AUTHORIZING EXECUTION OF A SEWER EASEMENT AGREEMENT TO ABANDON AN EXISTING EASEMENT IN FAVOR OF AN ALTERNATE EASEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN WITH SAMANTHA DRIVE SUBDIVISION (BR-1568)														
<b>3. Purpose of Proposed Legislation</b> Authorizing the execution of an Easement Agreement, abandoning an existing Sewer Easement and establishing an alternative Sewer Easement between the Administrative Head of Suffolk County Sewer District No. 11 – Selden and Samantha Drive Subdivision														
<b>4. Will the Proposed Legislation Have a Fiscal Impact?</b> Yes _____    No <u>  X  </u>														
<b>5. If the answer to Item 4 is "yes," on what will it impact? (Circle appropriate category)</b> <table border="0" style="width:100%"> <tr> <td style="text-align:center">County</td> <td style="text-align:center">Town</td> <td style="text-align:center">Economic</td> <td style="text-align:center">Impact</td> </tr> <tr> <td style="text-align:center">Village</td> <td style="text-align:center">School</td> <td style="text-align:center">District</td> <td style="text-align:center">(Specify):</td> </tr> <tr> <td style="text-align:center">Library</td> <td style="text-align:center">District</td> <td style="text-align:center">Fire</td> <td style="text-align:center">District</td> </tr> </table>			County	Town	Economic	Impact	Village	School	District	(Specify):	Library	District	Fire	District
County	Town	Economic	Impact											
Village	School	District	(Specify):											
Library	District	Fire	District											
<b>6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact</b>  <div style="font-size: 2em; text-align: center;">N/A</div>														
<b>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</b>  N/A														
<b>8. Proposed Source of Funding</b>  N/A														
<b>9. Timing of Impact</b>  N/A														
<b>10. Typed Name &amp; Title of Preparer</b>  Craig A Platt Assistant Director of Sewer District Activation  <i>Debra Kolyer</i> Principal Financial Analyst	<b>11. Signature of Preparer</b>  	<b>12. Date</b>  12/9/10  <i>1/24/11</i>												

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# SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: **25 - 2010**

**AUTHORIZING AN ABANDONMENT OF AN EASEMENT IN FAVOR OF AN ALTERNATE EASEMENT FOR THE CONNECTION OF THE SAMANTHA DRIVE SUBDIVISION (BR-1568) TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN**

WHEREAS, on February 10, 1986, this Agency adopted Resolution No. 17-1986, authorizing the connection of the Strathmore Oaks (BR-0767) subdivision to Suffolk County Sewer District No. 11 - Selden, and

WHEREAS, the Construction Agreement dated March 28, 1986, established easement No. 5 as a pump station and/or temporary sanitary system area for said project in Coram, New York, on property identified on the Suffolk County Tax Map as District 0200, Section 428.00, Block 01.00, Lot 001.112, and

WHEREAS, the subdivision is connected to the District through an alternate pump station (SCSD #11 – Selden PS No. 20), and said property is no longer required for the purposes of a pump station and/or temporary sanitary system area. However, a Forcemain is located on the property, and

WHEREAS, the developer has requested the abandonment of the easement over the entire parcel, has subdivided the parcel into two parcels and proposed an easement on north side of the subdivided parcel, known on the Suffolk County Tax Map as District 0200, Section 428.00, Block 01.00, Lot 001.116, and

WHEREAS, the Suffolk County Department of Health Services concurs that the property is no longer required for said purposes, the Department of Public Works is in agreement, and the approval of the Suffolk County Legislature is also necessary, and

NOW, THEREFORE, IT IS

1<sup>st</sup> RESOLVED, that Easement No. 5, established by said Construction Agreement, is hereby abandoned on the condition that a new easement in favor of the County of Suffolk on property known on the Suffolk County Tax Map as District 0200, Section 428.00, Block 01.00, Lot 001.116, for access to the existing force main is established. Said easement shall be recorded in the office of the Suffolk County Clerk, once the easement has been recorded, a copy shall be submitted to the Sewer Agency.

(Suffolk County Sewer Agency Meeting November 15, 2010)

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Legal Description for  
Sanitary Sewer Easement  
SCTM District 0200 Section 428 Block Lot 1.116  
(previously sanitary disposal field)  
Strathmore Oaks Section 1 (Map No. 8193)

This is intended to amend the easement and bill of sales deed Liber 10612 Page 101 between Levitt Homes Incorporated and the County of Suffolk for Sanitary Sewer Easement #5 outside of section, Strathmore Oaks Section 1, Coram, Suffolk County, New York.

BEGINNING at a point on the Westerly line of Samantha Drive as shown on the Map of Strathmore Oaks Section 2 filed November 20, 1989, Map No. 8855. said point being the Southeastern corner of Lot 82 as shown on the aforementioned map and being 150.81 distant from the intersection of the Southerly line of Swan Court and the Westerly line of Samantha Drive;

RUNNING THENCE Southerly along the Westerly line of Samantha Drive South 04 degrees 50 minutes 41 seconds East, 20.00 feet;

THENCE South 85 degrees 09 minutes 19 seconds West, 92.30 feet;

THENCE South 68 degrees 18 minutes 07 seconds West, 34.79 feet;

THENCE South 85 degrees 09 minutes -19 seconds West, 31.53 feet to the Easterly line of Patchogue-Port Jefferson Road (N.Y.S. Route 112);

THENCE Northerly along the Easterly line of Patchogue Port Jefferson Road North 04 degrees 37 minutes 57 seconds West, 30.09 feet to the Southerly line of Lot 82 as shown on the Map of Strathmore Oaks, Section 2;

THENCE along the aforementioned line North 85 degrees 09 minutes 19 seconds East, 157.02 feet to the POINT OR PLACE OF BEGINNING.

HENDERSON AND BODWELL, L.L.P.  
Plainview, New York  
October 3, 2001

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1080

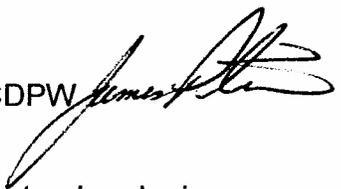
DEPARTMENT OF PUBLIC WORKS

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, SCDPW   
**Date:** December 10, 2010  
**Subject:** Authorizing the execution of an Easement Agreement, abandoning an existing Sewer Easement and establishing an alternative Sewer Easement between the Administrative Head of Suffolk County Sewer District No. 11 – Selden and Samantha Drive Subdivision (1568).

Attached is a draft resolution filed as Reso-DPW-SA 25-2010 1568 BR Samantha Drive Subdivision - Sewer Easement and appropriate forms with the backup filed as Backup Reso-DPW-SA 25-2010 1568 BR Samantha Drive Subdivision SCIN 175. This is a resolution authorizing the execution of an Easement Agreement, abandoning an existing Sewer Easement and establishing an alternative Sewer Easement between the Administrative Head of Suffolk County Sewer District No. 11 – Selden and Samantha Drive Subdivision (BR-1568).

JP:JD:cap

cc: Ed Dumas, Chief Deputy County Executive for Policy and Communications  
Gilbert Anderson, P.E. Commissioner, SCDPW  
John Donovan, P.E., SCDPW  
Ben Wright, P.E., SCDPW  
Elizabeth Duffy, SCDPW  
Kathy Laguardia, SCDPW  
Robert A Braun, Esq., SCDOL  
Debra Kolyer, County Executive's Office  
Brendan Chamberlain, Director of Intergovernmental Relations  
E-mail to CE Reso Review

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

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RESOLUTION SUBMITTAL SHEET

Capital Project	<u>NA</u> Legislative	Districts	<u>3rd</u>
Operating Fund	<u>NA</u> Federal	Aid %	<u>NA</u>
Other		State Aid %	<u>NA</u>

Give a complete description of why we are asking for reso; if aided, state status of aid

Authorizing the execution of an Easement Agreement, abandoning an existing Sewer Easement and establishing an alternative Sewer Easement between the Administrative Head of Suffolk County Sewer District No. 11 – Selden and Samantha Drive Subdivision

Previous resolution (list previous reso for the same work)

<u>Resolution</u>		
<u>Number</u>	<u>Purpose</u>	<u>Amount</u>

<u>Amounts being requested</u>		<u>Current</u>	<u>Funding</u>
Planning 0	_ Planning		<u>0</u>
Site 0	_ Site		<u>0</u>
Construction 0	_ Constructio	n	<u>0</u>
Land 0	_ Land		<u>0</u>
F&E 0	_ F&E		<u>0</u>

Project Status

Est. planning completion	<u>NA</u>	Design consultant
Est. construction start		Contractor
Est. construction completion		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue

Offset Leg. District Comments

1081  
Intro Res. No. -2011 Laid on Table 2/1/11  
Introduced by Presiding Officer Lindsay on request of the County Executive

RESOLUTION NO. -2011, AUTHORIZING  
EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD  
OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 SOUTHWEST AND  
WESTBROOK VILLAGE (IS-1432.1)

WHEREAS, Westbrook Village is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, Westbrook Village has petitioned and requested the Administrative Head of the District for permission to discharge Seventy Seven Thousand gallons per day (77,000 GPD); and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to approval by the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed flow has received the approval of the Suffolk County Sewer Agency (Resolution 20B-2010) with a connection fee rate of \$15.00 per gallon per day of sewage capacity for the initial Seventy Six Thousand Two Hundred (76,200) gallons per day and connection fee rate of \$30.00 per gallon per day of sewage capacity for the additional capacity of Eight Hundred (800) gallons per day; for a total connection fee of \$1,167,000.00; to the district; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; now therefore be it

1<sup>st</sup> RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

2<sup>nd</sup> RESOLVED, that the Administrative Head of the District be and hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval:

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STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>  X  </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. _____ -2011, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 SOUTHWEST, AND WESTBROOK VILLAGE (IS-1432.1)		
3. Purpose of Proposed Legislation To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 – Southwest and Westbrook Village, a firm seeking permission to discharge 77,000 GPD. Westbrook Village (IS-1432.1)		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>  X  </u> No _____		
5. If the answer to Item 4 is "yes," on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library	Fire District	SCSD #3 - Southwest
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact The connection fee rate of \$15.00 per gallon per day for the initial 76,200 GPD and the connection fee rate of \$30.00 per gallon per day for the additional 800 gallons for a total of \$1,167,000.00, for this project will be paid to the District.		
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
Craig A Platt Assistant Director of Sewer District Activation	<i>Craig A. Platt</i>	12/21/10
DEBRA Kolyer Principal Financial Analyst Budget Office	<i>Debra Kolyer</i>	1/24/11

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# **SUFFOLK COUNTY SEWER AGENCY**

**RESOLUTION NO: 20B - 2010**

**AUTHORIZING ADDITIONAL CAPACITY FOR THE  
CONNECTION OF WESTBOOK VILLAGE (IS 1432.1)  
TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST**

WHEREAS, Westbook Village is a proposed 320 mixed unit subdivision with a Clubhouse in Great River, New York, on property identified on the Suffolk County Tax Map as District 0500, Section 211.00, Block 01.00, Lot 005.001, and

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 3 – Southwest (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, Westbook Village received Formal Approval (20-2010) for Seventy-Four Thousand One Hundred gallons per day (74,100 GPD), of capacity in the District's sewage treatment, and

WHEREAS, it is now anticipated that due to a calculation error, Westbook Village in order to meet the Suffolk County Department of Health Service's standard will require an additional sewage flow of Two Thousand Nine Hundred gallons per day (2,900), for a total discharge capacity of Seventy Seven Thousand gallons per day (77,000), and

WHEREAS, the Westbook Village has applied to this Agency for permission to connect Westbook Village to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the additional sewage which is expected to emanate from Westbook Village, and

WHEREAS, the connection of Westbook Village to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County, and

WHEREAS, Westbook Village received Conceptual Certification on February 23, 2004, (SA 1-2004), for Seventy Six Thousand Two Hundred (76,200) gallons per day, establishing the connection fee at the \$15.00 GPD rate for the initial Seventy Six Thousand Two Hundred (76,200) gallons per day capacity, and the current connection fee rate at \$30.00, for an additional eight Hundred gallons per day, and

WHEREAS, Westbook Village is subject to Local Law No. 20 -2007, A Local Law to Amend the County Policy for Sewer Connections to Promote Affordable Housing, and

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WHEREAS, pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is listed as a Type II Action, and requires no further action, and

NOW, THEREFORE, IT IS

1<sup>st</sup> RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

2<sup>nd</sup> RESOLVED, that Westbook Village, be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

3<sup>rd</sup> RESOLVED, that an additional Two Thousand Nine Hundred gallons per day (2,900 GPD), of sewage flow in the District's sewage treatment plant be allocated to Westbook Village, for a total discharge capacity of Seventy Seven Thousand (77,000) gallons per day, and it is further

4<sup>th</sup> RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

5<sup>th</sup> RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the developer of Westbook Village, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

6<sup>th</sup> RESOLVED, since Westbook Village is subject to Local Law No. 20 -2007, A Local Law to Amend the County Policy for Sewer Connections to Promote Affordable Housing, it shall contain no less than Twenty percent (20%) of affordable housing units, and

7<sup>th</sup> RESOLVED, that the connection fee to be paid for Westbook Village, shall be paid at the \$15.00 per gallon of sewage per day rate for the initial Seventy-Six Thousand Two Hundred Gallons per day and at the \$30.00 per gallon of sewage per day rate for the additional Eight hundred gallons per day the upon the execution of the Connection Agreement for a total of \$1,167,000.00 and it is further

8<sup>th</sup> RESOLVED, that Westbook Village shall, at its sole cost, expense and effort, construct a sewage collection facility for Westbook Village, and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

1081

9<sup>th</sup> RESOLVED, that the developer of Westbook Village shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for the developer of Westbook Village, as well as for all of the developer's obligations under the Connection Agreement, and it is further

10<sup>th</sup> RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of the developer of Westbook Village if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting December 20, 2010)

1081

**RESOLUTION SUBMITTAL SHEET**

Capital Project NA  
Operating Fund NA  
Other

Legislative Districts 9th, 10th, 11th, 14th, 15th, 16th, 17th  
Federal Aid % NA  
State Aid % NA

**Give a complete description of why we are asking for reso; if aided, state status of aid**

To authorize the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 – Southwest, and Westbrook Village (IS-1432.1), a firm seeking permission to discharge 77,000 GPD.

**Previous resolution (list previous reso for the same work)**

<b><u>Resolution Number</u></b>	<b><u>Purpose</u></b>	<b><u>Amount</u></b>
---------------------------------	-----------------------	----------------------

<b><u>Amounts being requested</u></b>		<b><u>Current Funding</u></b>	
Planning	<u>0</u>	Planning	<u>0</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>0</u>	Construction	<u>0</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

**Project Status**

Est. planning completion	<u>NA</u>	Design consultant
Est. construction start		Contractor
Est. construction completion		

**State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue**

<b><u>Offset</u></b>	<b><u>Leg. District</u></b>	<b><u>Comments</u></b>
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COUNTY OF SUFFOLK

1081



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, SCDPW *James Peterman*

**Date:** December 23, 2010

**Subject:** AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 SOUTHWEST AND WESTBROOK VILLAGE (IS-1432.1)

Attached is a draft resolution filed as Reso-DPW-SA 20B-2010 Westbrook Village (IS-1432.1) and appropriate forms with the backup filed as Backup- DPW-SA 20B-2010 Westbrook Village (IS-1432.1) SCIN 175. This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 3 – Southwest with Westbrook Village (IS-1432.1).

Project Facts:	
Type/Units:	320-mixed unit (100 Senior Condominium/Townhouse units, 110 Rental Apartments, 110 Condominium/Townhouse units, and a Clubhouse)
Acreage:	37.8±
Flow:	77,000 GPD
Sewer District:	#3 – Southwest
Groundwater Zone:	I
Legislative Districts:	9th, 10th, 11th, 14th, 15th, 16th, 17th

JP:JD:cap

cc: Ed Dumas, Chief Deputy County Executive for Policy and Communications  
 Gilbert Anderson, P.E. Commissioner, SCDPW  
 John Donovan, P.E., SCDPW  
 Ben Wright, P.E., SCDPW  
 Elizabeth Duffy, SCDPW  
 Kathy Laguardia, SCDPW  
 Robert A Braun, Esq., SCDOL  
 Debra Kolyer, County Executive's Office  
 Brendan Chamberlain, Director of Intergovernmental Relations  
 E-mail to CE Reso Review

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1082

Intro. Res. No. -2011

Laid on the Table 2/1/11

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

**RESOLUTION NO. -2011 TO APPOINT  
MEMBER OF COUNTY PLANNING  
COMMISSION (MICHAEL F. KELLY)**

**WHEREAS**, Section 14-2(A) of the SUFFOLK COUNTY CHARTER provides for the appointment of fifteen (15) members of the Suffolk County Planning Commission, one member from each of the ten (10) towns in Suffolk County, one member from an incorporated village of under 5,000 population, one member from an incorporated village of over 5,000 population, and three members from the County at large: and

**WHEREAS**, the term of the Suffolk County Planning Commission member from the Town of Brookhaven, expired on December 31, 2010: and

**WHEREAS**, Steve Levy, the County Executive of Suffolk has reappointed Michael F. Kelly, currently residing at Stony Brook, NY 11790, as a member of the County Planning Commission, now, therefore be it

**1st RESOLVED**, that Michael F. Kelly, currently residing at Stony Brook, NY 11790, is hereby reappointed as a member of the Suffolk County Planning Commission to complete the term, said to expire December 31, 2014, pursuant to Section 14-2(A) of the SUFFOLK COUNTY CHARTER.

DATED:

APPROVED BY:

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

Date of Approval:

MICHAEL F. KELLY, ESQ.

Stony Brook, NY 11790

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### SUMMARY

Over twenty years of successful experience in the financial and real estate industries. Continued education enables application of theory to practical employment issues. Extensive analytical, mentoring, planning customer service and problem solving skills are combined with successful leadership and team building experience. An effective communicator whose dedication and determined work ethic guarantee results.

### EDUCATION

#### MOLLOY COLLEGE

- Energia Regional Leadership Program

ROCKVILLE CENTRE, NY

JANUARY 2010

#### TOURO COLLEGE SCHOOL OF LAW

- Jurist Doctorate
- Admitted NYS Bar
- Awarded 2000 Arthur H. Kuntz Scholarship by the American Association of Planners

HUNTINGTON, NY

MAY 2001

#### UNIVERSITY OF ST. THOMAS

- Masters Business Administration: Finance

MINNEAPOLIS, MN

DECEMBER 1994

#### PROVIDENCE COLLEGE

- Bachelors Science: Finance

PROVIDENCE, RI

MAY 1987

### PROFESSIONAL EXPERIENCE

#### KELLY DEVELOPMENT

##### PRESIDENT

- Created an organization implementing real estate solutions for Long Island land Owners
- Coordinated entitlements for several clients focusing on re-zoning of various parcels of land creating opportunities to re-develop blighted properties

PATCHOGUE, NY

JANUARY 2009 – PRESENT

#### PULTE HOMES OF NEW YORK

##### VICE PRESIDENT

- Developed regional land acquisition strategy focusing on redevelopment of blighted areas of Long Island to develop workforce housing
- Coordinated re-zoning efforts with constant communication by partnering with County and Town officials, civic organizations and Long Island Housing Partnership
- Expanded corporate recognition thru community outreach and active participation within communities of concentration

MEDFORD, NY

MAY 2003 – DECEMBER 2008

#### LONG LAKE CONSTRUCTION

##### COUNSEL / MANAGEMENT

- Reviewed and negotiated purchase and sales contracts on land acquisitions and the sale of condominium units and represented corporation at closing
- Facilitated construction, land and end loan financing through local and national lenders
- Represented corporation at District Court hearings and liaison with insurance company Compiled information required for Attorney General approval of Offering Plan

PT. JEFFERSON, NY

MAY 2000-MAY 2003

1082

MEYER, MEYER & KENEALLY, ESQ.  
LAW CLERK

SMITHTOWN, NY  
FEBRUARY, 1999-APRIL, 2000

- Reviewed and cleared both title and survey issues with attorneys and title companies
- Represented lending institutions by conducting closings, preparing closing documents and explaining closing materials to borrowers; and various other transactional and zoning work
- Increased revenue by marketing closing services to industry contacts

GLOBAL PORTFOLIO, LLC  
VICE PRESIDENT, OPERATIONS

CARLE PLACE, NY  
JANUARY, 1996-JANUARY, 1999

- Performed credit and legal due diligence on A-D credit bulk portfolio sales, recorded results, and calculated purchasing decisions based on risk and cost benefit analysis
- Negotiated commitment letters, purchase agreements, and servicing contracts
- Executed trades of individual and whole loan portfolios with secondary market investors
- Controlled warehouse line, servicing transfer, MORNET and MBS

NEW BUSINESS DEVELOPMENT MANAGER

- Designed, coordinated and implemented product and marketing plans detailing product offerings, target markets and sales incentives
- Expanded revenue base by selling mortgage services to banks and mortgage companies
- Developed training procedures and policy manuals for new employees

ALLIED IRISH BANK  
CREDIT ANALYST

NEW YORK, NY  
APRIL, 1995-OCTOBER, 1995

- Investigated credit worthiness of profit and non-profit borrowers through detailed analysis of financial statements and industry and presented and recommended to credit committee
- Performed feasibility analysis on multi-family projects, on a variety of long and short term financing structures and offered the most cost efficient financing alternative to clients

PRUDENTIAL HOME MORTGAGE  
MARKETING TEAM LEADER

MINNEAPOLIS, MN  
FEBRUARY, 1992-SEPTEMBER, 1994

- Formulated strategic goals, implemented marketing plan, and researched target areas
- Maintained control systems to ensure productivity by monitoring sales calls and providing immediate, constructive feedback to the marketing force resulting in increased sales of 35%
- Developed scripting aimed at select target markets to optimize cold calling efforts and tracked interest rate movements to properly coordinate products to customer needs

PRODUCTION TEAM LEADER I SENIOR UNDERWRITER

- Managed 14 employees in the processing, underwriting, closing and communication functions, ensuring compliance with secondary mortgage market regulations
- Utilized team building strategies which motivated employees to consistently produce quality products and to meet company service levels of 90% customer approval ratings
- Enhanced client relations by providing needs analysis and follow through on project plans

**ACTIVITIES AND AWARDS**

- Board of Directors of Down Syndrome Foundation; President and Brookhaven Committee Co-Chair for Long Island Builders Institute; Board Member for Patchogue Business Improvement District
- Recipient of the Paul S. Miller with Liberty and Justice for All Award – Touro Law Center – 2006; Good Neighbor of the Year – Central Islip Civic Council 2008; Builder of the Year –

1082

Long Island Business News 2006 and 2007; Vision Long Island Community of the Year 2007 for Copper Beech (50% Workforce Housing community-Patchogue); Presenter for Suffolk County Planning Commission 2008; Presenter for Vision Long Island 2008; Presenter for Long Island Housing Partnership 2007

**REFERENCES**

- Available upon request

Intro. Res. No. <sup>(083)</sup> -2011

Laid on the Table 2/1/11

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

**RESOLUTION NO. -2011 TO APPOINT  
MEMBER OF COUNTY PLANNING  
COMMISSION (DAVID L. CALONE)**

**WHEREAS**, Section 14-2(A) of the SUFFOLK COUNTY CHARTER provides for the appointment of fifteen (15) members of the Suffolk County Planning Commission, one member from each of the ten (10) towns in Suffolk County, one member from an incorporated village of under 5,000 population, one member from an incorporated village of over 5,000 population, and three members from the County at large: and

**WHEREAS**, the term of the Suffolk County Planning Commission member from the Town of Babylon, expired on December 31, 2010: and

**WHEREAS**, Steve Levy, the County Executive of Suffolk has reappointed David L. Calone, currently residing at Babylon, NY 11702, as a member of the County Planning Commission, now, therefore be it

**1st RESOLVED**, that David L. Calone, currently residing at Babylon, NY 11702, is hereby reappointed as a member of the Suffolk County Planning Commission to complete the term, said to expire December 31, 2014, pursuant to Section 14-2(A) of the SUFFOLK COUNTY CHARTER.

DATED:

APPROVED BY:

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

Date of Approval:

## DAVID L. CALONE

1083

David L. Calone is the President and CEO of Jovian Holdings, Inc., a family office overseeing \$100 million in assets as well as a family foundation and other not-for-profit endeavors. He also runs Jove Equity Partners, LLC where he evaluates potential private equity and venture capital investments and provides strategic oversight for a variety of start-up and mid-stage businesses in the internet, software, digital media, real estate and health care industries. He serves as a director of four privately-held companies, Symbius Medical, Inc., Lifepics, Inc., Citizen Stock, LLC and Asia Investment Partners, Inc. and as Chairman of the Board of BridgeHealth Medical, Inc., Networking Research Group, Inc. and Confluence Commons, Inc. Mr. Calone also is an advisor to a private equity fund which invests in domestic and international aquaculture businesses and is the President of Community Computer Connection, a technology and education not-for-profit headquartered in Denver. He is a co-inventor of a computer-based internet aggregation system that received U.S. Patent # 7,673,327.

Previously, Mr. Calone was a litigation associate at Paul, Weiss, Rifkind, Wharton & Garrison in New York City where his practice focused on internal investigations of international companies and financial institutions relating to securities fraud and international antitrust violations.

Mr. Calone also served in the New York State Attorney General's Office as a Special Assistant Attorney General in the Criminal Division where he enforced state and federal laws relating to the Medicaid program and helped negotiate a \$76.5 million civil settlement -- the largest state health care settlement in New York history -- with a prominent not-for-profit corporation.

From 1999 through 2003, Mr. Calone was a federal prosecutor in the Attorney General's Honors Program at the U.S. Department of Justice in Washington, D.C. He was one of two federal prosecutors nationwide to receive the 2003 Attorney General's Award for Outstanding Contributions by a New Employee, which was given for his work in fighting terrorism-related and corporate international crime including intelligence-related work on the September 11<sup>th</sup>-related prosecution of *United States v. Zacarias Moussaoui*. He served as a guest instructor at the U.S. Army European Headquarters in Heidelberg, Germany and the Federal Law Enforcement Training Center in Brunswick, Georgia.

Mr. Calone graduated *cum laude* from Harvard Law School in 1999. He received the Kaufman Fellowship and the Heyman Fellowship for exceptional promise in a public interest and federal law enforcement career.

Mr. Calone graduated *cum laude* from Princeton University with a degree in Economics in 1996. He was selected as a *USA Today* College Academic All-American and was the first person in Princeton's history twice to be elected as student body president. He was selected as a 1994 White House Intern where he worked on Vice President Al Gore's Reinventing Government initiative focusing on management and organizational change within government agencies. He also drafted President Clinton's 1994 Bretton Woods Anniversary Declaration and Vice President Gore's remarks on the privatization of the Air Traffic Control System.

Mr. Calone was born, raised and currently lives in Suffolk County, New York with his wife, Kate, and their five year-old daughter and three year-old son. Mr. Calone won NBC's *Weakest Link* game show and has traveled to 49 U.S. states. He is involved in a number of community activities.

He was appointed to the Suffolk County Planning Commission in 2006 and, in February 2008, was elected as the Commission's Chairman. Mr. Calone has led the Commission to bring together municipal elected officials throughout the county to focus on land use policies with county-wide impact such as energy efficiency and renewables generation, smart growth, housing, and public safety. He also helped initiate the Suffolk Unified Permitting Portal and the County's first Comprehensive Plan process in over 30 years.

In 2009, he was appointed to the Board of Trustees of the Long Island Power Authority where he serves as Chair of the Board's Operations Committee. He is also a member of the Board of Directors of the United Way of Long Island and of the Long Island Angel Network. He was selected as a member of the Leadership Advisory Cabinet for the LI 2035 regional planning initiative and as an advisory committee member of the Long Island Index. He is a member of the Long Island Enegeia Partnership Class of 2009.

In 2008, Mr. Calone served as the head of the transition team for U.S. Congressman Jared Polis (Colorado). He is currently leading an effort to create a bipartisan caucus in the U.S. House of Representatives to advance innovation and entrepreneurship policies.

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Intro. Res. No. -2011

Laid on the Table 2/1/11

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

**RESOLUTION NO. -2011 TO APPOINT  
MEMBER OF COUNTY PLANNING  
COMMISSION (WILLIAM E. SCHOOLMAN)**

**WHEREAS**, Section 14-2(A) of the SUFFOLK COUNTY CHARTER provides for the appointment of fifteen (15) members of the Suffolk County Planning Commission, one member from each of the ten (10) towns in Suffolk County, one member from an incorporated village of under 5,000 population, one member from an incorporated village of over 5,000 population, and three members from the County at large: and

**WHEREAS**, the term of office of one of the members at large, Sarah Lansdale, remains vacant due to her appointment as the commission representative to the Town of Huntington: and

**WHEREAS**, Steve Levy, the County Executive of Suffolk has appointed William E. Schoolman, currently residing at Setauket, NY 11733, as a member of the County Planning Commission, now, therefore be it

**RESOLVED**, that William E. Schoolman, currently residing at Setauket, NY 11733, is hereby appointed as a member of the Suffolk County Planning Commission at large for a four-(4)-year term, said term to expire December 31, 2013, pursuant to Section 14-2(A) of the SUFFOLK COUNTY CHARTER.

DATED:

APPROVED BY:

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

Date of Approval:

## **William E. Schoolman**

William is the CEO and founder of Classic Transportation located in Bohemia, New York. Bill started Classic with two station wagons in 1976 operating airport share rides in the New York metropolitan area. In 1983 Classic added motorcoaches. Classic Coach currently operates charters and scheduled daily line run service to Atlantic City from seventy pickup locations throughout Nassau, Suffolk, Brooklyn, and Queens. In February 2009, Bill purchased the assets of Hampton Luxury Liner, an upscale scheduled line service operating between the Hamptons and New York City. Classic Coach and Hampton Luxury Liner currently operate fifty pieces of equipment consisting of motorcoaches, minibuses, trolleys, and vans.

Bill has acted as a leader and innovator on a national basis concerning safety in commercial transportation as well as using technology in HOV share ride environment. Bill was featured on Good Morning America for using the Drivecam video camera feedback system. Bill is very active in various industry trade groups and associations. He is a past President of AGTA (Airport Ground Transportation Association). A few years back Classic received the prestigious International Operator of the Year award from AGTA. Bill also was a board member of GroundNet Intl, a consortium of airport ground transportation companies that cross-market member services using Internet technology. He is also an active member of UMA (United Motorcoach Association), BANY (Bus Association of New York), and Motorcoach Council. In October 2010 Hampton Luxury Liner (HLL), in its second year of operation, was awarded the ultimate honor from the concierges of New York City. HLL was awarded the Best Tourist Transportation for 2010 by the Concierge Choice Awards.

In addition, Bill Schoolman is spearheading the campaign against the MTA payroll tax to get the corrupt tax annulled. In December 2009, Bill filed a lawsuit in New York State Supreme Court against the Metropolitan Commuter Transportation Mobility Tax. NYS legislature levied this tax last year requiring employers to set aside .34 cents for every \$100 in payroll costs. Employers were told to hand the money over to the badly plagued Metropolitan Transportation Authority. Mr. Schoolman has spoken to groups like business associations, trade associations, chambers, and civic associations about this corrupt tax and how to help get it annulled.

Bill has a bachelor's degree in Engineering from Lehigh University and a Masters degree in Engineering from the Polytechnic Institute of Brooklyn and was an adjunct professor at both Long Island University and Polytechnic Institute.

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW (NEW YORK STATE) (SCTM NO. 0200-980.40-03.00-026.000)**

**WHEREAS**, the COUNTY OF SUFFOLK is the fee owner of the following described parcel (see attached Exhibit "A"); and

**WHEREAS**, Section 72-h of the General Municipal Law permits a sale of real property between a municipal corporations; and

**WHEREAS**, the Village of Mastic Beach has requested that the County of Suffolk convey the subject parcel to it for municipal purposes; and

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

**1<sup>st</sup>** **RESOLVED**, that Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, or her designee, is hereby authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the parcel described in Exhibit "A" annexed hereto and on the terms and conditions as hereinafter described to the Village of Mastic Beach for the sum of \$6,365.13; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Village of Mastic Beach is restricted in its use of the subject parcel and will use said parcel solely and exclusively for a Village Hall or a dedicated Village Park, with all right title and interest reverting to the County of Suffolk in the event that the Village of Mastic Beach, at any time, uses or attempts to use said subject parcel for purposes other than for a Village Hall or a dedicated Village Park, or attempts to sell, transfer or otherwise dispose of, or does, in fact, sell, transfer or otherwise dispose of said subject parcel; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the deed issued by Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution shall contain a reverter clause declaring that title to the above described parcel shall revert to the County of Suffolk if: 1) the parcel is not used for a Village Hall or a dedicated Village Park within three years after delivery of the deed to the Village of Mastic Beach; or 2) the Village of Mastic Beach attempts to sell, transfer, or otherwise dispose of the parcel, or does sell, transfer, or otherwise dispose of said subject parcel; or 3) the Village of Mastic Beach imposes a bill or charge-back against the County of Suffolk in violation of Resolution No. 1028-1991 for actual or projected cleanup costs of any debris on the property; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Village of Mastic Beach shall not bill or charge-back to the County of Suffolk any cost incurred, or projected to be incurred, for the cleaning up, removal and disposal of any debris, waste and/or contamination on said parcel; and in the event that such bill or charge-back is rendered to the County of Suffolk the transfer shall be void ab initio and the parcel shall revert to the County of Suffolk; and be it further

**5<sup>th</sup>**                **RESOLVED**, that it is intended and agreed that the covenants and restrictions recited in this Resolution presented to the Legislature shall be contained in the deed evidencing transfer of the subject parcel, and they shall be covenants running with the land and, without regard to technical classification of designation, legal or otherwise, they shall be binding for the benefit of, in favor of, and enforceable by, the County of Suffolk, and it being further understood that such covenants and restrictions shall be binding upon the State of New York and any subsequent grantee; and be it further

**6<sup>th</sup>**                **RESOLVED**, prior to the implementation of any construction plans for the conveyed parcel, the Village of Mastic Beach and any subsequent grantee, shall conduct and complete review pursuant to State Environmental Quality Review Act (SEQRA); and be it further

**7<sup>th</sup>**                **RESOLVED**, that this Legislature, determines that this resolution constitutes a Type II action pursuant to Section 617.5(c) (20), of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration.

DATED:

APPROVED BY:

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

Date:

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Intro. Reso. No -2011

Laid on the Table 2/1/2011

Introduced by the Presiding Officer on behalf of the County Executive

**RESOLUTION NO. -2010, CREATING A BIPARTISAN COMMISSION TO PRESERVE PUBLIC HEALTH SERVICES IN SUFFOLK COUNTY IN THE FACE OF STATE AID DISALLOWANCES**

**WHEREAS**, the Suffolk County Department of Health Services provides a variety of programs and services designed to protect and promote public health, including diagnostic and treatment services for adults at our network of community health centers, emergency medical services and the Medical Examiner's Crime Laboratory functions; and

**WHEREAS**, Article 6 of the Public Health Law provides statutory authority for state aid for general public health work delivered by Suffolk County and describes the basic and optional services that are eligible for reimbursement; and

**WHEREAS**, the New York State Department of Health (NYSDOH) has retroactively disallowed Article 6 state aid reimbursements for the following services:

- Diagnostic and Treatment Services for all Health Center patients over the age of 21,
- Emergency Medical Services, and
- Medical Examiner Crime Laboratory; and

**WHEREAS**, while the annual impact of this loss in state aid is approximately \$5 million, the NYSDOH has implemented this change retroactively to 2008, causing a \$20 million negative impact to the 2011 operating budget; and

**WHEREAS**, Section C4-37 of the Suffolk County Charter provides for an ironclad prohibition of county funding for shifts in state and federal reimbursement and requires that the county implement a commensurate level of reductions to offset the "pass along" mandate, now, therefore be it

**1<sup>st</sup> RESOLVED**, that a Suffolk County Joint Commission on the Preservation of Public Health Services (Commission) is hereby created; and be it further

**2<sup>nd</sup> RESOLVED**, that the Commission's mission is to review public health appropriations in the 2011 adopted County operating budget and to recommend twenty million (\$20,000,000.00) dollars in cost savings while still preserving the delivery of public health care in light of proposed state aid disallowances; and be it further

**3<sup>rd</sup> RESOLVED**, the Commission shall consist of the following members:

1. The County Executive or his designee,
2. The Presiding Officer of the Suffolk County Legislature, or his designee,
3. The Minority Leader of the Suffolk County Legislator,
4. The Chairperson of the Health and Human Services Committee of the Suffolk County Legislature,
5. The Deputy County Executive for Financial Affairs,

6. The Budget Director,
7. The Director of the Budget Review Office of the Suffolk County Legislature,
8. The Commissioner of the Department of Health Services, and
9. The Medical Examiner;

and be it further

**4<sup>th</sup> RESOLVED**, that the Commission shall conduct hearings and meetings at the H. Lee Dennison building, 100 Veterans Memorial Highway, Hauppauge, New York, or at some place or places in Suffolk County otherwise deemed advisable by the Commission, for the purpose of receiving testimony and information relevant to the review of the County's 2011 public health budget appropriations and recommendations for achieving twenty million (\$20,000,000.00) dollars in cost savings for the 2011 fiscal year from representatives of Suffolk County: a) hospitals, b) private medical providers, c) public health experts, and c) residents; and be it further

**5<sup>th</sup> RESOLVED**, that the County executive, or his designee, shall serve as Commission chair;

**6<sup>th</sup> RESOLVED**, the Commission chair shall determine rules of proceedings, set a meeting schedule, and appoint a secretary to keep a record of all Commission proceedings; and be it further

**7<sup>th</sup> RESOLVED**, that five members of the Commission shall constitute a quorum to transact the business of the Commission; and be it further

**8<sup>th</sup> RESOLVED**, that the clerical services for the Commission will be provided by the Office of Budget and Management; and be it further

**9<sup>th</sup> RESOLVED**, that the Commission shall submit a written report detailing its recommendations to the Legislature and County Executive, no later than April 1, 2011; and be it further

**10<sup>th</sup> RESOLVED**, that the Commission shall deposit all the records of its proceedings with the Clerk of the Legislature within 60 days after submission of its written report, at which time the Commission shall be deemed terminated unless its existence shall be extended via a duly enacted Legislative resolution; and be it further

**11<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA.

Dated:

APPROVED BY:

Intro. Res. No. 1087-11

Introduced by Presiding Officer Lindsay on request of the County Executive

Laid on the Table 2/1/11

**RESOLUTION NO. 2011  
ACCEPTING AND APPROPRIATING 100% STATE GRANT  
FUNDS AWARDED THROUGH THE NEW YORK STATE  
DIVISION OF CRIMINAL JUSTICE SERVICES FUNDING TO  
THE SUFFOLK COUNTY DEPARTMENT OF PROBATION.**

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

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

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

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

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

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

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

**2. RESOLVED** that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$348,700.00 as follows:

REVENUES

AMOUNT

001-3321- Reentry Task Force	\$348,700.00
Division of Criminal Justice Services, Bureau of Justice Funding	

<u>APPROPRIATIONS</u>	<u>AMOUNT</u>
Suffolk County Criminal Justice Coordinating Council Reentry Task Force 001-PRO- 3172	
<u>1000 Personnel Services</u>	<u>\$ 59,717.00</u>
1100 Permanent Salaries	\$ 59,717.00
<u>8000 Employee Benefits</u>	<u>\$ 21,199.00</u>
8280 – State Retirement	\$ 5,020.00
8330 – FICA	\$ 4,098.00
8360 – Health Insurance	\$ 11,068.00
8380 – Benefit Fund Contribution	\$ 1,021.00
<u>2020 Office Machines</u>	<u>\$ 2,400.00</u>
2020 Office machines – computer/printer/fax	\$ 2,400.00
<u>3000 Supplies, Material and Other Expenses</u>	<u>\$ 3,684.00</u>
3010 Office Supplies	\$ 3,684.00
<u>4000 Contractual Expenses</u>	<u>\$ 261,700.00</u>
4340 Mandated Travel for Task Force Members to Statewide Training	\$ 5,000.00
4410 Rent Office and Buildings	\$ 2,000.00
4560 Fees for Service Non-employee	\$ 6,000.00
4980 Contracted Agencies for Reentry Services	\$ 248,700.00

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

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

**5. RESOLVED** that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of individuals filling the positions created by this resolution at the conclusion of the grant funding provided for such position created by said grant; and be it further

DATED:

APPROVED BY:

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

Date of Approval:

1087

<p><b>STATE AGENCY</b>                  Division of Criminal Justice Services                  4 Tower Place                  Albany, NY 12203</p>	<p><b>NYS COMPTROLLER'S NUMBER:</b> C0490030                  (Contract Number)   <b>ORIGINATING AGENCY CODE:</b> 01490 - Division of Criminal Justice Services</p>
<p><b>GRANTEE/CONTRACTOR:</b> (Name &amp; Address)                  Suffolk County                  H Lee Dennison Building                  100 Veterans Memorial Highway                  Hauppauge, NY 11788</p>	<p><b>TYPE OF PROGRAMS:</b> Reentry Task Forces and Enhanced Services  <b>DCJS NUMBERS:</b> RE10490030</p>
<p><b>FEDERAL TAX IDENTIFICATION NO:</b> 11-6000464  <b>MUNICIPALITY NO:</b> (if applicable) 470100000 000</p>	<p><b>INITIAL CONTRACT PERIOD:</b>                  FROM 07/01/2010 TO 06/30/2011  <b>FUNDING AMOUNT FROM INITIAL PERIOD:</b> \$348,700.00</p>
<p><b>STATUS:</b>                  Contractor is not a sectarian entry.                  Contractor is not a not-for-profit organization.</p>	<p><b>MULTI-YEAR TERM:</b> (if applicable): 2 1-year renewal options.</p>
<p><b>CHARITIES REGISTRATION NUMBER:</b>                   N/A                  (Enter number or Exempt)                  if "Exempt" is entered above, reason for exemption.                  N/A                   Contractor has _____ has not _____ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.</p>	<p><b>APPENDIX ATTACHED AND PART OF THIS AGREEMENT</b>  <input checked="" type="checkbox"/> APPENDIX A Standard Clauses required by the Attorney General for all State contacts  <input checked="" type="checkbox"/> APPENDIX A1 Agency-specific Clauses  <input checked="" type="checkbox"/> APPENDIX B Budget  <input checked="" type="checkbox"/> APPENDIX C Payment and Reporting Schedule  <input checked="" type="checkbox"/> APPENDIX D Program Workplan  <input type="checkbox"/> APPENDIX F Guidelines for the Control and Use of Confidential Funds  <input type="checkbox"/> APPENDIX G Procedural Guidelines for the Control of Surveillance Equipment  <input type="checkbox"/> Other (Identify)</p>
<p>IN WITNESS THERE OF, the parties hereto have electronically executed or approved this AGREEMENT on the dates of their signatures.</p>	
<p>NYS Division of Criminal Justice Services                  BY: _____ Date: _____                  Office of Program Development and Funding  <b>State Agency Certification:</b> "In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract".                  GRANTEE:                  BY: Mr. Ed Dumas, Chief Deputy County Executive for Policy and Communications Date: _____</p>	
<p>ATTORNEY GENERAL'S SIGNATURE                   Title: _____                  Date: _____</p>	<p>APPROVED,                  Thomas P. DiNapoli, State Comptroller                   Title: _____                  Date: _____</p>

**Award Contract**

**Reentry Task Forces and Enhanced Services**

**Project No.**

**Grantee Name**

RE10-1036-D00

Suffolk County

09/20/2010

AGREEMENT

STATE OF NEW YORK  
 AGREEMENT

This AGREEMENT is hereby made by and between the State of New York agency (STATE) and the public or private agency (CONTRACTOR) identified on the face page hereof.

WITNESSETH:

WHEREAS, the STATE has the authority to regulate and provide funding for the establishment and operation of program services and desires to contract with skilled parties possessing the necessary resources to provide such services; and WHEREAS, the CONTRACTOR is ready, willing and able to provide such program services and possesses or can make available all necessary qualified personnel, licenses, facilities and expertise to perform or have performed the services required pursuant to the terms of this AGREEMENT;

NOW THEREFORE, in consideration of the promises, responsibilities and covenants herein, the STATE and the CONTRACTOR agree as follows:

I. Conditions of Agreement

A. This AGREEMENT may consist of successive periods (PERIOD), as specified within the AGREEMENT or within a subsequent Modification Agreement(s) (Appendix X) Amendment. Each additional or superseding PERIOD shall be on the forms specified by the particular State agency, and shall be incorporated into this AGREEMENT.

B. Funding for the first PERIOD shall not exceed the funding amount specified on the face page hereof. Funding for each subsequent PERIOD, if any, shall not exceed the amount specified in the appropriate appendix amendment for that PERIOD.

C. This AGREEMENT incorporates the face page attached as presented in the Grants Management System (GMS) AWARD online printable report, and all of the marked appendices identified on the face page hereof.

D. For each succeeding PERIOD of this AGREEMENT, the parties shall prepare new appendices, to the extent that any require modification, and a Modification Agreement. Any terms of this AGREEMENT not modified shall remain in effect for each PERIOD of the AGREEMENT.

To modify the AGREEMENT within an existing PERIOD, the parties shall revise or complete the appropriate appendix form(s). Any change in the amount of consideration to be paid, change in scope, or change in term is subject to the approval of the Office of the State Comptroller. Any other modifications shall be processed in accordance with agency guidelines as stated in Appendix A-1.

E. The CONTRACTOR shall perform all services to the satisfaction of the STATE. The CONTRACTOR shall provide services and meet the program objectives summarized in the Program Workplan (Appendix D) in accordance with: provisions of the AGREEMENT; relevant laws, rules and regulations, administrative and fiscal guidelines; and where applicable, operating certificates for facilities or licenses for an activity or program.

F. If the CONTRACTOR enters into subcontracts for the performance of work pursuant to this AGREEMENT, the CONTRACTOR shall take full responsibility for the acts and omissions of its subcontractors. Nothing in the subcontract shall impair the rights of the STATE under this AGREEMENT. No contractual relationship shall be deemed to exist between the subcontractor and the STATE.

G. Appendix A (Standard Clauses as required by the Attorney General for all State contracts) takes precedence over all other parts of the AGREEMENT.

II. Payment and Reporting

A. The CONTRACTOR, to be eligible for payment, shall submit to the STATE's designated payment office (identified in Appendix C) any appropriate documentation as required by the Payment and Reporting Schedule (Appendix C) and by agency fiscal guidelines, in a manner acceptable to the STATE.

B. The STATE shall make payments and any reconciliations in accordance with the Payment and Reporting Schedule (Appendix C). The STATE shall pay the CONTRACTOR, in consideration of contract services for a given PERIOD, a sum not to exceed the amount noted on the face page hereof or in the respective Appendix designating the payment amount for that given PERIOD. This sum shall not duplicate reimbursement from other sources for CONTRACTOR costs and services provided pursuant to this AGREEMENT.

C. The CONTRACTOR shall meet the audit requirements specified by the STATE.

III. Terminations

A. This AGREEMENT may be terminated at any time upon mutual written consent of the STATE and the CONTRACTOR.

B. The STATE may terminate the AGREEMENT immediately, upon written notice of termination to the CONTRACTOR, if the CONTRACTOR fails to comply with the terms and conditions of this AGREEMENT and/or with any laws, rules, regulations, policies or procedures affecting this AGREEMENT.

C. The STATE may also terminate this AGREEMENT for any reason in accordance with provisions set forth in Appendix A-1.

D. Written notice of termination, where required, shall be sent by personal messenger service or by certified mail, return receipt requested. The termination shall be effective in accordance with the terms of the notice.

E. Upon receipt of notice of termination, the CONTRACTOR agrees to cancel, prior to the effective date of any prospective termination, as many outstanding obligations as possible, and agrees not to incur any new obligations after receipt of the notice without approval by the STATE.

F. The STATE shall be responsible for payment on claims pursuant to services provided and costs incurred pursuant to terms of the AGREEMENT. In no event shall the STATE be liable for expenses and obligations arising from the program(s) in this AGREEMENT after the termination date.

IV. Indemnification

A. The CONTRACTOR shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the CONTRACTOR or its subcontractors pursuant to this AGREEMENT. The CONTRACTOR shall indemnify and hold harmless the STATE and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this AGREEMENT.

B. The CONTRACTOR is an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of the STATE nor make any claim, demand or application to or for any right based upon any different status.

V. Property

Any equipment, furniture, supplies or other property purchased pursuant to this AGREEMENT is deemed to be the property of the STATE except as may otherwise be governed by Federal or State laws, rules or regulations, or as stated in Appendix A-1.

VI Safeguards for Services and Confidentiality

A. Services performed pursuant to this AGREEMENT are secular in nature and shall be performed in a manner that does not discriminate on the basis of religious belief, or promote or discourage adherence to religion in general or particular religious beliefs.

B. Funds provided pursuant to this AGREEMENT shall not be used for any partisan political activity, or for activities that may influence legislation or the election or defeat of any candidate for public office.

C. Information relating to individuals who may receive services pursuant to this AGREEMENT shall be maintained and used only for the purposes intended under the contract and in conformity with applicable provisions of the laws and regulations, or specified in Appendix A-1.

Certified by - on

**Award Contract**

**Reentry Task Forces and Enhanced Services**

**Project No.**

**Grantee Name**

RE10-1036-D00

Suffolk County

09/20/2010

APPENDIX A

STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, 'the contract' or 'this contract') agree to be bound by the following clauses which are hereby made a part of the contract (the word 'Contractor' herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

1. EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.
2. NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of the State and any attempts to assign the contract without the State's written consent are null and void. The Contractor may, however, assign its right to receive payment without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.
3. COMPTROLLER'S APPROVAL. In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6.a).
4. WORKERS' COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New

York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.

7. NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State 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 State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, 'the Records'). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the 'Statute') provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.

(a) FEDERAL EMPLOYER IDENTIFICATION NUMBER and/or FEDERAL SOCIAL SECURITY NUMBER. All invoices or New York State standard vouchers submitted for payment for the sale of goods or services or the lease of real or personal property to a New York State agency must include the payee's identification number, i.e., the seller's or lessor's identification number. The number is either the payee's Federal employer identification number or Federal social security number, or both such numbers when the payee has both such numbers. Failure to include this number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or New York State standard voucher, must give the reason or reasons why the payee does not have such number or numbers.

(b) PRIVACY NOTIFICATION.

(1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to

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generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law.

(2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in New York State's Central Accounting System by the Director of Accounting Operations, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. **EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN.** In accordance with Section 312 of the Executive Law, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of 'a', 'b', and 'c' above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the 'Work') except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State; or (iii) banking services, insurance policies or the sale of securities. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Governor's Office of Minority and Women's Business Development pertaining hereto.

13. **CONFLICTING TERMS.** In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. **GOVERNING LAW.** This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. **LATE PAYMENT.** Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. **NO ARBITRATION.** Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. **SERVICE OF PROCESS.** In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of State Finance Law '165. (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in '165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts. Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development  
Division for Small Business  
30 South Pearl St -- 7th Floor  
Albany, New York 12245  
Telephone: 518-292-5220  
Fax: 518-292-5884  
<http://www.empire.state.ny.us>

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development  
Division of Minority and Women's Business Development  
30 South Pearl St -- 2nd Floor  
Albany, New York 12245  
Telephone: 518-292-5250  
Fax: 518-292-5803  
<http://www.empire.state.ny.us>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

- (a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;
- (b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;
- (c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and
- (d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS. Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain.

NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. PURCHASES OF APPAREL. In accordance with State Finance Law 162 (4-a), the State shall not purchase any apparel from

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any vendor unable or unwilling to certify that: (i) such apparel was manufactured in compliance with all applicable labor and occupational safety laws, including, but not limited to, child labor laws, wage and hours laws and workplace safety laws, and (ii) vendor will supply, with its bid (or, if not a bid situation, prior to or at the time of signing a contract with the State), if known, the names and addresses of each subcontractor and a list of all manufacturing plants to be utilized by the bidder.

All Certified Assurances for federal programs, and DCJS Contract Appendices are also available online for download at <http://criminaljustice.state.ny.us/ofpa/forms.htm>. (rev)June, 2006

Certified by - on

**Award Contract**

**Reentry Task Forces and Enhanced Services**

**Project No.**

**Grantee Name**

RE10-1036-D00

Suffolk County

09/20/2010

APPENDIX A1

AGENCY-SPECIFIC CLAUSES

1. For grant solicitations or direct grant awards announced before April 10, 2006, if this Agreement exceeds \$15,000, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If this Agreement is for \$15,000 or less, it shall not take effect until it is executed by both parties.

For grant solicitations or direct grant awards announced on or after April 10, 2006, if this Agreement exceeds \$50,000, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If this Agreement is for \$50,000 or less, it shall not take effect until it is executed by both parties.

2. This Agreement sets forth the entire understanding of the parties and may not be altered or amended except in writing and signed by the parties hereto.

3. The failure of a party to enforce a contractual obligation shall not eliminate the other party's obligation to perform such contractual obligation.

4. In the event that any provision of this Agreement is determined to be null and void, all remaining provisions shall continue to be in full force and effect.

5. The Grantee must notify DCJS in writing of any change in the number, title, job duties or rate of remuneration of project staff which changes the Personal Service Project Budget line by 10 percent or under. Any change in the number, title, job duties or rate of remuneration of project staff which changes the Project Budget line more than 10 percent must be approved in writing by DCJS prior to implementation. The Grantee agrees to provide DCJS with resumes and supporting documentation upon request.

6. The Grantee shall submit detailed itemization forms for personal service and fringe benefit expenditures, in a format determined by DCJS, with any voucher and Fiscal Cost Reports requesting payment for expenditures.

7. The Grantee must maintain specific documentation as support for project related personal service expenditures, depending upon whether this grant contract project is supported by State or Federal funds:

A. For State funded grants:

For all Grantee's staff whose salaries are paid in whole or in part from grant funds provided under this Agreement, the Grantee shall maintain a time recording system which shows the time devoted to the grant project. The system shall consist of time sheets, computerized workload distribution reports, or equivalent systems. The time devoted to grant activities must be determinable and verifiable by DCJS. If time sheets are used, each must be signed by the individual and certified by the individual's supervisor in a higher level position at the end of each time reporting period.

B. For Federally funded grants:

Depending upon the nature or extent of personal service provided under this Agreement, the Grantee shall maintain semi-annual (or more frequent) personal service certifications and/or an after-the-fact personnel activity reporting system (or equivalent) which complies with the requirements of the Federal Office of Management and Budget (OMB) Circulars A-21, A-87 or A-122, as applicable:

1. OMB Circular A-21 [Item J, General provisions for selected items of cost] identifies documentation required for educational institutions as support for grant project personnel costs.

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2. OMB Circular A-87 [Attachment B, Selected Items of Cost] identifies the documentation required for local government agencies as support for grant project personnel costs.
3. OMB Circular A-122 [Attachment B, Selected Items of Cost] identifies the documentation required for non-profit organizations as support for grant project personnel costs.

The most current version of these Federal OMB Circulars may be viewed on-line at: [www.whitehouse.gov/omb/circulars](http://www.whitehouse.gov/omb/circulars).

The Grantee is to ensure full compliance with specific personal service documentation requirements of these OMB Circulars as applicable directly to the Grant recipient and to any sub-recipient (or collaborative agency/organization). Failure to do so may result in disallowance of costs upon audit.

8. Budget amendments are governed as follows:

A. Any proposed modification to the contract which results in a change of greater than 10 percent to any budget category must be submitted for prior approval by DCJS and the NYS Office of the State Comptroller. An Appendix X setting forth the proposed amendment must be electronically signed via the Grants Management System by the Grantee for approval by DCJS and the NYS Office of the State Comptroller before the next voucher and/or fiscal cost report will be approved.

B. For proposed modifications to the contract which result in a change of 10 percent or less to any budget category, the following shall apply:

1. The Grantee is not permitted to reallocate funds between Personal Service and Non-Personal Service budget categories without the prior approval of DCJS. A grant amendment setting forth the proposed reallocation must be approved by DCJS via the Grants Management System before the next voucher and/or fiscal cost report will be approved.

2. Prior approval by DCJS is not required for Non-Personal Service budget changes which are less than 10 percent. A letter signed by the Chief Executive Officer or Fiscal Officer authorizing these changes must be submitted to DCJS with the next voucher or fiscal cost report submission.

9. Space rental provided by this Agreement must be supported by a written lease, maintained on file and made available by the Grantee upon request.

10. The Grantee's request for travel, meals or lodging reimbursement shall be in accordance with Appendix B, Budget, and, unless prior written authorization has been received from DCJS, shall not exceed rates authorized by the NYS Office of the State Comptroller.

11. The Grantee's employment of a consultant must be supported by a written agreement executed by the Grantee and the consultant. A consultant is defined as an individual or organization hired by the Grantee for the stated purpose of accomplishing a specific task relative to the funded project. A copy of the agreement must be submitted to DCJS with the appropriate voucher for payment. All consultant services must be obtained in a manner that provides for fair and open competition. The Grantee shall retain copies of all solicitations seeking a consultant, written agreements and documentation justifying the cost and selection of the consultant. The Grantee further agrees that it shall assume sole and complete responsibility for fulfilling all the obligations set forth in the Agreement and the Grantee must guarantee the work of the consultant as if it were its own.

A. The rate for a consultant should not exceed \$450 for an eight-hour day (not including travel and subsistence costs). A rate exceeding \$450 per eight-hour day requires prior written approval from DCJS and may be approved on a case-by-case basis where adequate justification is provided and expenses are reasonable and allowable.

B. In addition to the above requirements, a Grantee that is a local government or a not-for-profit must adhere to the following guidelines at a minimum when obtaining consultant services:

1. Consultant services that cost up to \$999 under this grant agreement can be obtained at the Grantee's discretion.
2. Consultant services that cost between \$1,000 and \$4,999 under this grant agreement must be supported by at least three telephone quotes and a record created of such quotes.
3. Consultant services that cost between \$5,000 and \$9,999 under this grant agreement must be supported by at least three written quotes on a vendor's stationery and a record created of competitive procurement process utilized.
4. A Grantee obtaining consultant services that cost in excess of \$10,000 must use a competitive bidding process. Guidance may be obtained from DCJS. At a minimum, the competitive bidding process must incorporate the following: open, fair advertisement of the opportunity to provide services; equal provision of information to all interested parties; reasonable deadlines; sealed bids opened at one time before a committee who will certify the process; establishment of the methodology for evaluating bids before the bids are opened; and maintenance of a record of competitive procurement process.

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C. A Grantee who proposes to obtain consultant services from a particular vendor without competitive bidding, must obtain the prior written approval of DCJS. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and basis upon which the price was determined to be reasonable. Further, such consultant services must be in accordance with the guidelines, bulletins and regulations of the NYS Office of the State Comptroller, State Procurement Council, and the U.S. Department of Justice. A copy of DCJS' approval must also be submitted with the voucher for payment.

D. Notwithstanding the provisions of this paragraph, the Parties agree that DCJS' prior written approval is not required for the employment of a consultant when such employment is secured in relationship to a criminal matter as an expert witness, consultant or investigator. The Parties agree that the employment shall be supported by a written agreement and that all requests for reimbursement shall be supported by documentation identifying the criminal matter involved, services provided, time commitment and schedule. Such agreement and documentation shall be submitted to DCJS with the appropriate voucher for payment.

12. All procurements, other than consultant services, shall be conducted in the following manner. Written justification and documentation for all procurements must be maintained on file and made available upon request. Detailed itemization forms for non-personal service expenditures, in a format determined by DCJS, shall accompany each voucher and Fiscal Cost Report requesting payment. All procurements must be made in a fair and open manner and in accordance with the pre-determined methodology established for evaluating bids (e.g., lowest responsive bidder or best value).

A. A Grantee that is a state entity must make all procurements in accordance with State Finance Law Article 11, and any other applicable regulations.

B. A Grantee that is a local government must make procurements in accordance with General Municipal Law Article 5-A and any other applicable regulations.

C. In addition, a Grantee that is a not-for-profit must also make all procurements as noted below:

1. If the Grantee is eligible to purchase an item or service from a government contract or is able to purchase such item or service elsewhere at a lower than or equal price, then such purchase may be made immediately.

2. A Grantee may purchase any single piece of equipment, single service or multiples of each that cost up to \$999 at its discretion.

3. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost between \$1,000 and \$4,999, a Grantee must secure at least three telephone quotes and create a record for audit of such quotes.

4. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost between \$5,000 and \$9,999, the Grantee must secure at least three written quotes on a vendor's stationery and maintain a record of the competitive procurement process for audit purposes.

5. A Grantee spending in aggregate of \$10,000 and above must use a competitive bidding process. Guidance may be obtained from DCJS. At a minimum, the competitive bidding process must incorporate the following: open, fair advertisement of the opportunity to provide services; equal provision of information to all interested parties; reasonable deadlines; sealed bids opened at one time before a committee who will certify the process; establishment of the methodology for evaluating bids before the bids are opened; and maintenance of a record of competitive procurement process.

6. A Grantee who proposes to purchase from a particular vendor without competitive bidding must obtain the prior written approval of DCJS. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and the basis upon which the price was determined to be reasonable. Further, such procurement must be in accordance with the guidelines, bulletins and regulations of the NYS Office of the State Comptroller, State Procurement Council, and the U.S. Department of Justice. A copy of DCJS' approval must also be submitted with the voucher for payment.

13. Applicable equipment purchased with funds provided by this Agreement as listed in Appendix B, Budget, shall be assigned a unique inventory number. The Grantee shall list all applicable equipment purchased with such funds in the GMS Property Module and print and submit such reports to DCJS/ODPF program representatives with the final program progress report or sooner. Alternatively, the Grantee may use the Equipment Inventory reports prescribed by DCJS to list equipment purchases and submit them to DCJS via postal service. Items of equipment costing less than \$500 do not need to be reported on the Equipment Inventory Reports although the Grantee is encouraged to maintain an internal inventory for audit purposes. Upon completion of all contractual requirements by the Grantee, DCJS will consider a request for continued use and possession of the equipment purchased with grant funds provided the equipment continues to be used in conducting a criminal justice program.

14. Grant funds may be expended only for purposes and activities set forth in this Agreement. Accordingly, the most important single requirement of accounting for this grant is the complete and accurate documentation of grant expenditures. If the Grantee receives funding from two or more sources, all necessary steps must be taken to ensure that grant-related transactions are not commingled. This includes, but is not limited to, the establishment of unique budget codes, a separate cost center, or a separate chart of accounts. Expenditures must be cross-referenced to supporting source documents (purchase orders, contracts, real estate leases, invoices, vouchers, timesheets, mileage logs, etc.). Grantee agrees it shall maintain adequate internal controls and adhere to Generally Accepted Accounting Principles for Government or Generally Accepted Accounting Principles for Not-for-Profit Organizations.

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This Agreement may be subject to a fiscal audit by DCJS to ascertain financial compliance with Federal and/or State laws, regulations, and guidelines applicable to this Agreement. Such audits may include review of the Grantee's accounting, financial, and reporting practices to determine compliance with the Agreement and reporting requirements; maintenance of accurate and reliable original accounting records in accordance with governmental accounting standards as well as generally accepted accounting principles; and specific compliance with allowable cost and expenditure documentation standards prescribed by applicable Federal, State, and DCJS guidelines.

15. Where advance payments are approved by DCJS, the Grantee agrees to expend the advance payments in accordance with the purposes set forth in Appendix D and consistent with Appendix B.

16. DCJS reserves the right to suspend program funds if the Grantee is found to be in noncompliance with the provisions of this Agreement or other grant agreements between the Grantee and DCJS or, if the Grantee or principals of the Grantee are under investigation by a New York State or local law enforcement agency for noncompliance with State or Federal laws or regulatory provisions or, if in DCJS' judgment, the services provided by the Grantee under the Agreement are unsatisfactory or untimely. DCJS shall provide the Grantee with written notice of noncompliance. Upon the Grantee's failure to correct or comply with the written notice by DCJS, DCJS reserves the right to terminate this Agreement, recoup funds and recover any assets purchased with the proceeds of this Agreement. DCJS reserves the right to use approved grant related expenditures to offset disallowed expenditures from any grant funded through its offices upon issuance of a final audit report and appropriate notification to the Grantee, or upon reasonable assurance that the Grantee is not in compliance with Agreement terms.

17. The Grantee agrees, as a material condition of the Agreement, to comply with all applicable provisions of the Hatch Act (5 U.S.C. "1501 et seq.) as amended.

18. Program income earned by the Grantee during the funding period as a direct result of the grant award must be reported in writing to DCJS, in addition to any other statutory reporting requirements. This includes income received from seized and forfeited assets and cash, as well as: sale of grant purchased property; royalties; fees for services; and registration/tuition fees. Interest earned on grant funds is not program income unless specified in Appendix D. The Grantee agrees to report the receipt and expenditures of grant program income to DCJS. All income, including interest, generated by the use of these grant funds will be used to enhance the grant project.

19. If applicable, the Grantee agrees to obtain not-for-profit status, a federal identification number, and a charitable registration number (or a declaration of exemption) and to furnish DCJS with this information as soon as it is available.

20. Unless otherwise specified, in accordance with the State Finance Law, the availability of all State funds for liabilities already incurred thereunder shall cease on September 15th of the year following the fiscal year in which the funds were appropriated, unless such funds are reappropriated by the New York State Legislature. To ensure payment, vouchers must be received by DCJS by August 1st of the year following the fiscal year in which the funds were appropriated.

21. The Grantee will submit program progress reports and one final report to DCJS via the GMS system and additional information or amended data as required.

A. Program progress reports will be due within 45 days of the last day of each calendar quarter or on an alternate schedule as prescribed in Appendix D. The first program progress report will be due within 45 days of the last day of the calendar quarter from the start date of the program.

Program progress reports thereafter will continue to be made until such time as the funds subject to this Agreement are no longer available, have been accounted for, and/or throughout the Agreement period or project duration.

Calendar quarters, for the purposes of making program progress reports, shall be as follows:

Calendar Quarter; Report Due

January 1 - March 31; May 15

April 1 - June 30; August 15

July 1 - September 30; November 15

October 1 - December 31; February 15

B. The final report, or where applicable interim progress reports, will summarize the project's achievements as well as describe activities for that quarter.

22. If for any reason the State of New York or the federal government terminates its appropriation through DCJS or fails to pay the

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full amount of the allocation for the operation of this program, this Agreement may be terminated or reduced at the discretion of DCJS, provided that no such reduction or termination shall apply to allowable costs already incurred by the Grantee where funds are available to DCJS for payment of such costs. Upon termination or reduction of the Agreement, all remaining funds paid to the Grantee that are not subject to allowable costs already incurred by the Grantee shall be returned to DCJS. In any event, no liability shall be incurred by DCJS or by the State of New York beyond monies available for the purposes of this Agreement. The Grantee acknowledges that any funds due to DCJS because of disallowed expenditures after audit shall be its responsibility.

23. If Appendix B, Program Budget, makes provisions for overtime payment, the Grantee agrees to submit vouchers for such payment of overtime charges within 45 days after the last day of the quarter for the reporting period. The Grantee further agrees to limit overtime earnings to no more than 25 percent (25%) of the employee's annual personnel cost (salary plus fringe benefits) during the term of this Agreement. No reimbursements for overtime charges in excess of this 25 percent (25%) limit will be made unless prior written approval has been obtained from DCJS.

24. None of the goals, objectives or tasks set forth in Appendix D shall be subawarded to another organization without specific prior written approval by DCJS. Where the intention to make subawards is clearly indicated in the application, DCJS' approval is deemed given, if these activities are funded as proposed.

If this Agreement makes provisions for the Grantee to subgrant funds to other recipients, the Grantee agrees that all subgrantees shall be held accountable by the Grantee for all terms and conditions set forth in this Agreement. The Grantee further agrees that it shall assume sole and complete responsibility for fulfilling all the obligations set forth in the Agreement and the Grantee must guarantee the work of any subgrantee as if it were its own.

The Grantee agrees that all subgrantee arrangements shall be formalized in writing between the parties involved. The writing must, at a minimum, include the following information:

- Activities to be performed;
- schedule;
- Project policies;
- Other policies and procedures to be followed;
- Dollar limitation of the Agreement;
- Appendix A, Appendix A-1, Appendix C, Certified Assurances for Federally Supported Projects, Certification Regarding Lobbying, Debarment and Suspension and any special conditions set forth in the Agreement; and
- Applicable Federal and/or State cost principles to be used in determining allowable costs.

The Grantee will not be reimbursed for subgranted funds unless all expenditures by a subgrantee are listed on certification forms. Backup documentation for such expenditures must be made available upon request. All expenditures must be programmatically consistent with the goals and objectives of this Agreement and with the financial plan set forth in Appendix B.

#### 25. Federal Funds

A. In accordance with Federal requirements, a Grantee which receives during its fiscal year \$500,000 or more of Federal funds (including pass-through and direct) from all sources, including this Agreement, must agree to have an independent audit of such Federal funds conducted in accordance with the Federal Office of Management and Budget (OMB) Circular A-133. OMB Circular A-133 further requires that the final report for such audit be completed within nine months of the end of the Grantee's fiscal year. The Grantee further agrees to provide one copy of such audit report(s) to DCJS within nine months of the end of its fiscal year(s).

B. In accordance with Federal requirements, a Grantee receiving Federal pass-through funds must also agree to comply with the terms and conditions of any and all applicable Federal OMB Circulars. For the convenience of the Grantee, the following OMB circulars are noted as the most common applicable to federal funds passed through DCJS:

- OMB Circular A 21, Cost Principles for Educational Institutions;
- OMB Circular A 87, Cost Principles for State, Local and Indian Tribal Governments;
- OMB Circular A 102, Grants and Cooperative Agreements With State and Local Governments;
- OMB Circular A 110, Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Non Profit Organizations; and
- OMB Circular A 122, Cost Principles for Non Profit Organizations.

The Parties agree that, dependent upon the status of the Grantee, additional circulars may also be applicable. The most current version of all Federal OMB Circulars may be viewed on-line at: [www.whitehouse.gov/omb/circulars](http://www.whitehouse.gov/omb/circulars).

The Grantee is to ensure full compliance with all cost documentation requirements of OMB Circulars as applicable directly to the

Grant recipient and to any sub-recipient (or collaborative agency/organization). Failure to do so may result in disallowance of costs upon audit.

26. Any creative or literary work developed or commissioned by the Grantee with grant support provided by DCJS shall become the property of DCJS, entitling DCJS to assert a copyright therein, unless the parties have expressly agreed otherwise in a written instrument signed by them.

A. If DCJS shares its right to copyright such work with the Grantee, DCJS reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: (a) the copyright in any work developed under a grant, subgrant, or contract under a grant or subgrant; and (b) any rights of copyright to which a Grantee, Subgrantee, or a Contractor purchases ownership with grant support.

B. If the grant support provided by DCJS is federally sponsored, the federal awarding agency also reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: (a) the copyright in any work developed under a grant, subgrant or contract under a grant or subgrant; and (b) any rights of copyright to which a Grantee, Subgrantee, or a Contractor purchases ownership with such grant support.

C. The Grantee shall submit one copy of all reports and publications resulting from this Agreement to DCJS. Any publications must contain the following statement, in visible print, of any document generated pursuant to a grant administered by DCJS:

This project was supported by a grant administered by the New York State Division of Criminal Justice Services. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the Division of Criminal Justice Services.

27. Original records must be retained for six years following the submission of the final claim against this Agreement. In the event of a fiscal audit, the project manager or a designated responsible party must be prepared to produce source documents that substantiate claimed expenditures. DCJS requires that all documentation materials be organized, readily accessible, and cross-referenced to the Fiscal Cost Reports previously submitted. If fiscal records, such as purchase orders, vouchers, payroll registers, payroll tax records, etc., are to be kept in a fiscal office which is separate and apart from the program office, the project manager must have access to these original records. Such fiscal records must readily identify the associated project. In addition, a separate set of records must be retained for each project year.

28. Grant-related expenditures shall be reported on Fiscal Cost Reports and detailed itemization forms provided by DCJS. These reports must be prepared periodically as defined in Appendix C of this Agreement. All reported expenditures must reconcile to the program accounting records. Prior period adjustments shall be reported in the same accounting period that the correction was made.

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**Award Contract**

**Reentry Task Forces and Enhanced Services**

**Project No.**

**Grantee Name**

RE10-1036-D00

Suffolk County

09/20/2010

**APPENDIX B - Budget Summary by Participant**

Suffolk County - Version 1

#	Personnel	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Reentry Coordinator	1	\$59,717.00	\$59,717.00	\$59,717.00	\$0.00
Total				\$59,717.00	\$59,717.00	\$0.00

#	Fringe Benefits	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	fringes at a rate of 35.5% of salary	1	\$21,199.00	\$21,199.00	\$21,199.00	\$0.00
Total				\$21,199.00	\$21,199.00	\$0.00

#	Consultant Services	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	trainers for CBT/Criminal Thinking training	15	\$400.00	\$6,000.00	\$6,000.00	\$0.00

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Total	\$6,000.00	\$6,000.00	\$0.00
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#	Equipment	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	computer for coordinator	1	\$1,500.00	\$1,500.00	\$1,500.00	\$0.00
2	all in one printer fax	1	\$900.00	\$900.00	\$900.00	\$0.00
Total				\$2,400.00	\$2,400.00	\$0.00

#	Supplies	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	office supplies for reentry task force	1	\$3,684.00	\$3,684.00	\$3,684.00	\$0.00
Total				\$3,684.00	\$3,684.00	\$0.00

#	Travel and Subsistence	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	travel for state training and reentry meetings	1	\$5,000.00	\$5,000.00	\$5,000.00	\$0.00
Total				\$5,000.00	\$5,000.00	\$0.00

#	Rental of Facilities	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	facility rental for 2 public outreach events	2	\$1,000.00	\$2,000.00	\$2,000.00	\$0.00
Total				\$2,000.00	\$2,000.00	\$0.00

#	All Other Expenses	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Phoenix House	1	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00
2	Education Assistance Corporation	1	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00
3	Beginning a New Life	1	\$3,000.00	\$3,000.00	\$3,000.00	\$0.00
4	YMCA	1	\$5,000.00	\$5,000.00	\$5,000.00	\$0.00
5	Economic Opportunity Council	1	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00
6	FECS	1	\$52,700.00	\$52,700.00	\$52,700.00	\$0.00
7	Eastern Long Island Hospital	1	\$90,000.00	\$90,000.00	\$90,000.00	\$0.00
8	HAnds Across Long Island	1	\$16,000.00	\$16,000.00	\$16,000.00	\$0.00
9	South Oaks Hospital	1	\$25,000.00	\$25,000.00	\$25,000.00	\$0.00
10	Catholic Charities	1	\$12,000.00	\$12,000.00	\$12,000.00	\$0.00
Total				\$248,700.00	\$248,700.00	\$0.00

Total Project Costs	Total Cost	Grant Funds	Matching Funds
	\$348,700.00	\$348,700.00	\$0.00

Total Contract Costs	Total Cost	Grant Funds	Matching Funds
	\$348,700.00	\$348,700.00	\$0.00

**Award Contract****Reentry Task Forces and Enhanced Services****Project No.**

RE10-1036-D00

**Grantee Name**

Suffolk County

09/20/2010

## APPENDIX C

## PAYMENT AND REPORTING SCHEDULE

NOTE: Additional payment provisions associated with the schedule(s) below are detailed in Appendix A-1.

For All Grantees:

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1. The Grantee agrees that this is a reimbursement-based contract; an advance may be provided through Appendix D (Special Conditions). All requests for reimbursement must reflect actual costs that have been disbursed or items received by the Grantee. A purchase order issued without receipt of the items or service is not eligible for reimbursement.
2. Grantees must submit all required fiscal reports, supporting documentation and program progress reports. Failure to meet these requirements will result in the rejection of associated vouchers. Failure to submit the final program report, or interim progress report designated as the final report, may result in a disallowance of 25 percent (25%) of the grant amount. The Grantee must also refund all unexpended advances (see item three below.) Final vouchers, reimbursement payment and reports must be submitted within 45 days of the end of the grant contract period. Failure to voucher within this period may result in the loss of grant funds.
3. If at the end of this grant contract there remains any unexpended balance of the monies advanced under this contract in the possession of the Grantee, the Grantee shall submit a certified check or money order for the unexpended balance payable to the order of the State of New York and return it to the DCJS Office of Finance with its final fiscal cost report within 45 days of termination of this grant contract.
4. Vouchers shall be submitted in a format acceptable to DCJS and the Office of the State Comptroller (see <http://www.criminaljustice.state.ny.us/ofpa/forms.htm>). Vouchers submitted for payment shall be deemed to be a certification that the payments requested are for project expenditures made in accordance with the items as contained in the Project Budget (Appendix B) and during the contract period. When submitting a voucher, such voucher shall also be deemed to certify that: a) the payments requested do not duplicate reimbursement from other sources of funding; and b) the funds provided herein do not replace funds that, in the absence of this grant, would have been made available by the Grantee for this program. Requirement b) does not apply to Legislative sponsored State grants.
5. For purposes of prompt payment provisions, the Designated Payment Office for the processing of all vouchers is the DCJS Office of Financial Services. Payment of grant vouchers shall be made in accordance with the provisions of Article XI-A of the State Finance Law (<http://caselaw.lp.findlaw.com/nycodes/c113/a19.html>). Payment shall be preceded by an inspection period of 15 business days which shall be excluded from calculations of the payment due date for purposes of determining eligibility for interest payments. The Grantee must notify the Office of Finance in writing of a change of address in order to benefit from the prompt payment provision of the State Finance Law. When progress reports are overdue, vouchers will not be eligible for prompt payment.
6. Timely and properly completed New York State vouchers, with supporting documentation when required, shall be submitted to:

NYS Division of Criminal Justice Services  
Office of Finance  
4 Tower Place  
Albany, NY 12203-3764

#### 7. Payment Schedule

#### PAYMENT and PAYMENT DUE DATE

1: Pending appropriation, 30 days after commencement date of contract with proper documentation or upon receipt of proper documentation, whichever is later.

2-4: Quarterly

A not-for-profit Grantee operating on a multi-year contract may voucher for an optional fifth quarter advance against the succeeding year's appropriation, pursuant to NYS Finance Law, Section 179-u.

All submitted vouchers will reflect the Grantee's actual expenditures and will be accompanied by supporting detailed itemizations of personal service and non-personal service expenditures and other documentation as required, and by a fiscal cost report for the reporting period. DCJS reserves the right not to release subsequent grant awards pending Grantee compliance with this Agreement. In the event that any expenditure for which the Grantee has been reimbursed by grant funds is subsequently disallowed, DCJS in its sole discretion, may reduce the voucher payment by the amount disallowed. If necessary, the Grantee may be required to submit a final budget reallocation. Fiscal cost reports must be submitted showing grant expenditures and/or obligations for each quarter of the grant within 45 days after the last day of the quarter for the reporting period.

Advance payments shall be permitted as specified in Appendix A-1, and in the amount specified in Appendix D (Special Conditions).

Payment requests need to include the following documents as required:

- Detailed Itemization of Personal Service Expenditures
- Detailed Itemization of Non-Personal Service Expenditures
- Detailed Itemization of Consultant Expenditures
- Expert witness agreement and supporting documentation
- Voucher and Fiscal Cost Report signed
- Written documentation of all required DCJS prior approvals as follows:
- DCJS approval of non-competitive consultant.
- DCJS approval of non-competitive vendor for services.
- DCJS approval of consultant services reimbursement greater than \$450 per eight hour day.
- DCJS approval of change to Personal Services by more than 10 percent.
- DCJS approval to exceed NYS Office of the State Comptroller travel, meals and lodging rates.
- DCJS approval to subaward to another organization.
- DCJS approval for overtime payments exceeding 25 percent of an employee's annual personnel cost.
- DCJS and NYS Office of the State Comptroller approval to modify Personal Services and Non Personal Services budget categories by more than 10 percent.
- DCJS approval to reallocate funds between Personal Services and Non Personal Services.

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8. CONTRACT PAYMENTS: Contractor shall provide complete and accurate billing invoices to the agency in order to receive payment. Billing invoices submitted to the agency must contain all information and supporting documentation required by the Contract, the Agency and the State Comptroller. Payment for invoices submitted by the Contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Contractor shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at [www.osc.state.ny.us/epay/index.htm](http://www.osc.state.ny.us/epay/index.htm), by email at [epunit@osc.state.ny.us](mailto:epunit@osc.state.ny.us), or by telephone at 518-474-4032. Contractor acknowledges that it will not receive payment on any invoices submitted under this Contract if it does not comply with the State Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

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**Award Contract**

**Reentry Task Forces and Enhanced Services**

**Project No.**

**Grantee Name**

RE10-1036-D00

Suffolk County

09/20/2010

**APPENDIX D - Work Plan**

**Goal**

All County Re-entry Task Forces (CRTFs) will work to achieve the following stated goals of re-entry: (1) to assist individuals released from prison with obtaining services; (2) to conduct strategic planning and improve system-wide coordination; and (3) to conduct public education and outreach. The following performance standards set forth what the CRTFs should achieve. These are minimum standards. While DCJS takes the position that these are achievable objectives, circumstances unique to each CRTF may be such that one or more of these measurables may not be obtainable during the period of this grant. In such instances, the CRTF will have the opportunity to provide quarterly narratives that detail and explain the reasons for not achieving the prescribed outcome. DCJS will then work with the CRTF to help eliminate this condition so that the objective or objectives become achievable. The extent to which each CRTF meets their standards will be considered in future funding decisions.

**Objective #1**

Each CRTF will establish a formal organizational and committee structure to assist each county in developing and implementing effective strategies to further the three goals of re-entry.

**Task #1 for Objective #1**

Each CRTF will develop policies and procedures that clearly define the goals of the CRTF, including the roles and responsibilities of its members.

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**# Performance Measure**

- 1 Each CRTF is required to submit all policies and procedures to be approved by DCJS, including a list of task force members and their roles and responsibilities by December 31, 2010.

**Task #2 for Objective #1**

Each CRTF will create: a steering committee to provide strategic planning and to eliminate local barriers to re-entry; a services committee to foster the effective delivery of services to its participants; and a public education committee to conduct education and outreach events.

**# Performance Measure**

- 1 Provide DCJS with a membership list for each committee.

**Objective #2**

Each Country Re-entry Task Force will serve the re-entry population, with a focus on high-risk offenders.

**Task #1 for Objective #2**

The CRTF will coordinate with Parole to identify appropriate referrals for at least 30% of individuals released to parole supervision within the county, or ten parolees monthly, whichever is greater. Other referrals can be accepted at the discretion of the CRTF.

**# Performance Measure**

- 1 Provide DCJS with the number of individuals served monthly, by type of referral.

**Task #2 for Objective #2**

At least 85% of individuals referred by Parole and accepted by the CRTF will be offenders who have at least a 50% percent chance of re-arrest within two years following their release (identified by a DCJS risk score of 4 or more). While the CRTF may serve offenders who have a risk score of three or lower, this percentage of individuals should represent no more than 15% of the total population served.

**# Performance Measure**

- 1 Provide DCJS with the risk scores of those served monthly.

**Task #3 for Objective #2**

The CRTF will conduct a needs assessment for all CRTF participants (beginning November 1) on a form developed by DCJS if a formal assessment is not made available by Parole. The intake assessment will help identify the specific needs for each participant, including housing, treatment for substance abuse, cognitive behavioral therapy and others. If Parole has completed and shared a COMPAS risk and needs assessment and/or a Transition Accountability Plan (TAP) with the task force, a second assessment is not needed.

**# Performance Measure**

- 1 Provide DCJS with the number of assessments completed by CRTF monthly; number of COMPAS assessments received from Parole monthly; number of TAPs received from Parole monthly.

**Objective #3**

Effective case planning and management that ensures that the needs of program participants are identified and met.

**Task #1 for Objective #3**

The CRTF will create a written plan for each task force participant that reflects his/her needs as determined by the assessment, which may include enrollment and participation in: a vocational training or job-readiness program; educational program; substance abuse treatment; cognitive behavioral treatment; or another approved program.

**# Performance Measure**

- 1 Provide DCJS with the number of plans completed monthly.

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**Task #2 for Objective #3**

The CRTF will make referrals to the services identified in the plan.

**# Performance Measure**

- 1 Provide DCJS with the number of individuals referred monthly, and the type of program referrals made.

**Objective #4**

Identify and eliminate local barriers to re-entry.

**Task #1 for Objective #4**

The CRTF will conduct a comprehensive annual assessment of the re-entry resources that are available in their county and identify the gaps that need to be filled to meet the needs of the re-entry population. The CRTF will provide quarterly updates to DCJS on any new needs that have been identified as well as any progress made in obtaining new resources.

**# Performance Measure**

- 1 Annual assessments will be submitted to DCJS. Quarterly assessments will describe progress made in obtaining new resources.

**Task #2 for Objective #4**

Each CRTF will utilize its steering committee to reduce barriers to re-entry and enhance available services that address the criminogenic and stability needs of the formerly incarcerated.

**# Performance Measure**

- 1 The Steering Committee shall meet monthly and submit the attendance roster for each meeting to DCJS.

**Objective #5**

Improve the public's understanding of re-entry related issues and efforts that are being made to improve outcomes for the formerly incarcerated. Build more partnerships to enhance the local capacity to deliver re-entry services.

**Task #1 for Objective #5**

The CRTF will make efforts to improve public awareness of local re-entry efforts by holding at least two approved public education events.

**# Performance Measure**

- 1 The CRTF will report on public education events held each quarter to DCJS.

**Task #2 for Objective #5**

The CRTF will hold at least two approved outreach events in order to build new partnerships to expand local capacity to provide re-entry related services (e.g., housing, employment, mentoring).

**# Performance Measure**

- 1 The CRTF will report on outreach events held each quarter to DCJS.

**Award Contract**

**Project No.**

**Grantee Name**

**Reentry Task Forces and Enhanced Services**

**Award Conditions**

Upon approval of this grant by the Office of the State Comptroller, or DCJS for "T" contract only, the Grantee is authorized to initially voucher for advance payment of those prospective expenses previously approved by DCJS not to exceed \$0.00 from the total contracted amount. Consistent with paragraph 15 of Appendix A-1 of this grant contract, vouchers for advance payments for the purchase of equipment and supplies must be supported by a copy of the purchase order.

**General Conditions****APPENDIX D - Special Conditions**

Participating law enforcement agencies that are funded by DCJS to conduct drug, firearms or vehicle theft or vehicle related insurance fraud investigations shall register with SAFETNet. Participation in SAFETNet obligates the registered agency to submit information regarding persons or addresses under active investigation in accordance with SAFETNet standard operating procedures. All criminal justice information management software which grantee may purchase or develop with funds provided under the terms of this agreement must conform to established New York State Criminal Justice Data Standards as documented in the most current version of the New York Statewide Criminal Justice Data Dictionary. In addition, all such information management software purchased or developed with funds provided under the terms of this agreement must conform to statewide standards for the collection, processing and reporting of criminal justice information as documented in the New York State Standard Practices Manual for the Processing of Fingerprintable Criminal Cases. The latest versions of both documents referenced above can be accessed at the DCJS web site or obtained by calling the DCJS Customer Contact Center at (800) 262-3257.

Grantee agrees that all specifications for technology purchases exceeding \$5000 (excluding laptops and desktop computers) must be reviewed by the DCJS Office of Justice Information Services. The review will take place within three business days and should be coordinated through the DCJS Office of Funding and Program Development.

Law enforcement agencies must submit full UCR Part 1 crime reports (including supplemental homicide reports) and domestic violence victim data to DCJS by 30 days following the end of the month. These monthly reports may be submitted either under the Uniform Crime Reporting System (UCR) or under the Incident Based Reporting Program (IBR). Failure to submit this information may result in grant funds being withheld. UCR agencies must fill out the Domestic Violence Victim Data table found on the last page of the Return A in accordance with the new domestic violence reporting requirements. These requirements can be found on-line at [http://www.criminaljustice.state.ny.us/crimnet/ojsa/crimereporting/domestic\\_violence\\_reporting\\_alert\\_5-08-08.pdf](http://www.criminaljustice.state.ny.us/crimnet/ojsa/crimereporting/domestic_violence_reporting_alert_5-08-08.pdf). Failure to submit this information may result in grant funds being withheld. Agencies reporting through IBR do not submit a supplemental report for domestic violence. The required data is automatically collected through the monthly submission of an IBR file.

Grantee agrees that if the project is not operational within 60 days of the original starting date of the grant period, it will report by letter to OPDF the steps taken to initiate the project, the reasons for delay, and the expected starting date. If the project is not operational within 90 days of the original starting date of the grant period, the Grantee will submit a second statement to OPDF explaining the delay. The State may either cancel the project and redistribute the funds or extend the implementation date of the project beyond the 90-day period when warranted by extenuating circumstances.

On a quarterly basis the Grantee will maintain written certification (in a form prescribed by DCJS) of time spent by each employee on the grant and maintain a system of time sheets. Time sheets will be signed by the individual and countersigned by the supervisor in a higher level position at the end of each payroll period.

Notwithstanding the provisions of paragraph 10 of Appendix A1, the parties agree that DCJS' prior approval is not required for the employment of a consultant when such employment is secured in relationship to a criminal matter as an expert witness, consultant or investigator. The parties agree that the employment shall be supported by a written agreement and requests for reimbursement supported by documentation identifying the criminal matter involved, services provided, time commitment and fee schedule.

Although Appendix A1 requires four (4) quarterly progress reports, for purposes of a DCJS grant award, grantees should submit progress reports as follows:

- Four (4) progress reports for contracts of \$100,000 or more;
- Two (2) progress reports for contracts between \$1 and \$99,999.

Please Note: Four (4) Quarterly Progress Reports are required for all Operation IMPACT and Drug Treatment Diversion Program grantees. Whenever possible, the District Attorney's Office or the primary police department should coordinate the submission of the quarterly progress reports so that one consolidated report is submitted for all IMPACT funded agencies within an IMPACT county. Grantee agrees that these funds will be used to supplement and not supplant existing funds and services. This contract may be extended, increased, decreased, terminated, renewed, amended or renegotiated at the discretion of the Commissioner of the Division of Criminal Justice Services.

Strategy Special Conditions

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Grantee agrees that if funding is being provided for the implementation of any DCJS crime reduction strategies including, but not limited to Youth Violence Reduction, DNA Evidence Collection, STEPS, DMI, or Re-Entry, that the implementing agency(s) will coordinate their IMPACT strategy with those other strategy initiatives in the county.

The following condition will apply to contracts between two New York State governmental entities: This is an agreement between two New York State governmental entities, and as such the provisions contained herein with respect to grants are applicable only to the extent that the provisions would otherwise be applicable between New York State governmental entities.

As per NYS Executive Law, Article 35, §837-a (8), DCJS is mandated to submit an Operation IMPACT Annual Report. As such, agencies receiving IMPACT funds shall be required to submit separately, in a consolidated report to be compiled and submitted by the District Attorney's Office and/or primary IMPACT police department on behalf of the full partnership, a detailed written report regarding their Operation IMPACT initiatives for the calendar year 2009. This report will be submitted no later than November 15, 2009 and shall include:

- (a) The types of crime data obtained, analyzed and used regularly by the IMPACT Partnership;
- (b) A description of the local IMPACT crime reduction strategy, including any modifications;
- (c) The number of personnel from each local, state and federal agency participating in various Operation IMPACT activities;
- (d) A description of training provided to participating personnel in connection with Operation IMPACT;
- (e) The number of arrests made by law enforcement as a direct result of Operation IMPACT;
- (f) The number of prosecutions as a direct result of Operation IMPACT activities and the disposition of those cases;
- (g) The number of IMPACT related cases and IMPACT related gun crime cases transferred for federal prosecution;
- (h) Any available demographic information about persons arrested and prosecuted and the disposition of such matters;
- (i) Any other information about the program's effectiveness in reducing crime.

Participating law enforcement agencies receiving IMPACT funding shall submit all crime guns and guns recovered under conditions requiring investigation into the New York State Criminal Gun Clearing House via NYSPIN GGUN. Law enforcement agencies shall also submit all crime guns and guns recovered under conditions requiring investigation to the respective Firearms Laboratory for testing and requested entry into NIBIN (National Integrated Ballistics Identification Network).

Primary and DCJS-designated secondary IMPACT police departments will submit Monthly IMPACT Gun Data Reports within 30 days following the end of each month. Said monthly reports will include the number of shooting incidents involving injury or death, the number of shooting victims, the number of crime guns recovered, and the number of firearms submitted to the lab for entry into NIBIN.

Participating law enforcement agencies receiving IMPACT funds shall enforce the provisions of Orders of Protection, particularly with respect to those provisions prohibiting the ownership or possession of firearms, when so ordered in family or criminal court and served upon the defendant and will enforce the firearms prohibition provisions of the federal Violence Against Women Act. All IMPACT funded agencies that are responsible for the management of sex offenders will be vigilant in maintaining current addresses for all sex offenders assigned to their jurisdiction and promptly report any action taken with regard to address verification on eJusticeNY. All IMPACT funded agencies are monitored for this requirement.

All IMPACT funded agencies that are responsible for obtaining photos due from sex offenders under their supervision will do so in a timely manner and promptly upload the updated photos to eJusticeNY. All IMPACT funded agencies are monitored for this requirement.

Participating law enforcement agencies shall ensure that their department's process for submitting fingerprint cards to DCJS includes a mechanism to flag those arrests where a Domestic Incident Report (DIR) is filed in the criminal incident. All IMPACT funded agencies are monitored for this requirement. All agencies receiving IMPACT funding that have a responsibility to collect DNA samples from offenders under their supervision who, by law, are required to submit said sample will ensure that the sample is collected in a timely manner as is required by law. All IMPACT funded agencies are monitored for this requirement.

For each month that a Grantee receiving IMPACT funds fails to: (1) submit full UCR Part 1 crime reports within 30 days of the end of the month, as required above, and/or (2) participate in a meeting of the full IMPACT Partnership, and/or (3) submit monthly gun data within 30 days following the end of each month, as stated above, 1/12 of 20% of the total grant award will be deducted for the respective non-compliant agency. At no time will the amount deducted for non-compliance with these conditions exceed 20% of the total grant award.

Notwithstanding the provisions of Appendix A-1, paragraph 8, budget amendments for grant contracts are governed as follows:

A. Any proposed modification to the contract which results in a change of greater than 10 percent to any budget category must be submitted for prior written approval by DCJS and the Office of the State Comptroller. An Appendix X and a DCJS-55 setting forth the proposed amendment must be submitted to DCJS for approval by DCJS and the Office of the State Comptroller before the next voucher and/or fiscal cost report will be approved.

B. For proposed modifications to the contract which result in a change of 10 percent or less to any budget category, the following shall apply:

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1. The Grantee is not permitted to reallocate funds between Personal Service and Non-Personal Service budget categories without the prior written approval of DCJS. A DCJS-55 setting forth the proposed amendment must be submitted to and approved by DCJS before the next voucher and/or fiscal cost report will be approved.
2. Prior approval by DCJS is not required for Non-Personal Service budget changes which are less than 10 percent. A DCJS-55 and a letter signed by the Chief Executive Officer or Fiscal Officer authorizing these changes must be submitted to DCJS with the next voucher or fiscal cost report submission.

The grantee must work towards the development of a comprehensive array of services within the county to ensure that the individual needs of all returning individuals can be appropriately addressed. The grantee shall review all services proposed by sub-contractors for compliance with evidence-based practice as defined by the Transition from Prison to the Community model and New York State's adaptation of that model (NYTPC).

In addition to services designed to meet the basic survival needs of returning persons, the grantee must ensure that the county's network of services includes those that address crime-producing needs and either: 1) have been evaluated for effectiveness in achieving their desired outcomes using sound research methodology; 2) on their face, comport with evidence-based interventions for people who have offended; and/or 3) can be evaluated as part of the contract with the grantee.

COUNTY OF SUFFOLK

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CRIMINAL JUSTICE COORDINATING COUNCIL

STEVE LEVY  
Suffolk County Executive

JOHN K. DESMOND  
Chairperson

1/25/2011

Ken Crannell,  
Deputy County Executive

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

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

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

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

Cc Christopher Kent, Chief Deputy County Executive

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Intro. Res. No. \_\_\_-2010

Laid on Table 2/1/2010

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. 2010  
ACCEPTING AND APPROPRIATING 100% FEDERAL  
FUNDS AWARDED BY THE U.S. MARSHALS SERVICE TO  
THE SUFFOLK COUNTY DEPARTMENT OF PROBATION  
AND AUTHORIZING THE COUNTY EXECUTIVE TO  
EXECUTE RELATED AGREEMENTS.**

WHEREAS, the U. S. Marshals Service will provide funding to the Suffolk County Probation Department for the Department's participation in the NY/NJ Regional Fugitive Task Force operations; and

WHEREAS, a total of \$16,000.00 has been awarded by the U.S. Marshals Service 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 U.S. Marshals Service, 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 \$16,000.00 as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001- 4320 -Federal Aid: Crime Control	\$16,000.00
 <u>APPROPRIATIONS</u>	
	<u>AMOUNT</u>
	Suffolk County Probation Department
	U.S. Marshals Fugitive Task Force
	001-PRO-3153
<u>1000 Personal Service</u>	<u>\$16,000.00</u>
1120-Overtime	\$16,000.00

DATED:

APPROVED BY:

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

Date of Approval:



1088

**INVESTIGATIVE OPERATIONS OBLIGATION DOCUMENT**

FATF-11-0028

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 Probation Office

And

The United States Marshals Service (USMS)

NY/NJRFTF

Regional Fugitive Task Force

Oct 1, 2010 through Sep 30, 2011

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	Stats & Local Overtime	\$16,000.00
FY						\$0.00
FY						\$0.00
FY						\$0.00
<b>Total Obligation Amount:</b>						<b>\$16,000.00</b>

District/RFTF POC:	State/Local POC:
Name: <u>Brenda Catalano</u>	Name: <u>Mary Wider</u>
Phone: <u>631-715-6227</u>	Phone: <u>631-852-5133</u>
E-mail: <u>Brenda.Catalano@usdoj.gov</u>	E-mail: <u>Mary.Wider@suffolkcountyny.gov</u>

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:

Kimberly B. Howard  
[Type Name Here]  
USMS Administrative Representative

Oct 1, 2010  
Date

Obligation Approval:

John A. Desmond  
[Type Name Here]  
USMS Operational Representative

Oct 1, 2010  
Date

Acknowledgement:

John Desmond  
[Type Name Here]  
Department Representative  
Director of Probation: John Desmond

10/26/10  
Date

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1088

<b>1. Type of Legislation</b> Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
<b>2. Title of Proposed Legislation</b> Accepting and Appropriating 100% Federal Funds Awarded by the U.S. Marshals Service to the Department of Probation and authorizing the County Executive to execute related Agreements.		
<b>3. Purpose of Legislation</b> To accept and appropriate \$16,000 of federal funds awarded to the Department of Probation for its participation in the U.S. Marshals Service Regional Fugitive 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.		
<b>4. Will the Proposed Legislation Have a Fiscal Impact?</b> Yes <u>      </u> No <u>  X  </u>		
<b>5. If the answer to item 5 is "yes", on what will it impact?</b> (Circle appropriate category)		
County	Town	Economic Impact
Village	School District Other (Specify):	
Library District	Fire District	
<b>6. If the answer to item 5 is "yes", provide Detailed Explanation of Impact</b>		
<b>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision</b> None to the County.		
<b>8. Proposed Source of Funding</b> Federal Aid Revenue (001-4320) Crime Control		
<b>9. Timing of Impact</b> Immediate		
<b>10. Typed Name &amp; Title of Preparer</b>  Mary E. Wider Principal Acct. Clk	<b>11. Signature of Preparer</b>	<b>12. Date</b>  January 25, 2011

<b>COORDINATION OF GRANT APPLICATION OR CONTRACT</b> County of Suffolk		<b>DATE</b> 1/25/11
Submitting Department/Agency Suffolk County Probation Department	Location 100 East Avenue, Yaphank <span style="float: right;">1088</span>	
Contact Person In Department/Agency Mary E. Wider Principal Acct. Clrk	Telephone Number 852-5133	Grant Application Due Date N/A

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

**I. BACKGROUND INFORMATION**

1. Grant Title **U.S. Marshals Regional Fugitive Task Force Program**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) **American Recovery and Reinvestment Act of 2009, passed through to NYS Division of Probation and Correctional Alternatives**

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

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)  
  
 The U.S. Marshals Service has allocated \$16,000 to reimburse overtime expenses associated with the Department's services in the Regional Fugitive Task Force Operations during the period 10/1/2010-9/30/2011.

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

**II. BUDGET INFORMATION**

1. Term of Contract From 10/1/2010 To: 09/30/2011

2. Financial Assistance Requested

SOURCE	FIRST FUNDING CYCLE SC Probation funds		SECOND FUNDING CYCLE SC Probation funds		THIRD FUNDING CYCLE SC Probation funds	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$16,000	100%	\$	%	\$	%
State	\$	%	\$	%	\$	%
Private	\$	%	\$	%	\$	%
County	\$	%	\$	%	\$	%
<b>Total</b>	\$16,000	100%	\$	%	\$0	0%

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<b>3. Explanation of Requested County Financial Assistance</b>			
<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE:	\$0	\$	\$0
A. Cash Contribution	\$0	\$	\$0
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 funding is eliminated, the Senior Probation Officer will be reassigned to another probation caseload.			
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). None.			
<b>III. COUNTY EXECUTIVE'S OFFICE REVIEW</b>			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			

COUNTY OF SUFFOLK



1088

Steve Levy  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PROBATION

John K. Desmond  
DIRECTOR

January 25, 2011

Ken Cranmell,  
Deputy County Executive

Enclosed please find 2 copies of a resolution packet prepared by the Suffolk County Probation Department to accept \$16,000 grant funding from the U.S. Department of Justice Marshals Service, effective October 1, 2010 through September 30, 2011. The grant is to continue the work of the Suffolk County Probation Department participation in the U.S. Marshalls Fugitive Task Force.

A photocopy of the award is attached. Currently, the Probation Department works with the Long Island Division of the US Marshals NY/NJ Regional Fugitive Task Force in order to apprehend violent felony fugitives wanted by the FBI.

Please feel free to contact me at 2-5133 if you have any questions. Thank you.

Mary E. Wider  
Principal Acct. Clk  
x2-5133

cc: Christopher Kent, Chief Deputy County Executive  
Brendan Chamberlain, County Exec Asst. (2)  
CE Reso Review via e-mail

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION No. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF COMMUNICATIONS EQUIPMENT FOR SHERIFF'S OFFICE (CP 3060)**

**WHEREAS**, the Sheriff's Office radio communications system must be upgraded due to upcoming changes in FCC rules and regulations; and

**WHEREAS**, the Sheriff of Suffolk County has requested funds for Capital Project 3060 for the replacement and upgrade of mobile data terminals (MDT's) in the Sheriff's Office marked vehicles to allow for fully integrated communications between over the air and computer aided dispatch; and

**WHEREAS**, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said request under Capital Program Number 3060; 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 2011 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 \$312,000 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 Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; and be it further

**2nd RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-five (75), 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 \$312,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3060.511 (Fund 001-Debt Service)	18	Purchase of Communications Equipment for Sheriff's Office	\$312,000

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval:

1089

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation <b>RESOLUTION No.                      - 2011, APPROPRIATING FUNDS In CONNECTION WITH THE PURCHASE OF COMMUNICATIONS EQUIPMENT FOR SHERIFF'S OFFICE (CP 3060)</b>		
3. Purpose of Proposed Legislation  SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact  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 2012		
10. Typed Name & Title of Preparer  STEPHANIE RUBINO CHIEF EXECUTIVE ANALYST	11. Signature of Preparer  <i>Stephanie Rubino</i>	12. Date  January 26, 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1089

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$68,127</b>	<b>\$0.12</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$68,127</b>	<b>\$0.12</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County  
General Obligation Serial Bonds  
Level Debt

1089

Term of Bonds 5  
Amount to Bond: \$312,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/10/2011					
5/10/2012					
11/10/2012	3.000%	\$58,766.63	\$9,360.00	\$68,126.63	\$68,126.63
			\$3,798.50	\$3,798.50	
11/9/2012	3.000%	\$60,529.63	\$3,798.50	\$64,328.13	\$68,126.63
			\$2,890.56	\$2,890.56	
11/10/2013	3.000%	\$62,345.51	\$2,890.56	\$65,236.07	\$68,126.63
			\$1,955.37	\$1,955.37	
11/10/2014	3.000%	\$64,215.88	\$1,955.37	\$66,171.25	\$68,126.63
			\$992.14	\$992.14	
11/10/2015	3.000%	\$66,142.36	\$992.14	\$67,134.49	\$68,126.63
		\$312,000.00	\$28,633.13	\$340,633.13	\$340,633.13

COUNTY OF SUFFOLK



1089

OFFICE OF THE SHERIFF

VINCENT F. DEMARCO  
SHERIFF

**To:** Ken Crannell, Deputy County Executive  
**From:** Michael P. Sharkey, Chief of Staff *MS*  
**Date:** 01/04/2011  
**Re:** **INTRODUCTORY RESOLUTION REQUEST - CP 3060 – Purchase of Communications Equipment for Sheriff's Office**

---

Per the 2011 Adopted Capital Budget, the Sheriff's Office requests the introduction of a resolution to appropriate funds for communications equipment for 2011 under Capital Project 3060.

This resolution appropriates \$312,000 in furniture and equipment funds in 2011 for the replacement and upgrading of mobile data terminals (MDT's) in the Sheriff's Office marked units to allow for fully integrated communications between over the air and computer aided dispatch.

Copies of a draft resolution, impact statement and introductory form are attached. An e-mail version of the resolution was also sent to CE RESO REVIEW, saved under the titles:

"Reso-Sheriff 2011 funds for CP3060";

"Backup-SHF-CP3060-SCIN 175A";

"Backup-SHF-CP3060-SCIN 175B" and

"Backup-SHF-CP3060-Cover Letter-2011"

We request that this resolution be laid on the table at your earliest convenience.

Thank you for your consideration in reviewing this draft resolution.

MPS/jfr

cc: Christopher Kent, Chief Deputy County Executive  
Attachments

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION No. - 2011, APPROPRIATING FUNDS  
IN CONNECTION WITH IMPROVEMENTS TO  
THE COUNTY CORRECTIONAL FACILITY C - 141,  
RIVERHEAD (CP 3014)**

**WHEREAS**, the Sheriff of Suffolk County has requested additional funds for capital project 3014, which addresses the repair or replacement of infrastructure throughout the Riverhead Maximum and Medium Security Correctional Facilities (County Correctional Facility - C - 141) along with the administrative wing of the building, and

**WHEREAS**, these repairs or replacements include, **but are not limited to**, mechanical and electrical systems, asphalt paving and drainage, exterior concrete stairs, walkways and curbs, exterior lighting systems, building roofs and waterproofing, and other general building improvements; and these physical assets are at the end of their useful life, which, if not repaired or replaced, could create safety hazards, and

**WHEREAS**, the majority of these renovations, repairs and improvements are interrelated and require a definitive schedule of funding; and

**WHEREAS**, there are sufficient funds within the 2011 Capital Budget and Program to cover the Planning and Construction costs of said request under Capital Program Number 3014; 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 2011 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 \$1,700,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5 (c)(1),(2),(20) and (27) of Title 6 of the New York 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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-nine (59), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$1,700,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3014.321 (Fund 001-Debt Service)	25	Improvements to the County Correctional Facility C-141-Riverhead	\$1,000,000

525-CAP-3014.411 (Fund 001-Debt Service)	25	Improvements to the County Correctional Facility C-141-Riverhead	\$600,000
525-CAP-3014.515 (Fund 001-Debt Service)	18	Improvements to the County Correctional Facility C-141-Riverhead	\$100,000

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval:

1090

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION No.                      – 2011, APPROPRIATING FUNDS In CONNECTION WITH IMPROVEMENTS TO THE COUNTY CORRECTIONAL FACILITY C – 141, RIVERHEAD (CP 3014)</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<u>  County  </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
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 2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
STEPHANIE RUBINO CHIEF EXECUTIVE ANALYST	<i>Stephanie Rubino</i>	January 26, 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1090

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$117,273</b>	<b>\$0.21</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$117,273</b>	<b>\$0.21</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County  
General Obligation Serial Bonds  
Level Debt

1090

Term of Bonds: 20  
Amount to Bond: \$1,700,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/10/2011					
5/10/2012					
11/10/2012	3.000%	\$61,468.59	\$55,804.82	\$117,273.41	\$117,273.41
			\$26,893.51	\$26,893.51	
11/9/2012	3.000%	\$63,486.38	\$26,893.51	\$90,379.89	\$117,273.41
			\$25,851.50	\$25,851.50	
11/10/2013	3.000%	\$65,570.40	\$25,851.50	\$91,421.91	\$117,273.41
			\$24,775.28	\$24,775.28	
11/10/2014	3.000%	\$67,722.84	\$24,775.28	\$92,498.13	\$117,273.41
			\$23,663.73	\$23,663.73	
11/10/2015	3.000%	\$69,945.94	\$23,663.73	\$93,609.67	\$117,273.41
			\$22,515.70	\$22,515.70	
11/9/2016	3.000%	\$72,242.01	\$22,515.70	\$94,757.71	\$117,273.41
			\$21,329.98	\$21,329.98	
11/9/2017	3.000%	\$74,613.45	\$21,329.98	\$95,943.43	\$117,273.41
			\$20,105.33	\$20,105.33	
11/10/2018	3.000%	\$77,062.74	\$20,105.33	\$97,168.07	\$117,273.41
			\$18,840.49	\$18,840.49	
11/10/2019	3.000%	\$79,592.43	\$18,840.49	\$98,432.92	\$117,273.41
			\$17,534.12	\$17,534.12	
11/9/2020	3.000%	\$82,205.16	\$17,534.12	\$99,739.28	\$117,273.41
			\$16,184.88	\$16,184.88	
11/9/2021	3.000%	\$84,903.66	\$16,184.88	\$101,088.53	\$117,273.41
			\$14,791.34	\$14,791.34	
11/10/2022	3.000%	\$87,690.73	\$14,791.34	\$102,482.07	\$117,273.41
			\$13,352.05	\$13,352.05	
11/10/2023	3.250%	\$90,569.30	\$13,352.05	\$103,921.35	\$117,273.41
			\$11,865.52	\$11,865.52	
11/9/2024	3.250%	\$93,542.36	\$11,865.52	\$105,407.89	\$117,273.41
			\$10,330.19	\$10,330.19	
11/9/2025	3.375%	\$96,613.02	\$10,330.19	\$106,943.21	\$117,273.41
			\$8,744.47	\$8,744.47	
11/10/2026	3.500%	\$99,784.47	\$8,744.47	\$108,528.94	\$117,273.41
			\$7,106.69	\$7,106.69	
11/10/2027	3.500%	\$103,060.03	\$7,106.69	\$110,166.72	\$117,273.41
			\$5,415.14	\$5,415.14	
11/9/2028	3.625%	\$106,443.12	\$5,415.14	\$111,858.26	\$117,273.41
			\$3,668.07	\$3,668.07	
11/9/2029	3.750%	\$109,937.26	\$3,668.07	\$113,605.33	\$117,273.41
			\$1,863.65	\$1,863.65	
11/10/2030	4.000%	\$113,546.10	\$1,863.65	\$115,409.75	\$117,273.41
		\$1,700,000.00	\$645,468.15	\$2,345,468.15	\$2,345,468.15

COUNTY OF SUFFOLK



10 90

OFFICE OF THE SHERIFF

VINCENT F. DEMARCO  
SHERIFF

**To:** Ken Crannell, Deputy County Executive

**From:** Michael P. Sharkey, Chief of Staff *MPS*

**Date:** 01/04/2011

**Re:** **INTRODUCTORY RESOLUTION REQUEST – CP 3014 –**

**Improvements to the County Correctional Facility C-141, Riverhead**

---

Per the 2011 Adopted Capital Budget, the Sheriff's Office requests the introduction of a resolution to appropriate funds in connection with the repair or replacement of infrastructure throughout the Riverhead Maximum and Medium Security Correctional Facility for 2011 under Capital Project 3014.

This resolution appropriates \$1,000,000 in construction funds, \$600,000 for site improvements and \$100,000 in furniture and equipment funds in 2011 so that the much needed repairs and renovations to the 1969 and 1991 portions of the Correctional Facility can continue in a timely manner. As a direct result of thirty-one years of continuous overcrowding, this facility continues to deteriorate at an alarming rate and requires immediate repairs to keep the facility operational and habitable. With a housing capacity of 1,191 with variances, and an anticipated growth in the County's inmate population over the next decade, this complex must continue to be used for years to come.

The intent of this project is to repair critical infrastructure systems before they fail and create a safety hazard, which would otherwise necessitate intervention on an emergency basis and ultimately cost more to correct.

In order to avoid a significant backlog of deferred maintenance in our correctional system, we urge that this resolution be laid on the table at your earliest convenience. Our objective is to generate significant cost savings by accelerating projects now, thereby avoiding construction cost inflation and cost increases due to deterioration caused by deferred maintenance.

Copies of a draft resolution, impact statement and introductory form are attached. An e-mail version was also sent to CE RESO REVIEW, under the titles:

"Reso-Sheriff-2011 funds for CP3014"; "Backup-SHF-CP 3014-SCIN 175A";

"Backup-SHF-CP 3014-SCIN 175B"; and "Back-up SHF-CP 3014-Cover Letter-2011".

Thank you for your consideration in reviewing this draft resolution.

MPS/jfr

cc: Christopher Kent, Chief Deputy County Executive

Attachments

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION No. – 2011, APPROPRIATING FUNDS IN CONNECTION WITH RENOVATIONS TO THE ORIGINAL PORTIONS OF THE YAPHANK CORRECTIONAL FACILITY (CP 3009)**

**WHEREAS**, the Sheriff of Suffolk County has requested additional funds for capital project 3009, which addresses the repair or replacement of infrastructure throughout the original portions of the Yaphank Correctional Facility; and

**WHEREAS**, with a capacity to house 504 inmates, and an anticipated growth in the County's inmate population over the next decade, this original portion of the complex must continue to be used for years to come, and

**WHEREAS**, this maintenance, repair and upgrade will include renovations and improvements to various structural and mechanical systems to include, **but are not limited to**, plumbing, HVAC, electrical, and building roofs and waterproofing, along with repairs and renovations to the existing dormitories, and other general building improvements; and these physical assets are at the end of their useful life, which, if not repaired or replaced, could create safety hazards; and

**WHEREAS**, the majority of these renovations, repairs and improvements are interrelated and require a definitive schedule of funding; and

**WHEREAS**, there are sufficient funds within the 2011 Capital Budget and Program to cover the Planning and Construction costs of said request under Capital Program Number 3009; 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 2011 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 \$350,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5 (c)(1),(2),(20) and (27) of Title 6 of the New York 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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-nine (59), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$350,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3009.112 (Fund 001-Debt Service)	18	Renovations at the Yaphank Correctional Facility	\$100,000

525-CAP-3009.316 (Fund 001-Debt Service)	25	Renovations at the Yaphank Correctional Facility	\$150,000
525-CAP-3009.512 (Fund 001-Debt Service)	18	Renovations at the Yaphank Correctional Facility	\$100,000

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval:

1091

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION No.                      – 2011, APPROPRIATING FUNDS IN CONNECTION WITH RENOVATIONS TO THE ORIGINAL PORTIONS OF THE YAPHANK CORRECTIONAL FACILITY (CP 3009)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District	<input type="radio"/> Other (Specify):
<input type="radio"/> Library District	<input type="radio"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
FY 2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
STEPHANIE RUBINO CHIEF EXECUTIVE ANALYST		January 26, 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1091

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$24,145</b>	<b>\$0.04</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$24,145</b>	<b>\$0.04</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County  
General Obligation Serial Bonds  
Level Debt

1091

Term of Bonds: 20  
Amount to Bond: \$350,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/10/2011					
5/10/2012					
11/10/2012	3.000%	\$12,655.30	\$11,489.23	\$24,144.53	\$24,144.53
			\$5,536.90	\$5,536.90	
11/9/2012	3.000%	\$13,070.72	\$5,536.90	\$18,607.62	\$24,144.53
			\$5,322.37	\$5,322.37	
11/10/2013	3.000%	\$13,499.79	\$5,322.37	\$18,822.16	\$24,144.53
			\$5,100.79	\$5,100.79	
11/10/2014	3.000%	\$13,942.94	\$5,100.79	\$19,043.73	\$24,144.53
			\$4,871.95	\$4,871.95	
11/10/2015	3.000%	\$14,400.63	\$4,871.95	\$19,272.58	\$24,144.53
			\$4,635.59	\$4,635.59	
11/9/2016	3.000%	\$14,873.35	\$4,635.59	\$19,508.94	\$24,144.53
			\$4,391.47	\$4,391.47	
11/9/2017	3.000%	\$15,361.59	\$4,391.47	\$19,753.06	\$24,144.53
			\$4,139.33	\$4,139.33	
11/10/2018	3.000%	\$15,865.86	\$4,139.33	\$20,005.19	\$24,144.53
			\$3,878.92	\$3,878.92	
11/10/2019	3.000%	\$16,386.68	\$3,878.92	\$20,265.60	\$24,144.53
			\$3,609.97	\$3,609.97	
11/9/2020	3.000%	\$16,924.59	\$3,609.97	\$20,534.56	\$24,144.53
			\$3,332.18	\$3,332.18	
11/9/2021	3.000%	\$17,480.16	\$3,332.18	\$20,812.34	\$24,144.53
			\$3,045.28	\$3,045.28	
11/10/2022	3.000%	\$18,053.97	\$3,045.28	\$21,099.25	\$24,144.53
			\$2,748.95	\$2,748.95	
11/10/2023	3.250%	\$18,646.62	\$2,748.95	\$21,395.57	\$24,144.53
			\$2,442.90	\$2,442.90	
11/9/2024	3.250%	\$19,258.72	\$2,442.90	\$21,701.62	\$24,144.53
			\$2,126.80	\$2,126.80	
11/9/2025	3.375%	\$19,890.92	\$2,126.80	\$22,017.72	\$24,144.53
			\$1,800.33	\$1,800.33	
11/10/2026	3.500%	\$20,543.86	\$1,800.33	\$22,344.19	\$24,144.53
			\$1,463.14	\$1,463.14	
11/10/2027	3.500%	\$21,218.24	\$1,463.14	\$22,681.38	\$24,144.53
			\$1,114.88	\$1,114.88	
11/9/2028	3.625%	\$21,914.76	\$1,114.88	\$23,029.64	\$24,144.53
			\$755.19	\$755.19	
11/9/2029	3.750%	\$22,634.14	\$755.19	\$23,389.33	\$24,144.53
			\$383.69	\$383.69	
11/10/2030	4.000%	\$23,377.14	\$383.69	\$23,760.83	\$24,144.53
		\$350,000.00	\$132,890.50	\$482,890.50	\$482,890.50

COUNTY OF SUFFOLK



1091  
ML#  
021-11  
2 copies

OFFICE OF THE SHERIFF

VINCENT F. DEMARCO  
SHERIFF

**To:** Ken Crannell, Deputy County Executive

**From:** Michael P. Sharkey, Chief of Staff *MS*

**Date:** 01/04/2011

**Re: INTRODUCTORY RESOLUTION REQUEST – CP 3009 –  
Renovations at the Yaphank Correctional Facility**

---

Per the 2011 Adopted Capital Budget, the Sheriff's Office requests the introduction of a resolution to appropriate funds in connection with renovations to the original portion of the Yaphank Correctional Facility for 2011 under Capital Project 3009.

This resolution appropriates \$100,000 in planning funds, \$150,000 in construction funds, and \$100,000 in furniture and equipment funds in 2011 so that the much needed repairs and renovations to the 1959, 1983 and 1988 portions of the Yaphank Correctional Facility can continue in a timely manner. As you are aware, with a capacity to house 504 inmates and an anticipated growth in the County's inmate population over the next decade, this original portion of the complex must continue to be used for years to come.

The intent of this project is to repair critical infrastructure systems before they fail and create a safety hazard, which would otherwise necessitate intervention on an emergency basis and ultimately cost more to correct.

In order to avoid a significant backlog of deferred maintenance in our correctional system, we urge that this resolution be laid on the table at your earliest convenience. Our objective is to generate significant cost savings by accelerating projects now, thereby avoiding construction cost inflation and cost increases due to deterioration caused by deferred maintenance.

Copies of a draft resolution, impact statement and introductory form are attached. An e-mail version was also sent to CE RESO REVIEW, under the titles:

"Reso-Sheriff-2011 funds for CP3009"; "Backup-SHF-CP3009-SCIN 175A";

"Backup-SHF-CP3009-SCIN 175B"; and "Backup SHF-CP3009-Cover Letter-2011".

Thank you for your consideration in reviewing this draft resolution.

MPS/jfr

cc: Christopher Kent, Chief Deputy County Executive

Attachments

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION No. – 2011, AUTHORIZING THE PAYMENT OF FUNDS FROM THE SHERIFF'S OFFICE PRISONERS' COMMISSARY ACCOUNT TO THE GENERAL FUND**

**WHEREAS**, the Sheriff of Suffolk County is authorized to operate a Prisoners' Commissary for the sole benefit of those incarcerated in Suffolk County's Correctional Facilities; and

**WHEREAS**, it has recently been determined that, if funds permit, non-mandated expenses, or a portion thereof, incurred in the course of operating said Prisoners' Commissary, may be paid from the Sheriff's Commissary Fund Account; and

**WHEREAS**, it has also been determined that the permanent salaries and overtime of the civilian staff assigned to the Commissary Unit, as well as non-mandated overtime of the Correction Officers assigned to the Commissary Unit can be deemed an operating expense incurred by the County of Suffolk, to be paid from the Sheriff's Commissary Fund Account, and

**WHEREAS**, a total of **\$223,411.00** in permanent salaries and overtime is directly related to the non-mandated operation of the Suffolk County Sheriff's Office's Commissary for fiscal year 2009; and

**WHEREAS**, it has been determined that for FY 2009, there were sufficient funds in the Sheriff's Commissary Fund Account to permit the payment of **\$223,411.00** from said Account to the County's General fund via Revenue Account 001-SHF-3150-2466-Sheriff's Reimbursement From Commissary; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept \$223,411.00 from the Sheriff's commissary fund account as follows:

**REVENUE ACCOUNT:**

001-SHF-3150-2466 – Sheriff's Reimbursement from Commissary **\$223,411**

And be it further

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

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval:

1092

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation – <b>Authorizing the payment of funds from the Sheriff's Office Prisoners' Commissary Account to the General Fund.</b>		
3. Purpose of Proposed Legislation –See number 2 above.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact <b>Transfer of \$223,411 from the Sheriff's Office Prisoners' Commissary Account to the General Fund via Revenue Account 001-SHF-3150-2466-Sheriff's Reimbursement from Commissary.</b>		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
9. Timing of Impact - <b>FY 2010-2011</b>		
10. Typed Name & Title of Preparer Stephanie Rubino Chief Executive Analyst	11. Signature of Preparer <i>Stephanie Rubino</i>	12. Date: 01/26/2011

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1092

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



1092

OFFICE OF THE SHERIFF

VINCENT F. DEMARCO  
SHERIFF

**To:** Ken Crannell, Deputy County Executive  
**From:** Michael P. Sharkey, Chief of Staff *MS*  
**Date:** 01/04/2011  
**Re:** **INTRODUCTORY RESOLUTION REQUEST – TRANSFER OF FUNDS FROM PRISONERS’ COMMISSARY FUND TO GENERAL FUND**

---

As you are aware, Sheriff DeMarco has been actively pursuing avenues to off set the cost of County government. In that regard, it has been recently determined that, if funds permit, non-mandated expenses, or a portion thereof, incurred in the course of operating our Prisoners’ Commissary, may be paid from the Sheriff’s Commissary Fund Account.

Per the 2010 Adopted Operating Budget, the Sheriff’s Office requests the introduction of a resolution to transfer \$223,411 from the Sheriff’s Commissary Fund Account to the General Fund via Revenue Account 001-SHF-3150-2466 – Sheriff’s Reimbursement from Commissary.

Copies of a draft resolution, impact statement and introductory form are attached. An e-mail version was also sent to CE RESO REVIEW, under the titles:

- “Reso-Sheriff-2011 Commissary Fund Transfer”;
- “Backup-SHF-Commissary Fund Transfer-SCIN 175A”;
- “Backup-SHF-Commissary Fund Transfer-SCIN 175B”;
- and
- “Backup SHF-Commissary Fund Transfer-Cover Letter-2011”.

Thank you for your consideration in reviewing this draft resolution.

MPS/jfr

cc: Christopher Kent, Chief Deputy County Executive

Attachments

1093

Intro. Res. No. -2011

Laid on Table 2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, NAMING THE SUFFOLK COUNTY POLICE DEPARTMENT RANGE "THE STEPHEN J. CLARK MEMORIAL RANGE"**

**WHEREAS**, Police Officer Stephen J. Clark was a twenty-three year veteran of the Suffolk County Police Department serving as a firearms instructor at the SCPD range for 12 years; and

**WHEREAS**, Officer Clark passed away on December 8, 2010 and is survived by his wife and two children; and

**WHEREAS**, Stephen J. Clark was a U. S. Navy Veteran of thirty-three years retiring with the rank of Command Master Chief; and

**WHEREAS**, Officer Clark founded *9-1-1 Veterans*, a non-profit organization dedicated to assisting Long Island's veterans with rent, mortgage, utility, car payments along with vehicle repairs, medical co-payments and prescription drugs; and

**WHEREAS**, while under going treatment for his illness, Officer Clark ran in the 2009 Marine Corp Marathon in Washington D. C. and also participated in the 2010 Long Island Marathon; and

**WHEREAS**, it is fitting to memorialize Stephen J. Clark for his distinguished service to Suffolk County by naming the Suffolk County Firearms Training Range in his honor; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered and directed, pursuant to Section 8-2 (W) of the Suffolk County Charter, to take all actions necessary and appropriate to effectuate this naming and dedication ; and be it further

**2<sup>nd</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act ("SEQRA") lead agency, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (c) (20), (21) and (27) of Title 6 of the New York Code of Rules and Regulations ("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 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 language.  
\_\_\_ Underlining denotes addition of new language.

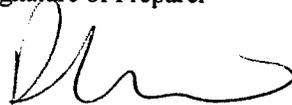
DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date:

1093

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>NAMING THE SUFFOLK COUNTY POLICE DEPARTMENT RANGE "THE STEPHEN J. CLARK MEMORIAL RANGE"</b>		
3. Purpose of Proposed Legislation		
Name the Suffolk County Police Firearms Range in honor of Police Officer Stephen J. Clark.		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes No XX</b>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<b>County</b>	<b>Town</b>	<b>Economic Impact</b>
<b>Village</b>	<b>School District</b>	<b>Other (Specify):</b>
<b>Library District</b>	<b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Minimal operating cost, funds included in 2011 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		
2011 Operating Budget		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		1-25-11

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

1093

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>		<b>\$0.00</b>		\$0.000

**POLICE DISTRICT AND DISTRICT COURT**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>		<b>\$0.00</b>		\$0.000

**COMBINED**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1094

Intro. Res. No. -2011

Laid on Table

2/11/11

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, APPROVING  
THE APPOINTMENT OF KENNETH BLOMBERG TO  
DETECTIVE SERGEANT IN THE SUFFOLK COUNTY  
POLICE DEPARTMENT**

**WHEREAS**, Section 6-3(A) and (B) of the **SUFFOLK COUNTY ADMINISTRATIVE CODE** was amended by Local Law Nos. 26-1999 and 24-2005, extending anti-nepotism provisions to cover relatives of the Police Department officials when the position is not being filled pursuant to a Civil Service Law competitive examination; and

**WHEREAS**, the Suffolk County Police Commissioner intends to appoint Kenneth Blomberg, brother of Suffolk County Police Captain Thomas Blomberg, to a position of Detective Sergeant; and

**WHEREAS**, said employee is presently employed by the Suffolk County Police Department as a Sergeant; and

**WHEREAS**, said employee is well qualified to fill the position of Detective Sergeant; and

**WHEREAS**, there are sufficient unexpended and uncommitted funds in the Police Department budget to cover the cost; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the appointment indicated above is hereby approved and shall be effective upon appointment by the Police Commissioner after approval of this resolution.

DATED:

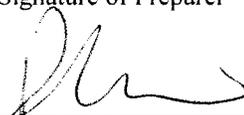
APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1094

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>APPROVING THE APPOINTMENT OF KENNETH BLOMBERG TO DETECTIVE SERGEANT IN THE SUFFOLK COUNTY POLICE DEPARTMENT</b>		
3. Purpose of Proposed Legislation		
To comply with Section 6-3(A) and (B) of the Suffolk County Administrative Code regarding the hiring or promoting of relatives of high ranking County officials		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>YesXX No</b>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<input checked="" type="radio"/> <b>County</b>	<input type="radio"/> <b>Town</b>	<input type="radio"/> <b>Economic Impact</b>
<input type="radio"/> <b>Village</b>	<input type="radio"/> <b>School District</b>	<input type="radio"/> <b>Other (Specify):</b>
<input type="radio"/> <b>Library District</b>	<input type="radio"/> <b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Increased salary costs totaling \$9,401 per year		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
Increased salary costs totaling \$47, 005 for 5 years.		
8. Proposed Source of Funding		
Operating Budget		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		1-25-11

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

1094

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL		<b>\$0.00</b>		\$0.000

**POLICE DISTRICT AND DISTRICT COURT**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL		<b>\$0.00</b>		\$0.000

**COMBINED**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	<b>\$0</b>	<b>\$0.00</b>		\$0.000

NOTES:

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- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



**POLICE DEPARTMENT COUNTY OF SUFFOLK**  
 ACCREDITED LAW ENFORCEMENT AGENCY  
**TRUTH-IN-NEPOTISM HIRING/PROMOTION AFFIDAVIT**  
 PDCS-1097b

1094

**NOTE:** Pursuant to Local Law No. 32-1989, Local Law No. 9-1996, Local Law 26-1999, and Local Law 24-2005, any individual hired or promoted to a position not being filled pursuant to Civil Service Law Competitive Examination, shall sign a sworn affidavit at least five business days prior to the commencement of employment with the County of Suffolk stating whether or not such individual is a spouse, issue, brother, sister, parent, brother-in-law, sister-in-law, parent-in-law, niece or nephew of any of the following County Officials: the County Executive; a County Legislator; any other elected official or official appointed to an elected County position or any department head with the power to hire, fire or promote; all Chief Deputy County Executives and Deputy County Executives; all Commissioners and Deputy Commissioners of County Departments; a County police official holding the rank of Captain or above; a Suffolk County District Court Judge; Suffolk County Family Court Judge; Judge of the County Court of Suffolk County; Suffolk County Surrogate; Suffolk County Supreme Court Justice; or judge of any Suffolk County court or any successor court thereto.

STATE OF NEW YORK)

SS:

COUNTY OF SUFFOLK)

I, KENNETH BLONBERG, being duly sworn, depose and say: That I am neither the spouse, issue (children, grandchildren, etc.), brother, sister, parent, brother-in-law, sister-in-law, parent-in-law, niece or nephew of any of the following County Officials to wit: the County Executive; a County Legislator; any other elected official or official appointed to an elected County position or any department head with the power to hire, fire or promote; all Chief Deputy County Executives and Deputy County Executives; all Commissioners and Deputy Commissioners of County Departments; a County police official holding the rank of Captain or above; a Suffolk County District Court Judge; Suffolk County Family Court Judge; Judge of the County Court of Suffolk County; Suffolk County Surrogate; Suffolk County Supreme Court Justice; or judge of any Suffolk County court or any successor court thereto except: (Name of Suffolk County Official/Judge/Position of such official). (If none, so state "NONE").

YES THOMAS BLONBERG CAPTAIN

That I acknowledge receipt of a copy of Section A6-3 of the Suffolk County Administrative Code, I have read the aforesaid section, and make this affidavit with the full knowledge that the County of Suffolk will rely upon this affidavit.

**JOHN WILLIAM SUMWALT**  
 Notary Public, State of New York  
 No. 01SU8073124  
 Qualified in Suffolk County  
 Commission Expires 6/10/14

Thomas Blonberg 567 1135/1500  
 Signature

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011

7<sup>th</sup> day JANUARY 20 11  
John William Sumwalt  
 Notary Public

4901

# 2010 Personnel Costs

Rank	Tour	# of Personnel	1100 Salary	1030 Night Diff	1040 Holiday	1060 Longevity	1120 Overtime	1330 Prem Hol	1400 Cleaning	1410 Clothing	1000's Total	18.50% Retire rate	2010 Soc Sec max for Yr	14,640 Health Ins per family	1,905 Benefit Fd per empl	Benefit Total	Grand Total
Det Sergeant	2 tour	1	134,532	10,090	7,538	8,625	0	0	800	700	162,285	29,745	8,975	14,640	1,905	55,265	217,550
Sergeant	2 tour	1	128,126	9,609	7,179	8,625	0	0	800	0	154,339	28,405	8,860	14,640	1,905	53,810	208,149
Difference			6,406	481	359	0	0	0	0	700	7,946	1,340	115	0	0	1,455	9,401

Note: PBA contract effective 1/1/10  
 SDA contract effective 1/1/10  
 SOA contract effective 1/1/10  
 All Contracts expire 12/31/10

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION  
OFFICE OF THE COUNTY EXECUTIVE  
COUNTY OF SUFFOLK

- (1) Please limit this suggestion form to ONE proposal.
- (2) Describe in detail.
- (3) Attach all pertinent backup material.

---

Submitting Department  
(Dept. Name & Location)

Department Contact Person  
(Name & Phone No.)

Suffolk County Police Department  
30 Yaphank Ave.  
Yaphank, NY 11980

Sgt. Brian Cassidy  
Office of the Commissioner  
852-6416

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Suggestion Involves:

Technical Amendment

New Program

Grant Award

Contract (New\_\_ Rev.\_\_)

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Explanation of Proposed Resolution

This proposed resolution is seeking to approve the appointment of Kenneth Blomberg to the position of Detective Sergeant in the Suffolk County Police Department pursuant to section A6-3 of the Suffolk County Code.

Kenneth Blomberg currently holds the position of Sergeant in the Suffolk County Police Department. Sergeant Blomberg's brother Thomas Blomberg is a Captain in the Suffolk County Police Department.

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Summary of Resolution Benefits

Kenneth Blomberg is well qualified to fill this currently vacant position.

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1095

Intro. Res. No. -2011

Laid on Table 2/1/11

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

**RESOLUTION NO. -2011, AUTHORIZING  
THE CREATION OF A UTILITY EASEMENT  
FOR USE BY LIPA AND NATIONAL GRID  
FOR SERVICE TO THE COMPRESSED  
NATURAL GAS (CNG) FUELING STATION AT  
THE WEST END HIGHWAY FACILITY  
(COMMACK TRUCK GARAGE)**

**WHEREAS**, the Commack Truck Garage represents a valuable asset for the residents of the County of Suffolk; and

**WHEREAS**, Long Island Lighting Company d/b/a LIPA ("LIPA"), by and through its agent National Grid Electric Services LLC, and KeySpan Gas East Corporation d/b/a National Grid ("National Grid"), a New York corporation; have requested that they be granted an easement on a portion of this property in order to provide underground primary service to the proposed Compressed Natural Gas (CNG) fueling station to be located at the Commack Truck Garage.

**WHEREAS**, this legislature as lead agency has previously made a SEQRA determination, under Resolution 605-2009 (IR 1553-2009), that installation of infrastructure constitutes Type II action in that (1) maintenance or repair involving no substantial changes in an existing structure or facility;(2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part; (25) purchase or sale of furnishings, equipment or supplies, has no significant adverse impact on the environment based on the criteria contained in section 617.7(c), which completes SEQRA; and

**WHEREAS**, this legislature has authorized funds for design and construction of said Commack Truck Garage CNG infrastructure under Resolution 979-2009 (IR 1921-2009); and

**WHEREAS**, the CNG operations at the Commack Truck Garage and the development of the business and industrial area require access to utility infrastructure; and

**WHEREAS**, there exists a need to define those areas where utility construction will be permitted; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the grant of a non-exclusive easement be and is hereby authorized to be granted to the following public utility companies as noted above and as described in Exhibits "A" and "B" appended hereto, to lay, re-lay, operate, maintain and remove such infrastructure items as water mains, water supply and distribution appurtenances, fire hydrants, services, electrical mains, switchgear, transformers, vaults, services, conduit, copper communications cable, fiber optic communications cable, cross-connect cabinets, gas mains and valves and services and

other such unscheduled equipment that may be necessary for distribution and provision of service to :

Long Island Lighting Company d/b/a LIPA ("LIPA"), by and through its agent National Grid Electric Services LLC, and

KeySpan Gas East Corporation d/b/a National Grid ("National Grid"), a New York corporation;

Such other providers of services as the County may judge necessary or desirable; and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management of the Department of Environment and Energy is hereby authorized to execute easement agreements in a form in substantial compliance with the model easement annexed hereto as Exhibit "C"; and be it further

**3<sup>rd</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act, New York Environmental Conservation Law Article 8 ("S.E.Q.R.A."), and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action pursuant to Title 6 NYCRR Part 617.5(c) (20) since it is mainly administrative in nature and implements a project for which SEQRA has been completed; and, be it further

**4<sup>th</sup> 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 SEQRA notices of determination in accordance with this resolution.

DATE:

APPROVED BY:

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

Date of Approval:

**Attachments:**

Exhibit A – Map of Proposed Easement

Exhibit B – Written Description of Proposed Easement

Exhibit C – Utility Easement Agreement





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*Exhibit B*

*Description of Easement to be Dedicated to  
Long Island Power Authority  
By the County of Suffolk*

**ALL** that piece or parcel of land situate lying and being at Commack, Town of Smithtown, County of Suffolk and State of New York as shown on a survey prepared by Hirani Engineering and Land Surveying P.C., being more particularly bounded and described as follows:

**BEGINNING** at a point on the northerly boundary of Henry Street (50 feet wide), said point being 80.64 feet easterly from the point on the easterly boundary of Armstrong Avenue where it is intersected by the aforementioned northerly boundary of Henry Street as shown on the Described Map of Brentwood Manor as filed in the Office of the Clerk of Suffolk County on December 9, 1908 as Map No. 661, as measured along the last mentioned boundary.

**THENCE** through the lands of the County of Suffolk the following seven (7) courses and distances:

1. N 03°02'49" E, 151.45 feet to a point;
2. S 86°57'11" E, 27.91 feet to a point;
3. N 03°02'49" E., 10.00 feet to a point;
4. N 86°57'11" W, 37.91 feet to a point; and
5. S 03°02'49" W, 161.45 feet to a point on the aforementioned northerly boundary of Henry Street.

**THENCE** N. 87°01'36" W., 10.00 feet to the point or place of beginning containing 1,894± square feet or 0.043acres more or less.

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Exhibit C

**UTILITY EASEMENT AGREEMENT**

**THIS INDENTURE**, made this \_\_\_\_ day of \_\_\_\_\_, 2011, by and between County of Suffolk, a municipal corporation of the State of New York with offices at Suffolk County Center, Center Drive, Riverhead, New York 11901 (hereinafter referred to as "Grantor"); and Long Island Lighting Company d/b/a LIPA ("LIPA"), a New York corporation, having its principal office at 333 Earle Ovington Blvd., Suite 403, Uniondale, New York 11553, by and through its agent National Grid Electric Services LLC, and KeySpan Gas East Corporation, d/b/a National Grid ("National Grid"), a New York corporation having its principal office at 175 East Old Country Road, Hicksville, New York 11801. (LIPA and National Grid are hereinafter collectively referred to as "Grantee").

**RECITALS**

1. The Grantor is the owner of approximately 9.63 acres known as West End Highway Facility (the "Commack Truck Garage") and Grantor has good title thereto.
2. Grantee proposes to construct and install an improvement known as CNG Fueling Station at the Commack Truck Garage, identified as Project Number 5602, (the "Project").
3. Grantor has agreed to grant to Grantee a non-exclusive easement for utility purposes, subject to the terms and conditions hereinafter set forth.

**NOW, THEREFORE**, for and in consideration of the premises and the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, Grantor does hereby grant and convey to the Grantee, its successors and assigns, an easement on, under, over, across and in a portion of the Commack Truck Garage premises, of which a map or survey is attached hereto and made a part hereof as Exhibit "A", and which is described in Exhibit "B" (hereinafter referred to as the "Easement" or the "Easement Area"), also attached hereto and made a part hereof.

1. **Recitals.** The parties represent that the foregoing recitals are true and correct and hereby incorporated into this Easement as if fully set forth herein.

2. **Grant of Easement.** Grantor does hereby grant and convey to the Grantee and its agents, successors and assigns, a non-exclusive easement in, on, under, over, upon, across and through the Easement Area for utility purposes including, but not limited to, constructing, laying, installing, operating, maintaining, relocating, repairing, replacing, improving, removing and inspecting water, sewer, drainage, gas, electric, cable, telephone or other utilities, as well as ingress and egress in, over, under, upon, across and through the Easement Area, with full rights and authority to enter upon and

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excavate the Easement Area as may be necessary, useful or convenient, provided however, that the same shall be promptly restored to the condition existing prior to such excavation, and further provided that the use by Grantee of such Easement Area shall not unreasonably interfere with Grantor's use thereof.

3. **Use of Easement Area.** Grantee shall have the right to do all things necessary, useful or convenient for the purpose set forth in Section 2 hereof. Grantor hereby covenants with Grantee that Grantee shall have quiet and peaceful use and enjoyment of the easement granted herein, subject to the conditions herein set forth. The Grantee agrees reasonably and promptly to restore the Easement Area or other areas of the Commack Truck Garage disturbed by the Grantee in connection with its use of the Easement Area to the condition which existed prior to the disturbance.

4. Also granted to Grantee is the privilege of access from the adjacent street across the Commack Truck Garage to the Easement Area.

5. The utility facilities and associated appurtenances and accessories as from time to time installed, constructed and maintained by Grantee in the Easement Area shall at all times be and remain the property of Grantee, and be replaced, maintained and serviced exclusively by Grantee.

6. **Covenants Running with the Land.** This Easement, and all the rights, conditions, covenants and interests set forth herein and created hereby are intended to and shall run with the land and shall be binding upon and inuring to the benefit of the parties hereto and their respective successors and assigns.

7. **Perpetual Duration.** This Easement shall be perpetual in duration.

8. **Rights Reserved.** The easement rights granted herein are non-exclusive in nature and are subject to all matters of record and to any other easements hereinafter granted by Grantor. Grantor shall have the right to use the Easement Area, or any portion thereof, or any property of Grantor adjoining the Easement Area for any purpose not inconsistent with the use and enjoyment of the rights granted herein in favor of Grantee.

10. **Compliance with Requirements.** Grantee covenants, warrants and represents that it shall, at all times, comply with any and all orders, directives, requests and rules and regulations of the Grantor and of each and every municipality, department and/or agency having jurisdiction of the Easement Area or of any work to be performed therein.

11 **No Gratuities.** The Grantee represents and warrants that neither the Grantee nor any official, officer, or employee of Grantee, has offered or given any gratuity to any official, employee or agent of Grantor, Suffolk County, New York State, any political subdivision thereof or to any political party with the purpose or intent of 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,

1095

and that Grantor has read and is familiar with the provisions of Suffolk County Local Law Number 32-1980.

12. **Execution.** Grantee warrants and represents that its execution of this Easement has been properly authorized. The Easement shall not be of any force or effect until ratified by the Suffolk County Legislature, and approved by the Executive of Suffolk County.

13. **No Waiver.** This Easement is not a waiver by Grantor of any claim for damage or for use of any property not restored promptly, nor a waiver by Grantor of any claim for personal injury. Grantee shall be liable for any such claims based upon its act or omission in connection with its use of the Easement and Grantee agrees to indemnify Grantor and hold it harmless from any such liability.

14. **Miscellaneous.** No modification or amendment of this Easement shall be of any force or effect unless in writing executed by both Grantor and Grantee and recorded in the Suffolk County Clerk's Office. This Easement sets forth the entire agreement between Grantor and Grantee relating to the Easement and all subject matter herein, and supersedes all prior and contemporaneous negotiations, understandings and agreements, written or oral, between the parties.

**IN WITNESS WHEREOF**, the Grantor and Grantee have duly executed this Easement as of the date first above written.

**LIPA**

**County of Suffolk**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Deputy County Executive  
Date: \_\_\_\_\_

**National Grid**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

1095

**Approved as to Legality:**  
**Christine Malafi, County Attorney**

**Approved:**  
**Division of Real Estate**

By: \_\_\_\_\_  
Robert A. Braun  
Assistant County Attorney

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_







1095

**Exhibit A**

**Easement Map or Survey**  
(attached)

1095

**Exhibit B**

**Description of Easement Area**  
(attached)

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1095

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<p><b>RESOLUTION NO.            -2011, AUTHORIZING THE CREATION OF A UTILITY EASEMENT FOR USE BY LIPA AND NATIONAL GRID FOR SERVICE TO THE COMPRESSED NATURAL GAS (CNG) FUELING STATION AT THE WEST END HIGHWAY FACILITY (COMMACK TRUCK GARAGE)</b></p>		
3. Purpose of Proposed Legislation		
See No. 2 above.		
4. Will the Proposed Legislation Have a Fiscal Impact?            Yes <u>  X  </u> No _____		
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		
Proposed resolution will enable construction for which funds have previously been appropriated and bonded. No direct funding is required for this resolution.		
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		January 25 <sup>th</sup> , 2011

SCIN FORM 175b (10/95)

1095

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$458,773,751	\$1,025.82		\$2.303

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$458,773,751	\$837.28		\$1.099

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



1095

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: January 24, 2011

RE: Compressed Natural Gas (CNG) Fueling Station at the West End Highway Facility (Commack Truck Garage)

Attached for your review is a draft resolution proposing the grant of a utility easement on a portion of the West End Highway Facility in order to provide underground primary services to the proposed Compressed Natural Gas fueling station to be located at the Commack Truck Garage. Please note this is a no cost resolution (\$10.00) which will allow utility companies to install underground utilities on County property.

This action is considered an unlisted action under SEQRA in accordance with Title 6 NYCRR Part 617. Attached is SEQRA Resolution 605-2009.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CNG Utility Easement.doc.

JP/MJM/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
- Robert Murphy, Capital Program Manager
- Kathy LaGuardia, Executive Assistant for Finance & Administration
- Laura Conway, CPA, Chief Accountant
- CE RESO Review (e-mail)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Intro Res. No. 1096-11

LOT 2/1/11

Introduced by Presiding Officer, on request of the County Treasurer

**RESOLUTION NO. \_\_\_\_\_-2011**  
**AUTHORIZING THE COUNTY TREASURER TO BORROW CASH FUNDS FROM OTHER COUNTY FUNDS FOR 2011**

**WHEREAS**, the County Treasurer recommends that moneys be borrowed from a variety of County Funds in the event of a temporary shortfall of cash during 2011; and

**WHEREAS**, in accordance with Section 9-a of the NEW YORK GENERAL MUNICIPAL LAW, moneys can be temporarily advanced between funds, but must be repaid with interest by the end of the fiscal year; and

**WHEREAS**, the original intent of the Suffolk County Legislature and New York State Laws in creating said funds will not be circumvented by the enactment of the resolution; and

**WHEREAS**, the Suffolk County Legislature has previously granted the County Treasurer approval to temporarily borrow cash in Resolution Nos. 92-2010; 105-2009; 62-2008; 609-2007; 1011-2006; 1097-2005; 800-2004; 711-2003; 878-2002; and prior years; and

**WHEREAS**, it is prudent fiscal management for the County to borrow from its own funds since the County will not incur borrowing fees, such as the cost of issuance from such action; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Treasurer is hereby authorized and empowered to borrow available cash from individual County Funds to the extent this cash is not needed for budgeted expenditures of said funds; and be it further

**2<sup>nd</sup> RESOLVED**, that any moneys borrowed from any County Fund pursuant to this resolution shall be repaid to said fund with interest at the prevailing rate from subsequent revenues as soon as it is fiscally practicable, but no later than December 31, 2011; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Treasurer is hereby directed to provide the County Legislature, County Executive, County Comptroller, County Executive Budget Office, and the Legislative Budget Review Office with a report within five business days following any transaction that increases or decreases the fund balance in any County Fund through an internal transfer between funds.

DATED:

APPROVED BY:

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

Date: \_\_\_\_\_

1097

Intro. Res. No. -2011  
Introduced by Presiding Officer Lindsay

Laid on Table 2/1/11

**RESOLUTION NO. -2011, REAPPOINTING MEMBER TO THE  
SUFFOLK COUNTY WATER AUTHORITY (PATRICK G.  
HALPIN)**

**WHEREAS**, the term of office of Patrick G. Halpin as a member of the Suffolk County Water Authority will expire March 29, 2011; now, therefore, be it

**1st RESOLVED**, that **Patrick G. Halpin**, currently residing in the Village of Babylon, New York, is hereby reappointed as a member of the Suffolk County Water Authority for a term of office commencing March 30, 2011 and expiring on March 29, 2016, said appointment having been made pursuant to the provisions of Section 1077(1) of the NEW YORK PUBLIC AUTHORITIES LAW.

DATED:

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

S:\reslr-reappt-halpin-scwa

1098

Intro. Res. No. -2011  
Introduced by Legislator Browning

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AMENDING THE 2011  
OPERATING BUDGET AND TRANSFERRING FUNDS FROM  
THE JOHN J. FOLEY SKILLED NURSING FACILITY TO THE  
LEGISLATURE**

**WHEREAS**, Introductory Resolution No. 2271-2010 requires the Legislative Office of Budget Review to select a consultant to prepare an RFEI or RFP to elicit proposals on provision of additional healthcare services at the John J. Foley Skilled Nursing Facility, and

**WHEREAS**, there are insufficient appropriations in the Fees for Services Appropriation of the Legislative Office of Budget Review to provide for such a consultant; and

**WHEREAS**, there are excess appropriations provided for employee health insurance in the nursing home; and

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

**1<sup>st</sup> RESOLVED**, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
632	IFT	E039	9600	Transfer to Fund 039	-\$200,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
632	IFT	E001	9600	Transfer to Fd 001 General	+\$200,000
001	LEG	1025	4560	Fees for Services	+\$200,000

**REVENUES:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>REV CODE</u>	<u>REVENUE NAME</u>	<u>AMOUNT</u>
001	IFT	R632	Transfer FR SC Nursing Home	+\$200,000
039	IFT	R632	Transfer FR SC Nursing Home	-\$200,000

DATED:

APPROVED BY:

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

Date:

T:\BRO\Browning accompanying budget amendment for 2271-10.docx

1099

Intro. Res. No. -2011  
Introduced by Legislators Gregory, Browning and Montano

Laid on Table 2/1/2011

**RESOLUTION NO. -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND THE 2011 ADOPTED OPERATING BUDGET AND APPROPRIATING \$652,500 IN CONNECTION WITH THE IMPROVEMENT OF THE SAFETY AND SECURITY OF SUFFOLK COUNTY THROUGH THE USE OF THE SHOTSPOTTER® GUNSHOT LOCATION SYSTEM (CP 3511)**

**WHEREAS**, Suffolk County is proactive in searching for and developing solutions to improve community safety and decrease crime; and

**WHEREAS**, Suffolk County is studying the use of the ShotSpotter® Gunshot Location System technology to aid in investigating and deterring gun crimes in communities suffering significant gun violence; and

**WHEREAS**, officials at the town and village level, community leaders and local law enforcement have specialized knowledge of high crime locations in their communities; and

**WHEREAS**, the Suffolk County Police Department has completed a feasibility study which included known historical perspectives, hamlet and precinct demographics, gang membership, reported violent crimes, weapons arrests, specific gun crime analysis, installation costs, maintenance costs and associated fees; and

**WHEREAS**, sufficient funds are not included in the 2011 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided; and

**WHEREAS**, this Legislature included sufficient funding in the 2011 Operating Budget for the purpose of purchasing equipment to aid law enforcement in making the County safer for all residents; and

**WHEREAS**, the ShotSpotter® system when utilized in strategic high crime areas will be a useful tool for law enforcement and will improve safety throughout the County; and

**WHEREAS**, these funds would be used to initiate a pilot program utilizing ShotSpotter® in Wyandanch, North Bellport, and Central Islip and or Brentwood through Capital Project 3511 - ShotSpotter® Gunshot Location System; 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 2011 Capital Budget, as the basis for funding capital projects such as this project; and

**WHEREAS**, Section 4-31(G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the

size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-two (42) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

**2<sup>nd</sup>** **RESOLVED**, these funds would be used to initiate a pilot program utilizing ShotSpotter® in Wyandanch, North Bellport, and Central Islip and or Brentwood; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Suffolk County Police Department, in conjunction with the Department of Public Works and the Department of Information Technology, is further authorized to initiate a ShotSpotter® pilot system as appropriations allow; and be it further

**4<sup>th</sup>** **RESOLVED**, that all data recorded by the ShotSpotter® system pursuant to this resolution shall be transmitted to the Suffolk County Police Department headquarters in Yaphank and be it further;

**5<sup>th</sup>** **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project as shown below; and be it further

**APROPRIATIONS:**

<u>Agency</u>	<u>Fund</u>	<u>Unit</u>	<u>Object</u>	<u>Unit/Activity and Object Name</u>	<u>Amount</u>
Police	115	3121	2500	Other Equipment Not Otherwise	-\$652,500
IFT	115	E525	9600	Transfer to Capital Fund	+\$652,500

and be it further

**6<sup>th</sup>** **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Unit</u>	<u>Unit/Activity and Object Name</u>	<u>Amount</u>
IFT	525	R115	Transfer from Fund 115	+\$652,500

and be it further

**7<sup>th</sup>** **RESOLVED**, that the 2011 Capital Budget and Program be and they are hereby amended as follows:

Project Number: 3511  
 Project Title: ShotSpotter® Gunshot Location System

	Total Est'd Cost	Current 2011 Capital Budget & Program	Revised 2011 Capital Budget & Program
5. Equipment	\$ 1,102,500	\$0	\$ 652,500 T
TOTAL	\$ 1,102,500	\$0	\$ 652,500 T

and be it further

**8<sup>th</sup>** **RESOLVED**, that the transfer in the amount of \$652,500 be and hereby is appropriated as follows:

Project Number	JC	Project Title	Amount
525-CAP-3511.511	07	ShotSpotter ® Gunshot Location System- Wyandanch, North Bellport, and Central Islip and or Brentwood	\$652,500

and be it further

**9<sup>th</sup>** **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

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

Date:

1100

Intro. Res. No. -2011  
Introduced by Legislator Cooper

Laid on Table 2/1/11

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO.  
-2011, A LOCAL LAW TO INCREASE AWARENESS OF THE  
HARMFUL EFFECTS OF TOBACCO USE**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2011, a proposed local law entitled, "**A LOCAL LAW TO INCREASE AWARENESS OF THE HARMFUL EFFECTS OF TOBACCO USE**" now, therefore, be it

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

**LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO INCREASE AWARENESS OF THE HARMFUL  
EFFECTS OF TOBACCO USE**

**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 millions of Americans use tobacco products regularly.

This Legislature finds that an individual trying tobacco products can become addicted to nicotine by smoking as few as twenty cigarettes.

This Legislature also finds and determines that tobacco use has been linked with cancers of the mouth, throat, and lungs, as well as other serious illnesses such as stroke, heart disease, asthma and emphysema.

This Legislature finds that the treatment of diseases caused by tobacco use cost the United States \$96 billion annually.

This Legislature determines that recent studies have shown that the nation's progress in reducing tobacco products has slowed in recent years and may be stalled. Currently, over twenty percent of adults and over nineteen percent of teens in the United States use tobacco.

This Legislature finds that graphic images have been used in public service announcements in recent years to show the physical damage caused to one's body by using tobacco. Presently, thirty nations around the world require the display of large graphic warnings about the health problems associated with tobacco use.

This Legislature determines that the European Union has taken this approach a step further, mandating that similar graphic images be placed on every pack of cigarettes sold in the region.

This Legislature also finds that the U.S. Food and Drug Administration is currently in the process of selecting similar images to place on individual cigarette packs beginning in 2012.

This Legislature determines that the County of Suffolk should use images in a similar manner to discourage people from starting the use of tobacco products and encourage those that do use tobacco to quit.

This Legislature further finds that displaying images depicting the physical damage caused by tobacco use, at the point of sale, will better inform the public of the serious dangers associated with tobacco.

Therefore, the purpose of this law is to require the placement of public health messages depicting the negative effects of tobacco use near advertisements and displays where tobacco products are offered for sale in Suffolk County.

## **Section 2. Definitions.**

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

“COMMISSIONER” shall mean the Commissioner of the Department of Health Services.

“DEPARTMENT” shall mean the Department of Health Services.

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

“PUBLIC HEALTH MESSAGE” shall mean a sign containing words and images which conveys important information about health issues to the public regarding the effects of smoking. For example: photos of lungs inflicted with cancer, emphysema and COPD; photos of damaged mouth tissue, tongues, gums and teeth; pre-surgical x-rays and photos and post-surgical photos; photos of pregnant women and the effects of smoking on their fetuses; photos of severely stained teeth, skin and fingers. Text on the sign shall be in a contrasting color from the background, in all capital letters and at least 3/4 inch in height.

“TOBACCO PRODUCTS” shall mean one or more cigarettes or cigars, bidis, chewing tobacco, powdered tobacco, blunt papers or wrappers, cigarette rolling papers of any kind, pipes, or any other tobacco-based product.

## **Section 3. Requirements.**

- A. Any person selling or offering for sale tobacco products shall post public health messages provided by the Department regarding the negative effects of using tobacco products prominently at eye level within five feet from the location of tobacco products, advertisements or registers at which they will be sold.
- B. A minimum of one public health message containing photographic images depicting negative health consequences of tobacco use must be posted for every four tobacco advertisements or displays. In the event that there is at least one tobacco advertisement or display, but fewer than four of same, there shall be a minimum of one public health message posted.

**Section 4. Enforcement.**

- A. This law shall be enforced by the Department of Health Services in accordance with the procedures set forth in §760-202 through 760-215 of the Suffolk County Sanitary Code.
- B. All public health messages regarding the negative effects of using tobacco products shall be prepared, in English and Spanish, by the Department of Health Services.

**Section 5. Penalties.**

Violation of this law shall be punishable by a civil fine of two hundred fifty dollars (\$250.00) for a first offense. All subsequent violations shall be punishable by a civil fine of seven hundred fifty dollars (\$750.00).

**Section 6. Rules and Regulations.**

The Commissioner is hereby authorized and empowered to establish rules and regulations necessary for the implementation of 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 on the one hundred eightieth (180<sup>th</sup>) day immediately subsequent to filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

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

Date:

s:\laws\anti smoking signage

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1100

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



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

DATE: January 27, 2011  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW TO INCREASE AWARENESS OF THE HARMFUL EFFECTS OF TOBACCO USE

SPONSOR: LEGISLATOR COOPER

DATE OF RECEIPT BY COUNSEL: 1/26/11 PUBLIC HEARING: 3/8/11  
DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would require persons who sell tobacco products to post public health messages containing graphic images near displays and advertisements for tobacco products and their point of sale. The public health messages will be prepared by the Department of Health Services.

Violation of this law shall be punishable by a civil fine of two hundred fifty dollars (\$250.00) for a first offense. Subsequent violations shall be punishable by a civil fine of seven hundred fifty dollars (\$750.00). The Department of Health Services shall enforce this law.

This law will take effect one hundred eighty (180) days after its filing in the Office of the Secretary of State.

GEORGE NOLAN  
Counsel to the Legislature

GN:

s:\rule28\28-anti tobacco signs

1101

Intro. Res. No. -2011  
Introduced by Legislator Browning

Laid on Table 2/1/11

**RESOLUTION NO. -2011, ESTABLISHING A COMMUNITY  
GARDEN IN BELLPORT**

**WHEREAS**, Resolution No. 533-2009 established a Victory Garden Task Force to identify County-owned parcels where community gardens could be established; and

**WHEREAS**, the Victory Garden Task Force, with the assistance of the Division of Real Property Acquisition and Management, has identified many properties that are suitable for community gardens; and

**WHEREAS**, the Greater Bellport Coalition wishes to use two of these properties, located in Bellport and identified on the Suffolk County Tax Map as parcels 0200-973.80-08.00-032.000 and 0200-959.30-06.00-022.000, for the purpose of establishing community gardens; and

**WHEREAS**, the County of Suffolk wishes to work with the Greater Bellport Coalition to establish community gardens for the purpose of growing healthy, fresh produce for the benefit of all Bellport residents; now, therefore be it

**1st RESOLVED**, that this Legislature hereby approves and authorizes the license/lease of the two parcels described above to the Greater Bellport Coalition for the purpose of establishing community gardens; and be it further

**2nd RESOLVED**, that the Division of Real Property Acquisition and Management is authorized, empowered and directed to enter into an agreement with the Greater Bellport Coalition, subject to the approval of the County Attorney, for the management of the community garden for a period of two (2) years, with an option to renew for an additional two (2) year term; and be it further

**3rd RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

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

Date:

1102

Intro. Res. No. -2011

Laid on Table

2/1/11

Introduced by Presiding Officer at request of County Executive

**RESOLUTION NO. -2011 ADOPTING LOCAL LAW NO. -  
2010, A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION  
PROPERTIES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , a proposed local law entitled, "A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION PROPERTIES"; now, therefore be it

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

**LOCAL LAW NO. -2011), SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION PROPERTIES**

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

**Section 1. Legislative Intent.**

This legislature hereby finds and determines that the County of Suffolk disposes of many properties acquired through the provision of the SUFFOLK COUNTY TAX ACT by public auction.

This Legislature further determines that Local law No. 13-1990 imposed a requirement that the auction of parcels with habitable structures be limited to those persons who agreed to occupy the premises for a period of at least 10 years. This requirement was intended to discourage speculators, encourage home ownership and strengthen neighborhoods throughout Suffolk County. However, this requirement has proven to have an adverse effect on auction sales for owner occupancy.

This Legislature also finds that sales have been stymied by a 10 year restriction, and that the public in general is discouraged from entering an agreement of such an onerous length of time. The present state of economy and the housing market further weakens the value of said agreement. Parcels subject to said agreement which are not bid upon impose further financial and community hardship while they await a future auction date. Those not sold at the October 2010 auction for example, will cost the County of Suffolk \$30,000 in additional real estate tax and an undetermined cost for maintenance before the opportunity for sale at another auction. Furthermore said 10 year restriction is in excess of the 5 year restriction imposed in the Affordable Housing Program.

This Legislature finds that it is necessary to reduce the owner occupancy requirement for auctioned properties from ten (10) to five (5) years in order to better achieve the stated goals of Local Law No. 13-1990.

Therefore, the purpose of this law is to restrict the auction of County parcels with structures to individuals who agree to a restrictive covenant in their deeds which require the parcel's owner to reside at the premises, said restriction to run with the land for a five (5) year period following the transfer of the deed from the County.

**Section 2. Amendments.**

Section A42-4 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended  
as follows:

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

\* \* \* \*

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

(1) The Director of the Division of Real Property Acquisition and Management in the Department shall take such measures as shall be necessary and appropriate to ensure that the transfer of title for sale of such parcels shall take place within two years after the signing of the contract of sale for such parcels.

(2) If the transfer of title for sale of such parcels shall not take place within two years after the signing of the contract of sale, then the Director of the Division of Real Property Acquisition and Management in the Department shall provide a written report to the County Legislature and appear before the Ways and Means Committee and the Parks and Recreation Committee of the County Legislature, or any successor committees thereto, in order to continue the transfer process.

(3) The Director of the Division of Real Property Acquisition and Management in the Department shall lower the upset price for the public auction of such County-owned real estate parcels approved for such disposition as many times as shall be necessary and appropriate to effectuate the sale of such parcel at the third public auction if such parcel has been unsuccessfully listed at public auction two prior times.

\* \* \* \*

### **Section 3. Applicability.**

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

### **Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

This law shall take effect immediately upon 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 of Approval: \_\_\_\_\_

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)

1102

DATE: JANUARY 27, 2011  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

-----  
PROPOSED LOCAL LAW YEAR 2011

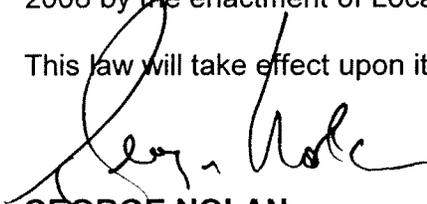
TITLE: I.R. NO. -2011; A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION PROPERTIES  
SPONSOR: THE PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 1/26/2011 PUBLIC HEARING: 3/8/2011  
DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

Under existing law, a person acquiring a tax default property with a habitable structure at County auction is required to occupy the acquired parcel for a period of ten (10) years. This proposed law would shorten the occupancy restriction from ten (10) to five (5) years.

It should be noted that the occupancy restriction was increased from five (5) to ten (10) years in 2008 by the enactment of Local Law No. 9-2008.

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

  
GEORGE NOLAN  
Counsel to the Legislature

GN:js

s:\rule28\28-disposition-auction-properties

1102

**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

Adopting Local Law No. -2010, A Local Law In Relation to Disposition of Auction Properties

3. Purpose of Proposed Legislation

Revert back to 5 year owner occupancy restriction of Suffolk County Administrative Code A42-4

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

Increased sales and bidding on habitable residential structures.

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

2011

10. Name & Title of Preparer

Signature of Preparer

Date

Wayne R. Thompson

Wayne R. Thompson

12/16/10

1102

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

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**Resolution Title:**

Adopting Local Law No. -2010, A Local Law In Relation to Disposition of  
Auction Properties

---

**Purpose/Justification of Request:**

Local Law No. 13-1976

---

**Specify Where Applicable:**

1. Is request due to change in law? Yes X No

If yes, please explain: To revert back to 5 year owner occupancy restriction of Suffolk  
County Administrative Code A42-4

2. Has this resolution been submitted previously? Yes    No X

If yes, give I.R. #, attach copy and reason for resubmittal:

3. Is backup attached? Yes X No

4. Is this resolution subject to SEQRA review? Yes    No X
- 

**Fiscal Information:**

Increased Improved Residential Structure Sales

---

**Contact Person:**

Wayne R. Thompson

**Telephone Number:**

(631) 853-5971

Gen D8

COUNTY OF SUFFOLK

1102

DEC 17 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

December 16, 2010

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

Re: ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW IN RELATION TO  
DISPOSITION OF AUCTION PROPERTIES

Dear Mr. Crannell:

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

ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW IN RELATION TO DISPOSITION OF  
AUCTION PROPERTIES

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  
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

1103

Intro. Res. No. -201/  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table<sup>2</sup> //2010

**RESOLUTION NO. -201/ ADOPTING LOCAL LAW  
NO. -201/ , A LOCAL LAW TO AMEND CHAPTER 152  
OF THE ADMINISTRATIVE LOCAL LAWS EXEMPTING THE  
HEALTH COMMISSIONER AND THE CHIEF MEDICAL  
EXAMINER FROM CERTAIN SALARY CAPS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2011 , a proposed local law entitled, "**A LOCAL LAW TO AMEND CHAPTER 152 OF THE ADMINISTRATIVE LOCAL LAWS EXEMPTING THE HEALTH COMMISSIONER AND THE CHIEF MEDICAL EXAMINER FROM CERTAIN SALARY CAPS;**" 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. -2008, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO AMEND CHAPTER 152 OF THE  
ADMINISTRATIVE LOCAL LAWS EXEMPTING THE HEALTH  
COMMISSIONER AND THE CHIEF MEDICAL EXAMINER  
FROM CERTAIN SALARY CAPS**

**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 Article V of Chapter 152 the Suffolk County Administrative Laws imposes a salary cap such that an employee's annual salary may not equal or exceed the salary of the County Executive.

This Legislature also finds and determines that Article V provides an exemption for the President of the Suffolk County Community College.

This Legislature further finds that the salary cap inhibits recruitment efforts for high quality medical professionals for the positions of Health Commissioner and Chief Medical Examiner.

Therefore, the purpose of this law is to provide an exemption to the salary cap for the positions of Health Commissioner and Medical Examiner.

**Section 2. Amendment.**

Subdivision B of Section 152-13 of Article V of Chapter 152 of the Administrative Local Laws is hereby amended as follows:

**Chapter 152**  
**Salaries and Compensation**

\*\*\*\*\*

**§ 152-13. Exemption.**

\*\*\*\*\*

B. This law shall not apply to the President of the Suffolk County Community College, the Health Commissioner or the Chief Medical Examiner.

\*\*\*\*\*

**Section 3. Applicability.**

This law shall apply to annual salaries and any compensation paid to the Health Commissioner and the Chief Medical Examiner of the County of Suffolk 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.

DATED:

APPROVED BY:

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

Date

OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK

1103

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



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

DATE: JANUARY 27, 2011  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

-----  
PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW TO AMEND CHAPTER 152 OF THE ADMINISTRATIVE LOCAL LAWS EXEMPTING THE HEALTH COMMISSIONER AND THE CHIEF MEDICAL EXAMINER FROM CERTAIN SALARY CAPS

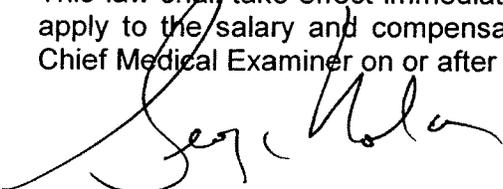
SPONSOR: THE PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 1/26/2011 PUBLIC HEARING: 3/8/2011

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would amend Chapter 152 of the SUFFOLK COUNTY CODE to exempt the Commissioner of Health Services and the Chief Medical Examiner from the County law that caps the salaries of exempt employees and elected officials at the amount paid to the County Executive. Presently, the President of the Community College is exempted from the provisions of the salary cap law.

This law shall take effect immediately upon its filing in the Office of the Secretary of State and apply to the salary and compensation paid to the Commissioner of Health Services and the Chief Medical Examiner on or after the law's effective date.

  
GEORGE NOLAN  
Counsel to the Legislature

GN:js

s:\rule28\28-exempt-health-comm-chief-medical-examiner-salary-caps

1104

Intro. Res. No. -2011

Laid on Table

2/1/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011,  
A LOCAL LAW TO PROHIBIT PET WASTE AND WATERFOWL  
FEEDING ON COUNTY PROPERTY**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on \_\_\_\_\_, 2011, a proposed local law entitled, "**A LOCAL LAW TO PROHIBIT PET WASTE AND WATERFOWL FEEDING ON COUNTY PROPERTY**", 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. -2011, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO PROHIBIT PET WASTE AND WATERFOWL FEEDING ON  
COUNTY PROPERTY**

**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 presence of pet and waterfowl fecal matter on County property produce harmful bacteria which present a threat to public health and water quality of our harbors, bays, lakes, and ponds.

This Legislature further finds that the feeding of migratory waterfowl, such as Canada Geese, encourages them to halt their normal migrations and establish residency in Suffolk County, makes them susceptible to avian diseases, and causes nutritional problems.

This Legislature further finds that the County is required to implement a local law prohibiting pet waste and the feeding of geese on municipal properties pursuant to 33 U.S.C § 1342, the rules and regulations promulgated there under and the New York Environmental Conservation Law Article 17, Title 8.

This Legislature further finds it necessary to provide for the health, safety, and general welfare of the citizens of Suffolk County by prohibiting the feeding of waterfowl that results in:

A. An increase of pathogen loads to waterbodies; or

B. A violation of the State Pollutant Discharge Elimination System General Permit No. GP-0-10-002, as amended, for Stormwater Discharges from Municipal Separate Storm Sewer Systems, issued by the New York State Department of Environmental Conservation to Suffolk County pursuant to New York State Environmental Conservation Law Article 17, Title 8.

This Legislature further finds it necessary to provide for the health, safety, and general welfare of the citizens of Suffolk County by prohibiting the feeding of waterfowl that may result in:

- A. A violation of a Total Maximum Daily Load Allocation; or
- B. A violation of a Federal or State water quality standard.

This Legislature further finds that the above General Permit No. GP-0-10-002, as amended, also requires the County to implement a local law to prohibit feeding of waterfowl on municipal properties and to implement appropriate enforcement procedures and actions.

Therefore the purpose of this law is to create a local law to prohibit pet waste and goose feeding on all County property to protect the health and safety of the citizens of Suffolk County, to protect the County's water quality by reducing the amount of fecal matter deposited in the water and adjacent shoreline, and to establish an enforcement program to accomplish these goals.

### **Section 2. Definitions.**

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

COUNTY PROPERTY -- Any land which is owned, maintained, leased or managed by Suffolk County for any purpose whatsoever, including but not limited to roads, parks, preserves, and beaches.

FEED -- To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing migratory waterfowl.

PET -- Any domesticated animal kept for pleasure, not utility, and normally maintained in or near the household of the owner thereof.

PERSON -- Individuals; natural persons; partnerships; joint ventures; societies; associations; clubs; corporations; unincorporated groups of any members; or officer, directors or stockholders or any kind of personal representative thereof, in any capacity, acting for himself or for any other person, under either personal appointment or pursuant to law.

WATERFOWL -- Bird that frequents water, whether migratory or domestic, including but not limited to Canada geese, mute swans and mallard ducks.

### **Section 3. Prohibitions.**

- A. No person owning, harboring, keeping, possessing or in charge of any pet shall cause, suffer or allow such pet to soil, defile or defecate on County property unless all feces are immediately collected by said person in a sanitary manner, sealed and deposited in a garbage receptacle. In areas where a garbage receptacle is not on site, the sealed bag of feces shall be removed from the County property and deposited in the said person's garbage receptacle.
- B. No person shall feed or provide food for any waterfowl on County property at any time of the year.

**Section 4. Exemptions.**

The prohibition set forth in Section 3. A. shall not apply to a person who is handicapped or who is visually impaired and accompanied by a guide dog or service dog.

**Section 5. Penalties for Offense.**

Any violation of any provision this law shall be subject to a civil penalty, in an amount not less than \$50.00 nor more than \$400.00.

**Section 6. Enforcement.**

The enforcement of this law shall be the responsibility of the police department having jurisdiction over the County property where the offense occurs.

**Section 7. Applicability**

This law shall apply to all instances of uncollected pet feces, improperly disposed of pet feces, and waterfowl feeding on County property 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 lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 279 of the Suffolk County Code, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(20) and (27), in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

**Section 10. Effective Date.**

This law shall become effective ninety (90) days subsequent to filing with the New York State Secretary of State.

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK

1104

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



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

DATE: January 27, 2011

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW TO PROHIBIT PET WASTE AND WATERFOWL FEEDING ON COUNTY PROPERTY

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 1/26/11 PUBLIC HEARING: 3/8/11

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would require pet owners to promptly pick up any waste deposited by their animal on any County-owned property. This portion of the law will not apply to handicapped or visually impaired persons accompanied by a guide or service dog.

This law will also prohibit the feeding of waterfowl on any County-owned property.

Violation of any portion of this law shall be subject to a civil penalty of no less than fifty dollars (\$50.00), nor more than four hundred dollars (\$400.00). Curiously, the law states it will be enforced by the police department having jurisdiction over the County property where an offense occurs.

This law will take effect ninety (90) days after its filing in the Office of the Secretary of State.

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

GEORGE NOLAN  
Counsel to the Legislature

GN:

s:\rule28\28-pet waste and feeding geese

**FINANCIAL IMPACT  
2012 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1104

**GENERAL FUND**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$458,773,751</b>	<b>\$1,025.82</b>		<b>\$2.303</b>

**COMBINED**

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$458,773,751</b>	<b>\$837.28</b>		<b>\$1.099</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1104

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW TO PROHIBIT PET WASTE AND WATERFOWL FEEDING ON COUNTY PROPERTY		
3. Purpose of Proposed Legislation		
See No. 2 above. Suffolk County is required to implement a local law prohibiting pet waste and the feeding of geese on municipal properties pursuant to 33 U.S.C § 1342, the rules and regulations promulgated there under and the New York Environmental Conservation Law Article 17, Title 8. This resolution seeks to adopt such a local law which will protect the public health and the water quality of our harbors, bays, lakes and ponds.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 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
Nicholas Paglia Executive Technician		January 25 <sup>th</sup> , 2011

SCIN FORM 175b (10/95)

Gen 09

COUNTY OF SUFFOLK



1104

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: JANUARY 18, 2011**

**RE: INTRODUCTORY RESOLUTION ADOPTING LOCAL LAW NO. -2011,  
A LOCAL LAW TO PROHIBIT PET WASTE AND WATERFOWL  
FEEDING ON COUNTY PROPERTY**

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-Adopting Local Law to Prohibit Pet Waste and Waterfowl Feeding.doc." This draft resolution is being submitted to be laid on the table at the February 1, 2011 meeting of the Legislature.

Suffolk County is required to implement a local law prohibiting pet waste and the feeding of geese on municipal properties pursuant to 33 U.S.C § 1342, the rules and regulations promulgated there under and the New York Environmental Conservation Law Article 17, Title 8. This draft resolution seeks to adopt such a local law which will protect the public health and the water quality of our harbors, bays, lakes and ponds.

Should you require anything further, please contact my office at 4-4984.

Enclosures



1105

Intro. Res. No. \_\_\_\_-2011

Laid on Table 2/1/2011

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

**RESOLUTION NO. \_\_\_\_-2011, ADOPTING LOCAL LAW NO. \_\_\_\_-2010, A LOCAL LAW TO AMEND THE RULES AND REGULATIONS FOR THE USE OF SUFFOLK COUNTY PARKS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, 2011, a proposed local law entitled, "A LOCAL LAW TO AMEND THE RULES AND USE OF SUFFOLK COUNTY PARKS;" now, therefore be it

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

**LOCAL LAW NO. \_\_\_\_-2011, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO AMEND THE RULES AND REGULATIONS FOR THE USE OF SUFFOLK COUNTY PARKS**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that this Legislature, within Suffolk County Local Law No. 9-1980 which allowed Suffolk County residents to remove wood from Parks that had either fallen down or was cut down by authorized agents of the Department of Parks, Recreation and Conservation, recognized that due to the increased cost of home heating fuel, more and more Suffolk County residents have turned to heating their homes by burning wood.

This Legislature finds that this statement is even truer today, given the prolonged national recession, high unemployment, and the continual rising cost of home heating fuel.

This Legislature also finds and determines that in some instances, due in part to the increase of weather-related events which have caused a high number of downed trees and tree limbs within Suffolk County Parks, the Department of Parks, Recreation and Conservation has had to utilize staff and other resources to remove such wood and debris at the expense of Suffolk County taxpayers.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY CODE to eliminate the permit fee for the removal of firewood from Suffolk County Parks in order to incentivize Suffolk County residents to make such requests, which will have the dual benefit of helping to relieve the financial burden on Suffolk residents in heating their homes and assisting the Department of Parks, Recreation and Conservation in decreasing its costs for the removal of downed trees from Suffolk County Parks.

**Section 2. Amendment.**

Section 378-7(D) of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

CHAPTER 378, PARKS AND PARKS FACILITIES  
Article I  
Rules and Regulations

\*\*\*\*

D. Firewood.

(1) Notwithstanding the prohibition set forth in § 378-4A(16) and (18) herein, the Commissioner may establish rules and regulations to allow [citizens of] Suffolk County [parks] residents to obtain wood which has either fallen down or has been cut down by authorized agents. [In adopting such rules and regulations, the Commissioner may establish a fee of no more than \$15. Further, s] Such rules and regulations shall establish a system, whether by lot or otherwise, to ensure that all interested residents of Suffolk County will have an equal opportunity to obtain wood.

\*\*\*\*

**Section 3. Applicability.**

This law shall apply to all requests for a permit to remove firewood from Suffolk County Parks on or after the effective date of this law.

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) 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 filing with the Secretary of State.

DATED:

APPROVED BY:

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

Date:

[ ] Brackets denote deletions.

\_\_\_ Underlining denotes additions.

OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK

1105

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



WILLIAM H. ROGERS BUILDING  
P.O. BOX 6100  
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(631) 853-5494 (PHONE)  
(631) 853-4415 (FAX)

DATE: JANUARY 27, 2011  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

-----  
PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW TO AMEND THE RULES AND REGULATIONS FOR THE USE OF SUFFOLK COUNTY PARKS

SPONSOR: THE PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 1/26/2011 PUBLIC HEARING: 3/8/2011

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would eliminate the current \$15 fee for obtaining wood at County parks, and allow residents to acquire wood free of charge.

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

A handwritten signature in black ink, appearing to read "George Nolan", is written over the printed name below.

GEORGE NOLAN  
Counsel to the Legislature

GN:js

s:\rule28\28-amend-rules-regs-county-parks

**PROCEDURAL MOTION NO. 1-2011, DESIGNATING  
VETERANS ORGANIZATIONS TO RECEIVE FUNDING FOR  
MEMORIAL DAY OBSERVANCES FOR 2011**

**WHEREAS**, each year Veterans Organizations throughout Suffolk County remember and recognize the sacrifice of courageous veterans who have died; and

**WHEREAS**, one of the many ways these organizations honor these fallen heroes is to place a flag at gravesites at the two National Cemeteries and at other cemeteries in Suffolk County; and

**WHEREAS**, this Legislature wishes to assist these organizations in the purchase of flags for the Memorial Day observances; and

**WHEREAS**, §A2-15(A) of the Suffolk County Administrative Code authorizes the appropriation of up to \$7,500.00 per year to Veterans Organizations designated by the Veterans and Seniors Committee of the Suffolk County Legislature; now, therefore be it

**1st RESOLVED**, that the Long Island National Cemetery Memorial Committee shall be comprised of the following organizations, pursuant to §A2-15(A) of the Suffolk County Administrative Code, to receive funding in 2011 for the purpose of defraying the expenses of the proper observance of Memorial Day observances at the Long Island National Cemetery, Pinelawn; Calverton National Cemetery, Calverton; and at grave sites of veterans buried in other cemeteries within the County of Suffolk:

- 1.) Vietnam Veterans of America;
- 2.) Korean War Veterans;
- 3.) AMVETS;
- 4.) American Legion;
- 5.) American Ex-Prisoners of War;
- 6.) USCG-CPOA LI Chapter;
- 7.) Veterans of Foreign Wars;
- 8.) Masonic War Veterans;
- 9.) Disabled American Veterans;
- 10.) Fleet Reserve Association;
- 11.) Catholic War Veterans;
- 12.) Jewish War Veterans of the USA;
- 13.) Huntington Coordinator of Veterans Affairs;
- 14.) Marine Corps League;
- 15.) Merchant Marine Veterans;
- 16.) Navy Seabees; and
- 17.) Gold Star Mothers;

and be it further

**2nd RESOLVED**, that funding for this purpose shall be expended from Fund 001-LEG-1025-4560; and be it further

**3rd**           **RESOLVED**, that the Legislature's Office of Budget Review shall receive and process all vouchers, receipts, and related documents submitted by the designated organizations for disbursement of these funds pursuant to the criteria set forth in §A2-15(A) of the Suffolk County Administrative Code; and be it further

**4th**           **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

s:\procedural resolutions\pm-designate-memorial-day-funding-2011

Introduced by Presiding Officer Lindsay

Laid on Table 2/1/11

**MOTION NO. 2 - 2011, TECHNICAL CORRECTION TO  
PROCEDURAL MOTION 12-2010**

**WHEREAS**, Procedural Motion 12-2010 contained a technical error misstating the amount of funding for a Community Support Initiative; now, therefore, be it

**1st RESOLVED**, that the first RESOLVED clause of Procedural Motion 12-2010 is hereby amended as follows:

**1st RESOLVED**, that the Presiding Officer is hereby authorized to enter into agreements with the following contract agencies for the amounts indicated:

<u>AGENCY</u>	<u>SPONSOR</u>	<u>AMOUNT</u>
	* * * *	
Friends of the Retired Senior Volunteer Program	Nowick	[\$1,500] <u>\$2,000</u>
	* * * *	

and be it further

**2nd RESOLVED**, that all other terms and provisions of Procedural Motion 12-2010 shall remain in full force and effect.

DATED:

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