

L A I D O N T H E T A B L E S E P T E M B E R 1 5 , 2 0 1 1

LADS REPORT PREPARED BY:

Michele Gerardi

(Revised)

1774. Establishing a new policy for FIT reimbursement. (Cilmi) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1775. Amending the 2011 Operating Budget to support the Portuguese American Center of Suffolk. (Muratore) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1776. Amending the 2011 Operating Budget. (Lindsay) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1777. Amending the 2011 Operating Budget to support Mount Sinai Heritage Trust. (Anker) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1778. Amending the 2011 Operating Budget and Transferring Funds to the Department of Public Works to provide rent for the East Hampton Health Clinic. (Schneiderman) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1779. Authorizing certain technical corrections to Adopted Resolution No. 636-2011. (Co. Exec.) WAYS & MEANS
1780. Authorizing certain technical correction to Adopted Resolution No. 637-2011. (Co. Exec.) WAYS & MEANS
1781. Apportioning Mortgage Tax by: County Treasurer. (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1782. Adopting Local Law No. -2011, A Local Law to establish a reporting requirement for registered sex offenders in County Parks. (Lindsay) PARKS & RECREATION
1783. Approving payment to General Code Publishers for Administrative Code pages. (Pres. Off.) WAYS & MEANS
1784. Amending Resolution No. 725-2011, authorizing the issuance of a certificate of abandonment of the interest of the County of Suffolk in property designated as Town of Brookhaven, Suffolk County Tax Map No. 0200-545.00-01.00-003.000, pursuant to the Suffolk County Tax Act. (Browning) WAYS & MEANS
1785. Amending the 2011 Capital Budget and Program and appropriating funds in connection with improvements to campgrounds (CP 7009). (Romaine) PARKS & RECREATION
1786. Establishing guidelines for the implementation of the Sewer Infrastructure Program. (Romaine) PUBLIC WORKS & TRANSPORTATION
1787. Amending the 2011 Operating Budget to transfer funds to the March of Dimes Perinatal Program at SUNY Stony Brook. (Nowick) BUDGET & FINANCE/INFORMATION TECHNOLOGY

1788. Amending the 2011 Operating Budget to support Parents for Megan's Law. (Eddington) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1789. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Links at East Quogue, LLC property - East Quogue County Watershed addition Town of Southampton - (SCTM Nos. 0900-250.00-04.00-002.000 p/o, 0900-250.00-04.00-003.000 p/o, 0900-250.00-04.00-004.000 p/o, 0900-250.00-04.00-005.000 p/o, 0900-250.00-04.00-015.000, 0900-289.00-01.00-001.000, 0900-314.00-02.00-020.004, 0900-314.00-02.00-048.000, 0900-315.00-01.00-005.000 and 0900-315.00-01.00-015.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1790. Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) for the Ringhoff Family Limited Liability Company #1 property - Ringhoff Farm - Town of Brookhaven - (SCTM Nos. 0200-512.00-01.00-017.000 and 0200-512.00-01.00-018.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1791. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(B)] - for the Links at East Quogue, LLC property - East Quogue County Watershed addition - Pine Barrens Core - Town of Southampton - (SCTM Nos. 0900-219.00-01.00-026.000, 0900-219.00-01.00-027.000, 0900-219.00-01.00-028.000, 0900-219.00-01.00-029.000, 0900-250.00-04.00-002.000 p/o, 0900-250.00-04.00-003.000 p/o, 0900-250.00-04.00-004.000 p/o, 0900-250.00-04.00-005.000 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1792. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Vicencio Medrano and Emma Medrano, his wife (SCTM No. 0200-852.00-04.00-069.000). (Co. Exec.) WAYS & MEANS
1793. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Patricia E. Gorden (SCTM No. 0200-907.00-04.00-060.008). (Co. Exec.) WAYS & MEANS
1794. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Jorge E. Gonzalez and Sonia S. Meneses De Gonzalez, his wife (SCTM No. 0200-973.70-05.00-063.000). (Co. Exec.) WAYS & MEANS
1795. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 869-2011). (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY
1796. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Salvatore A. Sangeniti and Mary Margaret Sangeniti, his wife (SCTM No. 0200-442.00-03.00-011.003). (Co. Exec.) WAYS & MEANS
1797. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Trustees of Good Will African Methodist Episcopal Zion Church by Rev. William E. Fields, Pastor (SCTM No. 0900-139.00-01.00-012.002). (Co. Exec.) WAYS & MEANS

1798. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Richard Frey (SCTM Nos. 0200-979.00-02.00-004.000 n/k/a 0209-022.00-02.00-004.000). (Co. Exec.) WAYS & MEANS
1799. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Marianne G. Rohrlich (SCTM No. 0900-103.00-02.00-028.000). (Co. Exec.) WAYS & MEANS
1800. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Anthony J. Raimondi and Louise M. Raimondi, his wife (SCTM No. 0400-248.00-01.00-027.000). (Co. Exec.) WAYS & MEANS
1801. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Lawrence A. Nemeroff (SCTM No. 0200-837.00-03.00-016.001). (Co. Exec.) WAYS & MEANS
1802. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Monique Sonyea Mackroy-Davis (SCTM No. 0400-098.00-01.00-031.000). (Co. Exec.) WAYS & MEANS
1803. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Full Moon Properties, LLC (SCTM No. 0500-455.00-02.00-035.000). (Co. Exec.) WAYS & MEANS
1804. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act JS Long Island Realty Corp. (SCTM No. 0103-017.00-02.00-012.010). (Co. Exec.) WAYS & MEANS
1805. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Mid Atlantic, LLC (SCTM No. 0400-099.00-05.00-015.000). (Co. Exec.) WAYS & MEANS
1806. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Thermakraft Insulation, Inc. (SCTM No. 0500-192.00-02.00-011.000). (Co. Exec.) WAYS & MEANS
1807. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act J & S Realty Corp. (SCTM No. 0103-017.00-02.00-013.000). (Co. Exec.) WAYS & MEANS
1808. Authorizing a Lease Agreement with Sheahan Communications Inc., for use of property at Francis S. Gabreski Airport. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1809. Authorizing the County Executive to execute a lease agreement with the Town of Smithtown for the purposes of creating a Law Enforcement Motor-Carrier Check Site, situated on Town of Smithtown Real Property, identified as SCTM No. 0800-173.00-03.00-012.000, pursuant to Section 72-h of the General Municipal Law. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1810. Adopting Local Law No. -2011, A Local Law to address improved auction properties that remain unsold and increase affordable housing in Suffolk County. (Browning) LABOR, HOUSING & CONSUMER PROTECTION
1811. Establishing a Teen Pregnancy Advisory Board. (Viloria-Fisher) HEALTH & HUMAN SERVICES
1812. Amending Resolution No. 206-2006, establishing an application fee waiver policy for Civil Service Examinations. (Pres. Off.) LABOR, HOUSING & CONSUMER PROTECTION
1813. Amending Resolution No. 376-2011, directing the issuance of a request for proposals to increase services and revenue at the John J. Foley Skilled Nursing Facility. (Browning) HEALTH & HUMAN SERVICES
1814. Directing the Vanderbilt Museum and Planetarium Board of Trustees to prepare a ten-year master plan for the Museum. (Muratore) PARKS & RECREATION
1815. Establishing a Historic Structure Restoration Pilot Program and directing the Department of Parks, Recreation and Conservation to issue a Request For Proposals. (Horsley) PARKS & RECREATION

PROCEDURAL MOTION

PM.27 Apportioning Mortgage Tax by: County Treasurer. (Pres. Off.)

**RESOLUTION NO. -2011, ESTABLISHING A NEW
POLICY FOR FIT REIMBURSEMENT**

WHEREAS, New York State Education Law requires the County of Suffolk to reimburse other community colleges for certain costs when a Suffolk resident attends a community college on a non-resident basis; and

WHEREAS, the Fashion Institute of Technology ("FIT") is defined as a community college in State law, even though it offers Baccalaureate and Master's degree programs in addition to two-year programs; and

WHEREAS, the County of Suffolk is currently reimbursing FIT for costs associated with Suffolk residents enrolled in a Baccalaureate or Master's programs; and

WHEREAS, New York's Education law requires New York State to reimburse home Counties for 50% of the costs associated with any non-resident in attendance at FIT but the State has reneged on this statutory commitment since 2001; and

WHEREAS, a recent decision of the New York State Supreme Court (Justice Parga, Nassau County) concluded that Nassau County could only charge back the Town of North Hempstead for the amount paid by the County to FIT for town residents enrolled in two-year education programs and those seeking two-year associate degrees; and

WHEREAS, it is clear from this court decision that Nassau County, and all other Counties in the State, are only responsible to reimburse FIT for County residents who are enrolled in FIT's two-year programs; now, therefore be it

1st RESOLVED, that it shall be the policy of the County of Suffolk to limit reimbursement to the Fashion Institute of Technology for costs associated with Suffolk residents enrolled in FIT's two-year education programs and those seeking two-year associates degrees; and be it further

2nd RESOLVED, that the Suffolk County Comptroller is hereby authorized and directed to limit payments to FIT for allocable costs attributable to County residents enrolled in a two-year program and/or seeking a two-year degree; and be it further

3rd RESOLVED, that the Comptroller shall not reimburse FIT for costs associated with Suffolk County residents enrolled in the Baccalaureate or Master's program; and

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:

1775

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

Laid on Table 9/15/2011

**RESOLUTION NO. -2011, AMENDING THE 2011
OPERATING BUDGET TO SUPPORT THE PORTUGUESE
AMERICAN CENTER OF SUFFOLK**

WHEREAS, the 2011 Operating Budget did not include funds for the Portuguese American Center of Suffolk; and

WHEREAS, the Portuguese American Center of Suffolk in Farmingville is a family-oriented center for the preservation of Portuguese heritage and has been serving the community for over a quarter-century; and

WHEREAS, it is the desire of the Suffolk County Legislature to provide \$5,000 for the Portuguese American Center of Suffolk; and

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

1st RESOLVED, that the 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	JMA1	4980	Kaeli Kramer Foundation	(\$5,000)

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	ECD	6410	XXXX	4980	Portuguese American Center of Suffolk, Inc.	+\$5,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Portuguese American Center of Suffolk, Inc.; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Portuguese American Center of Suffolk, Inc.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

T:\BROIR 2011 OB Amendment Portuguese American Center of Suffolk Muratore.doc

1776

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

Laid on Table 9/15/2011

**RESOLUTION NO. -2011, AMENDING THE 2011
OPERATING BUDGET**

WHEREAS, the 2011 Operating Budget, when adopted, included funding for a domestic violence agency under the auspices of the Client Benefits Division in the Department of Social Services; and

WHEREAS, the appropriate placement and oversight for this domestic violence contract agency funding is the Family and Children's Services Division of the Department of Social Services; and

WHEREAS, it is the desire of the Suffolk County Legislature to transfer the contract agency funding for The Retreat, Inc. from the Client Benefits Division to the Family and Children's Services Division to enable the funding to be expended for the purposes intended; and

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

1st RESOLVED, that the 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>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	DSS	6015	GEJ1	4980	THE RETREAT	-\$10,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	DSS	6017	ASX1	4980	THE RETREAT, INC.	+\$10,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding The Retreat, Inc. domestic violence program contract under the auspices of the Family and Children's Services Division of the Department of Social Services.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

T:\BRO\OB 2011 Amendment The Retreat, Inc. Lindsay

1777

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

Laid on Table 9/15/2011

**RESOLUTION NO. -2011, AMENDING THE 2011
OPERATING BUDGET TO SUPPORT MOUNT SINAI
HERITAGE TRUST**

WHEREAS, the 2011 Operating Budget does not include sufficient funds for Mount Sinai Heritage Trust; and

WHEREAS, Mount Sinai Heritage Trust is a not-for-profit 501(c)3 organization dedicated to preserving and enhancing the natural resources and distinctive character of their community through land use planning, conservation, preservation and limited development initiatives while fostering educational opportunities designed to enhance community appreciation; and

WHEREAS, it is the desire of the Suffolk County Legislature to provide \$5,000 for Mount Sinai Heritage Trust; and

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

1ST RESOLVED, that the 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	JLM1	4980	St. Anthony of Padua R.C.C. Outreach	(\$5,000)

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	ECD	6410	JGE1	4980	Heritage Trust	+\$5,000

and be it further

2ND RESOLVED, that appropriations pursuant to this resolution shall be used for the sole and exclusive purpose of funding Mount Sinai Heritage Trust.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

T:\BROAIR 2011 OB Amendment Mount Sinai Heritage Trust JGE1.docx

1778

9/15/11

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

Laid on Table

**RESOLUTION NO. -2011, AMENDING THE 2011
OPERATING BUDGET AND TRANSFERRING FUNDS TO THE
DEPARTMENT OF PUBLIC WORKS TO PROVIDE RENT FOR
THE EAST HAMPTON HEALTH CLINIC**

WHEREAS, the 2011 Operating Budget does not include sufficient funds for a lease extension for the East Hampton Health Clinic; and

WHEREAS, the current lease with the East Hampton Housing Authority expired on June 30, 2011; and

WHEREAS, the lease extension was unanimously approved by the Suffolk County Space Steering Committee which includes Executive representatives on April 21st; and

WHEREAS, the Town of East Hampton has spent a significant amount of funds to retrofit the building as a Health Clinic and has provided the building to the County for the last ten years at an annual rent cost of one dollar; and

WHEREAS, the Town of East Hampton had the option to enter into an agreement with the East Hampton Housing Authority and did not exercise that option; and

WHEREAS, the 2011 lease amount would provide for a half year (July through December) or \$16,250; and

WHEREAS, there are sufficient funds in the Interfund Transfer to Capital account (001-IFT-E525-9600) to cover this expense; and

WHEREAS, it is the desire of this Legislature to provide \$16,250 to fund the lease extension for the remainder of 2011; and

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

1st RESOLVED, that the 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	IFT	E525	0000	9600	TRANSFER TO FUNDS	-\$16,250

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DPW	1363	0000	4410	RENT: OFFICES & BUILDINGS	+\$16,250

and be it further

2nd **RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the lease extension for the East Hampton Health Clinic in accordance with the terms approved by the Space Steering Committee on which the County Executive is represented.

3rd **RESOLVED**, that this Legislature directs the County Executive to expediently appropriate these funds for the sole and exclusive purpose of keeping the East Hampton Health Clinic operational.

DATED:

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date:

T:\BRO\EAST HAMPTON HEALTH CLINIC LEASE EXTENSION 101100AUG2011.DOC

1779

Intro. Res. No. -2011

Laid on Table 9/15/2011

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.
636-2011**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 636-2011; and

WHEREAS, this resolution when adopted contained technical errors; and

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

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

Resolution No. 636-2011

In the 1st RESOLVED paragraph make the following changes:

FROM:

<u>1000-Personnel Services</u>	<u>\$467,035</u>
1110-Interim Salaries	\$84,747
[1112-Summer Program]	\$378,000
1140-Work Intern	\$4,288

TO:

1113-8% Program

FROM:

<u>[Employee Benefits-Self Insurance]</u>	
[039-EMP-9000-9600 Transfer to Fund 039-Self Insurance]	\$19,000

TO:

<u>Interfund Transfers</u>	
<u>320-IFT-DE-E039-9600</u>	\$19,000

FROM:

<u>Interfund Revenue</u>	
[001-IFT-E039-9600]	\$19,000

TO:

<u>Interfund Revenue</u>	
<u>039-IFT-E039-R320</u>	\$19,000

Also after Interfund Revenue 039-IFT-E039-R320 Insert the following:

<u>Employee Benefits-Major Medical</u>	
039-EMP-9060-DE 8360	\$19,000

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
SUFFOLK COUNTY EXECUTIVE

Eric C. Naughton
DEPUTY COUNTY EXECUTIVE FOR
FINANCIAL AFFAIRS

MEMORANDUM

TO: Tim Laube
Clerk of Legislature

FROM: Eric C. Naughton *ECN*
Deputy County Executive For Financial Affairs

DATE: August 19, 2011

SUBJECT: **Technical Correction for
Resolution No. 636-2011**

8/19/11 11:00 AM

Would you please have Resolution No. 636-2011 corrected as follows:

In the 1st RESOLVED paragraph:

CHANGE

1000-PERSONAL SERVICES

1110 – Interim Salaries	\$467,035
[1112 – Summer Program] <u>1113 8% Program</u>	\$84,747
1140 – Work Intern	\$378,000
	\$4,288

CHANGE

[EMPLOYEE BENEFITS - SELF INSURANCE]

[039-EMP-9000-9600 Transfer to Fund 039 – Self Insurance	\$19,000]
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TO

INTERFUND TRANSFERS

<u>320-IFT-DE-E039-9600</u>	<u>\$19,000</u>
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INTERFUND REVENUE

CHANGE

[001-IFT-E039-9600] to <u>039 IFT E039-R320</u>	\$19,000
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INSERT
EMPLOYEE BENEFITS - MAJOR MEDICAL
039-EMP 9060 DE 8360

\$19,000

I have attached a marked copy of this resolution for your use.

ECN:lp

enc.

cc:

Christopher Kent, Chief Deputy County Executive
Kenneth Crannell, Deputy County Executive For Finance and Administration
Eric Kopp, Assistant Deputy County Executive
Connie R. Corso, Budget Director
Brendan Chamberlain, Director of Intergovernmental Relations
Beth Reynolds, Budget Office
James Andrews, Labor Department

RESOLUTION NO. 436 -2011, ACCEPTING AND APPROPRIATING THE 100% FUNDED SUMMER JOBS EXPRESS! PROGRAM GRANT FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM

WHEREAS, the New York State Department of Labor (NYSDOL) has awarded a summer program grant in the amount of \$541,502 to the Suffolk County Department of Labor to fund summer jobs; and

WHEREAS, this grant is funded by the Workforce Investment Act (WIA) program, for the express purpose of providing summer employment to youth; and

WHEREAS, the funds were awarded for subsidized employment; and

WHEREAS, these funds have not been included in the 2011 Adopted Operating Budget; and

WHEREAS, these funds are available from 6/13/11 – 9/30/11; and

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

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

<u>REVENUES:</u>	<u>AMOUNT</u>
320-LAB-4790 Federal Aid: Various Labor Programs	\$541,502

ORGANIZATIONS:

Department of Labor (LAB)
Workforce Investment Act
320-6300

<u>1000-Personnel Services</u>	<u>\$467,035</u>
1110-Interim Salaries	\$84,747
1112-Summer Program 1113 89% PROGRAM	\$378,000
1140-Work Intern	\$4,288
<u>4000-Contractual Expenses</u>	<u>\$18,103</u>
4650-Fees for Services: Non-Employ	\$18,103
<u>8000-Employee Benefits</u>	<u>\$37,364</u>
8330-Social Security	\$35,728
8380-Benefit Fund Contribution	\$1,636

INTERFUND TRANSFERS

~~Employee Benefits Self Insurance~~

~~039-EMP-9000-9600 Transfer to Fund 039-Self Insurance~~ \$19,000

320-IFT-DE-E039-9600

Interfund Revenue

001-IFT-E039-9600 \$19,000

039 IFT E039-R320

and be it further

2ND RESOLVED, that the reporting category for the County Integrated Financial Management System (IFMS) is 6300.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

EMPLOYEE BENEFITS - MEDICAL

039-EMP-9000 DE 8500

\$19,000

1780

Intro. Res. No. -2011

Laid on Table 9/15/2011

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
637-2011**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 637-2011; and

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

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

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

Resolution No. 637-2011

In the 1st RESOLVED paragraph change the 4000-Contractual number:

FROM:

4980-[GDXX]

TO:

4980-XXXX

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

Intro. Res. No. 1781-11

Laid on Table 9/15/11

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

RESOLUTION NO. -2011, APPORTIONING
MORTGAGE TAX BY: COUNTY TREASURER

RESOLVED, that the joint reports of the Recording Officer and the County Treasurer as filed with this Legislature on August 23, 2011 relative to the distribution of mortgage taxes for the three month period ending June 30, 2011, be accepted and that the amounts specified therein be fixed and determined as the amounts due the Towns and Villages respectively; and be it further

RESOLVED, that the Presiding Officer and Clerk of this Legislature be authorized to execute and deliver to the County Treasurer a warrant of this Legislature directing him to make the payments therein specified in the report in accordance with the provisions of Section 261 of the Tax Law.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

**OFFICE OF THE COUNTY LEGISLATURE
Riverhead, New York**

TO THE TREASURER OF SUFFOLK COUNTY:

Pursuant to the authority conferred by Section 261 of the New York State Tax Law and a resolution adopted this day relative to the distribution of mortgage taxes to the several tax districts of this County for the six-month period ending June 30, 2011, the County Legislature of this County this day assembled hereby directs you to pay the Supervisors of the several Towns and to the Treasurers of the several Villages, as herein after specified, such sums as are listed in the schedule following:

To the Supervisors of the Towns of:

Babylon	\$818,836.66
Brookhaven	2,048,730.56
East Hampton	749,197.60
Huntington	1,373,515.65
Islip	1,368,734.32
Riverhead	168,097.76
Shelter Island	79,297.23
Smithtown	816,960.85
Southampton	1,581,611.63
Southold	222,155.20
Total Towns:	<u>\$ 9,227,137.46</u>

To the Treasurers of the Villages of:

Amityville	\$26,947.13
Babylon	33,456.08
Lindenhurst	53,541.66
Belle Terre	5,670.89
Bellport	9,564.44
Lake Grove	31,589.97
Old Field	8,383.91
Patchogue	22,342.52
Poquott	4,142.77
Port Jefferson	53,357.53
Shoreham	2,374.17
East Hampton	92,018.47
Sag Harbor	9,711.64

Asharoken	5,898.24
Huntington Bay	9,284.75
Lloyd Harbor	30,920.31
Northport	23,906.22
Brightwaters	9,747.84
Islandia	20,804.82
Ocean Beach	6,843.99
Saltaire	7,624.38
Dering Harbor	1,599.08
Head of the Harbor	10,233.03
Nissequogue	13,250.54
Village of the Branch	8,840.20
North Haven	26,490.62
Quogue	58,917.71
Sagaponack	74,441.54
Sag Harbor	21,844.60
Southampton	196,419.35
Westhampton Beach	52,184.32
Westhampton Dunes	10,738.24
Greenport	5,183.55

Total Villages:	<u>\$948,274.51</u>
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Grand Total:	<u><u>\$10,175,411.97</u></u>
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Presiding Officer, County Legislature

Clerk, County Legislature

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1728

1. Type of Legislation
ResolutionXXX Local Law Charter Law

2. Title of Proposed Legislation

Distribution of Mortgage Tax Proceeds

3. Purpose of Proposed Legislation
To authorize distributions of Mortgage Tax proceeds to Towns and Villages.

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

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

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

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

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

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

Angie M. Carpenter
County Treasurer

Angie M. Carpenter

August 23, 2011



1728

SUFFOLK COUNTY TREASURER

330 CENTER DRIVE RIVERHEAD, N.Y. 11901-3311

Telephone: (631) 852-1500 FAX (631) 852-1507

ANGIE M. CARPENTER
COUNTY TREASURER

DOUGLAS W. SUTHERLAND
CHIEF DEPUTY TREASURER

DIANE M. STUKE
DEPUTY TREASURER

TO: Timothy Laube, Clerk of the Legislature

FROM: Honorable Angie M. Carpenter
County Treasurer

A handwritten signature in black ink, appearing to be "A. Carpenter", written over the name in the "FROM" field.

DATE: August 23, 2011

I would be most appreciative if you could make the necessary arrangements to lay on the table the resolution for distribution of mortgage taxes for the three-month period ending June 30, 2011.

The resolution and appropriate distributions are attached.

AMC:kr
Att.

2011 AUG 25 4:10:15

1782

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

Laid on Table 9/15/11

RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW TO ESTABLISH A REPORTING REQUIREMENT FOR REGISTERED SEX OFFENDERS IN 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 ESTABLISH A REPORTING REQUIREMENT FOR REGISTERED SEX OFFENDERS IN COUNTY PARKS**" 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 ESTABLISH A REPORTING REQUIREMENT FOR REGISTERED SEX OFFENDERS IN 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 the County of Suffolk operates numerous parks throughout the County where individuals and families come to vacation and recreate. Many of the County's parks include campsites available for overnight use which are frequented by families with children.

This Legislature further finds and determines that sex offenders in New York State are required under the Sex Offender Registration Act ("SORA") to provide their permanent residence address to the State Division of Criminal Justice Services.

This Legislature also finds that registered sex offenders are not required to notify law enforcement of their status when visiting an area.

This Legislature finds that, to ensure the safety of all campers on County park property, registered sex offenders should inform Suffolk County Park Police of their sex offender status at the time they check-in at a County campsite.

Therefore, the purpose of this law is to require registered sex offenders to notify Suffolk County Park Police of their sex offender status upon check-in at an overnight facility on County parkland.

Section 2. Definitions.

"REGISTERED SEX OFFENDER" – a person who has been classified as a Level 2 or Level 3 sex offender and who is required to register with the New York State Division of Criminal Justice Services, or other agency having jurisdiction, pursuant to the provisions of Article 6-C of the NEW YORK CORRECTION LAW.

Section 3. Disclosure Requirement.

Any registered sex offender who reserves space in a Suffolk County park campground shall report his or her sex offender status to the Suffolk County Park Police prior to or at the time of his or her arrival at the campground. The sex offender shall also notify the Park Police of the scheduled duration of his or her stay at the campground.

Section 4. Penalties.

Any intentional violation of this law shall constitute a criminal violation punishable by a fine not to exceed two hundred-fifty dollars (\$250).

Section 5. Applicability.

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

Section 6. Severability.

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

Section 7. SEQRA Determination.

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

Section 8. Effective Date.

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

DATED:

APPROVED BY:

SECRETARY OF STATE
JUL 1 10 31 AM '10

County Executive of Suffolk County

Date:

s:\laws\l-sex offenders overnight parks

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)

1782

DATE: September 12, 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. 1782-2011; A LOCAL LAW TO ESTABLISH A REPORTING REQUIREMENT FOR REGISTERED SEX OFFENDERS IN COUNTY PARKS

SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 9/12/11 PUBLIC HEARING: 10/11/11

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

This proposed local law would require registered sex offenders who reserve space in a Suffolk County park campground to report his or her sex offender status to the Suffolk County Park Police on or before arrival at the campground. The registered sex offender will also have to notify Park Police of the scheduled duration of his or her stay at the campground.

Intentional violation of this law shall constitute a criminal violation punishable by a fine not to exceed \$250.00.

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

A handwritten signature in black ink, appearing to read "George Nolan", written over the printed name.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-sex offenders county parks

1783

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

Laid on Table 9/15/11

**RESOLUTION NO. -2011, APPROVING PAYMENT TO
GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE CODE
PAGES**

WHEREAS, General Code Publishers Corp. has provided Supplement No. 91 & Supplement No. 92 update the Suffolk County Administrative Code totaling \$9819.39; and

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

1st RESOLVED, that the payment of \$9819.39 for the provisions of such pages is hereby approved.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1784

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

Laid on Table 9/15/11

RESOLUTION NO. -2011, AMENDING RESOLUTION NO. 725-2011, AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF ABANDONMENT OF THE INTEREST OF THE COUNTY OF SUFFOLK IN PROPERTY DESIGNATED AS TOWN OF BROOKHAVEN, SUFFOLK COUNTY TAX MAP NO. 0200-545.00-01.00-003.000, PURSUANT TO THE SUFFOLK COUNTY TAX ACT

WHEREAS, Resolution No. 725-2011 authorized the County to issue a certificate of abandonment of the interest of the County in property owned by Feed My Sheep Church; and

WHEREAS, Resolution No. 725-2011 reflected the Church's agreement to pay back taxes to the County for the years of 2004/2005 and 2005/2006; and

WHEREAS, the Assessor for the Town of Brookhaven has determined that Feed My Sheep Church is not responsible for back taxes and the Town will pay all back taxes; and

WHEREAS, in light of this information, Resolution No. 725-2011 should be amended to relieve Feed My Sheep Church of all tax liability; now, therefore be it

1st RESOLVED, that the fourth WHEREAS clause of Resolution No. 725-2011 is hereby stricken; and be it further

2nd RESOLVED, that the 2nd RESOLVED clause of Resolution No. 725-2011 is hereby stricken and all subsequent resolved clauses shall be renumbered accordingly.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\l-amend feed my sheep

1785

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

Laid on Table 9/15/2011

RESOLUTION NO. -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO CAMPGROUNDS (CP 7009)

WHEREAS, the bluff at the Indian Island County Park campground in the Town of Riverhead is in need of shoreline hardening to protect it from erosion; and

WHEREAS, protecting the bluff from erosion will also contribute to the maintenance of the loop road at the campground; and

WHEREAS, furthermore, it will help to prevent the possibility of the unintentional unearthing of Native American burial remains and artifacts as was the case in 2005 when stormy weather conditions at the Indian Island County Park campground resulted in the uncovering of what is believed to be an ancient Indian burial ground with Native American remains and artifacts; and

WHEREAS, DPW has estimated that the planning and design phase of this project will cost \$150,000, which is \$40,000 more than the previously appropriated funding for the planning and design phase of this project; and

WHEREAS, because sufficient funds are not included in the 2011 Capital Budget and Program under CP 7009 to cover the cost of the planning and design phase of this project, pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$40,000 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

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the 2011 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1755

Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
3. Construction	\$1,410,000 B	\$1,450,000 B	\$1,410,000 B

TOTAL	\$1,410,000	\$1,450,000	\$1,410,000
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Project Number: 7009

Project Title: Improvements to Campgrounds

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
1. Planning, Design, & Supervision	\$40,000 B	\$0	\$40,000 B
TOTAL	\$540,000	\$0	\$540,000

and be it further

3rd RESOLVED, that the proceeds of \$40,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7009.117	Improvements to Campgrounds	\$40,000

and be it further

4th 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

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

1786

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

Laid on Table 9/15/11

**RESOLUTION NO. -2011, ESTABLISHING GUIDELINES
FOR THE IMPLEMENTATION OF THE SEWER
INFRASTRUCTURE PROGRAM**

WHEREAS, the County of Suffolk sits upon a sole source aquifer which supplies the County's drinking water; and

WHEREAS, cesspools send significant amounts of nitrogen into the soil and nearby waterways, with those cesspools closest to tributaries and bodies of water constituting the greatest threat to the County's drinking water; and

WHEREAS, Resolution No. 625-2011 authorized the use of excess monies in the Assessment Stabilization Reserve Fund for sewer infrastructure, sewage treatment plants, and the installation of enhanced nitrogen removal septic systems; and

WHEREAS, pursuant to Resolution No. 625-2011, no less than \$2 million must be used for the installation of residential enhanced nitrogen removal septic systems each year; and

WHEREAS, Resolution No. 625-2011 created a Sewer Infrastructure Committee to promulgate rules and regulations for the administration of the sewer infrastructure and septic system program but the resolution failed to provide policy guidelines for this committee; and

WHEREAS, the \$2 million dedicated to septic systems should focus on the voluntary replacement of aging cesspools near bodies of water or tributaries with alternative septic systems that will greatly reduce nitrogen loads and improve drinking water quality; now, therefore be it

1st RESOLVED, all monies dedicated to the installation of enhanced nitrogen removal septic systems pursuant to Resolution No. 625-2011 shall be utilized to upgrade cesspools installed prior to 1972 that lie within nitrogen sensitive zones to alternative septic systems approved by the County of Suffolk; and be it further

2nd RESOLVED, that "nitrogen sensitive zones" shall be defined as any land within 1,000 feet of a body of water or tributary; and be it further

3rd RESOLVED, residential property owners that satisfy the criteria set forth in the 1st RESOLVED clause of this Resolution may apply to the Sewer Infrastructure Committee for a grant to assist in the installation of an approved alternative septic system that is equal to 50% of the actual upgrade costs or \$10,000, whichever is less; and be it further

4th RESOLVED, that the Department of Health Services is hereby authorized, empowered and directed to identify and certify on or before July 1, 2012 a list of alternative septic systems that will reduce nitrogen loads to less than 10 milligrams per liter which shall be eligible for grant funding under the sewer infrastructure program; and be it further

5th RESOLVED, that, should the Department of Health Services fail to certify a list of alternative septic systems eligible for funding under this program by the July 1, 2012 deadline,

the County Legislature shall have sixty days to identify and certify, via procedural motion, a list of alternative septic systems that meet the criteria established herein; and be it further

6th **RESOLVED**, that the Sewer Infrastructure Committee shall publish the rules and regulations promulgated pursuant to Resolution No. 625-2011 on or before May 1, 2012; and be it further

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (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-sewer infrastructure committee parameters

1787

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

Laid on Table 9/15/2011

**RESOLUTION NO. -2011, AMENDING THE 2011
OPERATING BUDGET TO TRANSFER FUNDS TO THE
MARCH OF DIMES PERINATAL PROGRAM AT SUNY STONY
BROOK**

WHEREAS, the 2011 Suffolk County Operating Budget included funds for two March of Dimes programs; and

WHEREAS, March of Dimes has requested transfer of funds to their Perinatal Program at SUNY Stony Brook from their Long Island Division 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

1st 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	4100	GRH1	4980	MARCH OF DIMES LI DIVISION	(\$21,500)

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	HSV	4100	HNT1	4980	MARCH OF DIMES - PERINATAL PROGRAM @ SUNY SB	+\$21,500

and be it further

2nd RESOLVED, that appropriations pursuant to this resolution shall be used for the sole and exclusive purpose of funding the March of Dimes Perinatal Program at SUNY Stony Brook.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

T:\BRO\2011 OB Amendment March of Dimes Transfer-- Nowick.docx

1788

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

Laid on Table 9/15/2011

**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 an additional \$13,745 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

1st 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>UNIT NAME</u>	<u>AMOUNT</u>
001	IFT	E525	0000	9600	TRANSFER TO FUNDS	(\$13,745)

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	+\$13,745

and be it further

2nd 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:\BRO\IR 2011 OB Amend. Megan's Law 2.doc

1789

Intro. Res. No. - 2011

Laid on Table

9/15/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - OPEN SPACE COMPONENT - FOR THE LINKS AT EAST QUOGUE, LLC PROPERTY - EAST QUOGUE COUNTY WATERSHED ADDITION (TOWN OF SOUTHAMPTON - SCTM#s 0900-250.00-04.00-002.000 p/o, 0900-250.00-04.00-003.000 p/o, 0900-250.00-04.00-004.000 p/o, 0900-250.00-04.00-005.000 p/o, 0900-250.00-04.00-015.000, 0900-289.00-01.00-001.000, 0900-314.00-02.00-020.004, 0900-314.00-02.00-048.000, 0900-315.00-01.00-005.000 & 0900-315.00-01.00-015.000

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 Nos. 811-2009 and 218-2010, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of Southampton ("Town") has approved Resolution No. 2010-988 on October 12, 2010 and Resolution No. 2011-216 on February 8, 2011 authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property, the Town, and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Nine Million Seven Hundred Ninety Seven Thousand Two Hundred Dollars (\$9,797,200.00+), at Seventy Thousand Dollars (\$70,000.00±) per acre for 139.96± acres, subject to a final survey. Said cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Four Million Eight Hundred Ninety Eight Thousand Six Hundred Dollars (\$4,898,600.00+), for fifty percent (50%) undivided interest; and the Town's share, totaling Four Million Eight Hundred Ninety Eight Thousand Six Hundred Dollars (\$4,898,600.00+), for a fifty percent (50%) undivided interest, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 250.00 Block 04.00 Lot 002.000 p/o	139.96±	Links at East Quogue, LLC 1600 Calebs Path Ext.-Suite 101 Hauppauge, NY 11788
No. 2	District 0900 Section 250.00 Block 04.00 Lot 003.000 p/o		
No. 3	District 0900 Section 250.00 Block 04.00 Lot 004.000 p/o		
No. 4	District 0900 Section 250.00 Block 04.00 Lot 005.000 p/o		
No. 5	District 0900 Section 250.00 Block 04.00 Lot 015.000		
No. 6	District 0900 Section 289.00 Block 01.00 Lot 001.000		
No. 7	District 0900 Section 314.00 Block 02.00 Lot 020.004		

No. 8 District 0900
 Section 314.00
 Block 02.00
 Lot 048.000

No. 9 District 0900
 Section 315.00
 Block 01.00
 Lot 005.000

No. 10 District 0900
 Section 315.00
 Block 01.00
 Lot 015.000

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for Four Million Eight Hundred Ninety Eight Thousand Six Hundred Dollars (\$4,898,600.00+), subject to a final survey, said amount representing the County's share of the total purchase price; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$4,898,600.00+, 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 as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, each owning an undivided fifty percent (50%) interest; and, be it further

5th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

6th RESOLVED, that pursuant to Section C12-2(A)(2)(c) this property is not to be developed and Eight (8) Workforce Housing Development Rights, representing the County's fifty percent (50%) interest in the total number of development rights allocated to the property, shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development

Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

7th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- c.) any tract of land located fully or partially within a statutorily designated Special Groundwater Protection Area; and, be it further

8th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

9th RESOLVED, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and to enter into any necessary collateral agreements with the Town to effectuate the terms of this resolution; and, be it further

10th RESOLVED, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and, be it further

11th RESOLVED, that after coordinated review, Suffolk County, as lead agency, has determined that the above activity is a Type I action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

12th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact that the proposed acquisition and preservation of the site would have; and, be it further
- 4.) the underground storage tank (UST) in the vicinity of fill and vent pipes on the south side of the main residence on parcel 0900-250.00-04.00-015.000 as well as any other USTs on site will be properly abandoned pursuant to all applicable State and local regulations prior to acquisition;

- 5.) the septic system leach pool outside the northeast corner of the main residence on parcel 0900-250.00-04.00-015.000 as well as any other sanitary waste disposal systems on site will be properly abandoned pursuant to all applicable State and local regulations prior to acquisition;
- 6.) if a well is identified in the future and it is not required for the planned use of the site, it will be properly decommissioned by a qualified contractor pursuant to all applicable NYSDEC and Suffolk County Department of Health Services standards;
- 7.) all structures and debris identified on side will be removed and properly disposed of prior to acquisition; and be it further

13th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:



Southampton Town Board

116 Hampton Road
Southampton, NY 11968

1789

Meeting: 02/08/11 01:00 PM
Department: Community Preservation
Category: Real Estate & Easements
Prepared By: Adlin Auffant

Initiator: Mary Wilson
Sponsors: Supervisor Anna Throne-Holst
DOC ID: 12799

ADOPTED

RESOLUTION 2011-216

Amend Resolution 2010-988 Authorizing Acquisition of Lands of the Links at East Quogue LLC in Participation with Suffolk County

WHEREAS, on October 12, 2010, the Town Board of the Town of Southampton held a public hearing on the acquisition of approximately 150 acres of land with CPF revenue from the Links at East Quogue, LLC, located on Old Country Road, East Quogue, in a 50/50 partnership with Suffolk County; and

WHEREAS, also on October 12, 2010 the Town Board of the Town of Southampton adopted Resolution No. 2010-988 authorizing the acquisition of this land in partnership with Suffolk County's New ¼% Drinking Water Protection Program; and

WHEREAS, Resolution 2010-988 reserved the Town of Southampton the right to identify up to six (6) acres of this land for acquisition with alternative Town funding in order to accommodate a potential roadway; and

WHEREAS, based upon the Town of Southampton Planning and Development Administrator and Director of Planning memorandum and report to the Town Board both entitled "Analysis of Projected Potential New Residential Development North of LIRR and East of Lewis Road, East Quogue, in the Context of the Need for and East-West Collector Street" and both dated November 30, 2010, reserving the right to utilize alternative funding for a portion of the land for purposes of a potential roadway is not necessary as the proposed roadway will not affect the subject lands;

NOW, THEREFORE, BE IT RESOLVED, that Resolution 2010-988 is amended to delete the reservation of a right by the Town of Southampton to use funding other than CPF to acquire up to six (6) acres of land for a potential roadway as the land area is not necessary for such potential roadway.

Financial Impact

Budget Neutral

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Anna Throne-Holst, Supervisor
SECONDER:	Bridget Fleming, Councilwoman
AYES:	Throne-Holst, Malone, Graboski, Fleming, Nuzzi

**RESOLUTION 2010-988**

ADOPTED

Item # 6.45

DOC ID: 12061

Authorize Acquisition of Lands of the Links at East Quogue, LLC and Recommend Participation in the New Suffolk County 1/4% Drinking Water Protection Program

WHEREAS, the Town Board of the Town of Southampton has adopted the Town of Southampton "Community Preservation Project Plan" which identifies target areas and properties for acquisition for park, recreation, open space and/or conservation purposes; and

WHEREAS, The Links at East Quogue, LLC is the purported owner of approximately 150 acres of land located on Old Country Road in East Quogue, shown as SCTM No. 900-219-1-26 through 29; 900-250-4-2 through 5 and 15; 900-289-1-1; 900-314-2-20.4 and 48; 900-315-1-5 and 15; and

WHEREAS, said properties are designed in the Central Pine Barrens Plan - Core Preservation Area. To safeguard ecological and hydrological resources, the Act delineated a core reserve or Core Preservation Area (the "Core") where strict protection measures would be employed. The Plan also defined Critical Resource Areas (CRA's) outside of the core where additional natural resources needed to be secured. To achieve these goals, it is the Plan's intent to acquire 75% of the privately held, undeveloped and currently unprotected lands within the Core. In addition to fee title acquisition, the Plan also allows for transfer of development rights as well as the use of Planned Development Districts to accomplish preservation. Within the CRA's, both land purchases and other land use alternatives would be used to achieve the resource protection goals. Southampton has included the Central Pine Barrens Core and Critical Resource areas as Community Preservation Projects, as their protection is urged by both the 1998 NYS Open Space Plan and the Central Pine Barrens Comprehensive Land Use Plan; and

WHEREAS, The Links at East Quogue, LLC has agreed to sell the said properties to the Town of Southampton and/or the County of Suffolk for \$9,968,610.00; and

WHEREAS, Resolution No. 840-2004 adopted Local Law No. 34-2004 which added Article XXXVI of the Suffolk County Charter; and

WHEREAS, the Town of Southampton and the County of Suffolk have obtained an appraisal, which has been reviewed and accepted by both parties; and

WHEREAS, the New Suffolk County 1/4% Drinking Water Protection Program enables the Towns in Suffolk County to expedite the land preservation by sharing in the financial burden of County land acquisitions; and

WHEREAS, the Town of Southampton wishes to participate in the New Suffolk County 1/4% Drinking Water Protection Program and establish a fair market value of the properties by an appraisal; and

WHEREAS, pursuant to §140-5A of Town Code and §247 of the General Municipal Law, a public hearing was held on October 12, 2010, as part of the Town of Southampton

1789

"Community Preservation Project Plan" to determine if the subject properties should be acquired pursuant to §247 of the General Municipal Law, and it was determined that said properties should be purchased; and

WHEREAS, the Town of Southampton acknowledges that a portion of this acquisition, up to six (6) acres, may in the future be required for road construction purposes; and,

WHEREAS, the Town of Southampton therefore reserves the right to further amend this Resolution prior to closing on the acquisition of this property in order to identify an alternative source of funding for up to six (6) acres of land in order to accommodate this potential roadway;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Southampton is hereby authorized to purchase for open space and/or conservation purposes the land purportedly owned by The Links at East Quogue, LLC, located on Old Country Road in East Quogue, shown as SCTM No. 900-219-1-26 through 29; 900-250-4-2 through 5 and 15; 900-289-1-1; 900-314-2-20.4 and 48; 900-315-1-5 and 15, located in the Central Pine Barrens Core Target Preservation Area of the Community Preservation Project Plan, with the Town's share to be 50% of the purchase price, or \$4,984,350.00 plus closing expenses for an accurate survey and title insurance; the source of funding is the Community Preservation Fund Account GL 31-99-1940-31-6208-0001; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Southampton hereby requests that the County of Suffolk participate in the New Suffolk County 1/4% Drinking Water Protection Program and acquire fee title (or a lesser interest therein) to said properties; and

BE IT FURTHER RESOLVED, that the Town of Southampton represents that said properties meet the criteria for acquisition under the Suffolk County Open Space Program; and

BE IT FURTHER RESOLVED, that in the event the County of Suffolk authorizes participation in the New Suffolk County 1/4% Drinking Water Protection Program, the Town of Southampton hereby recommends that the properties be managed and used in accordance with the Suffolk County Open Space Program (natural resource preservation) or Nature Preserve Program (properties to be kept forever wild or in its natural state); and

BE IT FURTHER RESOLVED, that in the event the County of Suffolk authorizes participation in the New Suffolk County 1/4% Drinking Water Protection Program, the Town of Southampton will provide at least fifty percent (50%) of the funding for the acquisition costs of the subject parcel at closing as may be required by the County Charter; and

BE IT FURTHER RESOLVED, that the acquisition costs shall include, but not be limited to, the costs of survey, appraisal, environmental audit, title report and insurance, tax adjustment, taxes prior to exemption and any contractual fees of environmental organizations heretofore or hereinafter authorized by the Suffolk County Legislature to help and/or to act for and on behalf of the Town of Southampton and/or Suffolk County in the acquisition of the subject parcel; and

BE IT FURTHER RESOLVED, that in the event the County of Suffolk authorizes participation in the New Suffolk County 1/4% Drinking Water Protection Program, title to the subject parcel (or any lesser interest acquired hereunder) may be held in whole or in common with the Town of Southampton and the County of Suffolk; and

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BE IT FURTHER RESOLVED, that Suffolk County, as a condition of this partnership, shall assume management and stewardship responsibilities of these 150 acres of land; and

BE IT FURTHER RESOLVED, that the Supervisor be authorized to enter into a Contract of Sale and execute any documents necessary to close title for said properties, which said contract shall contain the usual and customary terms including the requirement that the purported owner be required to demolish and remove all existing structures at his sole cost and expense, as well as any remediation expenses required based upon a Phase I environmental assessment prior to conveyance of the lands to the County of Suffolk and the Town of Southampton; and

BE IT FURTHER RESOLVED, that the Town Clerk shall forward a copy of this resolution to Jay Schneiderman, Suffolk County Legislator, and Tom Isles, Suffolk County Planning Director.

Fiscal Impact:

The source of funding shall be Community Preservation Fund G/L #31-99-1940-31-6208-0001 in the amount of \$4,984,350.00

10/12/10 31-99-1940-31-6208-0001 · Community Preservation Fund
(\$4,984,350.00)

Estimated

RESULT: ADOPTED AS AMENDED [4 TO 0]

MOVER: Anna Throne-Holst, Supervisor

SECONDER: Bridget Fleming, Councilwoman

AYES: Anna Throne-Holst, James Malone, Bridget Fleming, Chris Nuzzi

ABSTAIN: Nancy Graboski

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

Gen A1
RECEIVED

AUG 22 2011

CHIEF DEPUTY
COUNTY EXECUTIVE

1789

BRIAN T. CULHANE
COMMISSIONER

PAMELA J. GREENE
DIVISION DIRECTOR

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

August 17, 2011

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

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Links at East Quogue, LLC property (East Quogue County Watershed Addition), in the Town of Southampton, under the New Suffolk County 1/4% Drinking Water Protection Program-Open Space. The purchase price is \$9,797,200.00± for 139.96± acres, at \$70,000.00 per acre, of which Suffolk County's 50% share is \$4,898,000.00±.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd

Att.

- cc/ Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Brian T. Culhane, Commissioner, Dept. of Environment & Energy
- Eric Kopp, Assistant Deputy County Executive
- Sarah Lansdale, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condernation
- Lauretta Fischer, Chief Environmental Analyst, S.C. Planning Dept.
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Peter Belyea, Acquisition Agent
- CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

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

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

(790)
Intro. Res. No. - 2011

Laid on Table

9/15/11

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 RINGHOFF FAMILY LIMITED LIABILITY COMPANY #1 PROPERTY - RINGHOFF FARM (TOWN OF BROOKHAVEN - SCTM#0200-512.00-01.00-017.000 & 0200-512.00-01.00-018.000)

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 One Million Seven Hundred Ten Thousand

Dollars (\$1,710,000.00+), at Seventy Six Thousand Dollars (\$76,000.00) per Pine Barrens Credit x 22.5+ credits, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Purchase of 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 0200 Section 512.00 Block 01.00 Lot 017.00	140.57+	The Ringhoff Family Limited Liability Company #1 72 Atlantic Avenue P.O. Box 520 East Moriches, NY 11940
No. 2	District 0200 Section 512.00 Block 01.00 Lot 018.000		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of One Million Seven Hundred Ten Thousand Dollars (\$1,710,000.00+), at Seventy Six Thousand Dollars (\$76,000.00) per Pine Barrens Credit x 22.5+ credits, subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,710,000.00+, 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

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Purchase of

Development Rights Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK

Gen A2
AUG 29 2011



1790

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

BRIAN T. CULHANE
COMMISSIONER

PAMELA J. GREENE
DIVISION DIRECTOR

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

August 25, 2011

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

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the farmland development rights of the Ringhoff Family LC #1 property (Ringhoff Farm), in the Town of Brookhaven, under the New Suffolk County 1/4% Drinking Water Protection Program. The purchase price is \$1,710,000.00+ for 140.57+ acres, at \$76,000.00 per Pine Barrens Credit x 22.5+ credits.

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
- Brian T. Culhane, Commissioner, Dept. of Environment & Energy
- Eric Kopp, Assistant Deputy County Executive
- Sarah Lansdale, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condensation
- Lauretta Fischer, Chief Environmental Analyst, S.C. Planning Dept.
- Jessica Kalmbacher, Planner, S. C. Planning Dept. (Farmland only)
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Bob Zaher, Acquisition Agent
- CE Reso Review (e-mail copy only)

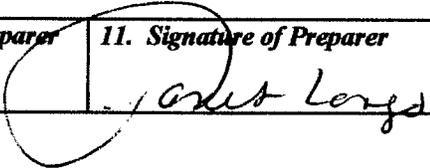
LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

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

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

1790

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition of the farmland development rights under the New Suffolk County ¼% Drinking Water Protection Program, of the Ringhoff Family LLC #1 property (Ringhoff Farm), SCTM#0200-512.00-01.00-017.000 & 0200-512.00-01.00-018.000, (Town of Brookhaven).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding New Suffolk County ¼% Drinking Water Protection Program-Farmland		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date April 26, 2011

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

Laid on Table 9/15/11

RESOLUTION NO. -2011 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] – FOR THE LINKS AT EAST QUOGUE, LLC PROPERTY – EAST QUOGUE COUNTY WATERSHED ADDITION- PINE BARRENS CORE (TOWN OF - SOUTHAMPTON - SCTM#'s 0900-219.00-01.00-026.000, 0900-219.00-01.00-027.000, 0900-219.00-01.00-028.000, 0900-219.00-01.00-029.000, 0900-250.00-04.00-002.000 p/o, 0900-250.00-04.00-003.000 p/o, 0900-250.00-04.00-004.000 p/o, 0900-250.00-04.00-005.000 p/o)

WHEREAS, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

WHEREAS, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

WHEREAS, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(b) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of such land; and

WHEREAS, Resolution Nos. 811-2009 and 218-2010, authorized planning steps for the acquisition of the subject property; and

WHEREAS, the Town of Southampton ("Town") has approved Resolution No. 2010-988 on October 12, 2010 and Resolution No. 2011-216 on February 8, 2011 authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(b), as amended and effective as of November 30, 2000, for a total purchase price of One Hundred Seventy One Thousand Four Hundred Ten Dollars (\$171,410.00±), at Five Thousand Dollars (\$5,000.00) per acre for 9.79± acres, and Seventy Eight Thousand Dollars (\$78,000.00) per Pine Barren Credit for 1.57± credits, subject to a final survey. Said cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Eighty

Five Thousand Seven Hundred Five Dollars (\$85,705.00+), for a fifty percent (50 %) undivided interest; and the Town's share, totaling Eighty Five Thousand Seven Hundred Five Dollars (\$85,705.00+), for a fifty percent (50%) undivided interest, as tenants in common, 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 Section 219.00 Block 01.00 Lot 026.000	9.79±	Links at East Quogue, LLC 1600 Calebs Path Ext. Suite 101 Hauppauge, NY 11788
No. 2	District 0900 Section 219.00 Block 01.00 Lot 027.000		
No. 3	District 0900 Section 219.00 Block 01.00 Lot 028.000		
No. 4	District 0900 Section 219.00 Block 01.00 Lot 029.000		
No. 5	District 0900 Section 250.00 Block 04.00 Lot 002.000 p/o		
No. 6	District 0900 Section 250.00 Block 04.00 Lot 003.000 p/o		
No. 7	District 0900 Section 250.00 Block 04.00 Lot 004.000 p/o		
No. 8	District 0900 Section 250.00 Block 04.00 Lot 005.000 p/o		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(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 Eighty Five Thousand Seven Hundred Five Dollars (\$85,705.00+), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$85,705.00+, subject to payment by the Town of its share of the purchase and subject to a final survey, from previously appropriated funds in MY-475-MS-1940 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

4th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, each owning an undivided fifty percent (50%) interest; and, be it further

5th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

6th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreation use; and, be it further

7th RESOLVED, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and to enter into any necessary collateral agreements with the Town to effectuate the terms of this resolution; and, be it further

8th RESOLVED, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and enter into a municipal cooperative agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property.

9th RESOLVED, that after coordinated review, Suffolk County, as lead agency, has determined that the above activity is a Type I action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

10th 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

11th 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:



Southampton Town Board
116 Hampton Road
Southampton, NY 11968

1791

Meeting: 02/08/11 01:00 PM
Department: Community Preservation
Category: Real Estate & Easements
Prepared By: Adlin Auffant

Initiator: Mary Wilson

Sponsors: Supervisor Anna Throne-Holst

DOC ID: 12799

ADOPTED

RESOLUTION 2011-216

**Amend Resolution 2010-988 Authorizing Acquisition of
Lands of the Links at East Quogue LLC in Participation with
Suffolk County**

WHEREAS, on October 12, 2010, the Town Board of the Town of Southampton held a public hearing on the acquisition of approximately 150 acres of land with CPF revenue from the Links at East Quogue, LLC, located on Old Country Road, East Quogue, in a 50/50 partnership with Suffolk County; and

WHEREAS, also on October 12, 2010 the Town Board of the Town of Southampton adopted Resolution No. 2010-988 authorizing the acquisition of this land in partnership with Suffolk County's New ¼% Drinking Water Protection Program; and

WHEREAS, Resolution 2010-988 reserved the Town of Southampton the right to identify up to six (6) acres of this land for acquisition with alternative Town funding in order to accommodate a potential roadway; and

WHEREAS, based upon the Town of Southampton Planning and Development Administrator and Director of Planning memorandum and report to the Town Board both entitled "Analysis of Projected Potential New Residential Development North of LIRR and East of Lewis Road, East Quogue, in the Context of the Need for and East-West Collector Street" and both dated November 30, 2010, reserving the right to utilize alternative funding for a portion of the land for purposes of a potential roadway is not necessary as the proposed roadway will not affect the subject lands;

NOW, THEREFORE, BE IT RESOLVED, that Resolution 2010-988 is amended to delete the reservation of a right by the Town of Southampton to use funding other than CPF to acquire up to six (6) acres of land for a potential roadway as the land area is not necessary for such potential roadway.

Financial Impact

Budget Neutral

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Anna Throne-Holst, Supervisor
SECONDER:	Bridget Fleming, Councilwoman
AYES:	Throne-Holst, Malone, Graboski, Fleming, Nuzzi

**RESOLUTION 2010-988**

ADOPTED

Item # 6.45

DOC ID: 12061

Authorize Acquisition of Lands of the Links at East Quogue, LLC and Recommend Participation in the New Suffolk County 1/4% Drinking Water Protection Program

WHEREAS, the Town Board of the Town of Southampton has adopted the Town of Southampton "Community Preservation Project Plan" which identifies target areas and properties for acquisition for park, recreation, open space and/or conservation purposes; and

WHEREAS, The Links at East Quogue, LLC is the purported owner of approximately 150 acres of land located on Old Country Road in East Quogue, shown as SCTM No. 900-219-1-26 through 29; 900-250-4-2 through 5 and 15; 900-289-1-1; 900-314-2-20.4 and 48; 900-315-1-5 and 15; and

WHEREAS, said properties are designed in the Central Pine Barrens Plan - Core Preservation Area. To safeguard ecological and hydrological resources, the Act delineated a core reserve or Core Preservation Area (the "Core") where strict protection measures would be employed. The Plan also defined Critical Resource Areas (CRA's) outside of the core where additional natural resources needed to be secured. To achieve these goals, it is the Plan's intent to acquire 75% of the privately held, undeveloped and currently unprotected lands within the Core. In addition to fee title acquisition, the Plan also allows for transfer of development rights as well as the use of Planned Development Districts to accomplish preservation. Within the CRA's, both land purchases and other land use alternatives would be used to achieve the resource protection goals. Southampton has included the Central Pine Barrens Core and Critical Resource areas as Community Preservation Projects, as their protection is urged by both the 1998 NYS Open Space Plan and the Central Pine Barrens Comprehensive Land Use Plan; and

WHEREAS, The Links at East Quogue, LLC has agreed to sell the said properties to the Town of Southampton and/or the County of Suffolk for \$9,968,610.00; and

WHEREAS, Resolution No. 840-2004 adopted Local Law No. 34-2004 which added Article XXXVI of the Suffolk County Charter; and

WHEREAS, the Town of Southampton and the County of Suffolk have obtained an appraisal, which has been reviewed and accepted by both parties; and

WHEREAS, the New Suffolk County 1/4% Drinking Water Protection Program enables the Towns in Suffolk County to expedite the land preservation by sharing in the financial burden of County land acquisitions; and

WHEREAS, the Town of Southampton wishes to participate in the New Suffolk County 1/4% Drinking Water Protection Program and establish a fair market value of the properties by an appraisal; and

WHEREAS, pursuant to §140-5A of Town Code and §247 of the General Municipal Law, a public hearing was held on October 12, 2010, as part of the Town of Southampton

1791

"Community Preservation Project Plan" to determine if the subject properties should be acquired pursuant to §247 of the General Municipal Law, and it was determined that said properties should be purchased; and

WHEREAS, the Town of Southampton acknowledges that a portion of this acquisition, up to six (6) acres, may in the future be required for road construction purposes; and,

WHEREAS, the Town of Southampton therefore reserves the right to further amend this Resolution prior to closing on the acquisition of this property in order to identify an alternative source of funding for up to six (6) acres of land in order to accommodate this potential roadway;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Southampton is hereby authorized to purchase for open space and/or conservation purposes the land purportedly owned by The Links at East Quogue, LLC, located on Old Country Road in East Quogue, shown as SCTM No. 900-219-1-26 through 29; 900-250-4-2 through 5 and 15; 900-289-1-1; 900-314-2-20.4 and 48; 900-315-1-5 and 15, located in the Central Pine Barrens Core Target Preservation Area of the Community Preservation Project Plan, with the Town's share to be 50% of the purchase price, or \$4,984,350.00 plus closing expenses for an accurate survey and title insurance; the source of funding is the Community Preservation Fund Account GL 31-99-1940-31-6208-0001; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Southampton hereby requests that the County of Suffolk participate in the New Suffolk County 1/4% Drinking Water Protection Program and acquire fee title (or a lesser interest therein) to said properties; and

BE IT FURTHER RESOLVED, that the Town of Southampton represents that said properties meet the criteria for acquisition under the Suffolk County Open Space Program; and

BE IT FURTHER RESOLVED, that in the event the County of Suffolk authorizes participation in the New Suffolk County 1/4% Drinking Water Protection Program, the Town of Southampton hereby recommends that the properties be managed and used in accordance with the Suffolk County Open Space Program (natural resource preservation) or Nature Preserve Program (properties to be kept forever wild or in its natural state); and

BE IT FURTHER RESOLVED, that in the event the County of Suffolk authorizes participation in the New Suffolk County 1/4% Drinking Water Protection Program, the Town of Southampton will provide at least fifty percent (50%) of the funding for the acquisition costs of the subject parcel at closing as may be required by the County Charter; and

BE IT FURTHER RESOLVED, that the acquisition costs shall include, but not be limited to, the costs of survey, appraisal, environmental audit, title report and insurance, tax adjustment, taxes prior to exemption and any contractual fees of environmental organizations heretofore or hereinafter authorized by the Suffolk County Legislature to help and/or to act for and on behalf of the Town of Southampton and/or Suffolk County in the acquisition of the subject parcel; and

BE IT FURTHER RESOLVED, that in the event the County of Suffolk authorizes participation in the New Suffolk County 1/4% Drinking Water Protection Program, title to the subject parcel (or any lesser interest acquired hereunder) may be held in whole or in common with the Town of Southampton and the County of Suffolk; and

1791

BE IT FURTHER RESOLVED, that Suffolk County, as a condition of this partnership, shall assume management and stewardship responsibilities of these 150 acres of land; and

BE IT FURTHER RESOLVED, that the Supervisor be authorized to enter into a Contract of Sale and execute any documents necessary to close title for said properties, which said contract shall contain the usual and customary terms including the requirement that the purported owner be required to demolish and remove all existing structures at his sole cost and expense, as well as any remediation expenses required based upon a Phase I environmental assessment prior to conveyance of the lands to the County of Suffolk and the Town of Southampton; and

BE IT FURTHER RESOLVED, that the Town Clerk shall forward a copy of this resolution to Jay Schneiderman, Suffolk County Legislator, and Tom Isles, Suffolk County Planning Director.

Fiscal Impact:

The source of funding shall be Community Preservation Fund G/L #31-99-1940-31-6208-0001 in the amount of \$4,984,350.00

10/12/10 31-99-1940-31-6208-0001 · Community Preservation Fund
(\$4,984,350.00)

Estimated

RESULT: ADOPTED AS AMENDED [4 TO 0]

MOVER: Anna Throne-Holst, Supervisor

SECONDER: Bridget Fleming, Councilwoman

AYES: Anna Throne-Holst, James Malone, Bridget Fleming, Chris Nuzzi

ABSTAIN: Nancy Graboski

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

RECEIVED

AUG 22 2011

CHIEF DEPUTY
COUNTY EXECUTIVE

BRIAN T. CULHANE
COMMISSIONER

PAMELA J. GREENE
DIVISION DIRECTOR

1791
DEPARTMENT OF ENVIRONMENT AND
ENERGY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT

August 17, 2011

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

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Links at East Quogue, LLC property (East Quogue Watershed Addition-Pine Barrens Core), in the Town of Southampton, under the Old Suffolk County Drinking Water Protection Program. The purchase price is \$171,410.00± for 9.79± acres, at \$5,000.00 per acre, of which Suffolk County's 50% share is \$85,705.00±.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Pamela J. Greene
Director

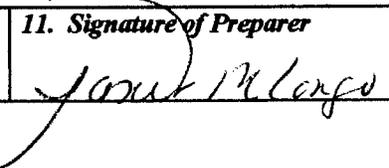
PJG:pd

Att.

- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Brian T. Culhane, Commissioner, Dept. of Environment & Energy
- Eric Kopp, Assistant Deputy County Executive
- Sarah Lansdale, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
- Lauretta Fischer, Chief 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)

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

1791

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Links at East Quogue, LLC property (East Quogue County Watershed Addition), SCTM#0900-219.00-01.00-026.000, 0900-219.00-01.00-027.000, 0900-219.00-01.00-028.000, 0900-219.00-01.00-029.000, 0900-250.00-04.00-002.000 p/o, 0900-250.00-04.00-003.000 p/o, 0900-250.00-04.00-004.000 p/o, 0900-250.00-04.00-005.000 p/o, (Town of Southampton).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding Old Suffolk County Drinking Water Protection Program		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date August 17, 2011

Introductory Resolution No. 1792-11

Laid on Table 9/15/11

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
VICENCIO MEDRANO AND EMMA MEDRANO, HIS WIFE
(SCTM NO. 0200-852.00-04.00-069.000)**

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 852.00 Block 04.00 Lot 069.000 and acquired by Tax Deed on October 15, 2008 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2008 in Liber 12569 at CP 171 and described as follows, known and designated as Lots 2148 & 2149 on a certain map entitled "Map of Mastic Park, Section 3A", and filed in the Office of the Clerk of the County of Suffolk on August 25, 1920 as Map No. 743,

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, Vicencio Medrano and Emma Medrano, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$10,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$10,500.00, 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 \$10,500.00, pursuant to said purchase offer; and

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

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

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

3rd RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Vicencio Medrano and Emma Medrano, 50 Wood Avenue, Mastic, New York 11950.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

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

1792

SUMMARY STATEMENT

DIRECT SALE:

Suffolk County Local Law No. 13-1976
 Tax Map No. 0200-852.00-04.00-069.000

ADJOINING OWNER	BID	BID	BID
Vicencio & Emma Medrano 50 Wood Avenue Mastic, New York 11950 0200-852.00-04.00-070.000	\$10,500.00		
Joseph Markhorst & Anne Messina 63 Wood Avenue Mastic, New York 11950 0200-852.00-04.00-068.000	\$0		
Alyse Smith 59 Mastic Blvd Mastic, New York 11950 0200-852.00-04.00-080.000	\$0		

SIZE OF PARCEL: 40' x 100'
 APPRAISED VALUE: \$10,500.00
 COMMENT: Direct Sale to Adjacent Owner

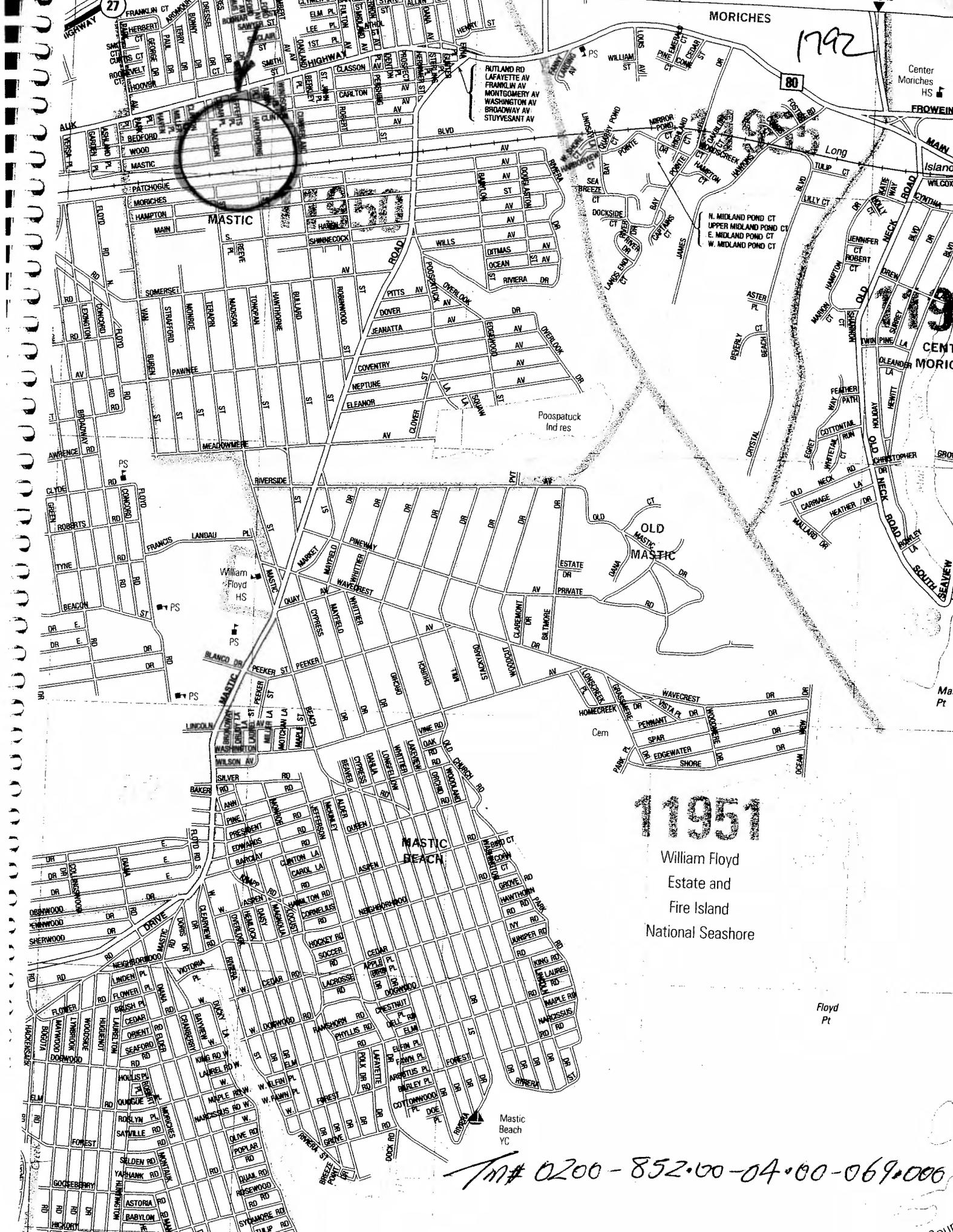
Wayne R. Thompson
 Property Manager
 (631) 853-5971



M# 0200 - 852.00 - 04.00 - 069.000

1792





27

MORICHES

80

1792

MASTIC

William Floyd HS

MASTIC BEACH

11951

William Floyd Estate and Fire Island National Seashore

Floyd Pt

Mastic Beach YC

M# 0200-852.00-04.00-069.000

count

1792

**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
Land Management Specialist

[Signature]

8/15/11

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN T. CULHANE
COMMISSIONER

August 15, 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: 0200-852.00-04.00-069.000

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
Eric Kopp, Assistant Deputy County Executive
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Sarah Lansdale, Director of Planning
CE Reso Review, via e-mail

1792
RECEIVED
AUG 18 2011
CHIEF DEPUTY
COUNTY EXECUTIVE

Introductory Resolution No. 1793-11

Laid on Table 9/15/11

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
PATRICIA E. GORDEN
(SCTM NO. 0200-907.00-04.00-060.008)**

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 907.00 Block 04.00 Lot 060.008 and acquired by Tax Deed on October 15, 2008 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2008 in Liber 12569 at CP 171 and described as follows, known and designated as the Northerly Portion of Lot 18 in Block 8 on a certain map entitled "Map of Plan of Section A Tangier" and filed in the Office of the Clerk of the County of Suffolk on March 11, 1911 as Map No. 600,

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, Patricia E. Gorden, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$ 1,250.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$ 1,000.00, which property is surplus to the needs of the County of Suffolk, and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$ 1,250.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Patricia E. Gorden, 13 Lexington Road, Shirley, New York 11967.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

1793

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

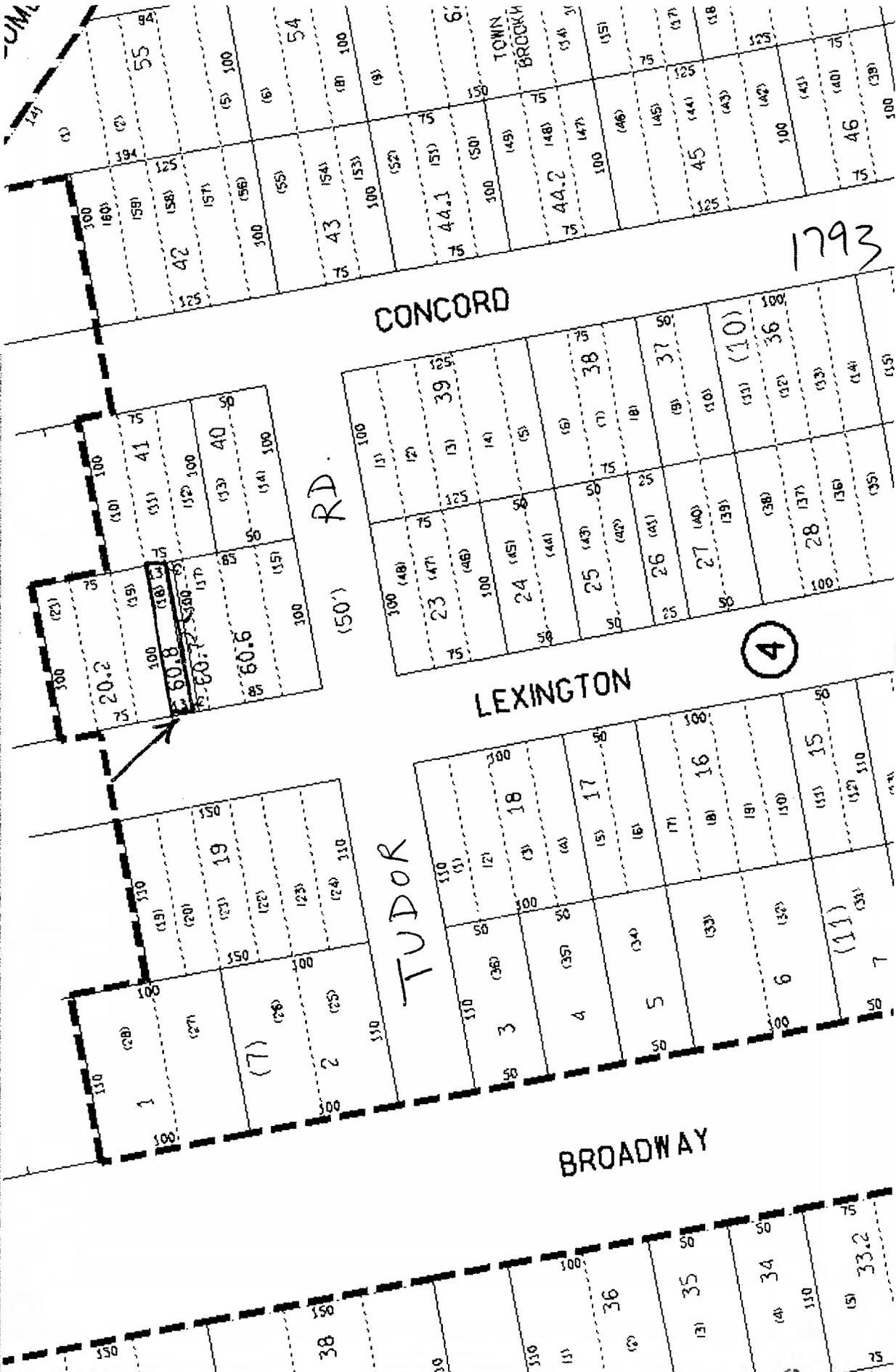
DIRECT SALE:

Suffolk County Local Law No. 13-1976
Tax Map No. 0200-907.00-04.00-060.008

ADJOINING OWNER	BID	BID	BID
Patricia E. Gorden 13 Lexington Road Shirley, New York 11967 0200-907.00-04.00-020.002	\$1,250.00		
Marie E. Worytko 2619 Princess Ann Road Orrum, North Carolina 28369 0200-907.00-04.00-060.007	\$0		
Luz & Franklyn Puello 14 Concord Road Shirley, New York 11967 0200-907.00-04.00-041.000	\$0		

SIZE OF PARCEL: 13' x 100'
APPRAISED VALUE: \$1,000.00
COMMENT: Direct Sale to Adjacent Owner

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

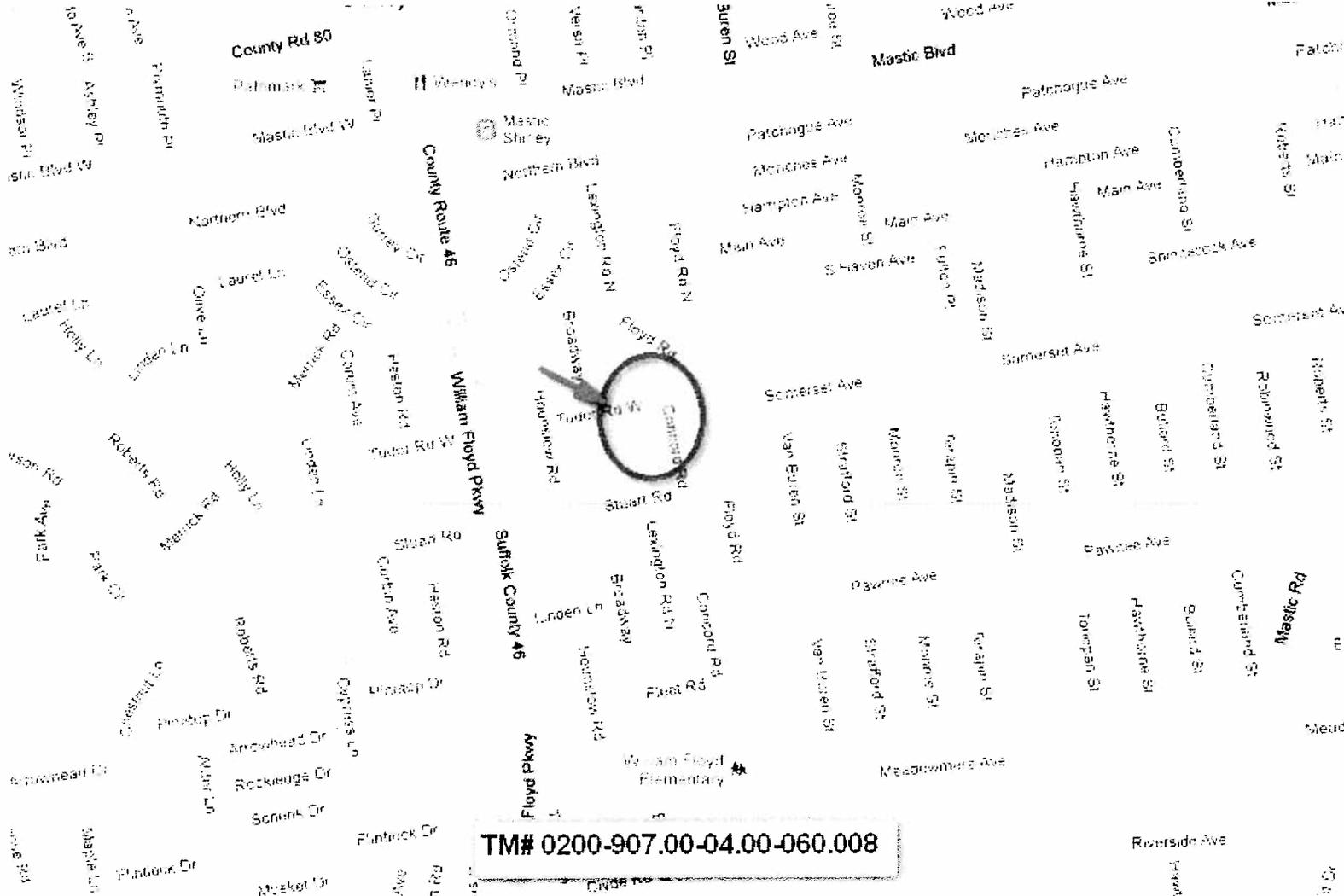


TM# 0200-907.00-04.00-060.008

1793



1793



TM# 0200-907.00-04.00-060.008

1793

**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
Land Management Specialist

RJ Bhatt

8/22/11

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN T. CULHANE
COMMISSIONER

August 22, 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: 0200-907.00-04.00-060.008

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
Eric Kopp, Assistant Deputy County Executive
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Sarah Lansdale, Director of Planning
CE Reso Review, via e-mail

Introductory Resolution No. 1794-11

Laid on Table 9/15/11

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
JORGE E. GONZALEZ & SONIA S. MENESES De GONZALEZ, HIS WIFE
(SCTM NO. 0200-973.70-05.00-063.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 973.70 Block 05.00 Lot 063.000 and acquired by Tax Deed on September 27, 1999 from John C. Cochrane, County Treasurer of Suffolk County, New York, and recorded on October 19, 1999 in Liber 11995 at Page 605 and described as follows, known and designated as South 20 feet of Lot 33 in Block 717 on a certain map entitled "Map of New York Brooklyn & Suburban Investment Company, Map No. 10", of the Clerk of the County of Suffolk on August 5, 1890 as Map No. 102; 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, Jorge E. Gonzalez and Sonia S. Meneses De Gonzales, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$1,900.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$1,900.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$1,900.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Jorge E. Gonzalez and Sonia S. Meneses De Gonzales, 602 Scherger Avenue, East Patchogue, New York 11772.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

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

1794

SUMMARY STATEMENT

DIRECT SALE:

Suffolk County Local Law No. 13-1976
 Tax Map No. 0200-973.70-05.00-063.000

ADJOINING OWNER	BID	BID	BID
Jorge E. Gonzalez & Sonia S. Meneses De Gonzalez 602 Scherger Avenue, East Patchogue, NY 11772 0200-973.70-05.00-064.000	\$1,900.00		
Town Of Brookhaven One Independence Hill Farmingville, NY 11738 0200-973.70-05.00-045.000	\$0		

SIZE OF PARCEL: 20' x 100'
 APPRAISED VALUE: \$1,900.00
 COMMENT: Direct Sale to Adjacent Owner

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

3)	(57)	100	
4)	(56)		
150	33	150	
115			
90)	(51)	100	
(18)	(50)	32-50	
(17)	(49)	100	
100	(16)	(48)	31-50
100	(15)	(47)	100
	(14)	(46)	100
100	(13)		
100	(12)		
100	(11)		
100	(10)		
	(41)	100	
11	(40)		
100	(6)		
100	(5)		
12	(3)	(35)	100
100	(2)	(34)	28-50
100	(1)	(33)	100

AVE.
TOWN OF
BROOKHAVEN

Donegan Ave

100	(32)	(64)	100
	(63)		27-50
107	16.1	(62)	
	(29)	(61)	26-
100	(28)	(60)	25-50
100	(27)	(59)	
100	(26)	(58)	
			24-150

(57)	71	
(54)		
(21)	(53)	
(20)	70	
(51)	100	
(50)		
155	69.1	
(15)		
(14)		
(45)	100	
(44)		
80	67	
(42)		
(9)	(41)	100
(8)		
120	66.1	
150		
150	44	
(37)	100	
(36)	64	
(3)		
(2)	(34)	
(1)	(33)	100
63		

1794

AVE.

Selinger Ave

Patchogue Ave

(32)	(64)	100
	(63)	62-50
100	(62)	61-50
(29)	(61)	
(28)	(60)	60-50
75	47	
(25)	(58)	
(25)	(57)	
		59
(23)	(55)	
(24)		58

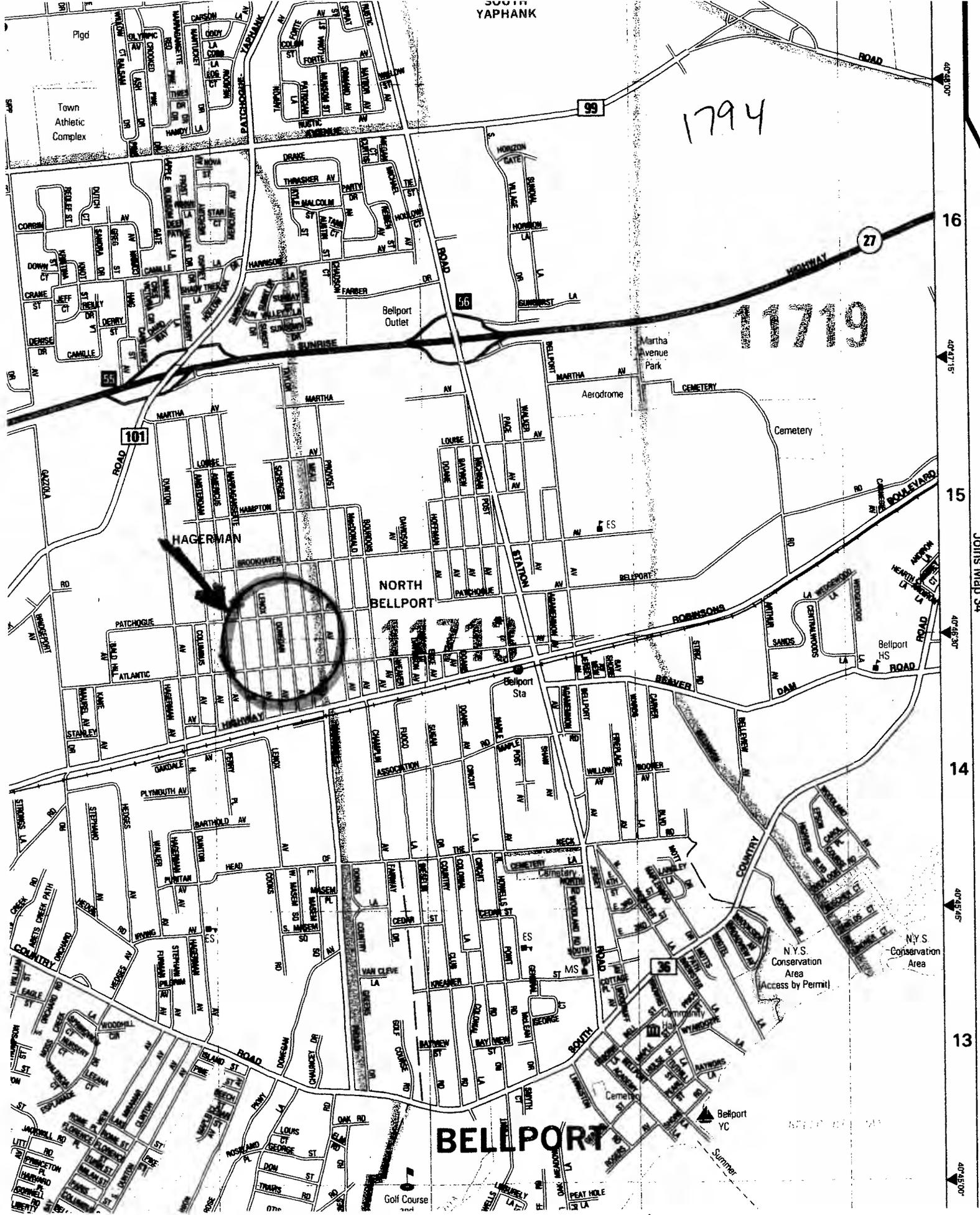
(24)	(23)	(55)	
10	(54)	45	
(21)			
(20)	(52)		
	(51)		
11	(18)	44	
(17)	(49)	(716)	
12	(15)	(48)	43
(14)		(46)	
	(11)	(43)	
(10)	(42)		
		41	
(8)	(40)		
(7)	(39)		
80		40	
(5)	(37)		
25	(4)	(36)	
25	(3)	(35)	39-50
25	(2)	(34)	
25	(1)	(33)	100
100			38-50
(50')	(6)		
100	(32)	(64)	37-50
	(63)		
100	(62)		36-
	(29)	(61)	100
	(28)	(60)	
100		(59)	35-
100		(58)	
	(710)	(25)	3-
	(24)	(56)	
100	(23)	(55)	
	(22)	(54)	

AVE.

Tr # 0200-973.70-0500-063000

1794





SOUTH YAPHANK

1794

1719

HAGERMAN

NORTH BELLPORT

BELLPORT

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

JOINS MAP 34

TM# 0200-973-70-05-00-063-000

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

1794

RECEIVED

AUG 18 2011

CHIEF DEPUTY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN T. CULHANE
COMMISSIONER

August 15, 2011

Ken Carnell
Deputy County Executive
H. Lee Dennison Bldg. 11th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0200-973.70-05.00-063.000

Dear Mr. Carnell:

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)
Sarah Lansdale, Director of Planning
CE Reso Review, via e-mail

1794

**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

R.J. Bhatt

8/15/11

RESOLUTION NO.

CONTROL# 869-2011

Intro. Res. # 1795-11

Laid on Table 9/15/11

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 #869-2011)

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# 869-2011

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#869-2011

(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
C	BROOKHAVEN	10/11	0200 47600 0200 053001	14060.31	2427.79	11632.52
A	SOUTHAMPTON	10/11	0900 36500 0100 009013	24305.20	19547.33	4757.87
A	SOUTHAMPTON	09/10	0900 36500 0100 009013	21004.32	16881.62	4122.70
C	SOUTHAMPTON	09/10	0900 15200 0100 036000	41279.98	33680.55	7599.43
C	SOUTHAMPTON	10/11	0900 17000 0200 002000	73281.04	51738.02	21543.02
C	SOUTHAMPTON	09/10	0900 17000 0200 002000	61953.80	43715.84	18237.96

As Provided and Requested By Town Assessor or Receiver of Taxes
 APPROVED BY:

 County Executive of Suffolk County

 Date of Approval:

1795

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ___ No ___

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

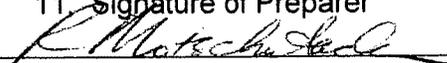
9. Timing of Impact

2011

10. Typed Name & Title of Preparer

R. Motschenbacher RPAT II

11. Signature of Preparer



12. Date August 11, 2011

Additional back-up material regarding IR 1795 is on file in the

Legislative Clerk's Office, Hauppauge

Introductory Resolution No. 1796-11 Laid on Table 9/15/11

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
SALVATORE A. SANGENITI AND MARY MARGARET SANGENITI, HIS WIFE
0200-442.00-03.00-011.003

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 442.00, Block 03.00, Lot 011.003, and acquired by tax deed on January 05, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011, in Liber 12647, at Page 724, and otherwise known and designated by the Town of Brookhaven, as part of the easterly 12 feet of Manhattan Avenue as said avenue is shown on a certain map entitled "Map of Laurel Park, Plate 4", filed in the Office of the Clerk of the County of Suffolk on March 15, 1907 as Map No. 540, also shown on "Map of Haven Hills, Sec. 2" filed in the Office of the Clerk of the County of Suffolk on January 15, 1973 as Map 5851; 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 January 05, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011 in Liber 12647 at Page 724.

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, SALVATORE A. SANGENITI AND MARY MARGARET SANGENITI, HIS WIFE have made application of said above described parcel and SALVATORE A. SANGENITI AND MARY MARGARET SANGENITI, HIS WIFE have paid the application fee and have paid \$489.99, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to SALVATORE A. SANGENITI AND MARY MARGARET SANGENITI, HIS WIFE, 8 Vining St., Centereach NY 11720, 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

1796

August 22, 2011

Tax Map No.: 0200-442.00-03.00-011.003

Name of Last Legal Fee Owner: SALVATORE A. SANGENITI AND MARY MARGARET
SANGENITI, HIS WIFE

TREASURER'S COMPUTATION.....	\$411.72
Taxes.....2010/2011.....	\$78.27 [✓]
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$489.99
<hr/> <hr/>	
Monies Received.....	\$489.99
<hr/>	
<u>RESOLUTION AMOUNT</u>	\$489.99 [✓]
<hr/> <hr/>	

APPROVED:

Annette Brownell 8/22/2011
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	442.00	03.00	011.003

1796

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08	126.00
2008/09	130.02
2009/10	114.44

2010/11 PROPERTY TAXES \$78.27 NOT INCLUDED IN COMPUTATION

TOTAL: 370.46

B. INTEREST DUE	21.65
C. TOTAL	392.11
D. 5% LINE C	19.61
E. FEE	
F. MISC	
G. MISC	

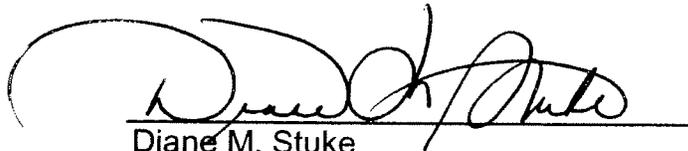
H. TOTAL DUE \$411.72

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.

28-Jun-11



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 12/25/11

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-442.00-03.00-011.003

1796

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

Diane Bishop

Diane Bishop

8-22-11

01-27-99
 05-14-99
 11-16-99
 06-07-00
 06-20-00
 10-10-01
 11-05-01
 11-12-02
 01-03-05
 01-14-06
 07-24-09



LEGEND	Property or RR Line	-----	Subdivision Lot No.	121	Block Line	-----	School District Line	---SCH---	Hydrant District Line	---H---	UNLESS DRAWN OTHERWISE, ARE WITHIN THE FOLLOWING: SCHOOL 11 FIRE EX1EX2 LIGHT 121 PARK AMBULANCE
	Denotes Common Owner	---Z---	Subdivision Back/Block No.	(21)	Block No.	(2)	Fire District Line	---F---	Refuse District Line	---R---	
	Subdivision Lot Line	-----	Scale Dimension	62	County Line	-----	Water District Line	---W---	Historical District Line	---HST---	
	Stream / Shore	~~~~~	Dead Area	12.1 A(d) or 12.1A	Town Line	-----	Light District Line	---L---	Ambulance District Line	---A---	
	Parcel No.	23	Calculated Area	12.1 A(c)	Village Line	-----	Park District Line	---P---	Postwater District Line	---PW---	
							Sewer District Line	---S---			SEWER HYDRANT WATER REFUSE WASTEW

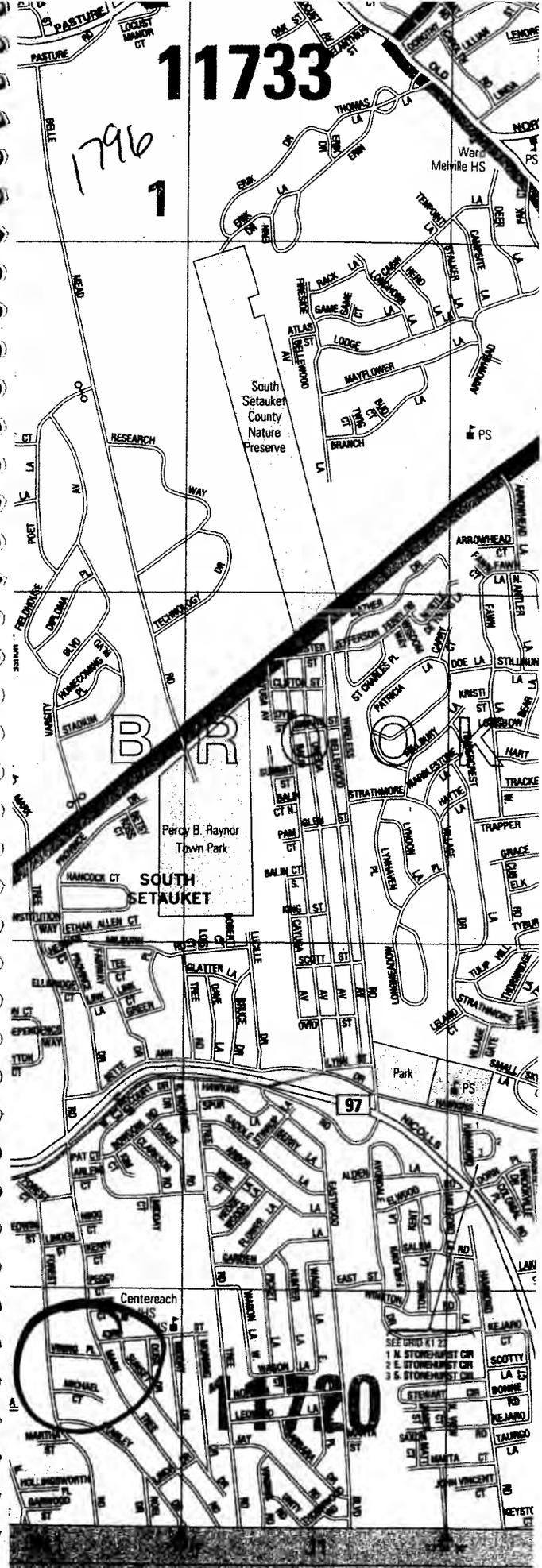
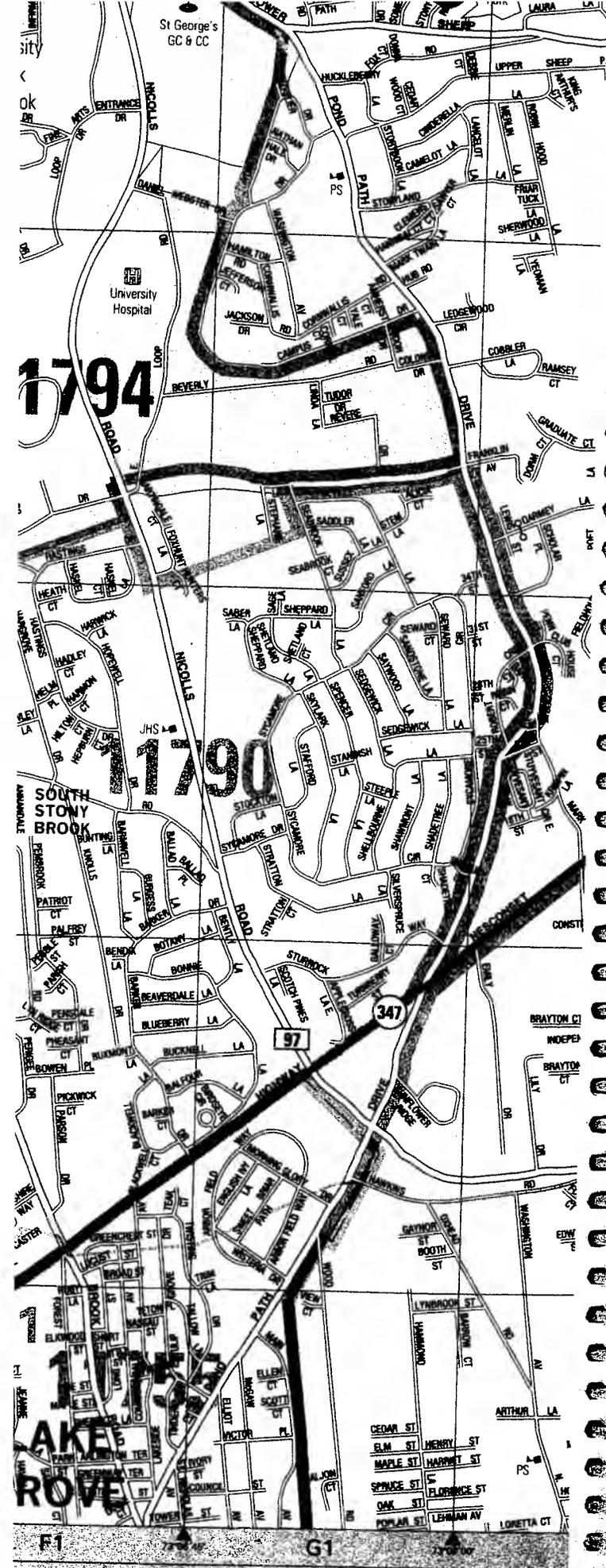
0200-44200-03.00-011-003

St George's GC & CC

11733

1796

1794



SOUTH STONY BROOK

SOUTH SETAUKET

LAKE ROVE

Centereach

- SEE GRID K1 Z1
- 1 N. STONHAMPT CT
- 2 E. STONHAMPT CT
- 3 S. STONHAMPT CT

17200-442-00-03-00-011-003

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

1796
RECEIVED

AUG 25 2011

CHIEF DEPUTY
COUNTY EXECUTIVE

BRIAN CULHANE
COMMISSIONER

August 24, 2011

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

Re: Tax Map No. 0200-442.00-03.00-011.003
SALVATORE A. SANGENITI AND MARY MARGARET SANGENITI, HIS WIFE

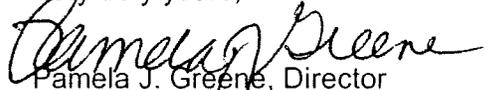
Dear Mr. Crannell:

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)
Neil Toomb, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:

Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicko, Inventory

53

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
**TRUSTEES OF GOOD WILL AFRICAN METHODIST EPISCOPAL ZION
CHURCH BY REV. WILLIAM E. FIELDS, PASTOR**

0900-139.00-01.00-012.002

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 Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900, Section 139.00, Block 01.00, Lot 012.002, and acquired by tax deed on November 23, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 23, 2011, in Liber 12644, at Page 475, and otherwise known and designated by the Town of Southampton, as District 0900, Section 139.00, Block 01.00, Lot 012.002; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on November 23, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 23, 2011 in Liber 12644 at Page 475.

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, TRUSTEES OF GOOD WILL AFRICAN METHODIST EPISCOPAL ZION CHURCH BY REV. WILLIAM E. FIELDS, PASTOR has made application of said above described parcel and TRUSTEES OF GOOD WILL AFRICAN METHODIST EPISCOPAL ZION CHURCH BY REV. WILLIAM E. FIELDS, PASTOR has paid the application fee and has paid \$751.67, 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

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

2nd - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to TRUSTEES OF GOOD WILL AFRICAN METHODIST EPISCOPAL ZION CHURCH BY REV. WILLIAM E. FIELDS, PASTOR, 110 Flanders Rd., Riverhead NY 11901, 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

1797

August 23, 2011

Tax Map No.: 0900-139.00-01.00-012.002

Name of Last Legal Fee Owner: TRUSTEES OF GOOD WILL AFRICAN METHODIST
EPISCOPAL ZION CHURCH BY REV. WILLIAM E. FIELDS, PASTOR

TREASURER'S COMPUTATION..... \$751.67 ✓

Taxes.....2010/2011..... \$0

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$751.67

Monies Received..... \$751.67

RESOLUTION AMOUNT..... \$751.67 ✓

APPROVED:

Innette Brownell 8/23/2011

Accounting
DB:lag

PREPARED BY:

Diane Bishop

Diane Bishop
Redemption Unit
(631)853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0900	139.00	01.00	1797 012.002

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08 671.98

THIS PROPERTY IS EXEMPT FROM 2008/09 THROUGH 2010/11

TOTAL: 671.98 ✓

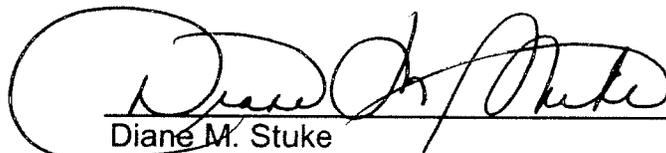
B. INTEREST DUE	43.90
C. TOTAL	715.88
D. 5% LINE C	35.79
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$751.67 ✓

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. 28-Jun-11



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 12/25/11

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1797

1. Type of Legislation

Resolution
Tax Map Number 0900-139.00-01.00-012.002

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

- 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

2011

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

Diane Bishop

Diane Bishop

8/23/11

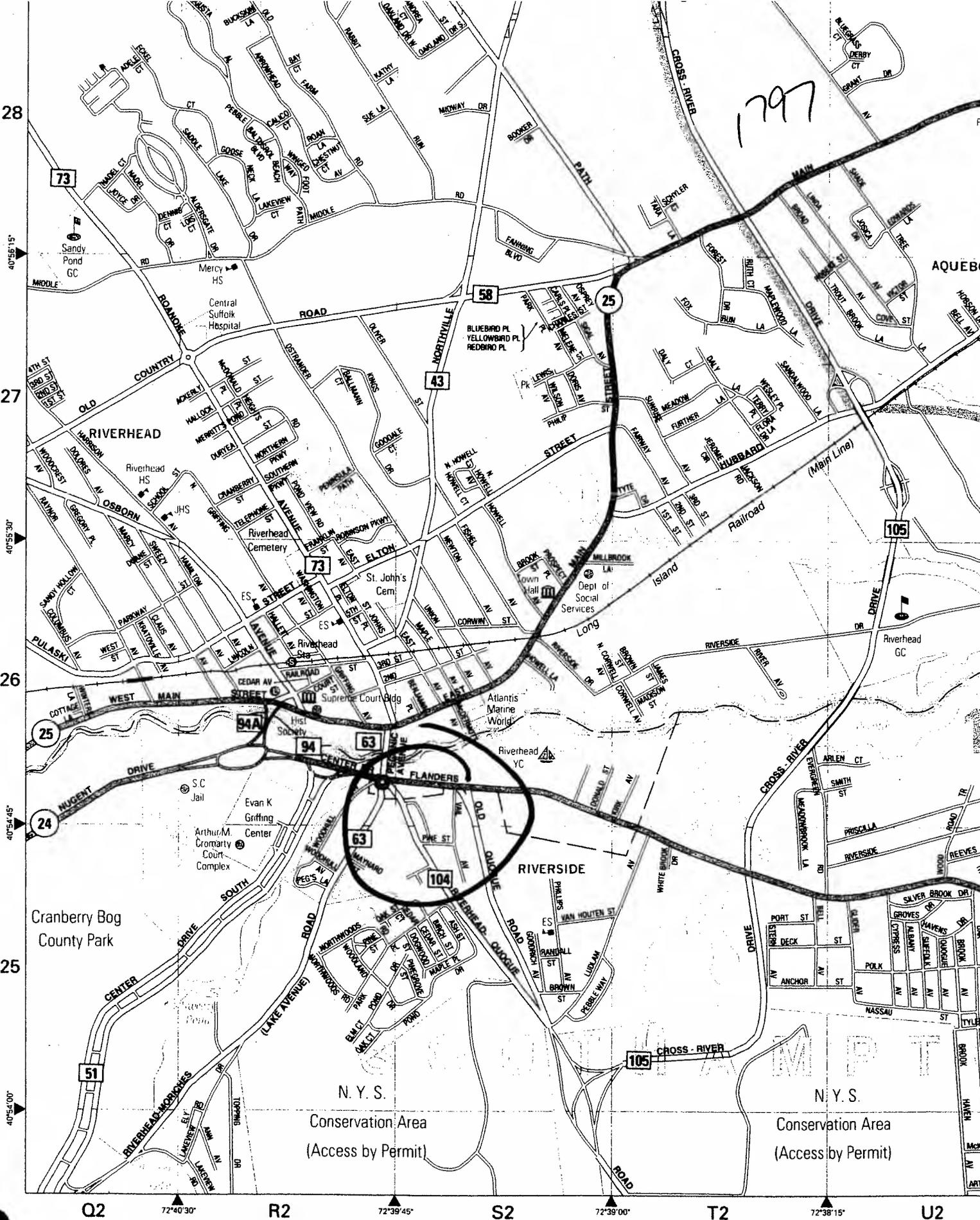
02-02-99
 04-06-99
 01-31-00
 04-26-00
 05-17-00
 11-16-00
 02-21-01
 07-12-01
 04-19-02
 07-22-02
 10-16-02
 01-30-03
 04-14-03
 04-22-03
 05-12-03
 09-03-03
 01-09-04
 03-23-05
 07-07-05
 12-14-05
 01-19-06
 03-06-06
 04-14-06
 07-26-06
 10-19-06
 06-22-07
 12-20-07
 09-10-08
 09-15-09
 09-23-09

0400-139.00-01.00-01.2.002



LEGEND	Property or RR Line	-----	Subdivision Lot No.	127	Block Limit	-----	School District Line	--- SCH ---	Hydrometric District Line	--- H ---	UNLESS DRAWN OTHERWISE ARE WITHIN THE FOL SCHOOL 18 SE FIRE 35 HY LIGHT 50 WA PARK REI AMBULANCE WA
	Denotes Common Owner	Z	Subdivision Block/Block No.	(21)	Block No.	(2)	Fire District Line	--- F ---	Refuse District Line	--- R ---	
	Subdivision Lot Line	-----	Deed Dimension	62	County Line	-----	Water District Line	--- W ---	Metropolitan District Line	--- HST ---	
	Stream / Shore	~~~~~	Sealed Dimension	62	Town Line	-----	Light District Line	--- L ---	Ambulance District Line	--- A ---	
	Parcel No.	23	Deed Area	12.1 A(c) or 12.1A	Village Line	-----	Park District Line	--- P ---	Postmaster District Line	--- WM ---	
		Calculated Area	12.1 A(c)			Sewer District Line	--- S ---				

1797



1900-139-00-01-00-012-002

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

RECEIVED

AUG 25 2011

1797
CHIEF DEPUTY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN CULHANE
COMMISSIONER

August 24, 2011

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

Re: Tax Map No. 0900-139.00-01.00-012.002
TRUSTEES OF GOOD WILL AFRICAN METHODIST EPISCOPAL ZION CHURCH
BY REV. WILLIAM E. FIELDS, PASTOR

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)
Neil Toomb, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicko, Inventory

Introductory Resolution No. 1798-11 Laid on Table 9/15/11

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
RICHARD FREY
0200-979.00-02.00-004.000 N/K/A 0209-022.00-02.00-004.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 979.00, Block 02.00, Lot 004.000, and acquired by tax deed on January 3, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011, in Liber 12647, at Page 724, and otherwise known and designated by the Town of Brookhaven, District 0209, Section 022.00, Block 02.00 and Lot 004.000, 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 January 03, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011 in Liber 12647 at Page 724.

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, RICHARD FREY has made application of said above described parcel and RICHARD FREY has paid the application fee and has paid \$2,193.47, 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

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to RICHARD FREY , 17 Clinton Lane, Mastic Beach NY 11951, 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

1798

August 25, 2011

Tax Map No.: 0200-979.00-02.00-004.000 N/K/A 0209-022.00-02.00-004.000

Name of Last Legal Fee Owner: RICHARD FREY

TREASURER'S COMPUTATION.....\$1,765.92

Taxes.....2010/2011\$427.55

License/Storage Fee.....OPEN

Repairs.....OPEN

Miscellaneous Expenses.....OPEN

TOTAL.....\$2,193.47

Monies Received.....\$2,193.47

RESOLUTION AMOUNT.....\$2,193.47 ↓

APPROVED:

Annette Brownell 8/25/2011
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	979.00	02.00	004.000

1798

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08	525.18
2008/09	547.86
2009/10	516.92

2010/11 PROPERTY TAXES \$427.55 NOT INCLUDED IN COMPUTATION

TOTAL: 1589.96

B. INTEREST DUE	91.87
C. TOTAL	1681.83
D. 5% LINE C	84.09
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$1,765.92

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. 24-Jun-11


Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 12/21/11

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1798

1. Type of Legislation

Resolution X

Tax Map Number 0200-979.00-02.00-004.000 N/K/A 0209-022.00-02.00-004.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

- | | | |
|------------------|-----------------|------------------|
| <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

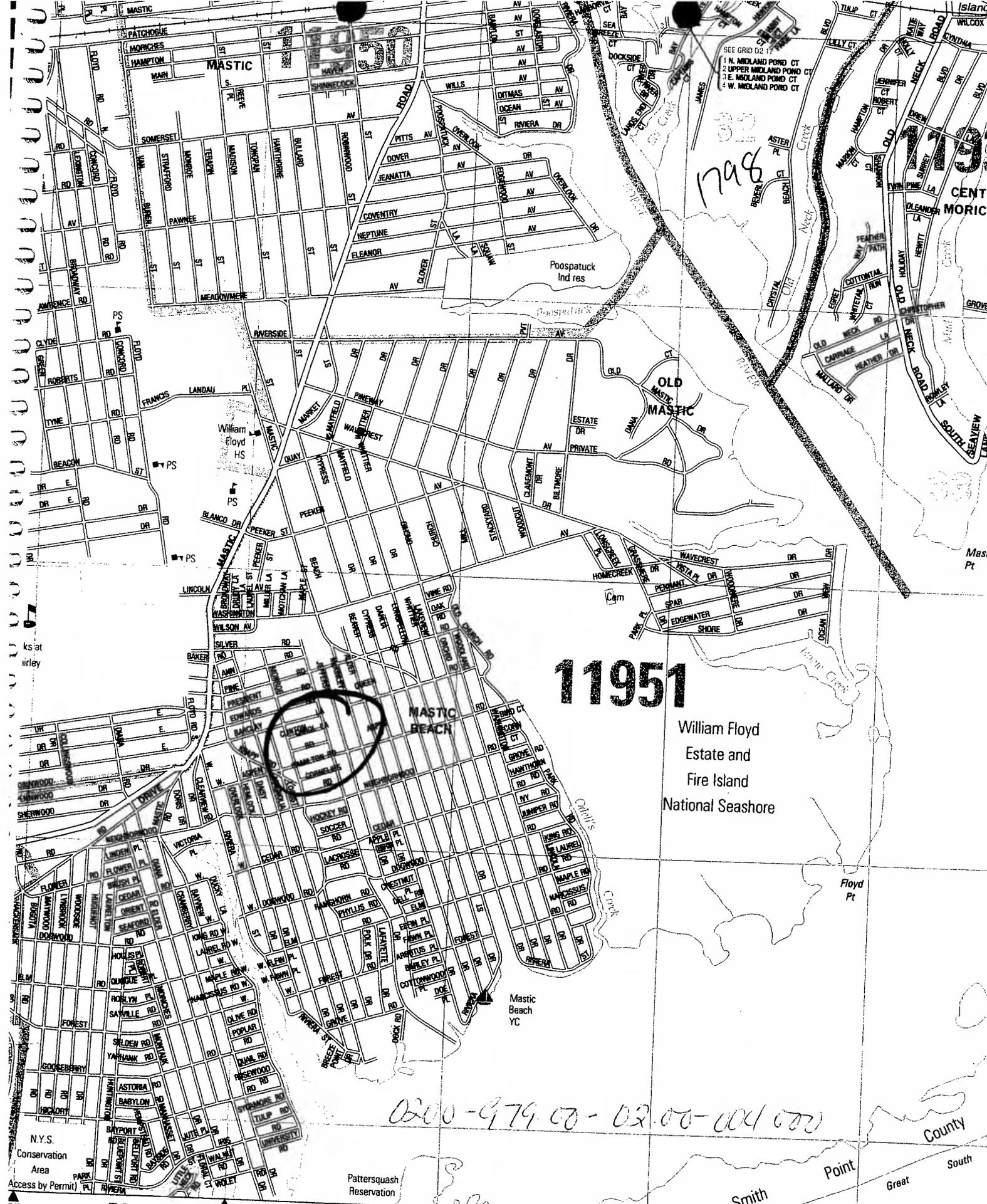
2011

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

Diane Bishop

Diane Bishop

8/25/11



1798

11951

William Floyd
Estate and
Fire Island
National Seashore

0200-979-00-02-00-004000

51°45' B2 72°51'00" C2 72°50'15" D2 72°49'30" E2 72°48'45" F2

Joins Map 35

1798

10-16-96
10-23-96
07-28-96
07-30-96
11-09-96
10-28-99
12-06-99
05-06-02
12-10-02
03-26-03
06-02-03
11-21-03
03-03-04
09-13-04
02-16-06
08-03-06
05-21-07
07-31-07
04-24-08



0200-979-00-00-004-000

DZMGM Property or Rd Line Denotes Common Owner Subdivision Lot Line Stream / Shore Parcel No. 23	Subdivision Lot No. 121 Subdivision Block/Block No. (21) Dead Dimension 42 Scaled Dimension 42 Dead Area 12.1 A(c) or 12.1A 12.1 A(c)	Back Lot Back No. (2) County Line Town Line Village Line	School District Line - SCH Fire District Line - F Water District Line - W Light District Line - L Park District Line - P Sewer District Line - S	Hydrant District Line - H Refuse District Line - R Historical District Line - HST Ambulance District Line - A Postwater District Line - PW	UNLESS DRAWN OTHERWISE, FOLLOW AREA WITHIN THE SCHOOL 32 SEWER FIRE FS2 HYDRANT LIGHT LX1 WATER PARK REFUS AMBULANCE WAST
--	--	--	---	--	---

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

1798

Greene
AUG 29 2011

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN CULHANE
COMMISSIONER

August 25, 2011

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

Re: Tax Map No. 0200-979.00-02.00-004.000 N/K/A 0209-022.00-02.00-004.000
RICHARD FREY

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)
- Neil Toomb, Budget Office (1 hard copy)
- C.E. Reso. Review (electronic copy)

Copy of letter to:

- Eric Kopp, Assistant Deputy County Executive
- Eric C. Naughton, Budget Director
- Sarah Lansdale, Director, Planning Dept.
- Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
- Alice Kubicsko, Inventory

Introductory Resolution No. 1799-11 Laid on Table 9/15/11

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
MARIANNE G. ROHRLICH
0900-103.00-02.00-028.000

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 Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900, Section 103.00, Block 02.00, Lot 028.000, and acquired by tax deed on , from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011, in Liber 12647, at Page 716, and otherwise known and designated by the Town of Southampton , known and designated as Lot No. 8 as shown on a certain map entitled, "Subdivision Map Hayground Acres", and filed in the Suffolk County Clerk's Office on July 27, 1970 as Map No. 5502; 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 January 3, 2011 , from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011 in Liber 12647 at Page 716.

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, MARIANNE G. ROHRLICH has made application of said above described parcel and MARIANNE G. ROHRLICH has paid the application fee and has paid \$70,451.90 , 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

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to **MARIANNE G. ROHRLICH**, 350 Central Park West, New York NY 10025, 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

1799

August 25, 2011

Tax Map No.: 0900-103.00-02.00-028.000

Name of Last Legal Fee Owner: MARIANNE G. ROHRLICH

TREASURER'S COMPUTATION.....\$61,045.16 ↘

Taxes.....2010/2011\$9,406.74 ↘

License/Storage Fee.....OPEN

Repairs.....OPEN

Miscellaneous Expenses.....OPEN

TOTAL.....\$70,451.90

Monies Received.....\$70,451.90

RESOLUTION AMOUNT.....\$70,451.90 ↘

APPROVED:

Annette Brownell 8/25/2011

Accounting
DB:lag

PREPARED BY:

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0900	103.00	02.00	028.000

799

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	3995.61
2006/07	13868.13
2007/08	13326.54
2008/09	12551.95
2009/10	11190.44

2010/11 PROPERTY TAXES \$9,406.74 NOT INCLUDED IN COMPUTATION

TOTAL: 54932.67

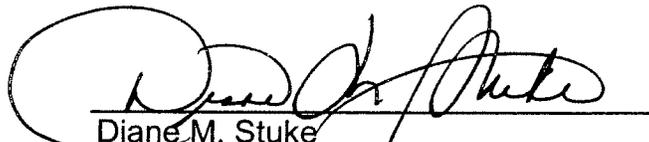
B. INTEREST DUE	3205.58
C. TOTAL	58138.25
D. 5% LINE C	2906.91
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$61,045.16

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. 28-Jun-11



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 12/25/11

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1799

1. Type of Legislation

Resolution X
Tax Map Number 0900-103.00-02.00-028.000

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

Diane Bishop

Diane Bishop

8/25/11

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

1799
AUG 29 2011

PAMELA J. GREENE
DIVISION DIRECTOR

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

BRIAN CULHANE
COMMISSIONER

August 25, 2011

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

Re: Tax Map No. 0900-103.00-02.00-028.000
MARIANNE G. ROHRLICH

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)
Neil Toomb, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:

Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory

Introductory Resolution No. 1800-11 Laid on Table 9/15/11

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 J. RAIMONDI AND LOUISE M. RAIMONDI, HIS WIFE
0400-248.00-01.00-027.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 248.00, Block 01.00, Lot 027.000, and acquired by tax deed on January 03, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011, in Liber 12647, at Page 712, and otherwise known and designated by the Town of Huntington, as Lot No. 6, on a certain map entitled "Map of Wolf Hill Glenn, Section 4", filed in the office of the Clerk of Suffolk County on December 20, 1965 as Map No. 4542; 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 January 03, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011 in Liber 12647 at Page 712.

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, CITIBANK N.A. has made application of said above described parcel and CITIBANK N.A. has paid the application fee and has paid \$107,605.65, 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

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to ANTHONY J. RAIMONDI AND LOUISE M. RAIMONDI, HIS WIFE, 4 Glen Hill Court, Dix Hills NY 11746, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1800

August 16, 2011

Tax Map No.: 0400-248.00-01.00-027.000

Name of Last Legal Fee Owner: ANTHONY J. RAIMONDI AND LOUISE M. RAIMONDI, HIS WIFE

TREASURER'S COMPUTATION..... \$95,250.22 ↘

Taxes.....2010/2011..... \$12,355.43 ↘

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$107,605.65

Monies Received..... \$107,605.65

RESOLUTION AMOUNT..... \$107,605.65 ↘

APPROVED:

Annette Brownell 8/18/2011

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>
0400	248.00	01.00	027.000

1800

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	3224.53
2005/06	16882.90
2006/07	17373.06
2007/08	16796.68
2008/09	16522.25
2009/10	14801.69

2010/11 PROPERTY TAXES \$12,355.43 NOT INCLUDED IN COMPUTATION

TOTAL: 85601.11 ↘

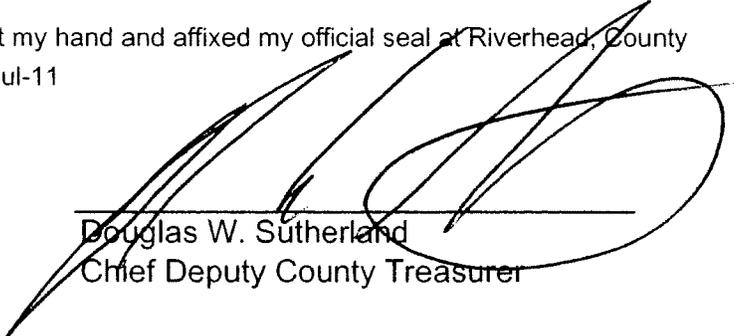
B. INTEREST DUE	5113.39
C. TOTAL	90714.50
D. 5% LINE C	4535.72
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$95,250.22 ↘

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 06-Jul-11



Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to
and including 01/02/12

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0400-248.00-01.00-027.000

1800

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 8/18/11

Suffolk Co.

Joins Map 8

M 73°21'00" N 73°20'15" O 73°19'30" P

Berkeley Jackson County Parkland

11743

1800

DIX HILLS

11746

Half Hollow Hills East PS & HS

Dix Hill GC

EAST HALF HOLLOW HILLS

19

18

17

16

Joins Map 3

Five Towns College

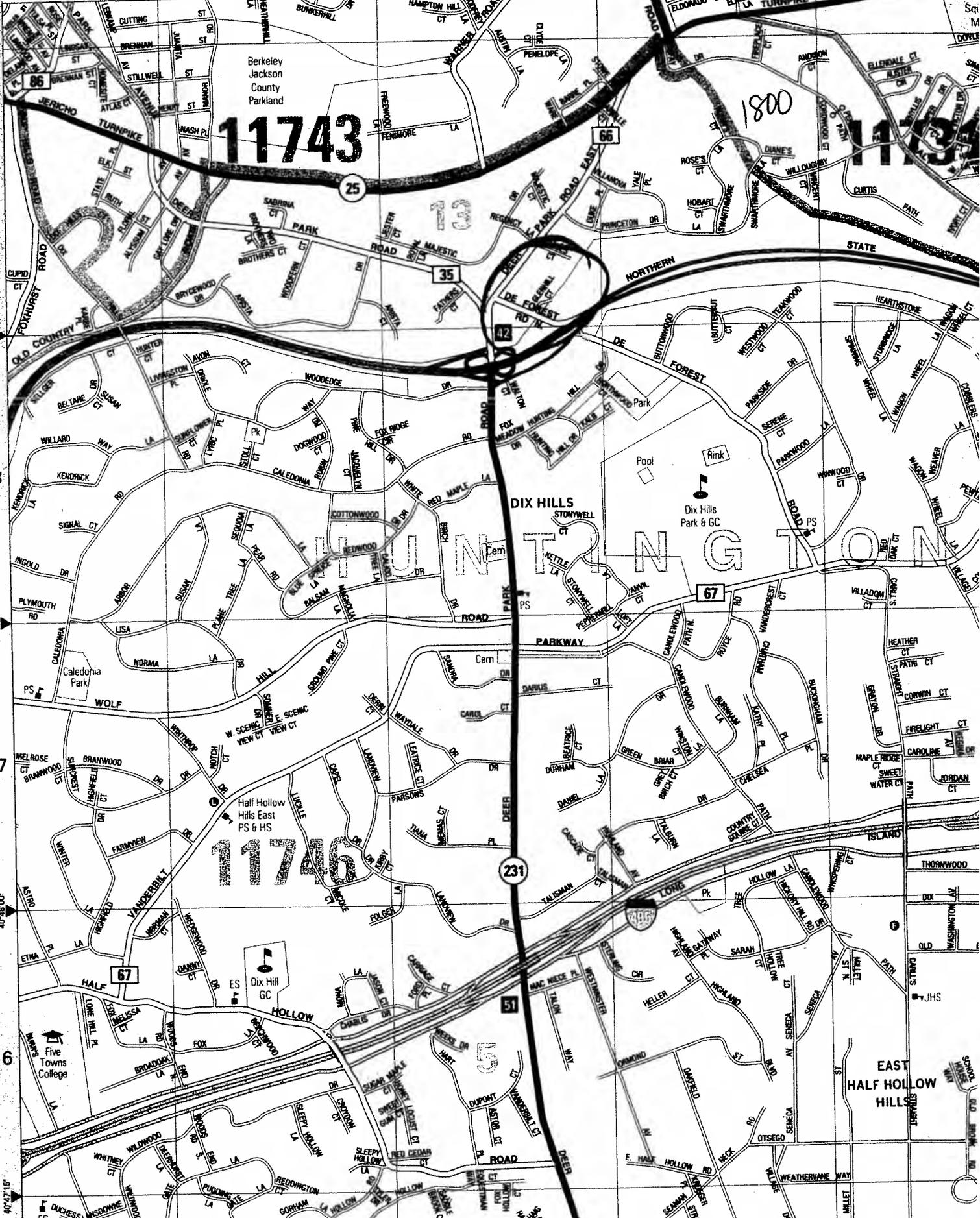
40°47'15"

40°48'00"

40°48'45"

40°49'30"

40°50'15"



COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

1800
RECEIVED

AUG 24 2011

CHIEF DEPUTY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN CULHANE
COMMISSIONER

August 23, 2011

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

Re: Tax Map No. 0400-248.00-01.00-027.000
ANTHONY J. RAIMONDI AND LOUISE M. RAIMONDI, HIS WIFE

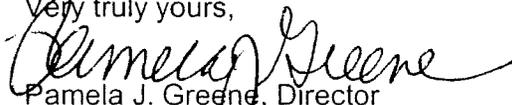
Dear Mr. Crannell:

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

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)
Neil Toomb, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:

Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicko, Inventory

53

Introductory Resolution No. 1801-11 Laid on Table 9/15/11

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
LAWRENCE A. NEMEROFF
0200-837.00-03.00-016.001

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 837.00, Block 03.00, Lot 016.001, and acquired by tax deed on January 5, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011, in Liber 12647, at Page 724, and otherwise known and designated by the Town of Brookhaven, as part of Lot C shown on a certain map entitled "Map No. 4 of the O.L. Schwenke Land and Investment Co.", filed in the Office of the Clerk of Suffolk County on July 10, 1901 as Map No. 545; 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 January 5, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011 in Liber 12647 at Page 724.

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, LAWRENCE A. NEMEROFF has made application of said above described parcel and LAWRENCE A. NEMEROFF has paid the application fee and has paid \$877.35, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to LAWRENCE A. NEMEROFF, 741 Old Medford Ave., Medford NY 11763, 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: _____

DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
SPONSORS MEMO FOR COUNTY LEGISLATION

1801

Resolution Title:

LAWRENCE A. NEMEROFF
0200-837.00-03.00-016.001

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 \$877.35

Contact Person Diane Bishop Telephone Number (631)853-5932

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1801

August 15, 2011

Tax Map No.: 0200-837.00-03.00-016.001

Name of Last Legal Fee Owner: LAWRENCE A. NEMEROFF

TREASURER'S COMPUTATION..... \$720.67 ↘
Taxes.....2010/2011..... \$156.68 ↗
License/Storage Fee..... OPEN
Repairs..... OPEN
Miscellaneous Expenses..... OPEN

TOTAL..... \$877.35

Monies Received..... \$877.35

RESOLUTION AMOUNT..... \$877.35 ↘

APPROVED:

Annette Browne

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	837.00	03.00	1801 016.001

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08	212.30
2008/09	224.28
2009/10	209.84

2010/11 PROPERTY TAXES \$156.68 NOT INCLUDED IN COMPUTATION

TOTAL: 646.42 ↘

B. INTEREST DUE	39.93
C. TOTAL	686.35
D. 5% LINE C	34.32
E. FEE	
F. MISC	
G. MISC	

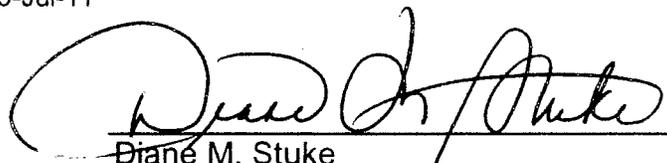
H. TOTAL DUE \$720.67 ↘

CERTIFICATION BY COUNTY TREASURER

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

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

19-Jul-11



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 01/15/12

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1801

1. Type of Legislation

Resolution
Tax Map Number 0200-837.00-03.00-016.001

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

4. Will the Proposed Legislation have a fiscal impact? Yes 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 *Diane Bishop* 8/15/11

MATCH Z Z LINE
 FOR P.C.L. NO. SEE SEC. NO. 807-02-003.5
 FOR P.C.L. NO. SEE SEC. NO. 807-02-003.4
 FOR P.C.L. NO. SEE SEC. NO. 807-02-003.3

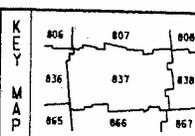


0200-837-00-03-00-016.001

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:
 0 100 200



TOWN OF **BROOKHAVEN**
 VILLAGE OF
 DISTRICT NO **0200**

SECTION NO
837
 PROPERTY MAP

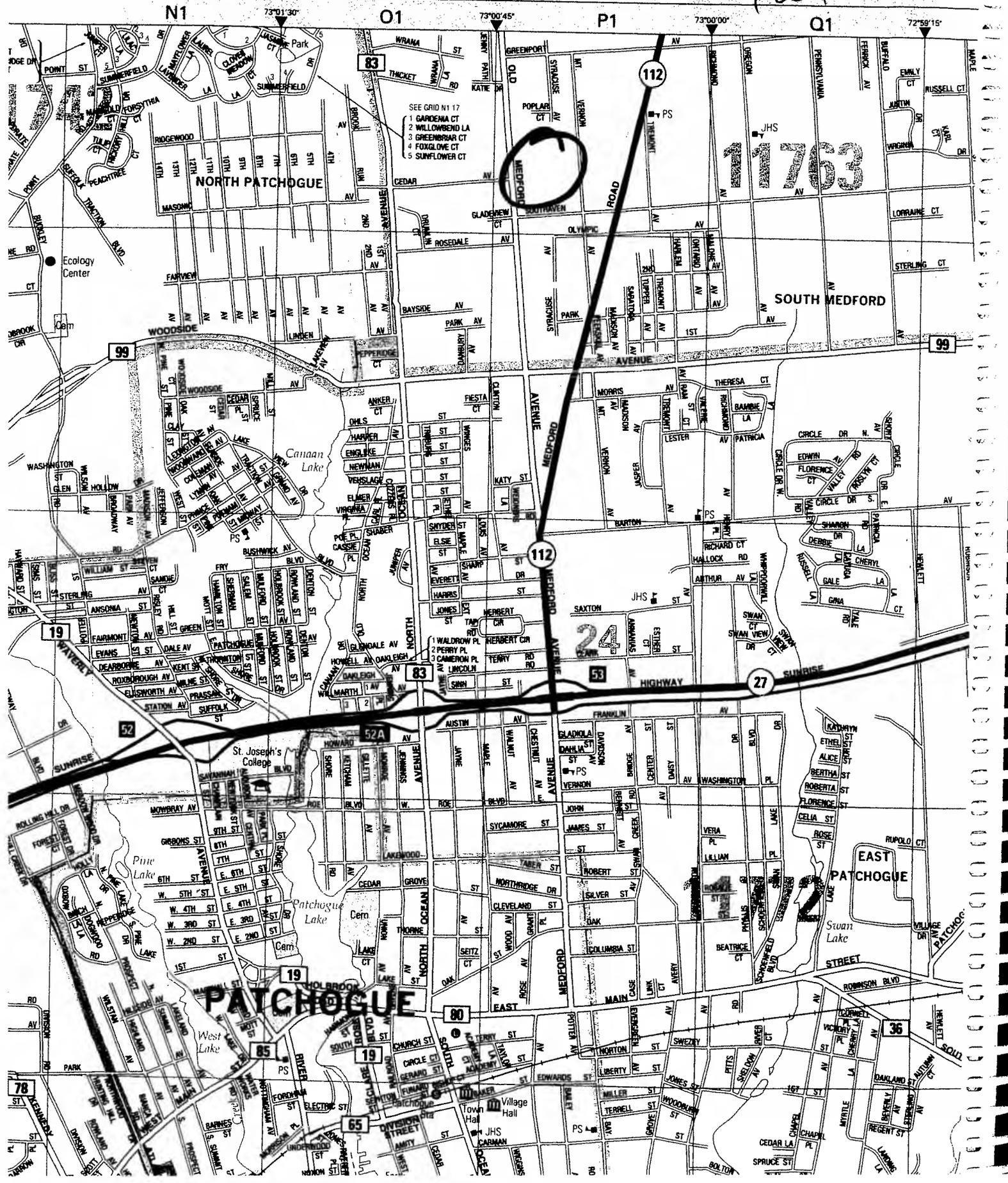
CONVERSION DATE: Aug. 13, 1996

Suffolk Co.

0200-83700-0300-016001

Joins Map 27

1801



COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

Gen All
RECEIVED

AUG 24 2011

CHIEF DEPUTY
COUNTY EXECUTIVE

BRIAN CULHANE
COMMISSIONER

1801

August 23, 2011

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

Re: Tax Map No. 0200-837.00-03.00-016.001
LAWRENCE A. NEMEROFF

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

DB:lag

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

Copy of Resolution to:

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

Copy of letter to:

Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicko, Inventory

53

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
MONIQUE SONYEA MACKROY-DAVIS
0400-098.00-01.00-031.000

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 098.00, Block 01.00, Lot 031.000, and acquired by tax deed on September 21, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 21, 2009, in Liber 12600, at Page 864, and otherwise known and designated by the Town of Huntington, as Lots 62-66 Inclusive, on a certain map entitled "Map of Grace Heights", filed in the office of the Clerk of Suffolk County on September 25, 1917 as Map No. 309; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 21, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 21, 2009 in Liber 12600 at Page 864.

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, MONIQUE SONYEA MACKROY-DAVIS has made application of said above described parcel and MONIQUE SONYEA MACKROY-DAVIS has paid the application fee and will be paying \$49,886.80, 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

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to MONIQUE SONYEA MACKROY-DAVIS, 4249 H Gander Way, McGuire AFB NY 08641, 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

1802

August 17, 2011

Tax Map No.: 0400-098.00-01.00-031.000

Name of Last Legal Fee Owner: MONIQUE SONYEA MACKROY- DAVIS

TREASURER'S COMPUTATION..... \$45,627.42 ↘

Taxes.....2010/2011..... \$4,259.38 ↘

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$49,886.80

Monies to be Received..... \$49,886.80

RESOLUTION AMOUNT..... \$49,886.80 ↘

APPROVED:

Annette Brownell 8-18-2011

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>
0400	098.00	01.00	031.000

1802

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	2924.86
2005/06	8293.76
2006/07	7907.79
2007/08	7269.55
2008/09	5784.68
2009/10	6234.45

2010/11 PROPERTY TAXES \$4,259.38 NOT INCLUDED IN COMPUTATION

TOTAL: 38415.09

B. INTEREST DUE	5039.60
C. TOTAL	43454.69
D. 5% LINE C	2172.73
E. FEE	
F. MISC	
G. MISC	

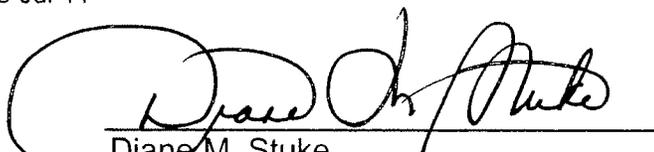
H. TOTAL DUE \$45,627.42

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.

28-Jul-11


Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 01/24/12

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution
Tax Map Number 0400-098.00-01.00-031.000

1802

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

Lori Sklar

Lori Sklar

8/18/11

07-16-96
06-13-96
11-27-96
07-08-97
12-01-97
05-14-98
05-12-99
07-22-99
06-02-99
06-13-99
12-23-99
03-15-00
06-29-00
05-10-01
07-17-01
09-27-01
05-11-05
05-26-05
06-09-05
09-20-05
11-15-05
12-27-05
01-16-07
05-17-07
10-05-07

N 238,700
E 218,000

1802

N 232,000
E 218,000



FOR PCL. NO.
SEE SEC. NO.
098-01-001

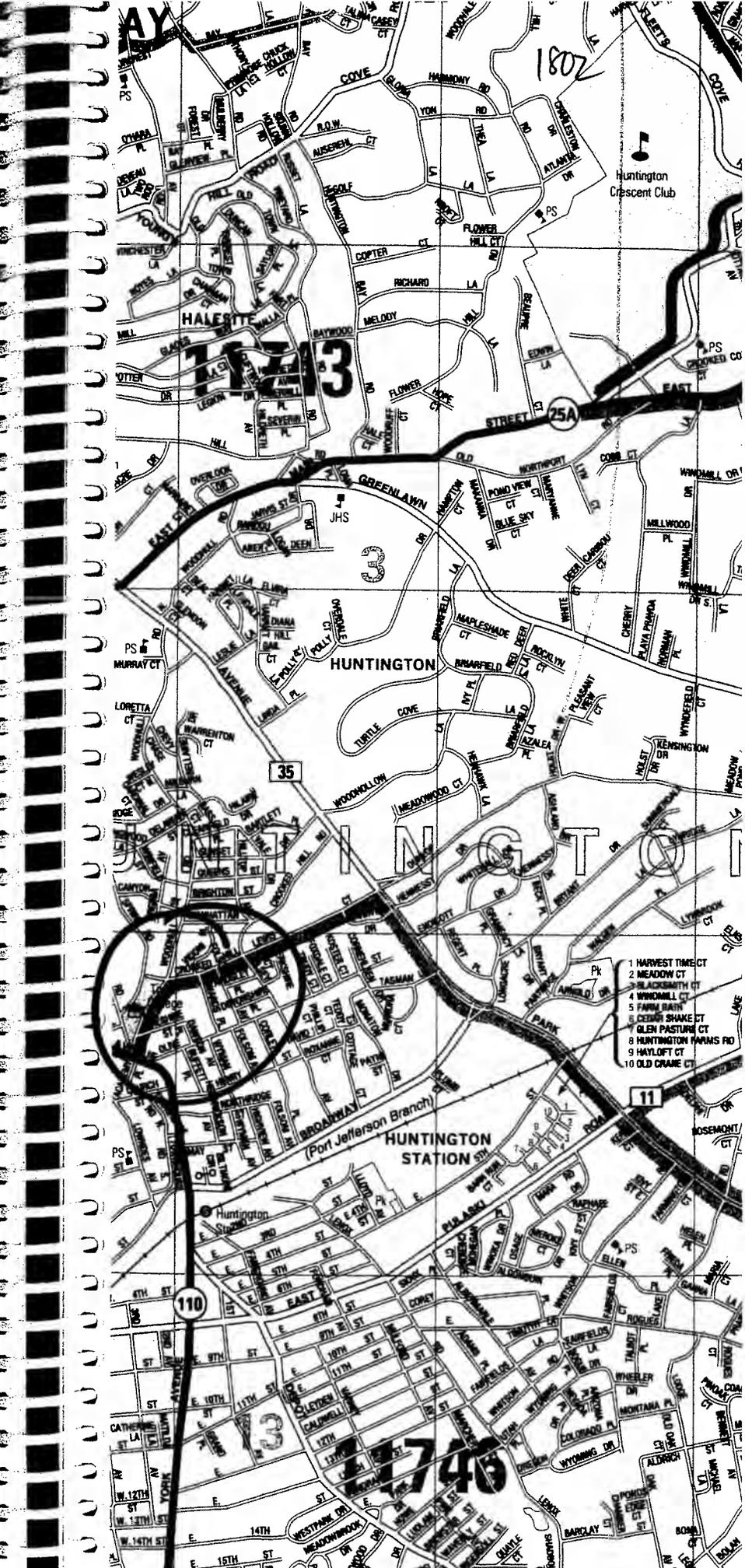
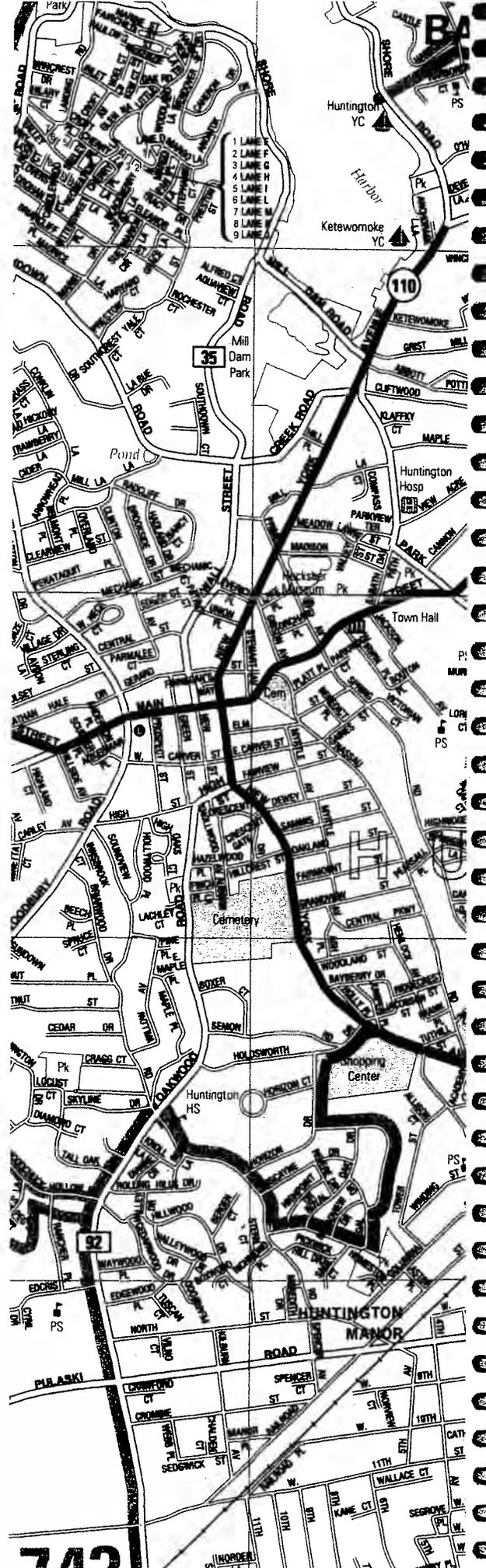
Property or PL Line	Subdivision Lot No.	Block Lot	School District Line	Hydrant District Line	UNLESS DRAWN OTHERWISE, ARE WITHIN THE FOLLOWING SCHOOL DISTRICTS: SCHOOL 3 HYD 100 SAY 100
Service Center Owner	Subdivision Block/Sheet No.	Block No.	Fire District Line	Reform District Line	
Subdivision Lot Line	Block/Sheet No.	Block No.	Water District Line	Historic District Line	
Right-of-Way Line	Block/Sheet No.	Block No.	Light District Line	Historic District Line	
Match	Block/Sheet No.	Block No.	Light District Line	Historic District Line	

11-14-97
12-01-97
12-18-97
08-20-99
09-11-99
09-23-99

N 238,700
E 218,000

SEE SEC. NO. 098

CROOKED



- 1 HARVEST TIME CT
- 2 MEADOW CT
- 3 BILKINSWORTH CT
- 4 WINDMILL CT
- 5 FARM BATH
- 6 CEDAR SHAKE CT
- 7 GLEN PASTURE CT
- 8 HUNTINGTON FARMS RD
- 9 HAYLOFT CT
- 10 OLD CRANE CT

COUNTY OF SUFFOLK



1802

STEVE LEVY
COUNTY EXECUTIVE

RECEIVED

AUG 24 2011

CHIEF DEPUTY
COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT AND ENERGY

DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN CULHANE
COMMISSIONER

August 23, 2011

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

Re: Tax Map No. 0400-098.00-01.00-031.000
MONIQUE SONYEA MACKROY-DAVIS

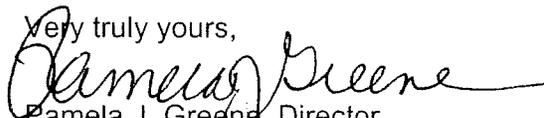
Dear Mr. Crannell:

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)
Neil Toomb, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:

Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicko, Inventory

53

Introductory Resolution No. 1803-11 Laid on Table 9/15/11

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
FULL MOON PROPERTIES, LLC
0500-455.00-02.00-035.000

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 455.00, Block 02.00, Lot 035.000, and acquired by tax deed on November 23, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 30, 2010, in Liber 12644, at Page 471, and otherwise known and designated by the Town of Islip, as Lots 5 and 6, on a certain map entitled "Map of Property of J.C. Robbins", filed in the office of the Clerk of Suffolk County on August 8, 1910 as Map No. 426; 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 23, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 30, 2010 in Liber 12644 at Page 471.

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, FULL MOON PROPERTIES, LLC has made application of said above described parcel and FULL MOON PROPERTIES, LLC has paid the application fee and has paid \$47,261.15, 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

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to FULL MOON PROPERTIES, LLC, 160 Higbie Lane, West Islip NY 11795, 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

1803

August 09, 2011

Tax Map No.: 0500-455.00-02.00-035.000

Name of Last Legal Fee Owner: FULL MOON PROPERTIES, LLC

TREASURER'S COMPUTATION..... \$37,490.87

Taxes.....2010/2011..... \$9,770.28

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$47,261.15

Monies Received..... \$47,261.15

RESOLUTION AMOUNT.....\$47,261.15

APPROVED:

Karen A. Blater 8/12/11

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	455.00	02.00	035.000

1803

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08	11794.27
2008/09	10951.81
2009/10	11051.32

2010/11 PROPERTY TAXES \$9,770.28 NOT INCLUDED IN COMPUTATION

TOTAL: 33797.40

B. INTEREST DUE	1908.19
C. TOTAL	35705.59
D. 5% LINE C	1785.28
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$37,490.87

11/19/11

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 23-May-11

Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to
and including 11/19/11

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0500-455.00-02.00-035.000

1803

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 8/15/11



LON

1702

GREAT

O N

R 1803 S

1795

30075

1803

- 05-12-00
- 11-16-00
- 06-01-01
- 06-08-01
- 06-27-01
- 11-28-01
- 04-12-02
- 08-12-02
- 10-01-02
- 11-22-02
- 01-17-03
- 06-09-03
- 04-21-04
- 05-05-04



LEGEND Property or 1/2 Line Denotes Common Owner Subdivision Lot Line Stream / Shore Parcel No. 23	Subdivision Lot No. 110 Subdivision Block/Block No. (21) Block Dimension 62 Street Dimension 126 Dead Area 12.1 A(c) or 12.1A Calculated Area 12.1 A(c)	Block Line Block No. ② County Line Town Line Village Line	School District Line - SCH Fire District Line - F Water District Line - W Light District Line - L Park District Line - P Sewer District Line - S	Hydrant District Line - H Refuse District Line - R Ambulance District Line - HST Ambulance District Line - A Postoffice District Line - PO	UNLESS DRAWN OTHERWISE, ALL ARE WITHIN THE FOLLOWING: SCHOOL 9 FIRE 20 LIGHT 4 PARK 4 AMBULANCE 4 SEWER WATER HYDRANT REFUSE BASTEWATER
--	--	---	---	--	---

Gen #16

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

1803

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN CULHANE
COMMISSIONER

August 18, 2011

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

Re: Tax Map No. 0500-455.00-02.00-035.000
FULL MOON PROPERTIES, LLC

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:lbg

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)
Neil Toomb, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:

Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory

Introductory Resolution No. 1804-11 Laid on Table 9/15/11

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
JS REALTY OF LONG ISLAND CORP.
0103-017.00-02.00-012.010

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 0103, Section 017.00, Block 02.00, Lot 012.010, and acquired by tax deed on October 19, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2010, in Liber 12640, at Page 823, and otherwise known and designated by the Town of Babylon, as Lots 1761 to 1764 inclusive, on a certain map entitled "Map of Lindenhurst Babylon Farms, Section 7", filed in the office of the Clerk of Suffolk County on February 19, 1924 as Map No. 641; 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 19, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2010 in Liber 12640 at Page 823.

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, JS REALTY OF LONG ISLAND CORP. has made application of said above described parcel and JS REALTY OF LONG ISLAND CORP. has paid the application fee and has paid \$49,579.78, 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

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to JS REALTY OF LONG ISLAND CORP., 712 Montauk Highway, Lindenhurst NY 11757, 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

1804

August 03, 2011

Tax Map No.: 0103-017.00-02.00-012.010

Name of Last Legal Fee Owner: JS REALTY OF LONG ISLAND CORP.

TREASURER'S COMPUTATION..... \$40,095.83 ✓

Taxes.....2010/2011..... \$9,483.95 ✓

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$49,579.78

Monies Received..... \$49,579.78

RESOLUTION AMOUNT..... \$49,579.78 ✓

APPROVED:

Annette Browne 8/4/2011

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>
0103	017.00	02.00	012.010

1804

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

Year	Village	Town	Combined
2007/08	1000.98	11167.28	12168.26
2008/09	955.21	11584.98	12540.19
2009/10	936.60	9052.54	9989.14
2010/11	1423.21	0.00	1423.21

2010/11 TOWN PROPERTY TAXES \$9,483.95 NOT INCLUDED IN COMPUTATION

TOTAL: 36120.80 ^

B. INTEREST DUE	2065.70
C. TOTAL	38186.50
D. 5% LINE C	1909.33
E. FEE	
F. MISC	
G. MISC	

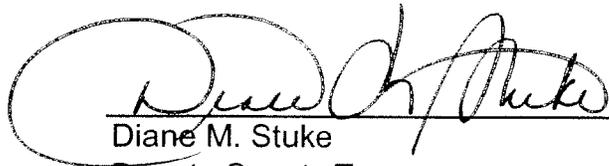
H. TOTAL DUE \$40,095.83 ^

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.

24-May-11



Diane M. Stuke
Deputy County Treasurer

** Interest and penalty computed to and including

11/20/11

DZ

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution
Tax Map Number 0103-017.00-02.00-012.010

1804

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

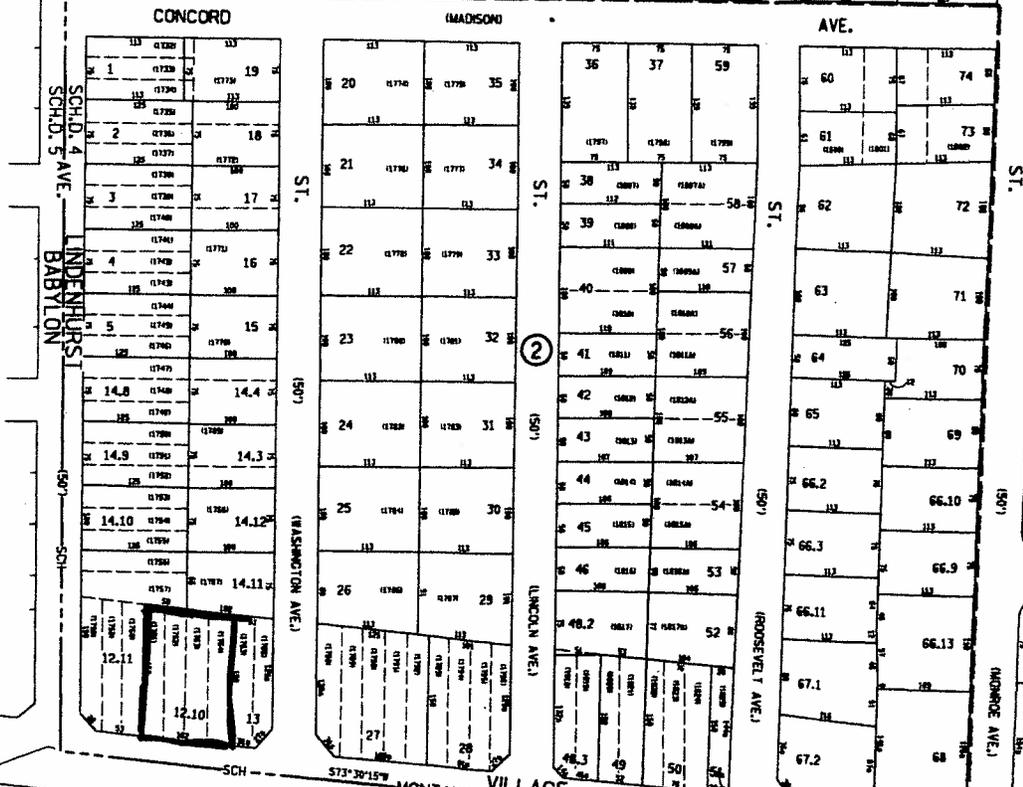
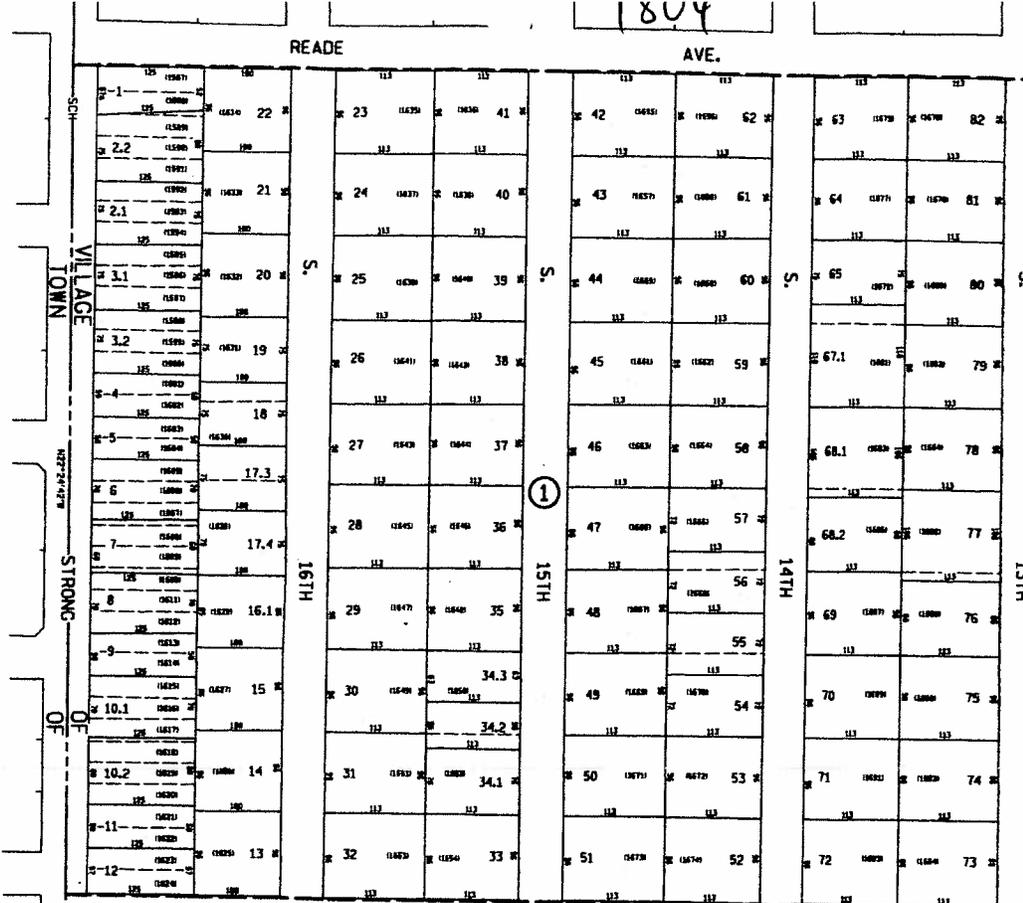
Lori Sklar

Lori Sklar

8/4/11

07-29-99
03-26-02
10-25-04
02-14-07
01-14-08
02-21-08
05-26-08

1804



N 162,562.82
E 2,171,216.20

LEGEND	Property or HP Line	Subdivision Lot No.	130	Back List	---	School District Line	---	Hydrant District Line	---	UNLESS DRAWN OTHERWISE, ALL ARE WITHIN THE FOLLOWING: SCHOOL 4 SEWER FIRE L.C.D. HYDRANT LIGHT 25 WATER PARK REFUSE AMBULANCE WASTEWATER
	Demarcation Barrier	Subdivision Block/Blk. No.	(21)	Back No.	②	Fire District Line	F	Refuse District Line	R	
	Subdivision Lot Line	Dead Dimension	60	County Line	---	Water District Line	W	Historical District Line	HST	
	Stream / Shore	Scaled Dimension	60	Town Line	---	Light District Line	L	Insurance District Line	A	
Parcel No.	Dead Area	12.1 A(c) or 12.1A	Calculated Area	12.1 A(c)	Village Line	---	Park District Line	P	Waterworks District Line	WW

Go. 217

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

1804

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN CULHANE
COMMISSIONER

August 18, 2011

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

Re: Tax Map No. 0103-017.00-02.00-012.010
JS REALTY OF LONG ISLAND CORP.

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)
Neil Toomb, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:

Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory

Introductory Resolution No. 1805-11 Laid on Table 9/15/11

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
MID ATLANTIC, LLC
0400-099.00-05.00-015.000

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 099.00, Block 05.00, Lot 015.000, and acquired by tax deed on October 08, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 14, 2010, in Liber 12640, at Page 235, and otherwise known and designated by the Town of Huntington, East 50 feet of Lots 265 to 267 Inclusive, on a certain map entitled "Map of Highland Park", filed in the office of the Clerk of Suffolk County on April 21, 1910 as Map No. 126 ; 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 08, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 14, 2010 in Liber 12640 at Page 235.

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, MID ATLANTIC, LLC has made application of said above described parcel and MID ATLANTIC, LLC has paid the application fee and has paid \$4,071.95, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to MID ATLANTIC, LLC, 56 Henry Street, Huntington Station NY 11746, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1805

August 15, 2011

Tax Map No.: 0400-099.00-05.00-015.000

Name of Last Legal Fee Owner: MID ATLANTIC, LLC

TREASURER'S COMPUTATION..... \$3,416.66

Taxes.....2010/2011..... \$655.29

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$4,071.95

Monies Received.....\$4,071.95

RESOLUTION AMOUNT..... \$4,071.95 ✓

APPROVED:

Annette Browner
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>
0400	099.00	05.00	1805	015.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08	1073.73
2008/09	1121.94
2009/10	846.61

2010/11 PROPERTY TAXES \$655.29 NOT INCLUDED IN COMPUTATION

TOTAL: 3042.28

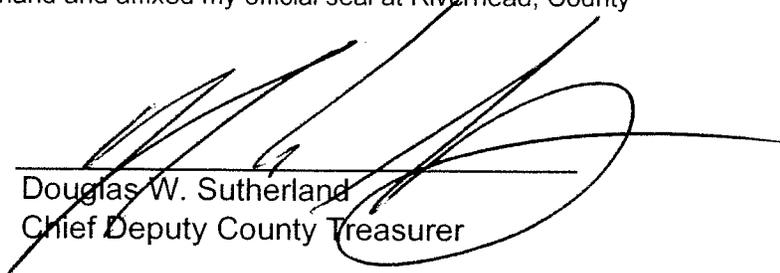
B. INTEREST DUE	211.68
C. TOTAL	3253.96
D. 5% LINE C	162.70
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$3,416.66

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 13-Jun-11



Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to
and including 12/10/11

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1805

1. Type of Legislation

Resolution X
Tax Map Number 0400-099.00-05.00-015.000

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

8/16/11



PROPERTIES DISTRICTS:

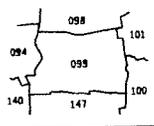
60
65
70
75

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.



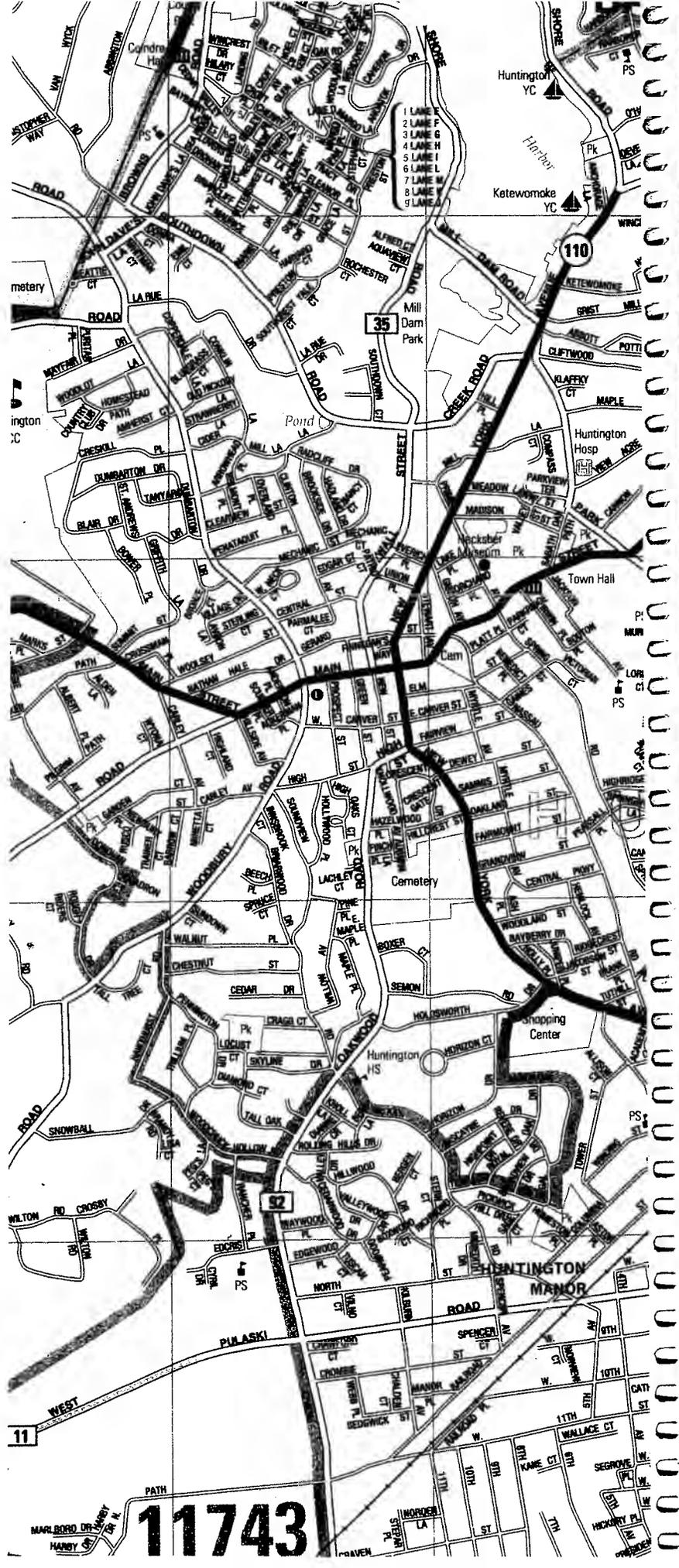
COUNTY OF SUFFOLK 
 Real Property Tax Service Agency
 County Center Riverhead, N Y 11901
 SCALE IN FEET: 1" = 100'

KEY
 MAP

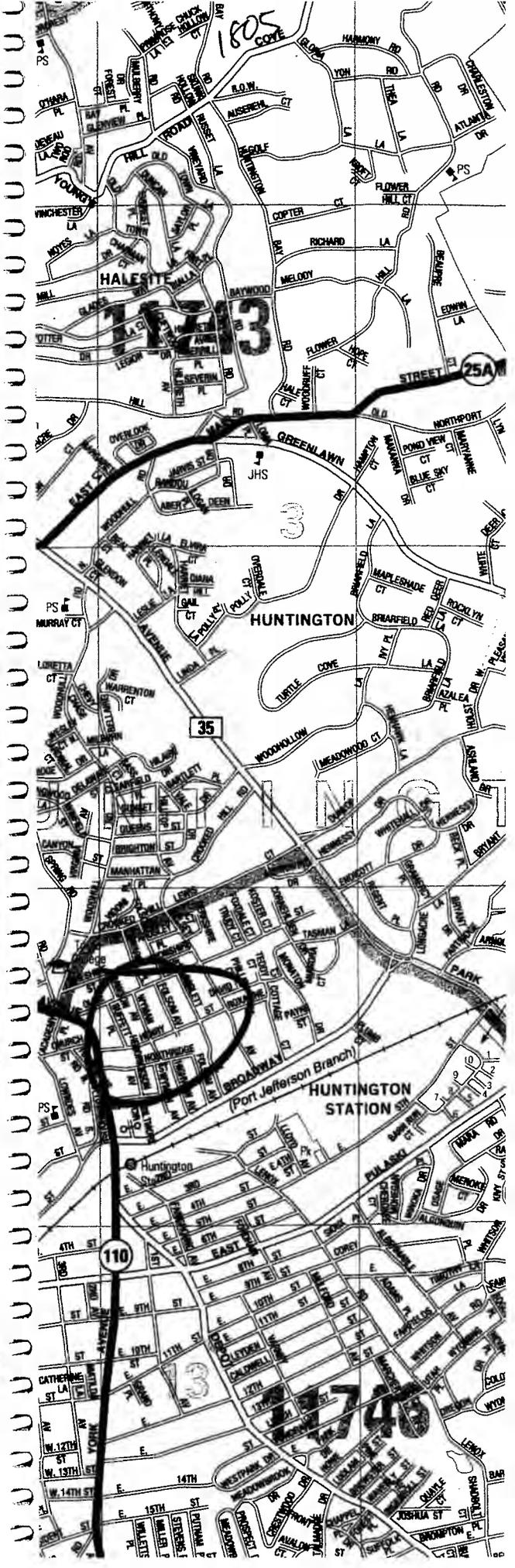


TOWN OF HUNTINGTON
 VILLAGE OF
 DISTRICT NO 0400

SECTION NO
099
 PROPERTY MAP



11743



Gre 218

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

1805

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN CULHANE
COMMISSIONER

August 18, 2011

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

Re: Tax Map No. 0400-099.00-05.00-015.000
MID ATLANTIC, LLC

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)
Neil Toomb, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory

Introductory Resolution No. 1806-11 Laid on Table 9/15/11

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
THERMAKRAFT INSULATION, INC.
0500-192.00-02.00-011.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 192.00, Block 02.00, Lot 011.000, and acquired by tax deed on November 23, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 30, 2010, in Liber 12644, at Page 471, and otherwise known and designated by the Town of Islip, designated as Unit No. 11, Building 23, together with a 4.724 percent interest in the common elements of the Condominium known as Macarthur Industrial Condominium made by Macarthur Industrial Complex, filed in the office of the Clerk of Suffolk County on August 16, 1983 as Condominium Map No. 92; 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 23, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 30, 2010 in Liber 12644 at Page 471.

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, THERMAKRAFT INSULATION, INC. has made application of said above described parcel and THERMAKRAFT INSULATION, INC. has paid the application fee and has paid \$15,089.63, 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

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to THERMAKRAFT INSULATION, INC., 493-11 Johnson Avenue, Bohemia NY 11716, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1806

August 03, 2011

Tax Map No.: 0500-192.00-02.00-011.000

Name of Last Legal Fee Owner: THERMAKRAFT INSULATION, INC.

TREASURER'S COMPUTATION..... \$12,098.27

Taxes.....2010/2011..... \$2,991.36

License/Storage Fee..... OPEN

Repairs.....OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$15,089.63

Monies Received..... \$15,089.63

RESOLUTION AMOUNT..... \$15,089.63

APPROVED:

PREPARED BY:

Lori Sklar

Lori Sklar
Redemption Unit
(631)853-5937

W. L. Brownell 8/5/2011

Accounting
LS:lag

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0500	192.00	02.00	011.000

1806

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08	3567.72
2008/09	3711.00
2009/10	3614.92

2010/11 PROPERTY TAXES \$2,991.36 NOT INCLUDED IN COMPUTATION

TOTAL: 10893.64 ✓

B. INTEREST DUE	628.52
C. TOTAL	11522.16
D. 5% LINE C	576.11
E. FEE	
F. MISC	
G. MISC	

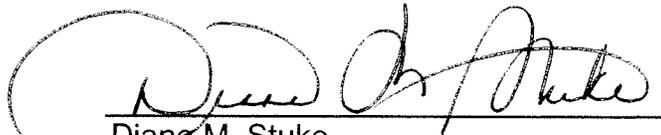
H. TOTAL DUE \$12,098.27 ✓

CERTIFICATION BY COUNTY TREASURER

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

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

01-Jun-11



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 11/28/11

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1806

1. Type of Legislation

Resolution X
Tax Map Number 0500-192.00-02.00-011.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

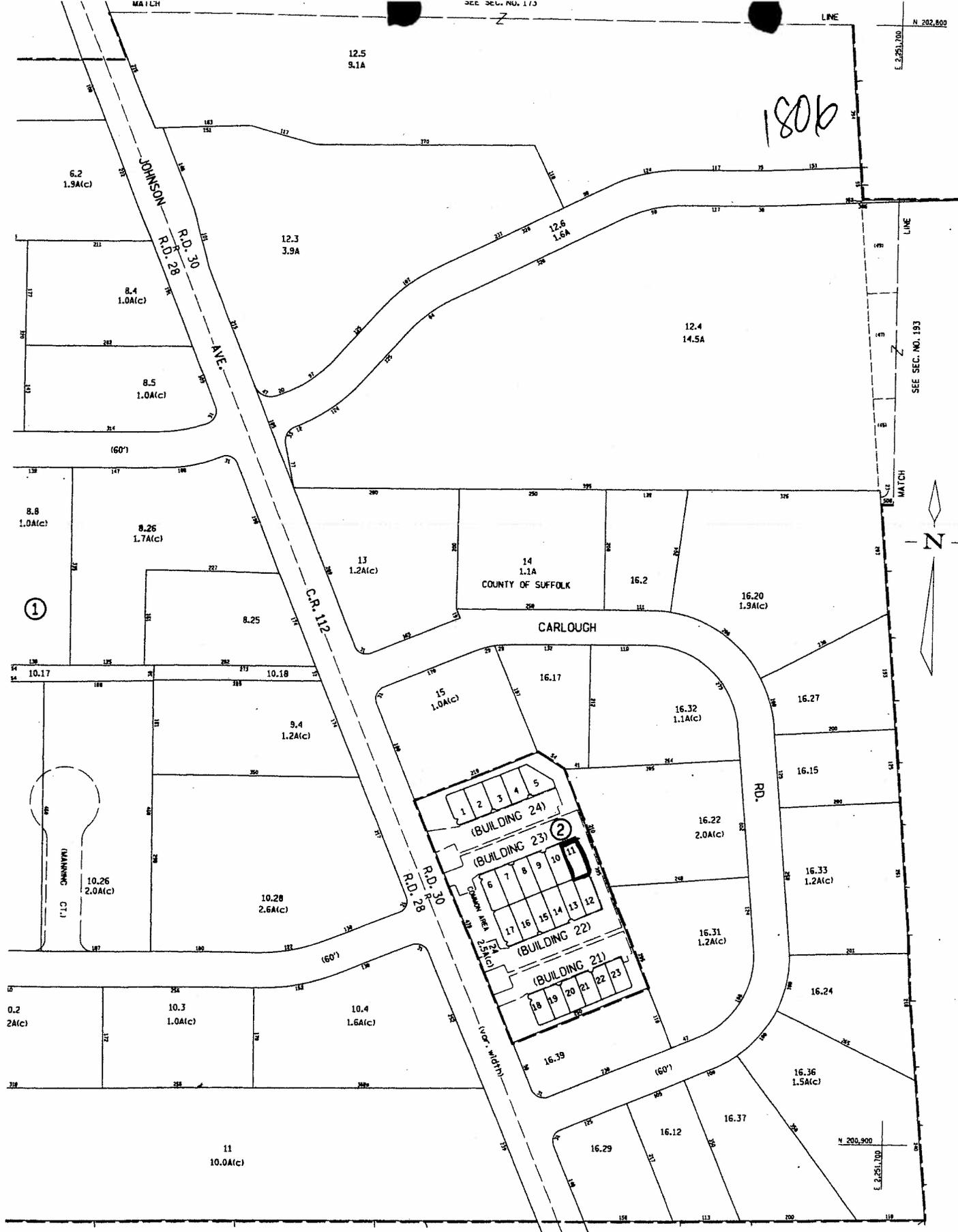
6. If the answer to item 4 is "yes", provide detailed explanation of Impact
The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding
N/A

9. Timing of Impact
2011

10. Typed Name & Title of Preparer	Signature of Preparer	Date
<u>Lori Sklar</u>	<u>Lori Sklar</u>	<u>8/5/11</u>



1806

1

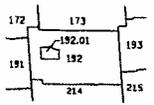
2

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



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

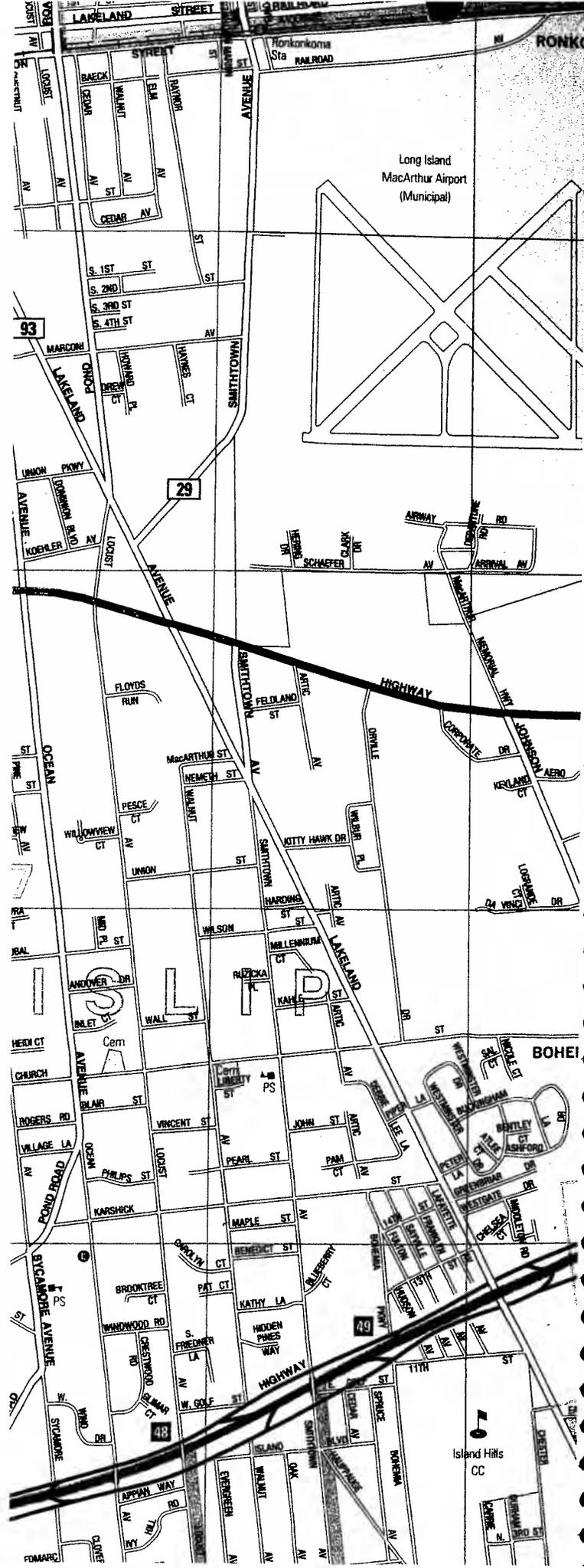
KEY
 MAP



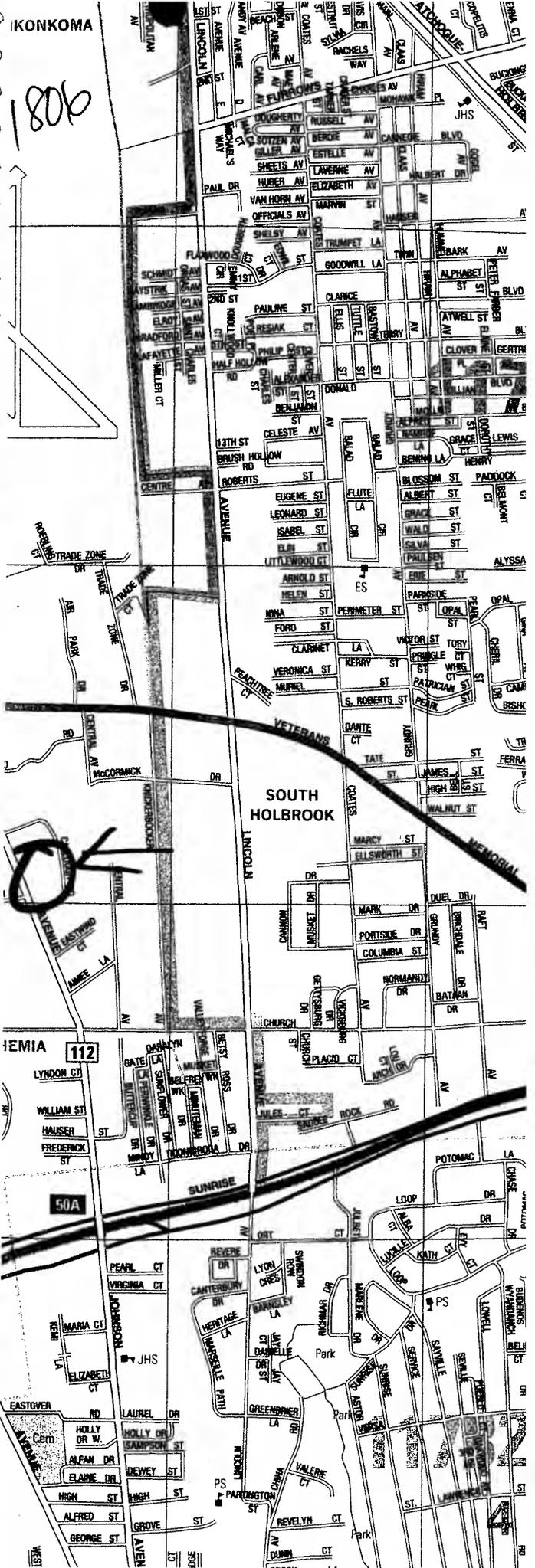
TOWN OF ISLIP
 VILLAGE OF
 DISTRICT NO 0500

SECTION NO
 192
 PROPERTY MAP

CONVERSION DATE: JUN 31, 1996



KONKOMA
1806



Gen 2-19

COUNTY OF SUFFOLK



1806

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN CULHANE
COMMISSIONER

August 18, 2011

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

Re: Tax Map No. 0500-192.00-02.00-011.000
THERMAKRAFT INSULATION, INC.

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)
- Neil Toomb, Budget Office (1 hard copy)
- C.E. Reso. Review (electronic copy)

Copy of letter to:

- Eric Kopp, Assistant Deputy County Executive
- Eric C. Naughton, Budget Director
- Sarah Lansdale, Director, Planning Dept.
- Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
- Alice Kubicsko, Inventory

Introductory Resolution No. 1807-11 Laid on Table 9/15/11

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
J & S REALTY CORP.
0103-017.00-02.00-013.000

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 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 0103, Section 017.00, Block 02.00, Lot 013.000, and acquired by tax deed on October 19, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2010, in Liber 12640, at Page 823, and otherwise known and designated by the Town of Babylon, as Lots 1765 and 1766, on a certain map entitled "Map of Lindenhurst Babylon Farms, Section 7", filed in the office of the Clerk of Suffolk County on February 19, 1924 as Map No. 641; 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 19, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2010 in Liber 12640 at Page 823.

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

WHEREAS, J & S REALTY CORP. has made application of said above described parcel and J & S REALTY CORP. has paid the application fee and has paid \$28,294.03, 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

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to J & S REALTY CORP., 700 Montauk Highway, Lindenhurst NY 11757, 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

1807

August 03, 2011

Tax Map No.: 0103-017.00-02.00-013.000

Name of Last Legal Fee Owner: J & S REALTY CORP.

TREASURER'S COMPUTATION..... \$23,099.76 ✓
Taxes.....2010/2011..... \$5,194.27 ✓
License/Storage Fee..... OPEN
Repairs..... OPEN
Miscellaneous Expenses..... OPEN

TOTAL..... \$28,294.03

Monies Received..... \$28,294.03

RESOLUTION AMOUNT..... \$28,294.03 *

APPROVED:

Annette Bronnell 8/4/2011
Accounting
LS:lag

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1807

1. Type of Legislation

Resolution
Tax Map Number 0103-017.00-02.00-013.000

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

Lori Sklar

Lori Sklar

8/4/11

CONCORD

Property or 88 Line
Subdivision Name
Street / Name
Parcel No.

23
Z

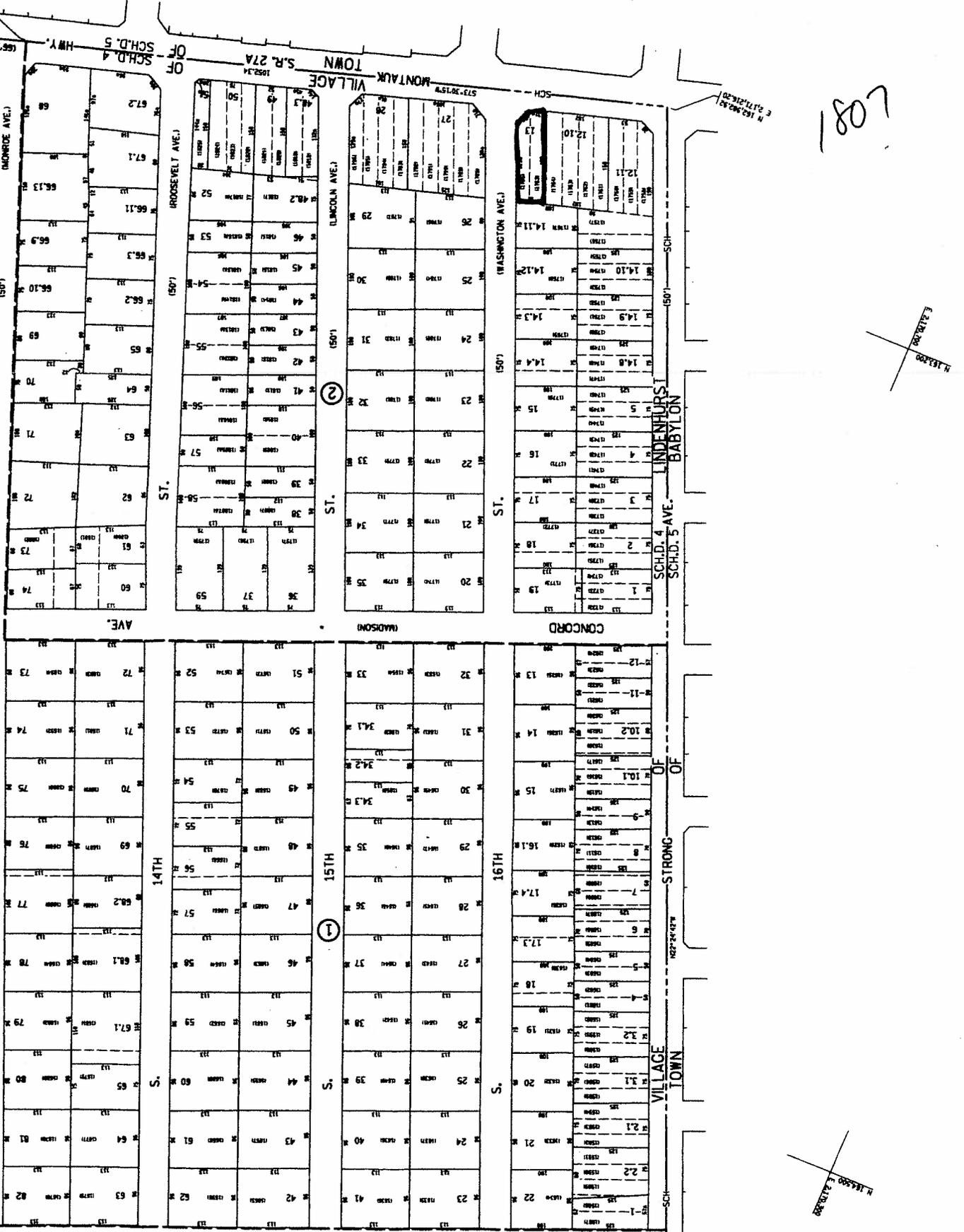
Subdivision Building No. (21)
Date of Division
Scale Division
Date Area 12.1 A(c) or 12.1A

Block (cont)
Block No.
County Line
Town Line
12.1 A(c)

School District Line
Firm District Line
Light District Line
Power District Line
S - School District Line
P - Power District Line
L - Light District Line
F - Firm District Line

Water District Line
Sanitary District Line
Fire District Line
Water District Line
Sanitary District Line
Fire District Line

Unless Drawn Otherwise, Acre Within The Following School Area
School Area
Water
Waste
Abundance



1081

N 143.90' E 342.20'

N 143.90' E 342.20'

01-14-97
03-29-99
10-29-04
02-14-07
02-21-08
05-20-08

5
6
7
8
9



1081

28

600-490

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

1807

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN CULHANE
COMMISSIONER

August 18, 2011

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

Re: Tax Map No. 0103-017.00-02.00-013.000
J & S REALTY CORP.

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)
- Neil Toomb, Budget Office (1 hard copy)
- C.E. Reso. Review (electronic copy)

Copy of letter to:

- Eric Kopp, Assistant Deputy County Executive
- Eric C. Naughton, Budget Director
- Sarah Lansdale, Director, Planning Dept.
- Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
- Alice Kubicko, Inventory

**RESOLUTION NO. - 2011 AUTHORIZING A LEASE AGREEMENT
WITH SHEAHAN COMMUNICATIONS INC., FOR USE OF PROPERTY AT
FRANCIS S. GABRESKI AIRPORT**

WHEREAS: Suffolk County owns and through its Department of Economic Development and Workforce Housing operates and maintains Francis S. Gabreski Airport in Westhampton; and

WHEREAS: Sheahan Communications Inc., has submitted an application to renew its lease of office space located at Gabreski Airport; and

WHEREAS: this project is in compliance with the adopted 1990 Airport Master Plan Update, the 2011 Airport Master Plan Draft Update, the 1995 Central Pine Barrens Comprehensive Land Use Plan, the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan, the 1999 Town of Southampton Comprehensive Update Implementation Strategies Plan and the Town of Southampton Aquifer Protection Overlay District requirements; and

WHEREAS: through Executive Order 26-2006, the County Executive created the Airport Conservation and Assessment Panel (ACAP), comprised mostly of local community group representatives, to evaluate applications for proposed leases, lease renewals, lease extensions, lease modifications and licenses and to issue formal recommendations to the County Executive, the CEQ and the County Legislature; and

WHEREAS: the Airport Conservation and Assessment Panel reviewed the proposed development as noted in the Panel's written recommendations attached as Exhibit A; and

WHEREAS: the lease agreement, for three (3) years at an initial annual lease rate of \$24,388, is submitted for legislative consideration; now therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(C)(20)&(27), as this legislative decision involves routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities. As such, this Legislature has no further responsibilities under SEQRA; and, be it further

2nd RESOLVED, that the County Executive or his designee, is authorized to execute a lease agreement for the use of the above described property between Sheahan Communications Inc., and the County of Suffolk, in substantial accordance with the agreement annexed as Exhibit B.

DATED: _____

APPROVED BY:

Steve Levy
County Executive of Suffolk County

Date of Approval: _____

Airport Conservation and Assessment Panel Report of June 1, 2011 Meeting

Sheahan Communications Lease

Airport Conservation and Assessment Panel Background:

On May 9, 2006, Suffolk County Executive Order No. 26-2006 created the Airport Conservation and Assessment Panel (ACAP). The panel is charged with evaluating applications for leases, lease renewals, extensions and modifications, licenses, and issuing recommendations to the County Legislature, the CEQ and County Executive on the environmental, economic and community impacts of a lease or license application at Gabreski Airport and to report it's advisory findings and recommendations to the above parties.

The scope of the ACAP review shall be limited to assessing applications and proposals for the environmental compatibility and economic benefit to the people of the County of Suffolk and are in the public interest as a support, advance, or enhancement of a specifically articulated public policy objective.

A meeting of ACAP was held on June 1, 2011 to review a lease for Sheahan Communications which is a new lease for existing tenant. Located in the Administration building, they rent 2263 square feet of office space. The original lease was executed in 1984. They have requested a three year lease plus a three year option. They are a tenant in good standing and there are no changes to the proposed lease in this renewal application

Summary of SEQRA Recommendations/ACAP Findings:

Based on our assessment of the rules governing the implementation of SEQRA, we find the subject application to be Type II Action Pursuant to Title 6 NYCRR Part 617.5(c) (26) - License, lease, and permit renewals or transfers of ownership thereof, where there will be no material change in permit conditions or scope of permitted activities.

Other Recommendations:

- There is no objection to the approval of this application.

FRANCIS S. GABRESKI

LEASE AGREEMENT

BETWEEN

COUNTY OF SUFFOLK

and

SHEAHAN COMMUNICATIONS, INC.

Date: _____, 2011

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Exhibit A – Legal Description of Property

Exhibit B – Legislative Requirements

.....

LEASE AGREEMENT

THIS AGREEMENT ("**Agreement**"), made as of _____, 2011 by and between the COUNTY OF SUFFOLK, a municipal corporation whose address is COUNTY Center, Riverhead, New York (hereinafter the "**COUNTY**"), acting through its duly constituted Department of Economic Development and Workforce Housing, Aviation Division (hereafter "**Airport Management**"), located at Francis S. Gabreski Airport, Administration Building # 1, Westhampton Beach, New York 11978 and Sheahan Communications, Inc., with an address at Building #1 Suffolk County Francis S. Gabreski Airport, Westhampton Beach, New York 11978, (hereinafter "**TENANT**").

1. DESCRIPTION

Section 1.01 In consideration of the terms, conditions and covenants contained in this Lease, County grants to TENANT, and TENANT hereby accepts from County, the lease of approximately 2,492 square feet of space shown on the approximate floor plan depicted in **Exhibit A**, located at Gabreski Airport, Westhampton Beach, NY 11978, and related facilities, improvements, and permanent installations constructed and installed or to be constructed and installed therein, thereon, or hereunder in accordance with this Lease and as further identified in the legal description attached hereto and made a part hereof as **Exhibit A**.

The property and any improvements (existing or to be constructed), appurtenances appertaining to the property, and the rights, easements, and privileges granted TENANT hereunder are collectively referred to as the "**Premises**."

Section 1.02 TENANT accepts the entire Space in its "as is" physical condition without any representation or warranty, expressed or implied, by the COUNTY as to any condition thereof, apparent or unknown, or as to the use or occupancy which may be made thereof under any existing or future law, rule, regulation, or ordinance.

2. PURPOSE

Section 2.01 The parties hereto acknowledge that COUNTY is a municipal corporation and is entering into and executing this Lease by virtue of the authority of Resolution No. _____-2011 of the Suffolk County Legislature, dated the _____ day of _____, 2011 (the "**Resolution**"), for the use, purpose and intent expressed as noted in 2.02 below and in the Resolution, that the Resolution is incorporated herein by reference and further that TENANT has examined the Resolution and is fully aware of the intended purpose thereof.

Section 2.02 In accordance with applicable federal, state and local laws, rules and regulations, TENANT shall use and occupy the Premises for the following purposes only and for no other purpose whatsoever:

- (1) Occupancy shall be for the sole purpose of operating a publication business

3. TERM

Section 3.01 The term of this Lease (the "**Term**") and TENANT's obligation to pay rent shall commence upon final execution of the signature page by all parties (the "**Commencement Date**"). The Term shall expire at 5:00 p.m. on the last day of the month on the third (3rd) anniversary of the Commencement Date (the "**Expiration Date**"), or on such earlier date that this Lease may terminate or expire as provided for herein; provided, however, that if such date does not fall on a "**Business Day**," defined below, then this Lease shall end on the next Business Day.

For the purposes of this Lease and all agreements supplemented to this Lease, the term "Business Day" shall mean any day except a Saturday, a Sunday or any day in which commercial banks are required or authorized to close in Suffolk County, New York.

Section 3.02 TENANT, provided it is not in default of any of the terms of this Lease, shall have the option to renew this Lease for one additional three (3) year period, commencing upon the expiration of the initial term ("**Option**"). Said Option shall be exercised upon TENANT notifying the COUNTY, in writing, by registered or certified mail, return receipt requested no less than one hundred eighty (180) days prior to the expiration of the then current term of its intention to exercise the Option. All of the terms and conditions of this Lease, other than Annual Rent, shall apply to the Option. If TENANT fails to notify COUNTY of its intent in accordance herewith, the Option shall be thereupon terminated. COUNTY shall be under no obligation to send any notice to the TENANT regarding its obligation to notify the COUNTY of its intent to exercise said Option.

4. RENT AND SECURITY

Section 4.01 "**Annual Rent**" for the Premises for the first year of the Lease Term shall be \$24,371.76 per year, (or \$9.78 per square foot times 2,492 square feet), payable by TENANT to COUNTY at COUNTY's address set forth herein, or at such other place designated by COUNTY in writing, in equal monthly installments of \$2,030.98 payable within ten (10) days of TENANT's receipt of the invoice for each calendar month during the Term, with partial months prorated. Commencing on the first anniversary date of the Commencement Date, and on each anniversary date thereafter, Annual Rent shall increase by two and one half percent (2.5%) over the Annual Rent in the preceding year.

Section 4.02 Annual Rent shall be adjusted in the first year of the Option period to an amount equal to the Annual Rent in effect the immediately preceding year, plus any cost of living adjustment greater than seven and one-half percent (7.5%) for the original three-year term, plus 2.5%. If the cost of living index for the original three-year term does not exceed 7.5% as measured by the Consumer Price Index (hereinafter called the "Index") applicable for Suffolk County, New York, for all items of the Bureau of Labor Statistics of the United States Department of Labor, Annual Rent for the first year of the Option period shall be increased by two and one-half (2.5%) over the prior year's annual rent. Thereafter, Annual Rent during the Option Term shall increase by 2.5% over the Annual Rent in the preceding year.

Section 4.03 COUNTY acknowledges that, upon commencement of the initial lease term, County received from TENANT a deposit in the amount of \$1,984.00, representing security payment for the Premises, for rent and performance by TENANT and all other obligations under this Lease. The security deposit, less any monies due the COUNTY by reason of violation of the terms of this Lease by the TENANT shall be returned to the TENANT at the termination of the Lease, or any extensions thereof, together with such interest, if any, as shall have accrued thereon.

Section 4.04 TENANT shall pay all rent without set-off, abatement, deductions, defense or claims, except as specifically set forth herein, to COUNTY at COUNTY's address set forth herein or at such other place as COUNTY may designate in writing, in lawful currency of the United States of America.

Section 4.05 TENANT shall be liable for a penalty of one and one half percent (1.5%) per month for any part of the Rent required to be paid to COUNTY hereunder not paid within fifteen (15) days of the date it is due. In addition to the overdue rent, such penalty shall accrue on the unpaid balance, which includes any previously accrued and unpaid penalties and fees, until said unpaid balance is liquidated. For any payment which is less than a full month late, the penalty shall be assessed at the rate of five one hundredths of one percent (.05%) per day.

Section 4.06 Each late charge shall be payable immediately upon demand made at any time therefore by COUNTY. No acceptance by COUNTY of payment of any unpaid amount or of any unpaid late charge amount shall be deemed a waiver of the right of COUNTY to payment of any late charge or late charges payable under the provisions of this **Section 4** with respect to such unpaid amount. Each late charge shall be and become additional fees, recoverable by COUNTY in the same manner and with like remedies as if it were originally a part of the Rent payable hereunder. Nothing in this **Section 4** is intended to or shall be deemed to affect, alter, modify or diminish in any way (i) any rights of COUNTY under this Lease, including without limitation, County's rights set forth in **Section 18** of this Lease or (ii) any obligations of TENANT under this Lease. In the event that any late charge imposed pursuant to this **Section 4** shall exceed a legal maximum, such late charge payable under this Lease shall be payable instead at such legal maximum.

Section 4.07 Any sums, charges, fees, expenses or amounts to be paid by TENANT pursuant to the provisions of this Lease other than Annual Rent, shall be designated as and deemed to be "Additional Rent" and shall be payable by TENANT to COUNTY within thirty (30) days after COUNTY gives TENANT written notice that such payment is due. COUNTY shall have the same rights against TENANT for default in the payment of Additional Rent as for default in the payment of Annual Rent.

5. TAXES

Section 5.01 TENANT agrees to pay as Additional Rent, within ten (10) days of receipt of notice from COUNTY, any "Real Estate Taxes" or other payments in lieu of taxes, "PILOTS", levied against TENANT'S occupancy or use of the Premises or any improvements placed thereon as a result of TENANT'S occupancy or use for other than public purposes. Any challenge to any assessment or tax shall be the obligation of TENANT and COUNTY'S responsibility shall be limited to sending to TENANT copies of any notice of assessment or tax bill actually received by COUNTY. In the event any tax paid by TENANT shall be refunded to COUNTY, the same shall be credited against Annual Rent installment next due.

The term "Real Estate Taxes" shall mean and be deemed to include all real estate taxes, assessments, county taxes, transit taxes or any other governmental charge of a similar nature whether general, special, ordinary or extraordinary, foreseen or unforeseen, of any kind or nature whatsoever including without limitation assessments for public improvements or benefits. If, due to a change in the method of taxation, any franchise, income, profit, sales, rental, use and occupancy or other tax shall be substituted for or levied against the COUNTY or any owner of the building and/or the land in lieu of Real Estate Taxes hereinabove defined, upon or with respect to the building or the land, such tax shall be included in the term "Real Estate Taxes". Nothing contained herein shall be construed to include as "Real Estate Taxes" any inheritance, estate, succession, transfer, gift franchise, corporation, income or profit tax or capital levy that is or may be imposed upon COUNTY.

6. UTILITIES

Section 6.01 In the event utilities are not presently available at the site, TENANT agrees that the installation of any utilities for its use shall be at TENANT'S sole cost and expense and that TENANT shall assume and be responsible to pay for any utilities services, including the connections thereto, used by it with respect to its operations under this Lease.

Section 6.02 COUNTY shall have no liability to TENANT for any loss, damage or expense sustained or incurred by reason of any change, failure, inadequacy, unsuitability or defect in the supply or character of the utilities furnished to the Premises or if the quantity or character of the utilities are no longer available or suitable for TENANT'S requirements. The provisions of this section shall survive the expiration of this Lease.

Section 6.03 In the event utility service is sub-metered, TENANT shall be responsible for payment of the actual cost as billed to the COUNTY, net of any credits, abatements or incentives.

Section 6.04 Tenant will be responsible for the maintenance and repair of all utility service lines placed on the Leased Premises and used by the TENANT exclusively.

7. **USE OF THE PREMISES**

Section 7.01 TENANT may use the Premises for the purpose of operating a publication business, and for no other purpose.

Section 7.02 TENANT's use of the Premises shall be subject to, and in accordance with, in all material respects, all rules, regulations, laws, ordinances, statutes, and requirements of all Governmental Authorities, including the American Disabilities Act, and the requirements of any fire insurance rating organization and all insurance companies writing policies covering the Premises or any part or parts thereof and any Fire Insurance Rating Organization, Board of Fire Underwriters and/or similar bodies having jurisdiction thereof, whether the same now are in force or at any time in the future may be passed, adopted, enacted, or directed (collectively, "**Requirements**").

For purposes of the Lease, "**Governmental Authority**" shall mean, the United States of America, the State of New York, the County of Suffolk, and any other city, state, municipality, village, county, town, department, board or instrumentality of any and/or all of the foregoing, or any quasi-governmental authority, now existing or hereafter created, and any officer thereof, having jurisdiction over the Building.

Section 7.03 TENANT shall pay all costs, expenses, claims, fines, penalties, and damages that may in any manner arise out of or be imposed because of the failure of TENANT to comply with *Section 7.02* and shall indemnify and save COUNTY harmless against and from all costs, expenses, liabilities, losses, damages, suits, fines, penalties, claims, and demands because of TENANT's failure to comply with the foregoing, and TENANT shall not call upon COUNTY for any disbursement or outlay whatsoever in connection therewith, and hereby expressly releases and discharges COUNTY, its officers, employees, agents, servants, and contractors of and from any liability therefore. TENANT, at its sole cost and expense, may, by appropriate legal proceedings conducted in good faith and with due diligence, contest the amount or validity or application, in whole or in part, of any Requirement, provided that if a lien is filed against the Premises by reason of any failure of TENANT to comply with such Requirement pending such contest, TENANT shall have furnished such security, if any, as may be required in the proceedings or which will discharge such lien (by substitution or otherwise) against the Premises, or is otherwise reasonably satisfactory to COUNTY.

Section 7.04 TENANT will not suffer any act to be done or condition to exist on the Premises, or any part thereof, or any article to be brought thereon which may be dangerous unless safeguarded as required by law, or which may, in law, constitute a nuisance, public or private.

Section 7.05 TENANT shall not suffer or permit the Premises or any portion thereof to be used by the public as such, without restriction or in such manner as might reasonably tend to impair the interest of COUNTY in the Premises or any portion thereof, or in such manner as might reasonably make possible a claim or claims of adverse usage or adverse possession by the public, as such, or of implied dedication of the Premises or any portion thereof.

Section 7.06 TENANT agrees not to permit the accumulation (unless concealed in appropriate containers) or burning of any rubbish or garbage in, on or about any part of the Premises. TENANT shall cause and pay for all garbage and rubbish to be collected or disposed of from the Premises.

8. NO WARRANTIES BY COUNTY

Section 8.01 TENANT acknowledges that TENANT is leasing the Premises "AS IS" and COUNTY shall not be required to perform any work or furnish any materials in connection with the Premises

Section 8.02 Except as otherwise set forth in this Lease, (i) COUNTY makes no warranty of any kind or nature, express, implied or otherwise, or any representations or covenants of any kind or nature in connection with the conditions of the Premises or any part thereof, and (ii) COUNTY shall not be liable for any latent or patent defects therein or be obliged in any way whatsoever to correct or repair any such latent or patent defects.

Section 8.03 Except as may be otherwise expressly provided in the Lease, COUNTY shall not be obligated to provide any services to TENANT.

9. CARE AND REPAIR OF PREMISES

Section 9.01 It shall be TENANT'S sole obligation to take good care of the Premises and make and be responsible for any and all repairs, maintenance, replacements or renovations required. TENANT shall perform any work required to accommodate the needs of TENANT. All work is to be conducted in a good and workmanlike manner, in accordance with Section 14 below, at TENANT's sole cost and expense. Such repairs and replacements, ordinary as well as extraordinary, shall be made promptly as and when necessary. All repairs and replacements shall be of good workmanship and of quality and class at least equal to the original work or equal to the subsequently renovated and improved work.

Section 9.02 On default of TENANT in making such repairs or replacements, upon ten (10) days written Notice to TENANT, COUNTY may, but shall not be required, to make such repairs and replacements for TENANT's account. The expenses thereof shall be a cost to TENANT, payable in accordance with Section 4.07 above.

Section 9.03 TENANT agrees to perform maintenance and make repairs and replacements in any case where County, in its reasonable judgment, determines that it is necessary to do so in order to preserve the safety of the Leased Premises, or to correct any condition which reasonably could cause injuries or damages to persons or property.

10. RIGHTS OF ENTRY RESERVED

Section 10.01 The COUNTY, by its officers, employees, agents, representatives and contractors shall have the right at any reasonable time to enter upon the Premises for the purpose of inspecting the same, for observing the performance by TENANT of its obligations under this Agreement and for the doing of any act or thing which the COUNTY may be obligated or have the right to do under this Agreement, or otherwise. In the event of a question of a contractor's authority to enter upon the Premises, TENANT shall contact the COUNTY. Nothing in this Section 10.01 shall be construed to create a duty on the COUNTY to inspect the Premises.

Section 10.02 Without limiting the generality of the foregoing, the COUNTY by its officers, employees, agents, representatives and contractors and by the employees, agents, representatives and contractors of any furnishers of utility services in the vicinity, shall have the right, for its own benefit, for the benefit of TENANT, or for the benefit of others at the Airport, to maintain existing and future utilities systems or portions thereof on the Premises, including therein, without limitation thereto, systems for the supply of heat, water, gas, fuel, electricity and for the furnishing of fire-alarm, fire-protection, sprinkler, sewerage, drainage, telegraph and telephone services; including all lines, pipes, mains, wires, conduits and equipment connected with or

appurtenant to such systems, and to enter upon the Premises at all reasonable times to make such repairs, replacements or alterations as may, in the opinion of the COUNTY, be deemed necessary or advisable and, from time to time, to construct or install over, in or under the Premises new systems or parts thereof, including lines, pipes, mains, wires, conduits and equipment; provided, however, that in the exercise of such rights of repair, alteration or new construction the COUNTY shall not unreasonably interfere with the use and occupancy of the Premises by TENANT.

Section 10.03 The COUNTY shall, as an additional remedy, upon the giving of a Notice of Termination as provided in **Section 18** below, have the right to re-enter the Premises and every part thereof upon the effective date of termination without further notice of any kind, and may regain and resume possession either with or without the institution of summary or any other legal proceedings or otherwise. Such re-entry or regaining or resumption of possession, however, shall not in any manner affect, alter or diminish any of the obligations of TENANT under this Lease, and shall in no event constitute an acceptance of surrender.

Section 10.04 The exercise of any or all of the foregoing rights by the COUNTY or others shall not be or be construed to be an eviction of TENANT nor be made the grounds for any abatement of rent, nor any claim or demand for damages, consequential or otherwise.

Section 10.05 Nothing in this **Section 10** shall impose or shall be construed to impose upon the COUNTY any obligation so to construct or maintain or to make repairs, replacements, alterations or additions, nor shall it create any liability for any failure so to do.

11. LIENS

Section 11.01 In the event it is permissible for any mechanics' or other liens to be filed against any portion of the Premises by reason of TENANT's acts or omissions or because of a claim against TENANT, TENANT shall cause the same to be cancelled or discharged of record by bond or otherwise within ninety (90) days after notice from COUNTY. If TENANT shall fail to cancel or discharge said lien or liens within said 90-day period, COUNTY may cancel or discharge the same and upon COUNTY's demand, TENANT shall reimburse COUNTY for all costs incurred in canceling or discharging such liens together with an administrative fee equal to 5% of all such costs, such reimbursement to be paid as Additional Rent.

12. PREVAILING WAGE

Section 12.01 TENANT agrees to comply with the prevailing wage requirements of Section 220 of the Labor Law in connection with any Alterations, defined at **Section 14** below, including, but not limited to, the building, land, parking lot, and all other portions of the Premises.

Section 12.02 No person performing, aiding in, or assisting in TENANT's construction of any Alterations, defined below at *Section 14.01*, shall be paid less than the said prevailing rates as defined and utilized under Section 220 of the Labor Law.

Section 12.03 TENANT, its contractors, and subcontractors shall file transcripts of original payrolls for the construction of any Alterations under this Lease, with the Department, within ten (10) days after its first payroll, and every thirty days thereafter, said payroll transcripts to be subscribed and affirmed as true under penalty of perjury. TENANT, its contractors and subcontractors, shall keep their books open for inspection by representatives of the Suffolk County Department of Audit and Control and/or its representatives, including the Office of the District Attorney, on a monthly basis during the construction of the Alterations, to ensure that TENANT, its contractors and subcontractors are in compliance with these terms and conditions, provided that twenty-four (24) hour-notice is given to TENANT, its contractors and/or subcontractors prior to the inspection.

Section 12.04 TENANT agrees that it shall include clauses in all of its agreements with its contractors and subcontractors for the construction of any Alterations stating that: (i) said contractors and subcontractors shall pay prevailing wages, as agreed to in this Lease between County of Suffolk and TENANT; (ii) said contractors and subcontractors shall file transcripts of original payrolls for all work performed in connection with the construction and preparation of the Improvements under this Lease with the Department within ten (10) days after its first payroll, and every thirty days thereafter, said transcripts to be subscribed and affirmed as true under penalty of perjury and (iii) TENANT, its contractors, and subcontractors shall keep their books open for inspection by representatives of the Suffolk County Department of Audit and Control and/or its representatives, including the Office of the District Attorney, on a monthly basis during the construction of the Alterations to ensure that TENANT, its contractors and subcontractors are in compliance with these terms and conditions, provided that twenty-four (24) hour-notice is given to TENANT, its contractors and/or subcontractors prior to the inspection.

Section 12.05 During the construction of any Alterations, TENANT shall maintain at the job site, and with County Department of Labor, a copy of all payrolls or transcripts thereof as would be required to be maintained pursuant to Section 220 of the New York Labor Law.

Section 12.06 During the construction of any Alterations, TENANT shall provide to County employment attendance sheets for all employees, including employees of subcontractors, for each day on which work is performed on the site, upon a form reasonably acceptable to County, containing such information as the Commissioner of the Department of Labor reasonably deems appropriate, including job classification, hours of employment, wage rate and supplements payable, and employer.

13. **LAWFUL HIRING OF EMPLOYEES LAW IN CONNECTION WITH CONTRACTS FOR CONSTRUCTION OR FUTURE CONSTRUCTION**

This Lease is subject to the Lawful Hiring of Employees Law of the County of Suffolk, Suffolk County Code Chapter 234, as more fully set forth in the **Exhibit B** entitled "Suffolk County Legislative Requirements." In accordance with this law, Contractor or employer, as the case may be, and any subcontractor or owner, as the case may be, agree to maintain the documentation mandated to be kept by this law on the Construction Site at all times. Contractor or employer, as the case may be, and any subcontractor or owner, as the case may be, further agree that employee sign-in sheets and register/log books shall be kept on the Construction Site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign-in sheets/register/log books to indicate their presence on the Construction Site during such working hours.

14. **ALTERATIONS**

Section 14.01 TENANT shall not make any renovations or "**Alterations**," meaning any alterations, installations, improvements, additions, renovations or physical changes made by TENANT to the Premises or any part or portion thereof of the Premises, without the prior written approval of COUNTY. TENANT shall, before making any Alterations, at its expense, obtain all permits, approvals and certificates required by any "**Legal Requirement**" or Governmental Authority any (upon completion) certificates of final approval thereof and shall promptly deliver to COUNTY duplicates of all such permits, approvals and certificates. TENANT agrees to carry, and to cause TENANT's contractors and sub-contractors to carry such insurance as set forth under *Section 16* hereunder.

For the purposes of this Lease, the term "**Legal Requirements**" shall mean laws, statutes and ordinances (including building codes and zoning regulations and ordinances) and the orders, rules, regulations, directives and requirements of all federal, state, county, city and borough departments, bureaus, boards, agencies, offices, commissions and other subdivisions thereof, or of any official thereof, or of any other governmental, public or quasi-public authority, whether now or hereafter in force, and all requirements, obligations and conditions of all

instruments of record which may be applicable to the Premises or any part thereof or the sidewalks, curbs, or areas adjacent thereto. Any work previously done by TENANT during their occupancy of the Premises was done in conformity with all Legal Requirements.

Section 14.02 Any Alterations made by TENANT shall be complete and erected wholly within the boundary lines of the Premises and shall be and become a part of the Premises under this Lease. Any Alterations shall be made and performed in a good and workman like manner and shall be in compliance with all Legal Requirements. TENANT agrees that all Alterations shall be promptly commenced and completed and shall be performed so as not to unreasonably delay, hinder or interfere with COUNTY's management, or operations of Gabreski Airport or the Industrial Park.

Section 14.03 All Alterations and/or improvements made by the TENANT to the Premises which are so attached to the Premises that they cannot be removed without material injury to the Premises, shall become the property of the COUNTY upon installation, as part of the Premises and shall remain upon and be surrendered with the Premises upon the expiration or earlier termination of this Lease, in which event, the same shall be removed from the Premises by TENANT at TENANT's cost and expense. Nothing in this section shall be construed to give COUNTY title to or to prevent TENANT's removal of trade fixtures, moveable office furniture, equipment and other personal property. TENANT shall, at TENANT's sole cost and expense, remove all of the TENANT's personal property and those improvements made by the TENANT which have not become the property of the COUNTY and surrender the Premises in a broom-clean condition, reasonable wear and damage by fire, the elements, casualty, or other cause not due to the misuse or neglect by TENANT or TENANT'S agents, servants, or visitors excepted. COUNTY is under no obligation to repair, rebuild or replace any real and/or personal property in the event of loss.

15. NEGATIVE COVENANTS

Section 15.01 TENANT shall not use, occupy, maintain or operate the Premises, nor suffer or permit the Premises or any part thereof to be used, occupied, maintained or operated, nor bring into or keep at the Premises, nor suffer or permit anything to be brought into or kept therein, which would in any way (a) violate any term, covenant or condition of this Lease; (b) violate any restrictive covenant, operating covenant, encumbrance or easement affecting the Premises; (c) violate any Legal Requirements; (d) make void or voidable any insurance policy then in force with respect to the Premises or make any such insurance unobtainable or increase the rate of any insurance with respect to the Premises; (e) cause physical damage to the Premises or any part thereof; (f) permit the excess accumulation of waste or refuse matter; (g) constitute a public or private nuisance; (h) not conform to all applicable federal, state and local laws and regulations regulating toxic waste and discharge, including, but not limited to, Articles VII and XII of the Suffolk County Sanitary Code.

Section 15.02 TENANT shall commit no act of waste and shall take good care of the Premises and the fixtures and appurtenances therein.

Section 15.03 TENANT shall not, without COUNTY'S written consent: (a) do or suffer anything to be done on the Premises which will increase the rate of fire insurance on the building, (b) permit the creation or imposition of any liens or encumbrances upon the Premises except as expressly permitted herein.

16. IDEMNITY AND INSURANCE

Section 16.01 TENANT shall indemnify and hold harmless the County of Suffolk, the COUNTY's officers agents, employees or any other person against all claims, expenses (including attorney's fees), losses and liabilities of whatsoever nature by reason of the liability imposed by law upon the COUNTY, except in cases of County's sole negligence, for damage because of bodily injury, including death at any time resulting there from

or sustained by any person or persons, or on account of damage to property arising out of or in consequence of this Lease, whether such injuries to persons or damage to property are due or claim to be due to any passive negligence of the COUNTY, its employees or agents or any other person. TENANT shall keep in full force and effect Commercial General Liability Insurance, including contractual coverage, in accordance with the provisions of *Section 16.04*.

Section 16.02 The risk of loss or destruction from any peril to the furniture, fixtures, equipment of other personal property of TENANT while on the Premises shall be borne by the TENANT. It is further understood that the TENANT waives any right to subrogation against the COUNTY for loss or destruction or from any period to the furniture, fixtures, equipment or other personal property of the TENANT while on the said Premises except in cases due to any active or passive negligence of the County, its employees, officers and agents.

Section 16.03 If all or any part of the Premises is destroyed by fire or other casualty, the County shall have no obligation to restore the Premises. In such event, TENANT may elect to terminate this Lease.

Section 16.04 TENANT further agrees to procure, pay the entire premium for, and maintain throughout the term of this Lease insurance in amounts and types specified by the COUNTY. Unless otherwise required by the COUNTY, in writing, such insurance will be as follows:

- i. Commercial General Liability insurance in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and Two Million Dollars (\$2,000,000.00) per occurrence for property damage.
- ii. Workers Compensation and Employer's Liability Insurance in compliance with all applicable New York State laws and regulations and Disability Benefits Insurance if required by law. TENANT shall furnish to COUNTY, prior to its execution of this Lease, the documentation required by the State of New York Workers' Compensation Board of coverage or exemption from coverage pursuant to §§ 57 and 220 of the Workers' Compensation Law. In accordance with General Municipal Law, § 108, this Lease shall be void and of no effect unless TENANT shall provide and maintain coverage during the term of this Lease for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
- iii. Automobile Liability Insurance (if any vehicles are used by the TENANT in the performance of this Agreement) in an amount not less than Five Hundred Thousand Dollars (\$500,000) per person, per accident for bodily injury and not less than One Hundred Thousand Dollars (\$100,000) for property damage per occurrence.

Section 16.05 Any contractors and subcontractors who may at any time be involved with construction or reconstruction of the Premises on behalf of TENANT shall be required to procure and maintain throughout the term of construction insurance in the amounts and types specified in *Section 16.04*. TENANT must provide insurance, prior to construction, for any and all contractors including but not limited to, sub-contractors engaged by it for the Construction Work.

Section 16.06 All insurance required by this agreement shall be maintained with insurance underwriters authorized to do business in the State of New York with an A.M. Best Rating of A- or better.

Section 16.07 TENANT shall furnish COUNTY Declaration Pages for each such policy of insurance, and, upon request, a true and certified original copy of each such policy, evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, the County of Suffolk shall be

named as an additional insured and TENANT shall furnish a Declaration Page and endorsement page evidencing the COUNTY's status as an additional insured on said policy.

Section 16.08 All such Declaration Pages, certificate, and other evidence of insurance shall provide for the County of Suffolk to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in said policy.

Section 16.09 In the event that any of the insurance required by this agreement ceases to be in full force and effect, TENANT agrees to cease all operations covered by the terms of this Lease.

Section 16.10 COUNTY shall not be obligated to maintain insurance for loss from fire or other peril causing damage or destruction to the real property of the COUNTY or to rebuild in the event of a partial or complete loss at the Premises. In the event of such a loss, this Lease shall terminate unless TENANT shall promptly restore the Premises. Rent shall in any event abate for the period the Premises are uninhabitable. TENANT may at its option obtain fire and other peril insurance for said Premises. Such insurance shall name COUNTY as an additional insured and shall contain a waiver of subrogation against COUNTY.

17. SIGNS

Section 17.01 TENANT shall not, without the prior written approval of the COUNTY, which approval shall not unreasonably be withheld, erect, maintain or display any advertising, signs, posters or similar devices at or on the Premises or elsewhere at the facility; provided, however, that on interior portions of the Premises which are not visible from the public roadways, TENANT may install necessary directional and identification signs.

18. DEFAULT REMEDIES/DAMAGES

Section 18.01 The occurrence of any one or more of the following events shall constitute an "**Event of Default**" by TENANT under this Lease:

(i) If TENANT shall default in the payment when due of any installment of Total Annual, and any such default continues for ten (10) Business Days after COUNTY has given TENANT a written notice specifying such default; or

(ii) If TENANT defaults in the keeping, observance or performance of any covenant or agreement (other than a default of the character referred to in (i) above), and if such default continues and is not cured within fifteen (15) days after COUNTY gives TENANT written notice specifying same, or, in the case of a default which for causes beyond TENANT's reasonable control cannot, with reasonable diligence be cured within such 15-day period, if TENANT shall not immediately upon the giving of such written notice, (a) advise COUNTY of TENANT's intention duly to institute all steps necessary to cure such default and (b) institute and thereafter diligently prosecute to completion all steps necessary to cure the same, or:

1. Filing by or the final adjudication against TENANT of any petition in bankruptcy, or in the final adjudication of any petition for the appointment of a receiver or trustee for the assets or business of TENANT; or
2. The making by the TENANT of any general assignment for the benefit of creditors; or
3. The occurrence of any act which operates to deprive TENANT permanently of the rights, powers and privileges necessary for the proper conduct and operation of its business granted herein; or
4. The abandonment and discontinuance of the operation of TENANT; or

5. The failure of TENANT to maintain all required insurance and to furnish evidence of same within ten (10) days of written demand by COUNTY; or
6. In the event of partial or complete loss to the Premises rendering it uninhabitable and, at the discretion of COUNTY, the Premises will not be restored;

then, in any such case or upon such occurrence, in addition to any other remedy available to COUNTY at law or in equity, COUNTY may give to TENANT a notice of intention of COUNTY to end the Term of this Lease (the "**Termination Notice**") specifying a day not less than seven (7) Business Days thereafter and, upon the giving of the Termination Notice, this Lease and the Term and estate hereby granted shall expire and terminate upon the day so specified in the Termination Notice as fully and completely and with the same force and effect as if the day so specified were the Expiration Date and all rights of TENANT shall terminate and TENANT shall remain liable for damages as hereinafter provided.

Section 18.02 From and after any date upon which COUNTY gives a Termination Notice, COUNTY, without further notice, may enter upon, re-enter, possess and repossess itself of the Premises, by force, summary proceedings, ejectment or otherwise, and may dispossess and remove TENANT and all other persons and property from the Premises and may have, hold and enjoy the Premises and the right to receive all rental and other income of and from the same. As used in this Lease the words "enter" and "re-enter" are not restricted to their technical legal meanings. Upon and after such entry into possession, the COUNTY may, but shall have no obligation to re-let the Premises, or any part thereof, for the account of TENANT.

Section 18.03 If this Lease and the Term shall expire and come to an end as provided in *Section 18.01*, or by or under any summary proceeding or any other action or proceeding, TENANT shall pay to COUNTY Total Annual Rent and Additional Rent payable under this Lease by TENANT to COUNTY to the date upon which this Lease and the Term shall have expired and come to an end or to the date of re-entry by the COUNTY, as the case may be. Nothing herein contained shall be construed as limiting or precluding the recovery by COUNTY against TENANT of any damages to which COUNTY may lawfully be entitled in any case other than those particularly provided for above.

Section 18.04 Except for the monetary obligations of either party, COUNTY and TENANT shall not be in default of this Lease because of such party's inability to perform the covenants and obligations set forth herein during the continuance of any period of Force Majeure, except as may otherwise be expressly specified in this Lease.

Section 18.05 Notwithstanding anything to the contrary hereinabove or hereafter set forth, in the event that COUNTY, by other act sells, assigns, transfers, conveys, leases or by any other act for agreement grants occupancy, management or control of the Premises or a portion thereof, in which this leasehold is located to an entity other than a unit of Federal, State or Local Government, or wishes to demolish the Premises, then COUNTY or its successor/assignee shall have the right to terminate this Lease, upon ninety (90) days written notice to TENANT, such 90- days to mean three (3) entire months under the Lease, not including the portion of the month in which the notice is given.

Section 18.06 The exercise of any remedies herein provided shall be cumulative and shall in no way affect any other remedy available to COUNTY at law or in equity.

Section 18.07 The acceptance of charges and fees by the COUNTY for any period or periods after a default in the performance of any of the terms, covenants and conditions herein contained to be performed, kept and observed by the TENANT, shall not be deemed a waiver of any rights on the part of the COUNTY to terminate this agreement for failure by the TENANT so to perform, keep or observe any of the terms, covenants or conditions hereof to be performed, kept and observed.

Section 18.08 Failure of COUNTY to declare this Lease terminated upon the default of TENANT for any of the reasons set out shall not operate to bar or destroy the right of COUNTY to cancel this Lease by reason of any subsequent violation of the terms hereof.

Section 18.09 Any and all rental amounts due shall be payable to through the date of termination and any period of continued use and occupancy of the Premises by TENANT.

19. SURRENDER OF PREMISES; HOLDOVER

Section 19.01 This Lease and the tenancy hereby created shall cease and terminate at the end of the Term, without the necessity of any further notice from either the TENANT or the COUNTY to terminate the same and that continued occupancy of the Premises by the TENANT after the expiration of said term shall not operate to renew the Lease for a new term or any part thereof.

Section 19.02 On the Expiration Date or upon the earlier termination of this Lease or upon any re-entry by COUNTY, TENANT shall at its expense, quit, surrender, vacate and deliver the Premises to COUNTY in good order, condition and repair, ordinary wear, tear and damage by the elements, fire or other casualty beyond TENANT's reasonable control excepted, together with all improvements and fixtures therein. TENANT shall, at its expense, remove from the Premises all of TENANT's personal property and any personal property of persons claiming by, through or under TENANT and all non- COUNTY approved Alterations, and shall repair or pay the cost of repairing all damage to the Premises occasioned by such removal. Any TENANT's personal property or Alterations of TENANT remaining in the Premises after the termination of this Lease shall be deemed to have been abandoned and either may be retained by COUNTY as its property or may be stored or disposed of as COUNTY may see fit, without insurance or liability for any damage which may occur. If such property not so removed shall be sold, COUNTY may receive and retain the proceeds of such sale and apply the same, at COUNTY's option, against the reasonable expenses of the sale, moving and storage, arrears of rent and any damages to which COUNTY may be entitled. Any excess proceeds shall be the property of COUNTY. TENANT shall reimburse COUNTY its removal and disposal costs if not otherwise recouped by sale. Notwithstanding the foregoing, COUNTY shall have no obligation to sell the property.

Section 19.03 If TENANT shall remain in possession of the Premises after the termination of this Lease without the execution of a new lease, TENANT, subject to all of the other terms of this Lease insofar as the same are applicable to a month-to-month tenancy, and without waiving TENANT's default or preventing COUNTY from suing to obtain possession, shall be deemed to be occupying the Premises as a TENANT from month to month, at a monthly rental equal to 112.5% the total monthly installment of Annual Rent last payable by TENANT under the Lease.

Section 19.04 The provisions of this Section shall survive the expiration or earlier termination of this Lease.

20. NO COUNTY LIABILITY FOR TENANT'S FAILURE

Section 20.01 Failure of the TENANT to perform any or all of its obligations hereunder shall not give rise to any liability on the part of the County or any of the County's departments, officers, officials, bureaus, agencies, employees, agents or representatives.

21. EMINENT DOMAIN

Section 21.01 If the Premises or any part of thereof or any estate therein, or any other part of the building materially affecting TENANT'S use of the Premises, be taken by virtue of eminent domain, this Lease shall terminate on the date when title vests pursuant to such taking, the Annual Rent and any Additional Rent shall be apportioned as of said date and any rent paid for any period beyond said date shall be repaid to TENANT.

TENANT shall not be entitled to any part of the award or any payment in lieu thereof, but TENANT may file a claim for any taking of fixtures and improvements owned by TENANT, and for moving expenses.

22. NOTICES

Section 22.01 Operational Notices: Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this Lease shall be in writing and shall be given to the COUNTY or TENANT or their designated representative at the following addresses or at such other address that may be specified in writing by the parties and must be delivered as follows: (a) if to the COUNTY, to the Department, by First Class or Certified Mail, Return Receipt Requested in Postpaid Envelope or by Courier Service or by Fax to the address first set forth above; (b) if to the TENANT, First Class or Certified Mail, Return Receipt Requested in Postpaid Envelope, or by Courier Service, or by Fax at the address set forth on page one of this Lease, attention of the person who executed this Lease or such other designee as the parties may agree in writing.

Section 22.02 Notices Relating to Termination, Insurance and/or Litigation: Any communication or notice regarding indemnification, termination, or in the event the TENANT receives a notice or claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to a lawsuit or any legal proceeding related to this Lease notice shall be deemed to be duly given only if delivered: (i) personally (personal service on COUNTY must be pursuant to New York Civil Practice Law and Rules Section 311) and by first Class Mail; (ii) by nationally recognized overnight courier; or (iii) by First Class or Certified Mail, Return receipt Requested in a postpaid envelope addressed: (a) if to COUNTY, to Suffolk County Department of Economic Development and Workforce Housing, Aviation Division, Attention Airport Business Manager, Francis S. Gabreski Airport, Westhampton Beach, NY 11978, with a copy to the Suffolk County Department of Law, Attention Suffolk County Attorney, 100 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, New York 11788-0099; and (b) if to TENANT, at TENANT's address first above set forth, or at such other address as TENANT or COUNTY, respectively, may designate in writing.

Section 22.03 Notices shall be deemed to have been duly delivered (i) if mailed, upon the seventh business day after the mailing thereof; or (ii) if by nationally recognized overnight courier service, upon the first business day subsequent to the transmittal thereof; or (iii) if personally, pursuant to New York Civil Practice Law and Rules Section 311; or (iv) if by fax or email, upon the transmittal thereof. "Business Day" shall be defined as any day except a Saturday, a Sunday, or any day in which commercial banks are required or authorized to close in Suffolk County, New York.

Section 22.04 Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

Section 22.05 Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this Lease, except as otherwise provided in *Section 19.02*, shall be given to the COUNTY or TENANT or their designated representative, by regular or certified mail in post paid envelope or by Courier Service at the following addresses or at such other address that may be specified in writing by the parties: (a) if to TENANT, at TENANT's address first set forth above, and (b) if to COUNTY, Suffolk County Department of Economic Development and Workforce Housing, Aviation Division, Attention Airport Manager, Francis S. Gabreski Airport, Westhampton Beach, NY 11978.

Section 22.06 Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

23. **FIRE, FLOOD OR STRIKE**

Section 23.01 Neither party shall be liable for failure to perform its part of this Lease when such failure is due to fire, flood, strikes or similar labor disturbances, industrial disturbances, wars, riots, insurrection, Acts of God and/or other causes beyond the control of the parties.

24. **ENVIRONMENTAL RESPONSIBILITIES**

Section 24.01 TENANT shall not deposit, dump, store or pour any Hazardous Substances on any part of the soil of the Premises or otherwise introduce any Hazardous Substances in, on or under the Premises, including the air and water above and the ground and water below and surrounding the Premises, nor shall TENANT permit its Subtenants, guests, contactors or any other person to do any of the foregoing. TENANT, at its expense, shall promptly remove or cause the removal of, or if permitted by any Environmental Law (as hereinafter defined), encapsulate, all Hazardous Substances introduced in, on, or under the Premises by TENANT, its guests, contractors, employees, or its Subtenants, in compliance with this Lease and all applicable Environmental Laws.

The term "**Hazardous Substances**", as used in this Lease shall mean medical waste, flammables, explosives, radioactive materials, asbestos, chlorofluorocarbons (CFCs), polychlorinatedbiphenyls (PCBs), chemicals known to cause cancer or reproductive toxicity, pollutants, contaminants, hazardous wastes, toxic substances or related materials, petroleum and petroleum products and other substances defined as dangerous, hazardous or toxic under any Environmental Law. Notwithstanding anything to the contrary set forth in this Article, cleaning fluids, detergents and other supplies customarily used in connection with the maintenance and repair of real property similar to the Premises in comparable areas shall be permitted to be stored and used for such purposes in compliance with all Environmental Law, and all substances consistent with all permitted uses under this Lease so long as used, stored and disposed of in accordance with all applicable Environmental Law.

The term "**Environmental Law**" as used in this Lease means all applicable present and future federal, state, local and other governmental statutes, ordinances, codes, rules, regulations, orders, directives and other requirements, and all present and future requirements of applicable common law, concerning the environment, including, without limitation, those relating to the generation, use, handling, treatment, storage, transportation, release, emission, disposal, remediation or any other regulation of any Hazardous Substance.

Section 24.02 TENANT shall, at TENANT's own expense:

- (1) Comply with all Environmental Laws regulating the use, generation, storage, removal, transportation, disposal, encapsulation or remediation of Hazardous Substances, to the extent relating to Hazardous Substances introduced by TENANT, or its agents, employees, contractors, subcontractors, invitees or guests, in, on or under the Premises.
- (2) Make all submissions to, provide all information required by, and comply with all Environmental Laws to the extent relating to Hazardous Substances introduced in, on, or under the Premises by TENANT or its agents, employees, contractors, subcontractors, invitees or guests;
- (3) Prepare and submit the required plans and all related bonds and other financial assurances and carry out all such cleanup plans should any Governmental Authority asserting appropriate jurisdiction demand that a cleanup plan be prepared and that a cleanup be undertaken because of any deposit, spill, discharge or other release of Hazardous Substances at or from the Premises, only if introduced by TENANT or its agents, employees, contractors, subcontractors, invitees or

guests its agents or employees; provided, however, notwithstanding any provision of this Lease to the contrary, TENANT shall not be precluded from lawfully contesting any such demand; and

- (4) Promptly provide all information in TENANT's possession regarding the use, generation, storage, transportation or disposal of Hazardous Substances that is requested by County.

Section 24.03 If a Hazardous Substance is detected on the Premises for which TENANT is liable under this Lease, and TENANT shall not, within thirty (30) days following notice from County, commence to comply with its obligations under this Lease and thereafter diligently prosecute the performance of such obligations, County shall have the right to perform such obligations on behalf of TENANT, and TENANT shall pay to County the reasonable fees incurred by County for the cost of such compliance, including the reasonable fees of attorneys, consultants, contractors, experts, laboratories and all other reasonable costs incurred in connection with the performance of such obligations by County, including, - the preparation of any feasibility studies or reports and the performance of any required cleanup, remediation, removal, abatement, containment, closure, restoration, or monitoring work.

Section 24.04 In addition to, and without limiting the generality, TENANT shall indemnify, and hold harmless County, and its officials, officers, agents and employees, from and against all claims which may be imposed upon, incurred by or asserted against County, arising out of (i) the use, generation, storage, release, or disposal of Hazardous Substances introduced in, on or about the Premises during the Term by TENANT, its contractors, agents, invitees, and, any Subtenants, including, without limitation, the cost of any required or necessary decommissioning, repair, cleanup, or remediation and the preparation of any closure or other required plans, whether such action is required or necessary prior to or following the termination of this Lease, (ii) any release or threatened release of such Hazardous Substances at, on, to, or into the Premises, including groundwater, or from the Premises on, to, or into any adjoining property or other property, including groundwater, (iii) the failure of TENANT, any Subtenant or any person claiming under TENANT to comply with any of the obligations of TENANT, or (iv) any and all damage to natural resources or real property and/or harm or injury to any person resulting or alleged to have resulted from (A) any release or threatened release of such Hazardous Substances, and/or (B) failure to comply with TENANT's obligations.

Section 24.05 TENANT's obligations and liabilities under this Section 24 shall survive the expiration or earlier termination of this Lease.

Section 24.06 Notwithstanding any other provision of this Lease to the contrary, TENANT shall have no obligation with respect to Hazardous Substances, including but not limited to underground storage tanks, that are not introduced by TENANT, or any contractor, agent, Subtenant, licensee or invitee of TENANT, including, but not limited to, Hazardous Substances that existed on the Premises prior to the Commencement Date, whether or not yet discovered; provided, however, TENANT shall exercise due care to avoid exacerbating any conditions relating to Hazardous Substances existing at the Premises which are discovered by TENANT and TENANT will not take any action in violation of any Environmental Law with respect to such Hazardous Substances.

Section 24.07 To the fullest extent permitted by law, County shall keep, save and hold harmless TENANT of and from any and all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorney's fees, for anything and everything whatsoever to the extent arising from or incident to underground storage tanks not introduced by TENANT.

Section 24.08 The TENANT shall not generate, treat, release, store, discharge, dispose of, transport, recycle, use, reuse, or handle hazardous substances or waste on the Premises. As used herein, "hazardous substances or waste" shall include, but not be limited to, any flammable explosives, gasoline, petroleum products, polychlorinated biphenyl, radioactive materials, hazardous wastes, hazardous or toxic substances, or related or

similar materials, asbestos or any material containing asbestos, or any other substance or material as defined by any federal, state or local environmental law, ordinance, rule, or regulation including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. Section 9601, et. seq.), the Hazardous Materials Transportation Act, as amended (49 U.S.C. Section 5101, et. seq.), the Solid Waste Disposal Act, as amended (42 U.S.C. Section 6901, et. seq.), and the regulations adopted and publications promulgated pursuant thereto.

25. QUIET ENJOYMENT

Section 25.01 COUNTY covenants that if, and so long as TENANT pays the rent and any additional amounts owed pursuant to the terms of this Lease, and performs the covenants hereof, TENANT shall peaceably and quietly have, hold and enjoy the Premises for the term herein mentioned, subject to the provisions of this Lease.

26. TRANSFERS OF LEASE

Section 26.01 TENANT shall not, without the prior written consent of the COUNTY, sell, assign, mortgage, pledge, hypothecate, encumber, or permit any lien to attach to, or otherwise transfer, this Lease or any interest hereunder; shall not permit any assignment or other such foregoing transfer of this Lease or any interest hereunder by operation of law; shall not sublet the Premises or any part thereof; and shall not permit the use of the Premises by any persons other than TENANT and its employees (all the foregoing are hereinafter referred to collectively as "Transfers" and any person to whom any Transfer is made or sought to be made is hereinafter referred to as a "Transferee"). If TENANT shall desire COUNTY's consent to any Transfer, TENANT shall notify COUNTY in writing, which notice (the "Transfer Notice") shall include (i) the proposed effective date of the Transfer, which shall not be less than ninety (90) days nor more than One hundred eighty (180) days after the date of delivery of the Transfer Notice; (ii) a description of the portion of the Premises to be transferred (the "Subject Space"); (iii) all the terms of the proposed Transfer and the consideration therefore, the name and address of the proposed Transferee, and a copy of all existing and/or proposed documentation pertaining to the proposed Transfer, including all existing operative documents to be executed to evidence such Transfer or the agreements incidental or related to such Transfer; (iv) current financial statements of the proposed Transferee certified by an officer, partner or owner thereof, and any other information required by COUNTY, which will enable COUNTY to determine the financial responsibility, character, and reputation of the proposed Transferee, nature of such Transferee's business and proposed use of the Subject Space; (v) an executed estoppel certificate from TENANT; and (vi) such other information as the COUNTY may reasonably require. Any Transfer made without the COUNTY's prior written consent shall, at the COUNTY's option, constitute a default by TENANT under **Section 18** of this Agreement.

Section 26.02 COUNTY shall not unreasonably withhold its consent to any proposed Transfer of the Subject Space to the Transferee on the terms specified in the Transfer Notice. The parties hereby agree that it shall be deemed to be reasonable under this Agreement and under any applicable law for COUNTY to withhold consent to any proposed Transfer where one or more of the following apply, without limitation as to other reasonable grounds for withholding consent:

- (1) The Transferee is of a character or reputation not acceptable to the COUNTY, or is engaged in a business which is not consistent with the intended use of the Premises or the Permitted Use thereof;
- (2) The Transferee's is not a party of reasonable financial worth and/or financial stability in light of the responsibilities involved under the Lease on the date consent is requested.
- (3) The Transferee does not intend to occupy the entire Premises and conduct its business there from for a substantial portion of the term of the Transfer;
- (4) Either the proposed Transferee, or any person or entity which directly or indirectly, controls, is controlled by, or is under common control with, the proposed Transferee, (i) occupies space in the Building at the time of the request for consent, (ii) is negotiating with the COUNTY to lease space at the

Airport, or (iii) has negotiated with the COUNTY during the twenty-four (24)-month period immediately preceding the Transfer Notice.

Section 26.03 If COUNTY consents to a Transfer, (i) the terms and conditions of this Agreement shall in no way be deemed to have been waived or modified, (ii) such consent shall not be deemed consent to any further Transfer by either TENANT or a Transferee, (iii) TENANT shall deliver to COUNTY, promptly after execution, an original executed copy of all documentation pertaining to the Transfer in form reasonably acceptable to COUNTY, (iv) no Transfer relating to this Agreement, or any other agreement entered into with respect thereto, whether with or without COUNTY's consent, shall relieve TENANT or any guarantor of the Agreement from liability under this Agreement. COUNTY or its authorized representatives shall have the right at all reasonable times to audit the books, records and papers of TENANT relating to any Transfer, and shall have the right to make copies thereof.

Section 26.04 For purposes of this Agreement, the term "Transfer" shall also include (i) if TENANT is a partnership, the withdrawal or change, voluntary, involuntary or by operation of law, of twenty-five percent (25%) or more of the partners, or transfer of twenty-five percent (25%) or more of partnership interests, within an eighteen (18)-month period, or the dissolution of the partnership without immediate reconstitution thereof, and (ii) if TENANT is a closely held corporation (i.e. whose stock is not publicly held and not traded through an exchange or over the counter), (A) the dissolution, merger, consolidation or other reorganization of TENANT, the sale or other transfer of more than an aggregate of twenty-five percent (25%) of the voting shares of TENANT (other than to immediate family members by reason of gift or death), within an eighteen (18)-month period, or (C) the sale, mortgage, hypothecation or pledge of more than an aggregate of twenty-five percent (25%) of the value of the unencumbered assets of TENANT within an eighteen (18) month period.

Section 26.05 If TENANT assigns, mortgages, pledges, hypothecates, encumbers, or permits any lien to attach to, or otherwise transfers, this Agreement or any interest hereunder, in violation of the foregoing provisions of this Section 26, or if the Premises occupied by anyone other than TENANT, the COUNTY may collect from any assignee, sub-tenant or anyone who claims a right to this Agreement, or who occupies the Premises any rents, charges or fees payable by said assignee, sub-tenant, or other and no such payment shall be deemed a waiver by the COUNTY of the covenants or agreements contained in this Section 26, nor of acceptance by the COUNTY of any assignee, claimant, or occupant, nor as a release of TENANT by the COUNTY from the further performance by TENANT of the agreements contained herein, including but not limited to the payment of rent.

27. SUSPENSION OF LEASE

Section 27.01 During a time of war, national emergency, or other public necessity, COUNTY shall have the right to suspend this Agreement temporarily so that the Premises may be used for governmental purposes which are in the best interest of the County. If any such suspension is exercised, upon the mutual consent of the Parties, this Agreement may be terminated.

Section 27.02 In the event that this Agreement is suspended pursuant to *Section 28.01*, but not terminated, payments under this Agreement shall be reduced in a pro rata amount for the period of such suspension.

28. PARKING

Section 28.01 During the term of this Lease, parking by the TENANT shall be limited to areas designated by Airport Management.

29. **LIMITATION OF RIGHTS AND PRIVILEGES GRANTED**

Section 29.01 No exclusive rights at the Airport are granted by this Agreement and no greater rights or privileges with respect to the use of the Premises or any part thereof are granted or intended to be granted to the User by this Agreement, or by any provision thereof, than the rights and privileges expressly and specifically granted hereby.

30. **GENERAL PROVISIONS**

Section 30.01 Attorney's Fees: In any action brought by COUNTY for the enforcement of the obligations of TENANT, COUNTY shall be entitled to recover interest at the statutory rate and reasonable attorney's fees.

Section 30.02 Subordination of Lease: This Lease shall be subordinate to the provisions of any existing or future agreement between COUNTY and the United States or the State of New York relative to the operation and maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal or state funds for the development of the Airport. Should the effect of any such agreement be to take so much of the premises under this Lease or substantially destroy the commercial value of such improvements, COUNTY shall terminate this lease. Nothing hereunder shall impair the rights of TENANT to seek compensation from the United States or the State of New York, in the event of a taking pursuant to the preceding sentence.

Section 30.03 Federal, State and Local Law: TENANT shall comply at its own cost and expense, with all federal, state, county and town statutes, local laws, ordinances, rules or regulations, now or hereinafter in force, which may be applicable to the operation of its business at the Airport, including obtaining and paying for all Leases and charges and taxes (whether real property or otherwise) assessed under state, federal, county or local statutes or ordinances, insofar as they are applicable thereto.

Section 30.04 Common Usage: TENANT shall have the right, in common with others authorized so to do, subject to and in accordance with the laws of the United States of America, the State of New York, and the County of Suffolk, and airport regulations, to use the common areas of the Airport, including roadways, floodlights, signals and other conveniences of COUNTY.

Section 30.05 Future Acts of Legislature: TENANT agrees to be bound by any and all future recommendations, policies, local laws, resolutions and requirements as demanded, passed and promulgated by the Suffolk County Legislature or any municipal or federal authorities which provide for the growth of the Airport in general, advance the progress of the County and Airport and would reasonably better the interests of the County of Suffolk, provided that if such action shall materially interfere for a period of more than 30 consecutive days with the operation of the TENANT, TENANT'S only recourse shall be an appropriate adjustment in the rent and if no agreement can be reached on such adjustment, the same shall be determined by a court of competent jurisdiction.

Section 30.06 General Event Use: COUNTY or any successor thereto, reserves the right to hold or to approve the holding of special events at the Airport by the COUNTY or other entities. The holding or the approval to hold such events shall not be deemed to be adverse to the rights of TENANT as a leaseholder and shall be at the sole discretion of COUNTY.

Section 30.07 Legislative Approval: This Agreement is subject to the approval of the Suffolk County Legislature and shall not become effective until fully executed.

31. NO IMPLIED WAIVER

Section 31.01 No failure by COUNTY or TENANT to insist upon strict performance of and compliance with any term, covenant or condition hereof or to exercise or enforce any right, power or remedy consequent upon a breach thereof, and no submission by TENANT or acceptance by COUNTY of full or partial rent during the continuance of any such breach, shall constitute a waiver of any such breach or of any such term, covenant or condition, as to either party. No waiver of any breach of any term, covenant or condition of this Lease shall affect or alter this Lease, which shall continue in full force and effect, or the respective rights, powers or remedies of COUNTY or TENANT with respect to any other then existing or subsequent breach.

32. BROKER

Section 32.01 COUNTY and TENANT, each to the other, represent and warrant that no broker brought about this Lease and COUNTY and TENANT hereby agree to indemnify and hold the other party harmless against any claim, demand and judgment which may be made or obtained against the other party by any broker claiming a commission for representing COUNTY or TENANT, respectively, for bringing about this Lease. COUNTY or TENANT shall forthwith notify the other of any such claim, demand or legal action and the indemnifying party shall be entitled to defend the other party against any such claim, demand or legal action.

33. NOT A CO-PARTNERSHIP OR JOINT VENTURE

Section 33.01 Nothing herein contained shall create or be construed as creating a co-partnership between COUNTY and TENANT or to constitute TENANT or TENANT's employees as agents or employees of the COUNTY.

34. COUNTY REPRESENTATIVES

Section 34.01 It is expressly understood and agreed by and between the parties hereto that the officers, officials, employees and agents of the COUNTY and Airport Management are acting in a representative capacity for the County of Suffolk and not for their own benefit, and that neither TENANT nor any of its guests or invitees shall have any claim against them or any of them as individuals in any event whatsoever.

35. CAPACITY TO CONTRACT

Section 35.01 TENANT warrants that its entry into this Lease was duly considered and authorized by its organizational body and pursuant to its by-laws and/or internal procedures, and such authorization has not been rescinded or otherwise modified.

36. NO REPRESENTATIONS

Section 36.01 Neither party has made any representations or promises, except as contained herein, or in some further writing signed by the parties, making such representation or promise.

37. NO CREDIT

Section 37.01 The TENANT agrees that this Lease shall not be pledged, hypothecated, or put up as security for a loan, credit or for any reason whatsoever.

38. CERTIFICATION

Section 38.01 The parties to this Lease hereby certify that, other than the funds provided in this Lease and other valid agreements with the COUNTY, there is no known relationship within the third degree of consanguinity, life partner, or business, commercial, economic, or financial relationship between the parties, the signatories to this Lease, and any partners, members, directors, or shareholders of more than five per cent (5%) of any party to this Lease.

39. ARREARS TO COUNTY

Section 39.01 TENANT warrants that it is not, and shall not be during the Term of this Agreement, in arrears to the County for taxes or upon debt or contract and is not, and shall not be during the Term of this Agreement, in default as surety, contractor or otherwise on any obligation to or contract with the COUNTY.

40. WAIVER OF JURY TRIAL

Section 40.01 It is mutually agreed by and between TENANT and COUNTY that the respective parties hereto shall and they hereby do waive any right to trial by jury in any action, proceeding or in any other matter in any way connected with this Lease, the relationship of TENANT and COUNTY, the Premises, and/or any claim of injury or damage, or for the enforcement of any remedy under any statute, emergency or otherwise.

41. INDEPENDENT CONTRACTOR

Section 41.01 It is expressly agreed that TENANT'S status hereunder is that of an independent contractor. Neither TENANT nor any person authorized by TENANT to use the Premises shall be considered employees of the COUNTY for any purpose. The relationship of the COUNTY to TENANT is that of landlord-tenant and TENANT, in accordance with its status as such, covenants and agrees that it shall conduct itself consistent with such status, that it will neither hold itself out as nor claim to be an officer or employee of the COUNTY by reason hereof, and that TENANT, its owners and employees, shall not, by reason hereof, make any claims, demands or application to or for any right of privilege including, but not limited to, workers' compensation coverage, unemployment insurance benefits, social security coverage or retirement membership of credit as officers, employees or agents of the COUNTY.

42. SUCCESSORS BOUND

Section 42.01 This Lease shall bind, and inure to the benefit of, the parties and their respective heirs, executors, administrators, successors and assigns.

43. SET-OFF RIGHTS

Section 43.01 The COUNTY shall have all of its common law, equitable, and statutory rights of set-off. These rights shall include, but not be limited to, the COUNTY's option to withhold, for the purposes of set-off, any moneys due to the TENANT under this contract up to any amounts due and owing to the COUNTY with regard to this Agreement and/or any other contract with any COUNTY department or agency, including any contract for a term commencing prior to the Term of this contract, plus any amounts due and owing to the COUNTY for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The COUNTY shall exercise its set-off rights in accordance with normal COUNTY practices

including, in cases of set-off pursuant to an audit, the finalization of such audit by the COUNTY agency, its representatives, or the County Comptroller, and only after legal consultation with the County Attorney.

44. SUFFOLK COUNTY LOCAL LAWS WEB SITE

Section 44.01 Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County web site at www.co.suffolk.ny.us. Click on "Laws of Suffolk County" under "Suffolk County Links".

45. ORAL MODIFICATIONS

Section 45.01 This Lease cannot be modified or terminated orally but only by an agreement in writing signed by TENANT and COUNTY.

46. PARAGRAPH HEADINGS

Section 46.01 The paragraph headings in this Lease are included for convenience only and shall not be taken into considerations in any construction or interpretation of this Lease or any of its provisions.

47. SEVERABILITY

Section 47.01 It is expressly agreed that if any term or provision of this Lease and or any amendment(s) hereto, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this Lease and any amendment hereto, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this Lease and any amendment hereto shall be valid and shall be enforced to the fullest extent permitted by law.

48. GOVERNING LAW

Section 48.01 This Lease shall be governed by the laws of the State of New York. In the event of any dispute or litigation, the venue of any proceeding to determine the rights and liabilities of the respective parties arising under this Agreement shall be in the New York Supreme Court, Suffolk County; or, in the event of a proceeding in the federal courts, in the District Court for the Eastern District of New York.

49. EXECUTION BY LESSOR

Section 49.01 When the LESSOR is a partnership, the names of the partners composing the firm must be stated in the Statements required under Section 1 of **Exhibit B** of this Lease. The Lease must be signed with the partnership name, followed by the name of the partner signing the Lease.

Section 49.02 Where the LESSOR is a corporation, the Lease must be signed with the corporate name, followed by the signature and title of the officer or other authorized person signing the Lease on its behalf, and if requested by the COUNTY, the corporate seal.

Section 49.03 LESSOR warrants that its entry into this Lease was duly considered and authorized by its organizational body and pursuant to its by-laws and/or internal procedures.

50. INTERPRETATION

Section 50.01 This Lease is to be construed and interpreted without regard to any presumption or other rule requiring construction or interpretation against the party causing this Lease to be drafted.

51. PRESERVATION OF FEATURES: SOIL AND VEGETATION REMOVAL

Section 51.01 In conducting its activities under this Lease, TENANT shall preserve and avoid damage to and destruction of natural, historic or cultural features, including, but not limited to, waterways, rare or endangered plants or animals, habitats, trees, shrubs and other vegetation.

Section 51.02 TENANT shall not remove soil, vegetation, or any other natural resources without the approval of the Airport Management and in accordance with the Airport Development Guidelines. It is understood that the County reserves title to all natural resources located on the Premises.

IN WITNESS WHEREOF, the parties hereto have caused this Lease to be executed and delivered as of the date first set forth above.

**COUNTY OF SUFFOLK
as LANDLORD**

By: _____
Name: _____
Title: Deputy County Executive
Date: _____

**Sheahan
Communications, Inc.
as TENANT**

By: 
Name: DENIS SHEAHAN
Title: _____
Date: _____

**DEPARTMENT OF ECONOMIC
DEVELOPMENT AND
WORKFORCE HOUSING**

By: _____
Yves R. Michel
Commissioner
Date: _____

**APPROVED AS TO LEGALITY
CHRISTINE MALAFI, ESQ.
Suffolk County Attorney**

By: _____
BASIA DEREN BRADDISH
Asst. County Attorney
Date: _____

Recommended By:

By: _____
Anthony C. Ceglio
Airport Manager
Date: _____

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

EXHIBIT A

TOWNSHIP: Southampton

SCTM#: 0900-312.00-01.00-p/o 004.002

LOCATION: The subject property is located at 214 Old Riverhead Road, Francis S. Gabreski Airport, Westhampton Beach, Town of Southampton, Suffolk County, NY. The location is further described as 2,492 square feet of space located in the Gabreski Admin Building, approximately ½ mile east of the main entrance to the Airport.

Exhibit A

Sheahan 2,492 SF

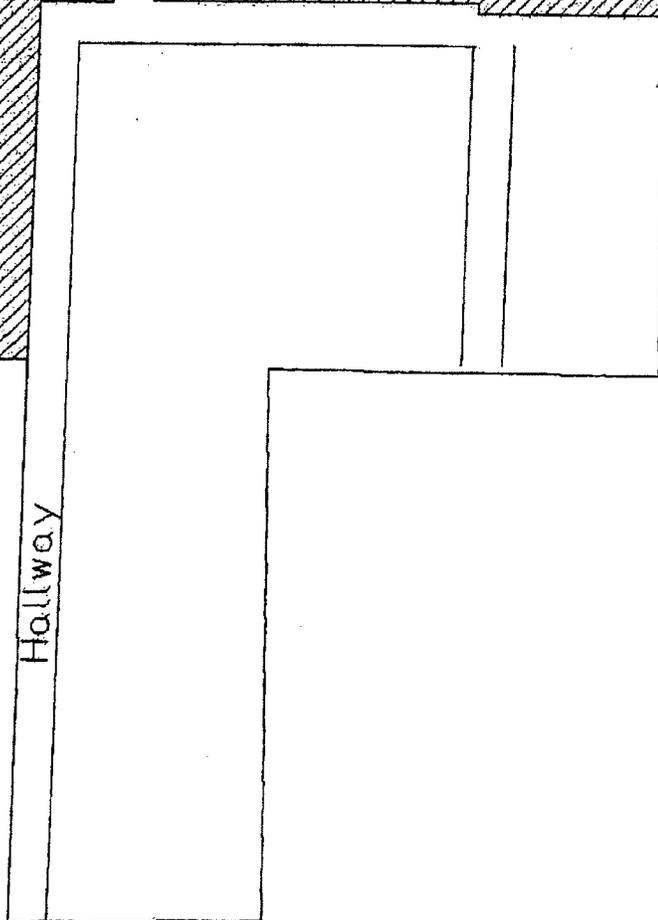
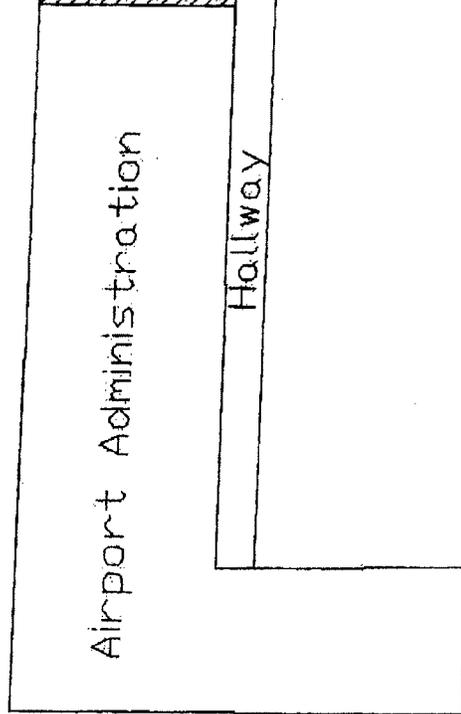
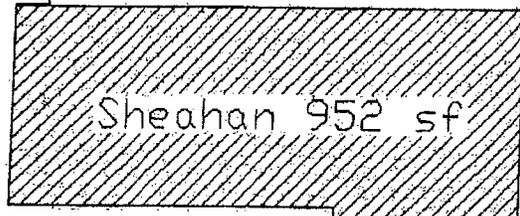
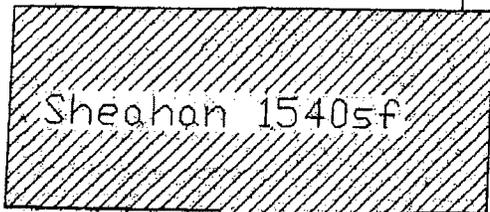


EXHIBIT B

LEGISLATIVE REQUIREMENTS

1. Contractor's/Vendor's Public Disclosure Statement

The Contractor represents and warrants that it has filed with the Comptroller of Suffolk County the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the said Comptroller on or before the 31st day of January in each year of this Agreement's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of this Agreement, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Agreement.

Required Form: Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. Living Wage Law

This Agreement is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

The Contractor represents and warrants that it has read and shall comply with the requirements of Suffolk County Code Chapter 347, Suffolk County Local Law No. 12-2001, the Living Wage Law.

Required Forms: Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"

Suffolk County Living Wage Form LW-38; entitled "Suffolk County Department of Labor – Living Wage Unit Living Wage Certification/Declaration – Subject To Audit"

**3. Use of County Resources to Interfere with Collective Bargaining Activities
Local Law No. 26-2003**

The Contractor represents and warrants that it has read and is familiar with the requirements of Chapter 466, Article 1 of the Suffolk County Local Laws, "Use of County Resources to Interfere with Collective Bargaining Activities". County Contractors (as defined) shall comply with all requirements of Local Law No. 26-2003 including the following prohibitions:

- a. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.
- c. The County of Suffolk shall not use County funds to assist, promote, or deter union organizing.
- d. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If Contractor services are performed on County property the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, non-intimidation agreement and a majority authorization card agreement.

If Contractor services are for the provision of human services and such services are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Local Law No. 26-2003, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

Required Form: Suffolk County Labor Law Form DOL-LO1; entitled "Suffolk County Department of Labor – Labor Mediation Unit Union Organizing Certification/Declaration – Subject to Audit"

4. Lawful Hiring of Employees Law

This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk (Local Law 52-2006). It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than January 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of this agreement.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate this Agreement for violations of this Law and to seek other remedies available under the law.

The Contractor represents and warrants that it has read, is in compliance with, and shall comply with the requirements of Suffolk County Code Chapter 234, Suffolk County Local Law No. 52-2006, the Lawful Hiring of Employees Law.

Required Forms: Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor --"Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees"

"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees" Form LHE-2.

5. Gratuities

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

The Contractor represents that it is in compliance with Suffolk County Administrative Code Article IV, §§A4-13 and A4-14, found in Suffolk County Local Law No. 20-2004, entitled "A Local Law To Amend Local Law No. 5-1993, To Prohibit The County of Suffolk From Contracting With Corporations That Reincorporate Overseas." Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

7. Child Sexual Abuse Reporting Policy

The Contractor agrees to comply with Chapter 577, Article IV, of the Suffolk County Code, entitled "Child Sexual Abuse Reporting Policy", as now in effect or amended hereafter or of any other Suffolk County Local Law that may become applicable during the term of this Agreement with regard to child sexual abuse reporting policy.

8. Non Responsible Bidder

The Contractor represents and warrants that it has read and is familiar with the provisions of Suffolk County Code Chapter 143, Article II, §§143-5 through 143-9. Upon signing this Agreement the Contractor certifies that he, she, it, or they have not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of Section 143-5 of the Suffolk County Code under "Non-responsible Bidder."

9. Use of Funds in Prosecution of Civil Actions Prohibited

Pursuant to the Suffolk County Code Section §590-3, the Contractor represents that it shall not use any of the moneys received under this Agreement, either directly or indirectly, in connection with the prosecution of any civil action against the County of Suffolk or any of its programs, funded by the County, in part or in whole, in any jurisdiction or any judicial or administrative forum.

10. Chemicals, Fungicides, Herbicides and Pesticides

All chemicals, fungicides, herbicides and pesticides (if any) applied to the Space shall be approved by the Commissioner of prior to use. TENANT shall comply with Suffolk County Code Chapter 380 (Pest Control) and any other applicable federal, state, and local laws. TENANT shall apply for any necessary exemptions from Suffolk County Code Chapter 380. All notice and reporting requirements shall be adhered to.

TENANT shall comply with all Federal, State and local laws, rules, regulations, codes and ordinances in the performance of this Agreement and shall obtain, pay for, and comply with any conditions contained in any permits, approvals and renewals thereof which are required to be obtained in the legal performance of this Agreement. Such laws and regulations include, but are not limited to:

Suffolk County Code Chapter 380 (Pest Control) and any other County policies relating to pesticides.

11 Suffolk County Local Laws

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County web site at [www.co.suffolk<http://www.co.suffolk.ny.us>](http://www.co.suffolk.ny.us). Click on "Laws of Suffolk County" under "Suffolk County Links."

Suffolk County Form 22

Contractor's/Vendor's Public Disclosure Statement

Pursuant to Section A5-7 of the Suffolk County Administrative Code, this Public Disclosure Statement must be completed by all contractors/vendors that have a contract with Suffolk County. In the event contractor/vendor is exempt from completing paragraphs numbered 1 through 11 below, so indicate at paragraph number 12 below setting forth the reason for such exemption. Notwithstanding such exempt status, you must execute this form below before a notary public.

1. Contractor's/Vendor's Name SHEAHAN COMMUNICATIONS CORP
Address PO BOX 826 1 SHELDON WAY
City and State WEST HAMPTON BEACH Zip Code 11978
2. Contracting Department's Name Suffolk County - Economic Dev w/ke Housing
Address PS Sabresik Airport Admin bldg 1 WTB NY 11978
3. Payee Identification or Social Security No. 13-3124108
4. Type of Business Corporation Partnership Sole Proprietorship Other
- 5.a Is contractor/vendor entering into or has contractor/vendor entered into a contract with Suffolk County in excess of \$1,000? Yes No.
- 5.b Has contractor/vendor entered into three or more contracts, including the one for which you are now completing this form, with Suffolk County, any three of which, when combined, exceed \$1,000? Yes No.
6. Table of Organization. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, names and addresses of all partners, and names and addresses of all corporate officers. Conspicuously identify any person in this table of organization who is also an officer or an employee of Suffolk County. (Attach additional sheet if necessary.)

<u>DENNIS SHEAHAN</u>	} <u>PO BOX 24</u>	<u>DENNIS SHEAHAN JR</u>	} <u>PO BOX 713</u>	
<u>CHRISTINE SHEAHAN</u>		<u>15 ROBERS LN</u>		<u>ROQUEBOUCHE NY 11931</u>
<u>ANDREW SHEAHAN</u>		<u>2 RENSENBERG NY 11960</u>		
7. List all names and addresses of those individual shareholders holding more than five percent (5%) interest in the contractor/vendor. Conspicuously identify any shareholder who is also an officer or an employee of Suffolk County. (Attach additional sheet if necessary).
8. Does contractor/vendor derive 50% or more of its total revenues from its contractual or vendor relationship with Suffolk County? Yes No.
9. If you answered yes to 8 above, you must submit with this disclosure statement, a complete financial statement listing all assets and liabilities as well as a profit and loss statement. These statements must be certified by a Certified Public Accountant. (Strike this out if not applicable.)
10. The undersigned shall include this Contractor's/Vendor's Public Disclosure Statement with the contract. (Describe general nature of the contract.)
11. **Remedies.** The failure to file a verified public disclosure statement as required under local law shall constitute a material breach of contract. Suffolk County may resort, use or employ any remedies contained in Article II of the Uniform Commercial Code of the State of New York. In addition to all legal remedies, Suffolk County shall be entitled, upon a determination that a breach has occurred, to damages equal to fifteen percent (15%) of the amount of the contract.

12. If you are one of the entities listed below at a) through c) or you qualify under d) below, you are exempt from completing paragraphs numbered 1 through 11 herein:
- a) Hospital
 - b) Educational or governmental entities
 - c) Not-for-profit corporations
 - d) Contracts providing for foster care, family day-care providers or child protective services

Please check to the left side of the appropriate exemption.

13. **Verification.** This section must be signed by an officer or principal of the contractor/vendor authorized to sign for the company for the purpose of executing contracts. The undersigned being sworn, affirms under the penalties of perjury, that he/she has read and understood the foregoing statements and that they are, to his/her own knowledge, true.

Dated: 4/20/11 Signed: *[Signature]*
 Printed Name of Signer: DENIS SHEAHAN
 Title of Signer: PROSIDENT
 Name of Contractor/Vendor: SHEWAN COMMUNICATIONS

UNIFORM CERTIFICATE OF ACKNOWLEDGMENT
 (Within New York State)

STATE OF NEW YORK
 COUNTY OF Suffolk) ss.:

On the 26th day of April in the year ~~200~~ 2011 before me, the undersigned, personally appeared Denis Sheahan personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]
 (signature and office of individual taking acknowledgement)

Jane A. Ostendorff
 Notary Public, State of New York
 No. 01056040305
 Qualified In Suffolk County
 Commission Expires April 17, 2011

DISCLOSURE STATEMENT WITH RESPECT TO A PROPOSED
TRANSFER OF AN INTEREST IN REAL PROPERTY TO SUFFOLK COUNTY
PURSUANT TO SUFFOLK COUNTY CODE §342-6

Instructions:

This affidavit must be signed by all owners of record, contract vendees, lessors, lessees, sub-lessors, sub-lessees, contract lessors, contract lessees, contract sub-lessors, contract sub-lessees, holders of encumbrances and contract holders of encumbrances. The purpose of this affidavit is to insure disclosure of any interest of any nature or form, whether oral or written, held by any individual, partnership, firm or corporation.

"a" THROUGH "j" SHALL BE DEFINITELY ANSWERED. In all instances the required information should be furnished, and if the answer is **NO** or **NONE**, it should so state in the response. The phrase **"NOT APPLICABLE"** shall not be used on this form. **DO NOT LEAVE ANY BLANKS.**

(Exceptions: This affidavit is not required from corporations traded on recognized national/ regional stock exchanges or traded on the over-the-counter stock market, wherein said corporation's stock is publicly held. The affidavit is not required from corporations or other associations, duly licensed by the State of New York for the banking or insurance industry.)

As to all signatories of this affidavit as specified above:

a. If the owner [signatory] is an individual, state full name, street address, and date property was acquired:

Name	Address	Date Acquired	Social Security No.
N/A			

b. If the owner [signatory] is a partnership, state the name, street address, the nature and percentage of interest of each partner, and date the property was acquired. In the event that the partnership includes partners who are a corporation or a partnership, then such entity shall complete a full disclosure statement.

Name	Address	Nature and Percentage of Each Partner	Date Acquired
N/A			

Federal I. D. No. _____

c. If the owner [signatory] is a corporation, state name and street address of each officer, director and stockholder and the amount of stock held and owned by each stockholder. In the event that the corporation includes a stockholder who is a corporation or a partnership, then each such entity shall complete a full disclosure statement.

Title	Name	Address	% of Stock Owned
President	DENIS SHEAHAN	PO BOX 24	
Vice President	CHRISTINE SHEAHAN	15 ROGERS LN	
Secretary	ANDREW SHEAHAN	REMISENBURG NY	11960
Treasurer	DENIS SHEAHAN JR	PO BOX 713	
Federal I.D. No.	13-3124108	ARVEDOQUE NY	11931

d. If signatory is a corporation and stock has been pledged or agreement made to pledge stock, state name and street address of all persons to whom stock has been pledged or with whom any agreement has been made to pledge the stock. If none, so state:

Name	Address	Stock Pledged; Stock to be Pledged
N/A		

e. State the name and address of all persons, individuals, partnerships and/or corporations who are holders of any instrument creating an encumbrance upon the property; state the nature of such encumbrance; and if the holder of such encumbrance is a corporation (see Exception) state the names of all officers, directors and stockholders of such corporation:

Holder of Instrument	Nature of Encumbrance	Corporate Name and Title
N/A		

f. State the interest of the signatory in the property and date so acquired:

Interest of Signatory	Date of Acquisition
N/A	

g. If the signatory is not the fee owner of the property, state the name and addresses of all other parties who have a superior interest, or title, in the property in question and state the nature of their interest and date so acquired. If any such party is a corporation, partnership or firm, state the names of all officers, directors, shareholders, partners or proprietors of such entity:

Person Holding Interest	Title	Shareholder	Partner	Nature of Interest
N/A				

(Attached hereto must be a sworn statement of all parties listed in this paragraph stating that to their knowledge the statement made herein is correct and accurate).

h. State whether any person whose name is contained in paragraphs "a", "b", or "c" is an officer or employee of any unit of village, town, county, city, state or federal government, or an employee or officer of a special or school district. (Exception: Volunteer fireman or air defense volunteer).

Name	Title of Employee	Governmental Entity
N/A		

i. State whether any person, partnership, firm or corporation has any interest, as defined in the instructions, in respect to the subject property who does not fall within paragraph "g" above. If none, so state; if otherwise, set forth names, addresses and nature of interest and date so acquired.

Name	Address	Nature of Interest
N/A		

j. The name of the real estate broker or brokers (co-brokers, listing or selling) who will earn a commission as a result of the consummation of a lease agreement between the County of Suffolk and a property owner/landlord represented by said broker or brokers, including a complete list of the names and addresses of said broker or brokers, and a complete list of the names and addresses of individuals who are shareholders, partners or trustees holding at least a five percent interest in the corporation, partnership or association if such broker is organized as such. If the broker is a corporation, then this information shall include the names and addresses of all individuals serving on the Board of Directors and the names and addresses of all corporate officers, together with conspicuous identification of any such person in the table of organization of said corporation who is an officer or an employee of Suffolk County.

N/A

1808

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation AUTHORIZING A LEASE AGREEMENT WITH SHEAHAN COMMUNICATIONS INC., FOR USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT		
3. Purpose of Proposed Legislation		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District <input type="checkbox"/>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
9. Timing of Impact		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date

SCIN FORM 175b (10/95)

Gen B1

1808

MEMORANDUM

TO: Brendan Chamberlain, Director, Intergovernmental Relations
Office of the County Executive

FROM: Carolyn E. Fahey, Intergovernmental Relations Coordinator
Department of Economic Development & Workforce Housing

DATE: September 6, 2011

**SUBJECT: RESOLUTION AUTHORIZING A LEASE AGREEMENT
WITH SHEAHAN COMMUNICATIONS INC., FOR USE OF
PROPERTY AT FRANCIS S. GABRESKI AIRPORT**

The Department of Economic Development and Workforce Housing requests the submittal of the attached resolution authorizing the lease of airport property to Sheahan Communications, Inc.

Attached please find the draft resolution, signed lease agreement, written comments from the Airport Conservation and Assessment Panel (ACAP), and the required SCIN 175a and 175b. Electronic copies have been filed as required.

Thank you.

CEF/kmb
Attachments

cc: Chris Kent, Chief Deputy County Executive
 Connie Corso, Deputy County Executive for Finance
 Eric A. Kopp, Assistant Deputy County Executive
 Yves R. Michel, Commissioner
 Anthony Ceglie, Francis S. Gabreski Airport Manager

1809
Intro. Res. No. - 2011
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 9/15/11

RESOLUTION NO. - 2011, AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A LEASE AGREEMENT WITH THE TOWN OF SMITHTOWN FOR THE PURPOSES OF CREATING A LAW ENFORCEMENT MOTOR-CARRIER CHECK SITE, SITUATED ON TOWN OF SMITHTOWN REAL PROPERTY, IDENTIFIED AS SCTM #0800-00173-0300-012000, PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW

WHEREAS, the Department of Public Works, in conjunction with the Suffolk County Police Department, desires to create a law enforcement motor-carrier check site between CR 4, Commack Road and CR 13, Crooked Hill Road; and

WHEREAS, the Town of Smithtown has agreed to authorize the County to utilize real property, identified as SCTM #0800-00173-0300-012000, pursuant to Section 72-H of the General Municipal Law; and

WHEREAS, pursuant to the terms of the Lease Agreement the County shall be authorized to construct, lay, relay, repair, operate, maintain and removed a paved lot and related appurtenances to be used for the municipal purpose of a law enforcement motor-carrier check site, which shall be maintained by and at the sole expense of the County, for a period of ten (10) years and shall be renewable upon mutual consent of the parties; and

WHEREAS, it is in the best interests of the County to execute said lease agreement; now, therefore, be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(1), (2), (7), (20) and (27) of the New York Code of Rules and Regulations (NYCRR) and Section 8-109 of the New York Environmental Conservation Law. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices; and be it further

2nd RESOLVED, that the County Executive, or his designee, is hereby authorized to execute a Lease Agreement with the Town of Smithtown, for the purposes of a law enforcement motor-carrier check site; and be it further

3rd RESOLVED, that the County Department of Public Works and the Suffolk County Police Department is hereby authorized, empowered and directed to take such action as may be necessary to complete the execution of said Lease Agreement, pursuant to Section C8-2 (A) of the Suffolk County Charter.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1809

LEASE AGREEMENT

LEASE, as of made this day of , 2011, between the TOWN OF SMITHTOWN, a municipal corporation, having its principal offices in the Town Hall, 99 West Main Street, Smithtown, County of Suffolk, State of New York, party of the first part, and the COUNTY OF SUFFOLK, a municipal corporation, having its principal offices at 335 Yaphank Avenue, Yaphank, County of Suffolk, State of New York, party of the second part:

WITNESSETH:

That the party of the first part for good and valuable considerations and the payment of the sum of ONE DOLLAR (\$1.00) lawful money of the United States, paid by the party of the second part to the party of the first part, the receipt whereof is hereby acknowledged, DOES HEREBY CONSENT, grant, convey and release to the party of the second part, its successors and assigns, a lease over and across the land hereinafter described, situate at Smithtown, New York in the unincorporated area of Commack, Town of Smithtown, Suffolk County, New York, in, under and upon which to construct, lay, relay, repair, operate, maintain and remove a paved lot and appurtenances, to be used for a municipal purpose, to wit: a law enforcement truck check-point which shall be maintained by and at the sole expense of the party of the second part, with the right to set up, operate, repair, maintain and remove the same for such purposes. The party of the second part acknowledges that the subject land is subject to a Declaration of Covenants and Restrictions filed with the Office of the Suffolk County Clerk, and agrees to be bound thereby. The said lease shall be for a period of ten (10) years from the date hereof and shall be renewable upon the mutual consent of the parties hereto. In the event this lease is not so renewed, or in the event the party of the second part ceases to use the property for the purpose herein, the party of the second part shall, without undue delay, restore the property to its original state.

The party of the second part agrees to defend, indemnify and save harmless the party of the first part, its officers, directors, employees and agents from and against any and all losses, damages, injuries, claims, suits, liens and expenses, arising out of or in connection with the design, construction, use, maintenance and repair, and removal of said paved lot and appurtenances. The party of the second part shall have the right to demand that the party of the second part shall undertake to investigate, defend and indemnify against any and all losses, damages, injuries, claims, suits, liens and expenses, provided that the claim or suit shall be against the party of the first part and/or its officers, directors, employees and agents, arising out of or in connection with, or so alleged, any and all acts, omissions or negligence on the part of the party of the second part and/or its officers, directors, employees, agents, contractors, sub-contractors and servants. This Agreement shall be binding upon the party of the second part, its successors and assigns.

The real property over which said lease is granted, conveyed and released hereby to the party of the second part is as follows:

SEE, Schedule "A" and annexed hereto and made a part hereof.

IN WITNESS WHEREOF, the parties have duly executed the Agreement in duplicate originals the date and year first written above.

TOWN OF SNMITHTOWN

1809

Patrick R. Vecchio

By: Patrick R. Vecchio, Supervisor

COUNTY OF SUFFOLK

By: _____

Name:

Title:

STATE OF NEW YORK
COUNTY OF SUFFOLK ss:

On the 28 day of June, in the year 2011 before me, the undersigned, personally appeared Patrick R. Vecchio, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

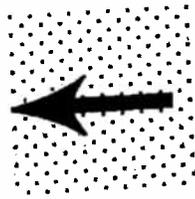
Lindsay Tejada
Notary Public

LINDSAY TEJADA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TE6120982
Qualified in Suffolk County
My Commission Expires January 03, 2013

STATE OF NEW YORK
COUNTY OF SUFFOLK ss:

On the _____ day of _____, in the year 2011 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public



DECLARATION OF COVENANTS AND RESTRICTIONS

ADDENDUM TO DECLARATION OF COVENANTS AND RESTRICTIONS, filed on April 2, 2010, in liber 12620, page 935, restricting the use of SCTM #0800-174-03-75, 84.2, 84.3, 84.4, 84.5, 84.6, 84.7, and 84.8 made this 28 day of June, 2011, by the Town of Smithtown, 99 West Main Street, Smithtown, New York, hereinafter referred to as the "DECLARANT."

WITNESSETH

WHEREAS, the Declarant is the owner in fee simple of certain real property situate, lying and being in the Town of Smithtown, County of Suffolk and State of New York, at Crooked Hill Road, Commack, New York, designated as SCTM #0800-173-3-12, being more particularly bounded and described herein on Schedule A, annexed hereto and made a part hereof; and

WHEREAS, the Town Board of the Town of Smithtown granted Change of Zone Petition #92-02, as amended, subject to the filing of a Declaration of Covenants and Restrictions with the Office of the Suffolk County Clerk setting forth certain terms and conditions affecting said real property; and

WHEREAS, a Declaration of Covenants and Restrictions was so filed by PJ Venture, the former owner of said real property, in accordance with the conditions of approval of said Change of Zone Petition; and

WHEREAS, the Town of Smithtown desires to permit the County of Suffolk to use SCTM #0800-173-3-12 for a municipal purpose, to wit: a law enforcement truck check-point; and

WHEREAS, this matter was duly heard at a public hearing on the Town's own motion #2011-A, held by the Town Board of the Town of Smithtown on February 17, 2011; and

WHEREAS, the Town Board of the Town of Smithtown, by resolution after said public hearing on the Town's own motion #2011-A, amending condition of approval #4 of Change of Zone Petition #92-02, as amended, and the Declaration of Covenants and Restrictions in connection therewith, such that the installation of paving, striping, curbing and driveways, fencing and gates, and related items, as appropriate, shall be permitted in order to allow SCTM #0800-173-3-12 to be used for said municipal purpose; and

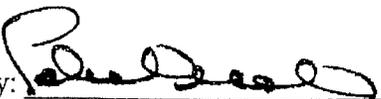
WHEREAS, the Town Board of the Town of Smithtown has authorized the Supervisor to sign a Declaration of Covenants and Restrictions to reflect said amendment, on a form approved by the Town Attorney;

NOW, THEREFORE, in consideration of and in accordance with the foregoing, the Declarant declares that paragraph 2, page 8 of the Declaration of Covenants and Restrictions filed the Office of the Suffolk County Clerk on April 2, 2010, in liber 12620, page 935, be amended to add the following: "Pursuant to #2011-A (Town Board's Own Motion) the installation of paving, striping, curbing and driveways, fencing and gates, and related items, as appropriate, shall be permitted in order to allow SCTM #0800-173-3-12 to be used for a municipal purpose, to wit: a law enforcement truck check-point, provided, however, that SCTM # 0800-173-3-12 shall not be developed with any "wet" use."

All other provisions in the Declaration of Covenants and Restrictions filed on April 2, 2010, in liber 12620, page 935, shall remain in full force and effect.

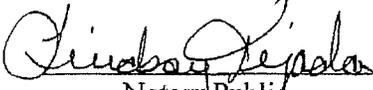
IN WITNESS WHEREOF, the Declarant has duly executed this Declaration of Covenants and Restrictions the day and year first written above.

Town of Smithtown

By: 
Patrick R. Vecchio, Supervisor

**STATE OF NEW YORK
COUNTY OF SUFFOLK ss:**

On the 28 day of June, in the year 2011 before me, the undersigned, personally appeared Patrick R. Vecchio, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

**LINDSAY TEJADA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TE6120982
Qualified in Suffolk County
My Commission Expires January 03, 2013**



CONTROL POINT
ASSOCIATES, INC.

BOUNDARY & TOPOGRAPHIC SURVEYS • SUBDIVISIONS • CONSTRUCTION STAKEOUT

776 Mountain Boulevard
Watchung, NJ 07060
908.668.0099
908.668.9595 fax

APRIL 27, 1999
C97259

Gwynedd Corp. Center
1120 Welsh Road
Suite 200
North Wales, PA 19454
215.412.9055
215.412.0861 fax

SCHEDULE A

METES AND BOUNDS DESCRIPTION
LOT 12, BLOCK 3, SECTION 173
COMMACK, TOWN OF SMITHTOWN
SUFFOLK COUNTY, NEW YORK

BEING KNOWN AS LOTS 707 THROUGH 721 AS SHOWN ON A MAP ENTITLED "MAP OF BRENTWOOD MANOR, PROPERTY OF THE KNICKERBOCKER REALTY COMPANY, SOUTH COMMACK, SUFFOLK CO., NY" PREPARED BY EUGENE R. SMITH, C.E., DATED: DECEMBER, 1908 AND FILED IN THE SUFFOLK COUNTY CLERK'S OFFICE ON DECEMBER 9, 1908 AS MAP NO. 661, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDELINE OF CROOKED HILL ROAD A.K.A. SUFFOLK COUNTY ROUTE 13 - VARIABLE WIDTH RIGHT OF WAY) WHERE THE SAME IS INTERSECTED BY THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOT 13, SAID POINT BEING DISTANT SOUTH 00 DEGREES - 41 MINUTES - 37 SECONDS WEST, A DISTANCE OF 220.17 FEET FROM THE INTERSECTION FORMED BY THE SOUTHERLY SIDELINE OF ROBERT STREET (50 FOOT WIDE RIGHT OF WAY) WITH THE WESTERLY SIDELINE OF CROOKED HILL ROAD, AND FROM SAID POINT OF BEGINNING RUNNING, THENCE;

1. ALONG THE WESTERLY SIDELINE OF CROOKED HILL ROAD, SOUTH 00 DEGREES - 41 MINUTES - 37 SECONDS WEST, A DISTANCE OF 300.23 FEET TO A POINT, THENCE;
2. ALONG THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOT 11, NORTH 87 DEGREES - 02 MINUTES - 45 SECONDS WEST, A DISTANCE OF 150.51 FEET TO A POINT, THENCE;
3. ALONG THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOTS 6.1, 4 & 3, NORTH 02 DEGREES - 57 MINUTES - 15 SECONDS EAST, A DISTANCE OF 300.00 FEET TO A POINT, THENCE;
4. ALONG THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOT 13, SOUTH 87 DEGREES - 02 MINUTES - 45 SECONDS EAST, A DISTANCE OF 138.67 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 43,376 SQUARE FEET OR 0.996 ACRE.



CONTROL POINT
ASSOCIATES, INC.

APRIL 27, 1999
LOT 12, BLOCK 3, SECTION 173
COMMACK, TOWN OF SMITHTOWN
SUFFOLK CO., NY
PAGE 2

THIS DESCRIPTION IS PREPARED BASED ON A MAP ENTITLED "BOUNDARY & LOCATION SURVEY, LOT 12, BLOCK 3, SECTION 173, CROOKED HILL ROAD, COMMACK, TOWN OF SMITHTOWN, SUFFOLK COUNTY, NEW YORK", PREPARED BY CONTROL POINT ASSOCIATES, INC., DATED APRIL 27, 1999.



GREGORY S. GALLAS DATE
NEW YORK
PROFESSIONAL LAND SURVEYOR # 50124

DH/eq survey/homedep/c97259/M&B042399,7



Smithtown Town Board

99 West Main Street
Smithtown, NY 11787

ADOPTED

RESOLUTION 2011-542

Meeting: 06/23/11 07:01 PM

Department: Town Attorney

Category: Lease Agreement

Prepared By: Lindsay Tejada

Initiator: Yvonne Liefbrig

Sponsors: Supervisor Patrick Vecchio

DOC ID: 4920

Lease Agreement with County of Suffolk

DESCRIPTION

Lease Agreement between the Town of Smithtown and the County of Suffolk to permit the use of SCTM #0800-173-3-12 for a municipal purpose, to wit: a law enforcement truck check-point, pursuant to Section 72-h of the General Municipal Law.

PURPOSE

The County of Suffolk is interested in utilizing said real property as a law enforcement truck check-point, permitted by Section 72-h of the General Municipal Law.

REVIEW:

Yvonne Liefbrig	Completed	06/09/2011 12:55 PM
Patrick Vecchio	Completed	06/10/2011 11:34 AM
Town Board	Completed	06/24/2011 10:52 AM

ATTACHMENTS:

- Truck Enforcement Chkpt and backup#2 (DOC)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Patrick Vecchio, Supervisor
SECONDER:	Edward Wehrheim, Councilman
AYES:	Patrick Vecchio, Edward Wehrheim, Robert Creighton, Kevin Malloy
ABSENT:	Thomas McCarthy



Smithtown Town Board

99 West Main Street
Smithtown, NY 11787

Meeting: 06/23/11 07:01 PM
Department: Town Attorney
Category: Lease Agreement
Prepared By: Lindsay Tejada

ADOPTED

Initiator: Yvonne Liefbrig
Sponsors: Supervisor Patrick Vecchio

RESOLUTION 2011-542

DOC ID: 4920

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Patrick Vecchio, Supervisor
SECONDER:	Edward Wehrheim, Councilman
AYES:	Patrick Vecchio, Edward Wehrheim, Robert Creighton, Kevin Malloy
ABSENT:	Thomas McCarthy

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 material.

Submitting Department
(Dept. Name & Location)

Public Works
335 Yaphank Avenue
Yaphank, NY 11980

Department Contact Person
(Name & Phone No.):

William Hillman, P.E.
Chief Engineer
852-4002

Suggestion Involves:

Amendment

New Program

Grant Award

Contract (New Rev.)

Summary of Problem: (Explanation of why this legislation is needed.)

Authorizing the County Executive to execute a lease agreement with the Town of Smithtown for purposes of creating a law enforcement check-site.

Proposed Changes in Present Statute: (Please specify section when possible.)

Not Applicable

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN FORM 175a (10/95) Prior editions of this form are obsolete.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A LEASE AGREEMENT WITH THE TOWN OF SMITHTOWN FOR THE PURPOSES OF CREATING A LAW ENFORCEMENT MOTOR-CARRIER CHECK SITE, SITUATED ON TOWN OF SMITHTOWN REAL PROPERTY, IDENTIFIED AS SCTM #0800-00173-0300-012000, PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact FINES AND/OR FEES IMPOSED ON MOTOR CARRIERS THAT DO NOT PASS INSPECTION AT THIS CHECK SITE WILL BE INCOME TO THE COUNTY. SERIAL BONDS WILL BE ISSUED TO FINANCE THE PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. SEE ATTACHED DEBT SCHEDULE.		
8. Proposed Source of Funding SERIAL BONDS.		
9. Timing of Impact 2011		
10. Typed Name & Title of Preparer DEBRA A. KOLYER CHIEF FINANCIAL ANALYST	11. Signature of Preparer	12. Date

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

62032
RECEIVED

AUG 30 2011

CHIEF DEPUTY
COUNTY EXECUTIVE

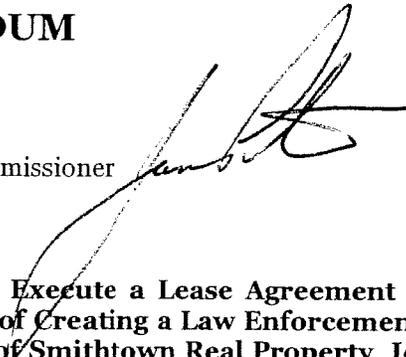
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: August 24, 2011

RE: **Authorizing the County Executive to Execute a Lease Agreement with the Town of Smithtown for the Purposes of Creating a Law Enforcement Motor-Carrier Check Site Situated on Town of Smithtown Real Property, Identified as SCTM #0800-00173-0300-012000**

Attached is a draft resolution and duplicate copy authorizing the County Executive to execute a Lease Agreement with the Town of Smithtown for the purpose of creating a Motor Carrier Check Site. This Check Site will enable law enforcement personnel to pull trucks from the Long Island Expressway onto this site to check vehicle weight, brakes, etc.

The location is optimum for this purpose as the LIE runs between CR 4, Commack Road (to the west) and CR 13, Crooked Hill Road (to the east). There will be no sanitary or water rights and the improvements to the property will consist of the installation of lighting, fencing and asphalt paving.

The Suffolk County Council on Environmental Quality has reviewed these type projects and determined they constitute a Type II action and no further review is required.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-Lease TO Smith (Motor Carrier Check).doc".

JKP/WH/td
attach.

cc: Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Nick Paglia, Assistant Executive Analyst
William Hillman, P.E., Chief Engineer
Laura Conway, CPA, Chief Accountant
Kathy LaGuardia, Capital Accounting
Robert Murphy, Public Works Capital Project Manager
Theresa D'Angelo, Principal Clerk

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1810

Intro. Res. No. -2011
Introduced by Legislators Browning and Stern

Laid on Table 9/15/11

RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW TO ADDRESS IMPROVED AUCTION PROPERTIES THAT REMAIN UNSOLD AND INCREASE AFFORDABLE HOUSING IN SUFFOLK COUNTY

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 ADDRESS IMPROVED AUCTION PROPERTIES THAT REMAIN UNSOLD AND INCREASE AFFORDABLE HOUSING IN SUFFOLK COUNTY**" 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 ADDRESS IMPROVED AUCTION PROPERTIES THAT REMAIN UNSOLD AND INCREASE AFFORDABLE HOUSING IN SUFFOLK COUNTY

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk disposes of many properties acquired through provisions of the SUFFOLK COUNTY TAX ACT by public auction.

This Legislature also finds and determines that the purchasers of auction parcels with habitable structures must agree to a restrictive covenant which requires the parcel to be owner occupied for at least ten years. This requirement is intended to encourage homeownership and strengthen neighborhoods throughout the County while discouraging speculation.

This Legislature further finds and determines that some parcels with habitable structures languish in the County's inventory, as prospective purchasers are discouraged by the ten-year owner occupancy requirement.

This Legislature finds that habitable parcels could be put to good use through the County's 72-h program, which transfers parcels to participating municipalities for affordable housing purposes.

This Legislature determines that transferring habitable parcels to municipalities will ensure the speedy return of these properties to the tax rolls while protecting communities against speculators.

Therefore, the purpose of this law is to authorize the transfer of habitable parcels to municipalities participating in the County's 72-h transfer program.

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.

B. New York State General Municipal Law § 72-h transfer program.

- (1) Designated habitable improved parcels, 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. These parcels shall be subject to covenants and restrictions requiring cooperating municipalities to transfer these parcels to eligible individuals whose income does not exceed 80% of the HUD-established limits for the Nassau-Suffolk PMSA adjusted by family size, unless the Director, subject to legislative approval, issues a waiver and authorizes the transfer to eligible individuals whose income does not exceed 120% of the HUD-established limits. Units constructed and/or reconstructed on a parcel transferred pursuant to this Subsection B, and sold or rented 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[.]. Parcels transferred pursuant to this subsection B [and] shall be made available to military veterans pursuant to such local preference who served during expeditionary service in a theater of conflict in Iraq or Afghanistan, as verified by the Director of the Suffolk County Veterans Agency, which credentials shall qualify such person as first-time homebuyers as defined in this article subject to the following:

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:

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

1810

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: September 12, 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 ADDRESS IMPROVED AUCTION PROPERTIES THAT
REMAIN UNSOLD AND INCREASE AFFORDABLE HOUSING IN SUFFOLK COUNTY

SPONSOR: LEGISLATOR BROWNING

DATE OF RECEIPT BY COUNSEL: 9/12/11 PUBLIC HEARING: 10/11/11

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

This proposed local law would amend Section A36-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE to authorize the transfer of habitable improved parcels to municipalities under the County's 72-h transfer program for affordable housing purposes.

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".

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-72h program habitable improved parcels

**RESOLUTION NO. -2011, ESTABLISHING A TEEN
PREGNANCY ADVISORY BOARD**

WHEREAS, teen pregnancy is a crisis in Suffolk County and throughout the State and nation; and

WHEREAS, Resolution No. 881-2009 established a task force to study the issue of teen pregnancy in Suffolk County and propose methods to decrease teen pregnancy in the short and long term; and

WHEREAS, the Teen Pregnancy Task Force determined that teen pregnancy rates in the County are a result of a confluence of issues, including, but not limited to, drug and alcohol use, gangs, bullying, and education; and

WHEREAS, the Teen Pregnancy Task Force has recommended the establishment of a permanent successor body to provide ongoing support, assistance and oversight to the County's continued efforts to decrease teen pregnancy; now, therefore be it

1st RESOLVED, that the Suffolk County Teen Pregnancy Advisory Board is hereby created for the following purposes:

- A. To address the barriers to preventing teen pregnancy, as identified in the report submitted by the Teen Pregnancy Task Force;
- B. To establish focus groups to determine how these barriers intersect with other issues faced by community members;
- C. To promote educational outreach on teen pregnancy and related issues;
- D. To coordinate existing services for youth at risk of pregnancy;
- E. To advocate for increased access to family planning services for sexually active youth;
- F. To develop collaborative initiatives and program models to help young people, particularly those in marginalized groups, to avoid risky behaviors, including those that put them at risk of pregnancy;
- G. To partner with existing state and federal organizations to leverage resources to address teen pregnancy;
- H. To facilitate ongoing communication and collaborative grant funding efforts between direct service providers and municipal stakeholders to establish better coordinated partnerships among all service providers and create a long-term awareness of teen pregnancy services and programs available to the public;
- I. To partner with libraries, youth organizations and other local organizations to distribute information on and links to teen pregnancy resources for teens and adult caregivers; and

- J. To partner with community organizations to promote mentoring opportunities that include both adult to teen and peer-to-peer education and information exchange;

and be it further

2nd **RESOLVED**, that the Suffolk County Teen Pregnancy Advisory Board shall consist of the following fourteen (14) members:

- 1) A representative from the County Legislature, to be appointed by the Presiding Officer;
- 2) A representative from the County Executive's office, to be appointed by the County Executive;
- 3) A representative of a non-profit teen sexuality and pregnancy education agency, to be appointed by the County Legislature;
- 4) A Suffolk County law enforcement officer, to be appointed by the County Legislature;
- 5) An early childhood or elementary school professional, to be appointed by the County Legislature;
- 6) A representative of a non-profit drug and alcohol prevention and education agency, to be appointed by the County Legislature;
- 7) A secondary school professional, to be appointed by the County Legislature;
- 8) The Commissioner of the Department of Labor, or his or her designee;
- 9) The Commissioner of the Department of Social Services, or his or her designee;
- 10) A child welfare advocate, to be appointed by the County Legislature;
- 11) The Director of the Suffolk County Youth Bureau, or his or her designee;
- 12) A representative of the Youth Board Coordinating Council;
- 13) The Commissioner of the Department of Health Services, or his or her designee; and
- 14) A post-secondary school professional, to be appointed by the County Legislature;

and be it further

3rd **RESOLVED**, that the chairperson of the Board shall be selected by a majority of the membership of Board; and be it further

4th **RESOLVED**, that the Board shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened for the purpose of organization and the appointment of a chairperson, vice chairperson and a secretary; and be it further

5th **RESOLVED**, that the members of said Board shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

6th **RESOLVED**, that the Board shall hold regular monthly meetings, keeping a record of all proceedings and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of a written request therefore signed by at least eight (8) members of the Board. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice of such special meeting; and be it further

7th **RESOLVED**, that eight (8) members shall constitute a quorum to transact the business of the Board at both regular and special meetings; and be it further

8th **RESOLVED**, that the Board may submit requests to the County Executive and the County Legislature for approval of the provision of secretarial services, travel expenses or retention of consultants to assist the Board with such endeavors, said total expenditures not to exceed five thousand dollars (\$5,000.00) per fiscal year, which services shall be subject to Legislative approval; and be it further

9th **RESOLVED**, that clerical services involving the month-to-month operation of this Board, as well as supplies and postage as necessary, will be provided by the staff of the County Department of Social Services; and be it further

10th **RESOLVED**, that the Board may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist in the proper performance of its duties and functions as it deems necessary; and be it further

11th **RESOLVED**, that the Board may delegate to any member of the Board the power and authority to conduct such hearings and meetings; and be it further

12th **RESOLVED**, that the Board shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

13th **RESOLVED**, that the Board shall convene annually a summit of organizations that work with teens, families and communities to move forward an agenda of community building and support for teens in the County of Suffolk. The agenda of the summit shall address the recommendations of the report established by the Teen Pregnancy Task Force, as well as subsequent reports of this Board and shall provide training workshops tailored to each of the following groups:

- 1) County employees;
- 2) Medical professionals and support personnel;
- 3) Professionals who work with youth in non-health related fields (i.e. librarians, scout leaders, foster parents, etc.); and
- 4) Other groups as deemed necessary, including train-the-trainer workshops for professionals who can reach out to others in their field;

and be it further

14th **RESOLVED**, that the Board shall submit a written annual report of its findings and determinations for action, if any, to each member of the County Legislature and the County Executive no later than January 31 of each year, for the prior calendar year's activities, for consideration, review and appropriate action, if necessary, by the entire County Legislature; and be it further

15th **RESOLVED**, that none of the work contemplated by this Resolution shall be performed by any outside consultant or consulting firm unless explicit approval and authorization for such consultant or consulting firm is granted pursuant to a duly enacted resolution of the County Legislature; and be it further

16th **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-teen pregnancy advisory board

1812

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

Laid on Table 9/15/2011

**RESOLUTION NO. -2011, AMENDING RESOLUTION NO.
206-2006, ESTABLISHING AN APPLICATION FEE WAIVER
POLICY FOR CIVIL SERVICE EXAMINATIONS**

WHEREAS, Resolution No. 206-2006 established an application fee waiver policy for eligible candidates who are unemployed, and/or recipients of either Medicaid, Temporary Assistance to Needy Families, or Food Stamps; and

WHEREAS, the purpose of Resolution No. 206-2006 was to promote greater access to employment opportunities for low income residents and help alleviate the strain on social service programs by encouraging self-sufficiency; and

WHEREAS, the police exam attracts mostly young people due to eligibility requirements; and

WHEREAS, recent high school and college graduates automatically qualify for fee waivers based on the definition of "unemployment" whether or not they fit into the intended target groups; and

WHEREAS, the County relies on revenue from exam fees to offset the costs to the taxpayer of exam proctors, facility rental, and the psychological and physical evaluation components of the exam, increased printing, and other expenses associated with administering the police exam; and

WHEREAS, there were 30,754 applicants for the Police Officer exam held on June 11, 2011; and

WHEREAS, there were 8,848 fee waivers granted, which is approximately 29% of all applicants; and

WHEREAS, only 67% of the applicants that obtained fee waivers appeared to take the exam on June 11, 2011; and

WHEREAS, candidates who paid the exam fee had a much higher attendance rate; and

WHEREAS, the County must expend taxpayer monies to hire exam proctors and provide ample supplies to accommodate 100% of the applicants; and

WHEREAS, it is not in the best interest of the taxpayers of Suffolk County to incur the costs of holding exams for candidates who do not pay the fee and do not attend the exam; now, therefore be it

1ST RESOLVED, that the 1ST RESOLVED clause of Resolution No. 206-2006 is hereby amended as follows:

1st RESOLVED, that the County of Suffolk is hereby establishing an application fee waiver policy for eligible candidates who are unemployed and primarily

responsible for the support of a household, and/or recipients of either Medicaid, Temporary Assistance to Needy Families, or Food Stamps; and be it further;

and be it further

2ND RESOLVED, that the 2nd RESOLVED clause of Resolution No. 206-2006 is hereby amended as follows:

2nd RESOLVED, that such fees shall be waived for candidates who certify to the Suffolk County Department of Civil Service that they are unemployed (as defined in Section 505B of New York State Civil Service Law) and primarily responsible for the support of a household, and/or recipients of either Medicaid, Temporary Assistance to Needy Families, or Food Stamps; and be it further;

and be it further

3RD RESOLVED, that, pursuant to Section C6-2 of the Suffolk County Charter, the Personnel Officer, as Director of the Department of Human Resources, Personnel and Civil Service, is hereby authorized, empowered, and directed, to issue such regulations as he deems necessary to implement this Resolution; and be it further

4TH RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to §§617.5(c)(20) and (27), of Title 6 of New York Code of Rules and Regulations (6 NYCRR) and within the meaning of § 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 resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1813

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

Laid on Table 9/15/2011

RESOLUTION NO. -2011, AMENDING RESOLUTION NO. 376-2011, DIRECTING THE ISSUANCE OF A REQUEST FOR PROPOSALS TO INCREASE SERVICES AND REVENUE AT THE JOHN J. FOLEY SKILLED NURSING FACILITY

WHEREAS, Resolution No. 376-2011 directed the issuance of a Request for Proposals to increase services and revenue at the John J. Foley Skilled Nursing Facility; and

WHEREAS, it is necessary to alter the composition of the RFP Evaluation Committee to best evaluate the expected responses to the Request for Proposals; now, therefore be it

1st RESOLVED, that the 7th RESOLVED CLAUSE of Resolution No. 376-2011 is hereby amended as follows:

7th RESOLVED, that RFP committee shall be comprised of the following members:

- 1.) The County Executive, or designee;
- 2.) The Commissioner of the Suffolk County Department of Health Services [or a designee who shall have a medical degree];
- 3.) [The Director of the Suffolk County Office for the Aging, or designee] The Chairperson of the Health Committee, or his or her designee;
- 4.) The Presiding Officer of the Suffolk County Legislature, or designee;
- 5.) The Director of the Legislature's Office of Budget Review, or designee; [and]
- 6.) [Two additional Suffolk County Legislators to be selected by the Presiding Officer] The Majority Leader of the Suffolk County Legislature, or his or her designee;
- 7.) The Minority Leader of the Suffolk County Legislature, or his or her designee;
and
- 8.) A member with health services expertise as designated by the Presiding Officer.

and be it further

2nd RESOLVED, that all other terms and provisions of Resolution No. 376-2011 shall remain in full force and effect; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

1814
Intro. Res. No. -2011
Introduced by Legislator Muratore

Laid on Table 9/15/11

RESOLUTION NO. -2011, DIRECTING THE VANDERBILT MUSEUM AND PLANETARIUM BOARD OF TRUSTEES TO PREPARE A TEN YEAR MASTER PLAN FOR THE MUSEUM

WHEREAS, the Vanderbilt Museum and Planetarium ("Museum") is owned by the County of Suffolk; and

WHEREAS, the Museum's Board of Trustees has sole power over the development, maintenance and operation of the Vanderbilt Museum; and

WHEREAS, the County of Suffolk has traditionally funded the Museum's capital improvements; the County has appropriated \$28.7 million since 2005 for capital projects at the Museum; and

WHEREAS, due to a sharp drop in the Museum's endowment, the County has had to support the Museum's operating budget since 2008; and

WHEREAS, a significant portion of the County's hotel and motel tax revenue is now dedicated to the operation of the Museum; and

WHEREAS, the Museum needs a long-term development plan that will allow it to become self-sustaining in the coming years; and

WHEREAS, the Board of Trustees should develop a ten year plan so that a shared uniform vision is established for the Museum; now, therefore be it

1st RESOLVED, that the Vanderbilt Museum Board of Trustees is hereby authorized, empowered and directed to develop a written ten year master plan for the Museum, which will allow the Museum to independently fund its operating budget; and be it further

2nd RESOLVED, the master plan shall address the following issues: any new facilities needed, any repairs needed, new programs to increase Museum revenue, a plan for maintaining and growing the Museum endowment, existing fundraising practices, future fundraising plans, staff salary projections, future staffing level projections, current and future cost and income figures, and a projected date for operating budget self-sustainability; and be it further

3rd RESOLVED, the Board of Trustees shall submit a copy of the ten year master plan to each member of the County Legislature and the County Executive within 180 days of the effective date of this Resolution; and be it further

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-vanderbilt 10 year plan

1815

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

Laid on Table 9/15/11

**RESOLUTION NO. -2011, ESTABLISHING A HISTORIC
STRUCTURE RESTORATION PILOT PROGRAM AND
DIRECTING THE DEPARTMENT OF PARKS, RECREATION
AND CONSERVATION TO ISSUE A REQUEST FOR
PROPOSALS**

WHEREAS, the County of Suffolk holds thousands of acres of parkland property in the public trust; and

WHEREAS, historic structures exist on many County parkland parcels; and

WHEREAS, many of these historic buildings are in disrepair and need significant restoration, without which they may be lost; and

WHEREAS, Suffolk County recognizes the educational, cultural and historic importance of maintaining these buildings for current and future generations; and

WHEREAS, the economic downturn has significantly impacted the County, requiring officials to think "outside the box" to find ways to meet the County's needs; and

WHEREAS, to meet the goal of preserving historic buildings while recognizing the County's budgetary constraints, a pilot program should be created under the Department of Parks, Recreation and Conservation ("Department") to seek responsible private parties willing to invest in the restoration of these structures and occupy them following restoration; and

WHEREAS, under this program the Department will issue a Request for Proposals ("RFP") or Request for Expressions of Interest ("RFEI") to gauge interest in the restoration and occupation as a licensee of the following five historic structures on County parkland: the Elwood Schoolhouse, the Commerdinger House, the Robinson Duck Farm, the Black Duck Lodge, and the Robert Cushman Murphy Davis House; and

WHEREAS, the Department will take into account the licensee's investment in the restoration of the structure, among other factors, when determining a reasonable occupancy fee; and

WHEREAS, licensees under this program will be required to allow appropriate public access to the restored historic structures; now, therefore be it

1st RESOLVED, that the Historic Structure Revitalization Pilot Program is hereby established to allow private entities to restore historic structures on County parkland and occupy said structures for the benefit of the County and its residents; and be it further

2nd RESOLVED, that the Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed to prepare and issue an RFP or RFEI for the restoration and occupancy of the following five structures: the Elwood Schoolhouse, the Commerdinger House, the Robinson Duck Farm, the Black Duck Lodge, and the Robert Cushman Murphy Davis House; and be it further

3rd **RESOLVED**, that the Department of Parks, Recreation and Conservation is further authorized to develop all criteria necessary in the preparation of the RFP to ensure that the respondent chosen will restore the subject historic structure properly and will allow reasonable public access to the structure; and be it further

4th **RESOLVED**, that the Department of Parks, Recreation and Conservation will provide a written report to the Legislature within ninety days of the issuance of the RFP/RFEI setting forth a summary of the responses to the RFP/RFEI; and be it further

5th **RESOLVED**, that any license or agreement entered into under this program will be subject to legislative approval; and be it further

6th **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-historic structures