

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

LADS REPORT PREPARED BY:

Michele Gerardi

2050. Authorizing the purchase of one paratransit van for the Disabled American Veterans Organization (DAV) and accepting and appropriating Federal and State Aid and County funds (CP 5658). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2051. Appropriating funds in connection with installation of Fire, Security, and Emergency Systems at County facilities (CP 1710). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2052. Appropriating funds in connection with the elevator controls and safety upgrading at various County facilities (CP 1760). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2053. Appropriating funds in connection with the roof replacement on various County buildings (CP 1623). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2054. Appropriating funds in connection with fuel management/preventive maintenance and parts inventory control system (CP 1616). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2055. Appropriating funds in connection with removal of toxic and hazardous building materials and components at various County facilities (CP 1732). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2056. Amending the 2011 Capital Budget and Program and appropriating funds in connection with construction of the Underground Injection Control (UIC) Management Program (CP 8220). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2057. Appropriating funds in connection with renovations to Surrogate's Court (CP 1133). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2058. Appropriating funds in connection with the removal of toxic and hazardous materials in County parks (CP 7185). (Co. Exec.) PARKS & RECREATION
2059. Authorizing the filing of a grant application for Federal Fiscal Year 2010 Section 5309 Bus and Bus-Related Facilities for Suffolk County Transit. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2060. Authorizing the execution of an agreement between the County and the New York State Department of Transportation for Federal and State Aid Funding for the continuation of the HOV Bus Service on the Long Island Expressway for 2011. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2061. Authorizing execution of a road maintenance agreement with the Town of East Hampton. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2062. Approving the Vector Control Plan of the Department of Public Works Division of Vector Control pursuant to Section C8-4(B)(2) of the Suffolk County Charter. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2063. Authorizing an Intermunicipal Agreement between the County of Suffolk and New York City pursuant to Section 119-o of the General Municipal Law for provision of Highway Maintenance Assistance. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2064. Authorizing an Intermunicipal Agreement with the Town of Southampton for the purpose of administration and enforcement of New York State Fire Prevention and Building Codes within the Airport Planned Development District. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
2065. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 873-2011). (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY
2066. Appropriating funds for the purchase of equipment for Medical, Legal Investigations and Forensic Sciences (CP 1132). (Co. Exec.) HEALTH & HUMAN SERVICES
2067. Amending the Adopted 2011 Capital Budget and Program and appropriating funds for the Brownfields Program, former Blue Point Laundry Site (CP 8223). (Co. Exec.) HEALTH & HUMAN SERVICES
2068. Appropriating funds in connection with the Peconic Bay Estuary Program (CP 8235). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2069. Amending the Adopted 2011 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2011 Capital Budget and Program, and appropriating funds in connection with stormwater remediation improvements to Brown Creek at County Road 65, Middle Road (CP 8240.326). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2070. Accepting and appropriating a grant in the amount of \$120,000 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's Operation Hot Wheels VIII Program with 82.29% support. (Co. Exec.) PUBLIC SAFETY
2071. Amending Resolution No. 1357-2007, amended by Resolution Nos. 685-2008 and 547-2009 in connection with the Brownfields Program (CP 8223.111). (Co. Exec.) HEALTH & HUMAN SERVICES
2072. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Stebbins and Throgs Neck Trading Group, Ltd property - Noyac Greenbelt Town of Southampton – (SCTM Nos. 0900-030.00-01.00-008.000 and 0900-030.00-01.00-037.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

2073. Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - for the Sylvester Manor Educational Farm, Inc. property - Sylvester Manor Phase II - Town of Shelter Island (SCTM No. 0700-008.00-01.00-005.002 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2074. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection program (effective December 1, 2007) - open space component - for the Long Island Beagle Club No. II, Inc. property - Town of Riverhead - (SCTM No. 0600-078.00-01.00-002.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2075. Authorizing certain technical correction to Adopted Resolution No. 574-2011. (Co. Exec.) WAYS & MEANS
2076. Accepting and appropriating Federal funding in the amount of \$16,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in the Regional Fugitive Task Force with 81.53% support. (Co. Exec.) PUBLIC SAFETY
2077. Accepting and appropriating Federal funding in the amount of \$17,202 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the FBI Joint Terrorism Task Force with 81.53% support. (Co. Exec.) PUBLIC SAFETY
2078. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (Town of Brookhaven) (SCTM No. 0200-824.00-06.00-058.000). (Co. Exec.) WAYS & MEANS
2079. Sale of County-owned Real Estate Pursuant to Section 72-h of the General Municipal Law (Town of Brookhaven) (SCTM No. 0200-975.90-01.00-027.000). (Co. Exec.) WAYS & MEANS
2080. Amending the 2011 Capital Budget and Program and appropriating funds in connection with construction for beach replenishment - Meschutt Beach County Park (CP 7163). (Co. Exec.) PARKS & RECREATION
2081. Amending the Adopted 2011 Operating Budget to transfer funds from Fund 477 Water Quality Protection, to the 2011 Capital Budget and Program, and appropriating funds in connection with the Long Island Native Plant Initiative (CP 8713). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2082. Transferring T-30, EE Funds to the Capital Project Studying Sewer Capacity in unsewered areas of Suffolk County (CP 8189). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2083. Transferring T-30, EE Funds to the Capital Project-Surveillance Control and Data Acquisition (CP 8165). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2084. Making a SEQRA determination in connection with the proposed Francis S. Gabreski Airport - Aviation Utility Infrastructure - Phase 2B and 3 (CP 5734) Town of Southampton. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

2085. Making a SEQRA determination in connection with the proposed Sewer District No. 3 - Southwest Service Area Expansion Feasibility Study (CP 8139), areas of Deer Park, North Babylon, West Babylon, Wyandanch and West Islip. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
2086. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 – Tuccio property – Town of Southampton (SCTM No. 0900-248.00-01.00-110.003). (Browning) ENVIRONMENT, PLANNING & AGRICULTURE
2087. Amending Resolution No. 821-2010 in connection with acquisition of properties for the reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon; PIN No. 075656 (CP 5510). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2088. Appropriating funds in connection with acquisition of properties for the reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon; PIN No. 075987 (CP 5510). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2089. Appropriating funds in connection with acquisition of properties for the reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon (CP 5510). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2090. Amending the 2011 Capital Budget and Program and appropriating funds in connection with the reconstruction of CR 48, Middle Road, Town of Southold (CP 5526). (Romaine) PUBLIC WORKS & TRANSPORTATION
2091. Adopting Local Law No. -2001, A Charter Law requiring the vote on the County Budget prior to election day. (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY

**RESOLUTION NO - 2011, AUTHORIZING THE
PURCHASE OF ONE PARATRANSIT VAN FOR THE
DISABLED AMERICAN VETERANS ORGANIZATION
(DAV) AND ACCEPTING AND APPROPRIATING
FEDERAL AND STATE AID AND COUNTY FUNDS
(CP 5658)**

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) provide funds for mass transportation projects; and

WHEREAS, Resolution No. 543-2010 authorized the filing of a grant application with the FTA for funds for the purchase of a paratransit van for the DAV; and

WHEREAS, Grant No. NY-04-0059 was awarded by the FTA on September 17, 2010; and

WHEREAS, the grant agreements for the Federal and associated State financial assistance impose certain obligations upon the County, and require the County to commit resources necessary to initially cover the total project costs of the grants; and

WHEREAS, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and per Resolution No. 543-2010 the County will provide the remaining 10% local share of project costs; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2011 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the total cost of the purchase is estimated to be \$79,003; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-six (36) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the Purchasing Division is authorized to acquire 1 paratransit van and related equipment, and including pre and post delivery Buy America audits and

inspection during manufacture subject to approvals of FTA and NYSDOT and pursuant to applicable federal and state regulations; and be it further

4th RESOLVED, that the proceeds of \$7,901 in Suffolk County Serial Bonds by and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.548 (Fund 001-Debt Service)	Purchase of 1 paratransit van including related equipment for Disabled American Veterans (DAV) and related equipment, and including pre and post delivery Buy America audits and inspection during manufacture	\$7,901

and be it further

5th RESOLVED, that the State Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.548	Purchase of 1 paratransit van including related equipment for Disabled American Veterans (DAV) and related equipment, and including pre and post delivery Buy America audits and inspection during manufacture	\$7,900

and be it further

6th RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.548	Purchase of 1 paratransit van including related equipment for Disabled American Veterans (DAV) and related equipment, and including pre and post delivery Buy America audits and inspection during manufacture	\$63,202

and be it further

7th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and Federal aid in connection with this project; and be it further

8th RESOLVED, that the Designee of the County Executive of Suffolk County is hereby authorized to execute an agreement with the DAV to assign responsibility for the use and maintenance of the vehicles, together with any reporting requirements thereof in connection with said grant to the DAV.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2050

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO - 2011, AUTHORIZING THE PURCHASE OF ONE PARATRANSIT VAN FOR THE DISABLED AMERICAN VETERANS ORGANIZATION (DAV) AND ACCEPTING AND APPROPRIATING FEDERAL AND STATE AID AND COUNTY FUNDS (CP 5658)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
The County will provide 10% share of the project, estimated to be \$7,901.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
Federal Transit Funds 80% (\$63,202) New York State Aid 10% (7,900) Suffolk County Serial Bonds 10% (7,901)		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 21 st , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2050

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$1,725	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$1,725	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
General Obligation Serial Bonds
Level Debt

2050

Term of Bonds 5
 Amount to Bond: \$7,901

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$1,488.19	\$237.03 \$96.19	\$1,725.22 \$96.19	\$1,725.22
11/1/2013	3.000%	\$1,532.84	\$96.19 \$73.20	\$1,629.03 \$73.20	\$1,725.22
11/1/2014	3.000%	\$1,578.82	\$73.20 \$49.52	\$1,652.02 \$49.52	\$1,725.22
11/1/2015	3.000%	\$1,626.18	\$49.52 \$25.12	\$1,675.70 \$25.12	\$1,725.22
11/1/2016	3.000%	\$1,674.97	\$25.12	\$1,700.09	\$1,725.22
		\$7,901.00	\$725.10	\$8,626.10	\$8,626.10

RESOLUTION SUBMITTAL SHEET

2050

Capital Project	<u>CP 5658.547</u>	Legislative Districts	<u>All</u>
Operating Fund		Federal Aid %	<u>80%</u>
Other		State Aid %	<u>10%</u>
		County Funds %	<u>10%</u>

Give a complete description of why we are asking for reso; if aided, state status of aid

Resolution No 543-2010 authorized the filing of a grant application with the Federal Transit Administration (FTA) on behalf of the Disabled American Veterans organization (DAV) for one paratransit van. Subsequently, FTA grant NY-04-0059 was awarded on September 17, 2010. This proposed legislation will authorize the Purchasing Division to acquire one paratransit van and related equipment, and including pre and post delivery Buy America audits and inspection during manufacture and also accept and appropriate Federal and State aid and County funds for this project.

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>543-2010</u>	Authorized the filing of a grant application with the Federal Transit Administration (FTA) on behalf of the Disabled American Veterans organization (DAV) for one paratransit van.	<u>NONE</u>

Reso 502-2009 attached for reference.

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>0</u>	Planning	<u>0</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>0</u>	Construction	<u>0</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>79,003</u>	F&E	<u>0</u>

Project Status

Est. planning completion	Design consultant
Est. construction start	Contractor
Est. construction completion	

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
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A

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2050

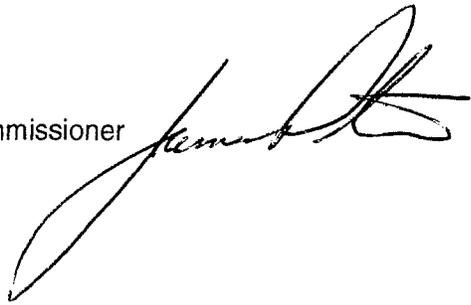
DEPARTMENT OF PUBLIC WORKS

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
Department of Public Works 

DATE: June 29, 2011

RE: C.P. 5658 – Purchase of Public Transit Vehicles
AUTHORIZING THE PURCHASE OF ONE PARATRANSIT VAN FOR DISABLED
AMERICAN VETERANS ORGANIZATION (DAV) AND ACCEPTING AND APPROPRIATING
FEDERAL AND STATE AID AND COUNTY FUNDS (CP 5658)

Resolution No 543-2010 authorized the filing of a grant application with the Federal Transit Administration (FTA) on behalf of the Disabled American Veterans organization (DAV) for one paratransit van. Subsequently, FTA grant NY-04-0059 was awarded on September 17, 2010. This proposed legislation will authorize the Purchasing Division to acquire one paratransit van and related equipment, and including pre and post-delivery Buy America audits and inspection during manufacture and also accept and appropriate Federal and State aid and County funds for this project.

The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-Purchase of DAV Van-FFY 09"

Please initiate the process to have this resolution introduced at the meeting of the Suffolk County Legislature on August 16, 2011. If you have any questions, please do not hesitate to contact Garry Lenberger, Acting Director of Transportation Operations, at 2-4880.

TL:GL:cfn
Enclosures

cc: Christopher Kent, Chief Deputy County Executive, w/enc.
Brendan Chamberlain, Director of Intergovernmental Relations, w/enc.
Kathy LaGuardia, DPW Finance, w/enc.
Amy Baldwin, DPW Capital Accounting, w/enc.
Debra Kolyer, Budget Office, Budget Office, w/enc.
Evelyn Creen, Federal & State Aid Office, w/enc
CE Reso Review List, e-mail

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2011, APPROPRIATING FUNDS
IN CONNECTION WITH INSTALLATION OF FIRE, SECURITY,
AND EMERGENCY SYSTEMS AT COUNTY FACILITIES
(CP 1710)**

WHEREAS, the Commissioner of Public Works has requested funds for the Installation of Fire, Security, and Emergency Systems at County Facilities; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$200,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 254-2005 classified the action contemplated by this as Type II Action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-six (56) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (J) of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP- 1710.322 (Fund 001 Debt Service)	20	Installation of Fire, Security, and Emergency Systems at County Facilities	\$200,000

Dated:

APPROVED BY:

County Executive of Suffolk County
Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2051

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH INSTALLATION OF FIRE, SECURITY, AND EMERGENCY SYSTEMS AT COUNTY FACILITIES (CP 1710)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 21 st , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2051

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$23,530	\$0.04		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$23,530	\$0.04		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

2051

Term of Bonds: 10
 Amount to Bond: \$200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$17,389.83	\$6,140.27	\$23,530.10	\$23,530.10
			\$2,803.19	\$2,803.19	
11/1/2013	3.000%	\$17,923.72	\$2,803.19	\$20,726.91	\$23,530.10
			\$2,528.05	\$2,528.05	
11/1/2014	3.000%	\$18,474.00	\$2,528.05	\$21,002.05	\$23,530.10
			\$2,244.46	\$2,244.46	
11/1/2015	3.000%	\$19,041.18	\$2,244.46	\$21,285.64	\$23,530.10
			\$1,952.17	\$1,952.17	
11/1/2016	3.000%	\$19,625.77	\$1,952.17	\$21,577.93	\$23,530.10
			\$1,650.90	\$1,650.90	
11/1/2017	3.000%	\$20,228.31	\$1,650.90	\$21,879.20	\$23,530.10
			\$1,340.38	\$1,340.38	
11/1/2018	3.000%	\$20,849.34	\$1,340.38	\$22,189.72	\$23,530.10
			\$1,020.33	\$1,020.33	
11/1/2019	3.000%	\$21,489.45	\$1,020.33	\$22,509.77	\$23,530.10
			\$690.45	\$690.45	
11/1/2020	3.000%	\$22,149.20	\$690.45	\$22,839.65	\$23,530.10
			\$350.44	\$350.44	
11/1/2021	3.000%	\$22,829.21	\$350.44	\$23,179.66	\$23,530.10
		\$200,000.00	\$35,301.00	\$235,301.00	\$235,301.00

RESOLUTION SUBMITTAL SHEET

2051

Capital Project 1710
 Operating Fund
 Other

Legislative Districts Various
 Federal Aid %
 State Aid %

Give a complete description of why we are asking for reso; if aided, state status of aid

Installation and or Replacement of Fire Alarm/Detection, Fire Sprinklers & Security Systems at Various County Facilities

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>349-2000</u>	<u>Bond Resolution</u>	<u>165,000</u>
<u>350-2000</u>	<u>Planning & Construction</u>	<u>165,000</u>
<u>118-2002</u>	<u>Bond Resolution</u>	<u>500,000</u>
<u>119-2002</u>	<u>Construction</u>	<u>500,000</u>
<u>467-2003</u>	<u>Planning & Construction</u>	<u>665,000</u>
<u>466-2003</u>	<u>Bond Resolution</u>	<u>665,000</u>
<u>533-2004</u>	<u>Planning & Construction</u>	<u>420,000</u>
<u>532-2004</u>	<u>Bond Resolution</u>	<u>420,000</u>
<u>706-2005</u>	<u>Interfund Transfer/Planning & Construction</u>	<u>230,500</u>
<u>254-2005</u>	<u>SEQRA</u>	
<u>1133-2006</u>	<u>Bond Resolution</u>	<u>170,000</u>
<u>1134-2006</u>	<u>Construction</u>	<u>170,000</u>
<u>1287-2007</u>	<u>Construction</u>	<u>130,000</u>
<u>1288-2007</u>	<u>Bond Resolution</u>	<u>130,000</u>
<u>581-2009</u>	<u>Construction</u>	<u>350,000</u>
<u>582-2009</u>	<u>Bond Resolution</u>	<u>350,000</u>
<u>539-2010</u>	<u>Construction</u>	<u>300,000</u>
<u>540-2010</u>	<u>Bond Resolution</u>	<u>300,000</u>

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>0</u>	Planning	<u>0</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>\$200,000</u>	Construction	<u>\$200,000</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status - This is an ongoing project with no particular set schedule

Est. planning completion	<u>Ongoing</u>	Design consultant	<u>TBD</u>
Est. construction start	<u>Ongoing</u>	Contractor	<u>TBD by Public Bid</u>
Est. construction completion	<u>Ongoing</u>		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

Offset Leg. District Comments

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2051 A2

COPY

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive (2 copies)

FROM: James Peterman, P.E., Acting Chief Deputy Commissioner *James Peterman for*

DATE: September 19, 2011

RE: **CP 1710- Installation of Fire, Security and Emergency Systems at County Facilities**

Attached for your review is a draft resolution appropriating the sum of \$200,000 for the installation and/or replacement of fire alarm/detection, fire sprinklers and security systems at the medical examiners building CO487 and including but not limited to other various County facilities that are in violation or deficiency of coverage.

This action is considered a Type II Action under SEQRA in accordance with Resolution No. 254-2005.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1710 Resolution Fire Alarms.doc.

JP/rjm
attachments

- cc: Christopher Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Gilbert Anderson, P.E., Commissioner
- Tedd Godek, R.A., County Architect, Buildings Design & Construction
- Michael J. Monaghan, P.E., Chief Engineer
- James J. Ingenito, R.A., Public Works Capital Projects Manager
- Kathy LaGuardia, Executive Assistant for Finance & Administration
- Laura Conway, CPA, Chief Accountant
- CE RESO Review (e-mail)
- Brendan Chamberlain, Director of Intergovernmental Relations

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**RESOLUTION NO. - 2011, APPROPRIATING FUNDS
IN CONNECTION WITH THE ELEVATOR CONTROLS &
SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES
(CP 1760)**

WHEREAS, the Commissioner of Public Works has requested funds for Elevator Controls and Safety Upgrading at Various County Facilities; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established a priority ranking system for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$250,000 in Suffolk County Serial Bonds; therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 996-1997 classified the action contemplated by this as a Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty (50) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1760.316 (Fund 001 Debt Service)	20	Elevator Controls & Safety Upgrading at Various County Facilities	\$250,000

Dated:

APPROVED BY:

County Executive of Suffolk County

Date:

2052

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH THE ELEVATOR CONTROLS & SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES (CP 1760)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 21 st , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2052

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$29,413	\$0.05		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$29,413	\$0.05		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

2052

Term of Bonds: 10
 Amount to Bond: \$250,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$21,737.28	\$7,675.34	\$29,412.62	\$29,412.62
11/1/2013	3.000%	\$22,404.65	\$3,503.99	\$25,908.64	\$29,412.62
11/1/2014	3.000%	\$23,092.50	\$3,160.06	\$26,252.56	\$29,412.62
11/1/2015	3.000%	\$23,801.47	\$2,805.58	\$26,607.05	\$29,412.62
11/1/2016	3.000%	\$24,532.21	\$2,440.21	\$26,972.42	\$29,412.62
11/1/2017	3.000%	\$25,285.38	\$2,063.62	\$27,349.00	\$29,412.62
11/1/2018	3.000%	\$26,061.68	\$1,675.47	\$27,737.15	\$29,412.62
11/1/2019	3.000%	\$26,861.81	\$1,275.41	\$28,137.22	\$29,412.62
11/1/2020	3.000%	\$27,686.50	\$863.06	\$28,549.56	\$29,412.62
11/1/2021	3.000%	\$28,536.51	\$438.05	\$28,974.57	\$29,412.62
		\$250,000.00	\$44,126.25	\$294,126.25	\$294,126.25

RESOLUTION SUBMITTAL SHEET

2052

Capital Project 1760
 Operating Fund
 Other

Legislative Districts Various
 Federal Aid %
 State Aid %

Give a complete description of why we are asking for reso; if aided, state status of aid

Elevator Controls & Safety Upgrading at Various County Facilities

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>542-2010</u>	<u>Bond Resolution</u>	<u>\$300,000</u>
<u>541-2010</u>	<u>Construction</u>	<u>\$300,000</u>
<u>465-2008</u>	<u>Bond Resolution</u>	<u>\$200,000</u>
<u>464-2008</u>	<u>Construction</u>	<u>\$200,000</u>
<u>876-2007</u>	<u>Bond Resolution</u>	<u>\$200,000</u>
<u>875-2007</u>	<u>Construction</u>	<u>\$200,000</u>
<u>770-2006</u>	<u>Bond Resolution</u>	<u>\$150,000</u>
<u>771-2006</u>	<u>Construction</u>	<u>\$150,000</u>
<u>647-2004</u>	<u>Bond Resolution</u>	<u>\$300,000</u>
<u>648-2004</u>	<u>Construction</u>	<u>\$300,000</u>
<u>470-2003</u>	<u>Bond Resolution</u>	<u>\$200,000</u>
<u>471-2003</u>	<u>Construction</u>	<u>\$200,000</u>

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>0</u>	Planning	<u>0</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>\$250,000</u>	Construction	<u>\$450,000</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status – Work performed on an as needed basis

Est. planning completion	<u>N/A</u>	Design consultant	<u>N/A</u>
Est. construction start	<u>Varied</u>	Contractor	<u>Annual T & M Contractors</u>
Est. construction completion	<u>Varied</u>		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
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COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

A3
2052 JRP

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive (2 copies)
FROM: James Peterman, P.E., Acting Chief Deputy Commissioner
DATE: October 19, 2011
RE: CP 1760 – Elevator Controls & Safety Upgrading at Various County Facilities

Attached for your review is a draft resolution requesting that \$250,000 be appropriated into construction for elevator safety upgrades at Riverhead County Center, Old Judges Car at H. Lee Dennison Building and including but not limited to other various County facilities. Please note that we are only requesting the \$250,000 even though \$450,000 was adopted for the 2011 Capital Program. The remaining \$200,000 will be offered to offset the Capital Program 5200 Dredging of County Waters.

This work is considered a Type II action under SEQRA in accordance with Resolution No. 996-1997.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1760 Elevators.doc.

JP/rjm

Attachments

- cc: Ed Dumas, Chief Deputy County Executive
- Gilbert Anderson, P.E., Commissioner
- Tedd Godek, R.A., County Architect, Buildings Design & Construction
- Michael J. Monaghan, P.E., Chief Engineer
- James J. Ingenito, R.A., Public Works Capital Projects Manager
- Kathy LaGuardia, Executive Assistant for Finance & Administration
- Laura Conway, CPA, Chief Accountant
- CE RESO Review (e-mail)
- Brendan Chamberlain, Director of Intergovernmental Relations

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2011, APPROPRIATING FUNDS
IN CONNECTION WITH THE ROOF REPLACEMENT ON
VARIOUS COUNTY BUILDINGS (CP 1623)**

WHEREAS, the Commissioner of Public Works has requested funds for Roof Replacement on Various County Buildings; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 451-2006 established the use of a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$250,000 in Suffolk County Serial Bonds; therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 707-2005 classified the action contemplated by this as a Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 451-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1623.327 (Fund 001-Debt Service)	20	Roof Replacement on Various County Buildings	\$250,000

Dated:

APPROVED BY:

County Executive of Suffolk County

Date:

2053

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH THE ROOF REPLACEMENT ON VARIOUS COUNTY BUILDINGS (CP 1623)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 21 st , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2053

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$21,137	\$0.04		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$21,137	\$0.04		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

RESOLUTION SUBMITTAL SHEET

2053

Capital Project	<u>1623</u>	Legislative Districts	<u>various</u>
Operating Fund		Federal Aid %	
Other		State Aid %	

Give a complete description of why we are asking for reso; if aided, state status of aid

Roof Replacement on Various County Buildings

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>1039-2010</u>	<u>Construction</u>	<u>250,000</u>
<u>1040-2010</u>	<u>Bond Resolution</u>	<u>250,000</u>
<u>1201-2008</u>	<u>Construction</u>	<u>525,000</u>
<u>1202-2008</u>	<u>Bond Resolution</u>	<u>525,000</u>
<u>563-2007</u>	<u>Bond Resolution</u>	<u>395,000</u>
<u>769-2006</u>	<u>Construction</u>	<u>320,000</u>
<u>768-2006</u>	<u>Bond Resolution</u>	<u>320,000</u>
<u>707-2005</u>	<u>Construction/Inter-fund Transfer</u>	<u>110,550</u>
<u>1108-2004</u>	<u>Construction/Inter-fund Transfer</u>	<u>400,000</u>
<u>468-2003</u>	<u>Bond Resolution</u>	<u>310,000</u>
<u>469-2003</u>	<u>Construction</u>	<u>310,000</u>

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>0</u>	Planning	<u>0</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>250,000</u>	Construction	<u>250,000</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status

Est. planning completion	<u>ongoing</u>	Design consultant	<u>In house</u>
Est. construction start	<u>ongoing</u>	Contractor	<u>TBD</u>
Est. construction completion	<u>ongoing</u>		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

Offset Leg. District Comments

**RESOLUTION NO. - 2011, APPROPRIATING FUNDS
IN CONNECTION WITH FUEL MANAGEMENT / PREVENTIVE
MAINTENANCE AND PARTS INVENTORY CONTROL SYSTEM
(CP 1616)**

WHEREAS, the Commissioner of Public Works has requested funds for fuel management, preventative maintenance, and parts inventory control systems; and

WHEREAS, there are sufficient funds in the 2011 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$ 750,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and (25) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of (sixty) 60 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 453-2009; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of \$750,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP- 1616.513 (Fund 016-Debt Service)	20	Fuel Management / Preventive Maintenance and Parts Inventory Control System	\$750,000

Dated:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2054

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH FUEL MANAGEMENT / PREVENTIVE MAINTENANCE AND PARTS INVENTORY CONTROL SYSTEM (CP 1616)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 21 st , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2054

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$163,766	\$0.30		\$0.001

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$163,766	\$0.30		\$0.001

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

2054

Term of Bonds: 5
 Amount to Bond: \$750,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$141,265.93	\$22,500.00	\$163,765.93	\$163,765.93
11/1/2013	3.000%	\$145,503.91	\$9,131.01	\$154,634.92	\$163,765.93
11/1/2014	3.000%	\$149,869.02	\$6,948.45	\$156,817.48	\$163,765.93
11/1/2015	3.000%	\$154,365.09	\$4,700.42	\$159,065.51	\$163,765.93
11/1/2016	3.000%	\$158,996.05	\$2,384.94	\$161,380.99	\$163,765.93
		\$750,000.00	\$68,829.64	\$818,829.64	\$818,829.64

RESOLUTION SUBMITTAL SHEET

2054

Capital Project 1616
Operating Fund N/A
Other N/A

Legislative Districts Various
Federal Aid % 0
State Aid % 0

Give a complete description of why we are asking for reso; if aided, state status of aid

To Fund Improvements to County's Fuel Management System Necessary for Regulatory Compliance.

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>458-2008</u>	<u>Construction & Equipment</u>	<u>310,000</u>
<u>459-2008</u>	<u>Bond Resolution</u>	<u>310,000</u>
<u>579-2009</u>	<u>Construction & Equipment</u>	<u>300,000</u>
<u>580-2009</u>	<u>Bond Resolution</u>	<u>300,000</u>
<u>1048-2010</u>	<u>Construction & Equipment</u>	<u>1,950,000</u>
<u>1049-2010</u>	<u>Bond Resolution</u>	<u>1,950,000</u>

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>0</u>	Planning	<u>0</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>0</u>	Construction	<u>0</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>\$750,000</u>	F&E	<u>\$750,000</u>

Project Status

Est. planning completion	-	Design consultant	<u>NA</u>
Est. construction start	<u>10/10</u>	Contractor	<u>NA</u>
Est. construction completion	<u>12/13</u>	Equipment	<u>Ongoing</u>

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
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N/A

2055

Intro. Res. No - 2011

Laid on the Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH REMOVAL OF TOXIC AND HAZARDOUS BUILDING MATERIALS AND COMPONENTS AT VARIOUS COUNTY FACILITIES (CP 1732)

WHEREAS, the Commissioner of Public Works has requested funds for the Removal of Toxic & Hazardous Building Materials and Components at Various County Facilities; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$180,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 256-2005 classified the action contemplated by this as a Type II Action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-seven (67) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of \$180,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1732.122 (Fund 001 Debt Service)	20	Planning for removal of toxic and hazardous materials	\$30,000
525-CAP-1732.328 (Fund 001 Debt Service)	20	Removal of Toxic & Hazardous Materials	\$150,000

Dated:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2055

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH REMOVAL OF TOXIC AND HAZARDOUS BUILDING MATERIALS AND COMPONENTS AT VARIOUS COUNTY FACILITIES (CP 1732)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u> County </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 21 st , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2055

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$15,218	\$0.03		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$15,218	\$0.03		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

2055

Term of Bonds: 15
 Amount to Bond: \$180,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$9,587.19	\$5,631.25	\$15,218.44	\$15,218.44
			\$2,665.66	\$2,665.66	
11/1/2013	3.000%	\$9,887.13	\$2,665.66	\$12,552.78	\$15,218.44
			\$2,511.00	\$2,511.00	
11/1/2014	3.000%	\$10,196.44	\$2,511.00	\$12,707.44	\$15,218.44
			\$2,351.50	\$2,351.50	
11/1/2015	3.000%	\$10,515.44	\$2,351.50	\$12,866.94	\$15,218.44
			\$2,187.02	\$2,187.02	
11/1/2016	3.000%	\$10,844.41	\$2,187.02	\$13,031.42	\$15,218.44
			\$2,017.38	\$2,017.38	
11/1/2017	3.000%	\$11,183.67	\$2,017.38	\$13,201.06	\$15,218.44
			\$1,842.45	\$1,842.45	
11/1/2018	3.000%	\$11,533.55	\$1,842.45	\$13,375.99	\$15,218.44
			\$1,662.03	\$1,662.03	
11/1/2019	3.000%	\$11,894.37	\$1,662.03	\$13,556.41	\$15,218.44
			\$1,475.98	\$1,475.98	
11/1/2020	3.000%	\$12,266.48	\$1,475.98	\$13,742.46	\$15,218.44
			\$1,284.10	\$1,284.10	
11/1/2021	3.000%	\$12,650.24	\$1,284.10	\$13,934.34	\$15,218.44
			\$1,086.22	\$1,086.22	
11/1/2022	3.000%	\$13,046.00	\$1,086.22	\$14,132.22	\$15,218.44
			\$882.15	\$882.15	
11/1/2023	3.000%	\$13,454.14	\$882.15	\$14,336.29	\$15,218.44
			\$671.70	\$671.70	
11/1/2024	3.250%	\$13,875.05	\$671.70	\$14,546.74	\$15,218.44
			\$454.66	\$454.66	
11/1/2025	3.250%	\$14,309.12	\$454.66	\$14,763.78	\$15,218.44
			\$230.83	\$230.83	
11/1/2026	3.375%	\$14,756.78	\$230.83	\$14,987.61	\$15,218.44
		\$180,000.00	\$48,276.60	\$228,276.60	\$228,276.60

RESOLUTION SUBMITTAL SHEET

2055

Capital Project	<u>1732</u>	Legislative Districts	<u>Various</u>
Operating Fund		Federal Aid %	
Other		State Aid %	

Give a complete description of why we are asking for reso; if aided, state status of aid

Removal of Toxic and Hazardous Building Materials and Components at Various County Facilities

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>1097-2009</u>	<u>Planning & Construction</u>	<u>\$115,000</u>
<u>1098-2009</u>	<u>Bond Resolution</u>	<u>\$115,000</u>
<u>383-2008</u>	<u>Planning & Construction</u>	<u>\$325,000</u>
<u>384-2008</u>	<u>Bond Resolution</u>	<u>\$325,000</u>
<u>666-2007</u>	<u>Planning & Construction</u>	<u>\$187,500</u>
<u>667-2007</u>	<u>Bond Resolution</u>	<u>\$187,500</u>
<u>256-2005</u>	<u>SEQRA Resolution</u>	
<u>447-2005</u>	<u>Planning & Construction</u>	<u>\$275,000</u>
<u>446-2005</u>	<u>Bond Resolution</u>	<u>\$275,000</u>
<u>182-2004</u>	<u>Planning & Construction (Interfund Transfer)</u>	<u>\$525,000</u>
<u>558-2003</u>	<u>Planning, Design & Supervision, Construction</u>	<u>\$1,045,000</u>
<u>557-2003</u>	<u>Bond Resolution</u>	<u>\$1,045,000</u>
<u>461-2002</u>	<u>Planning & Construction</u>	<u>\$355,000</u>
<u>460-2002</u>	<u>Bond Resolution</u>	<u>\$355,000</u>
<u>130-2001</u>	<u>Bond Resolution</u>	<u>\$445,000</u>
<u>131-2001</u>	<u>Planning & Construction</u>	<u>\$445,000</u>
<u>824-2001</u>	<u>Bond Resolution</u>	<u>\$235,000</u>
<u>825-2001</u>	<u>Planning, Design, Supervision, Construction</u>	<u>\$235,000</u>
<u>351-2000</u>	<u>Bond Resolution</u>	<u>\$550,000</u>
<u>352-2000</u>	<u>Planning & Construction</u>	<u>\$550,000</u>

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>\$30,000</u>	Planning	<u>\$30,000</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>\$150,000</u>	Construction	<u>\$150,000</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status

Est. planning completion	<u>Ongoing monitoring and training funded from planning on an as needed basis</u>	Design consultant	<u>NA</u>
Est. construction start	<u>Ongoing on an as needed basis</u>	Contractor	<u>Annual Contractor</u>
Est. construction completion			

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
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2056

Intro. Res. No - 2011

Laid on the Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION OF THE UNDERGROUND INJECTION CONTROL (UIC) MANAGEMENT PROGRAM (CP 8220)

WHEREAS, the Commissioner of Public Works has requested funds in connection with construction of the underground injection control (UIC) management program; and

WHEREAS, Environmental Protection Agency (EPA) regulations require registration and possible modifications to all underground injection well systems, whether they be for sanitary systems or for stormwater runoff; and

WHEREAS, this program seeks to develop a database of all required information, such as coordinates of all wells and pools for all County facilities; and

WHEREAS, this program provides funding to make modifications necessary to maintain compliance with EPA regulations; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$400,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) 1,2, 20, 21, and 27 of Title 6 of New York Code of Rules and Regulations 6 ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-three (63) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2011 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8220
Project Title: Underground Injection Control (UIC) Management Program

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

1. Planning, Design, and Supervision	\$450,000	\$0	\$50,000B
3. Construction	<u>\$1,650,000</u>	<u>\$400,000B</u>	<u>\$350,000B</u>
TOTAL	\$2,100,000	\$400,000	\$400,000

and be it further

4th **RESOLVED**, that the proceeds of \$400,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8220.110 (Fund 001-Debt Service)	20	Planning of the Underground Injection Control Management Program--Planning	\$50,000

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP- 8220.310 (Fund 001-Debt Service)	20	Construction of the Underground Injection Control Management Program--Construction	\$350,000

Dated:

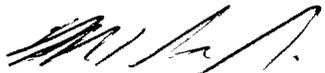
APPROVED BY:

County Executive of Suffolk County

Date:

205b

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. - 2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION OF THE UNDERGROUND INJECTION CONTROL (UIC) MANAGEMENT PROGRAM (CP 8220)		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding SERIAL BONDS		
9. Timing of Impact 2012		
10. Typed Name & Title of Preparer Nicholas E. Paglia Jr. Asst Executive Analyst	11. Signature of Preparer 	12. Date November 21 st , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2056

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$22,031	\$0.04		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$22,031	\$0.04		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

2056

Term of Bonds: 30
 Amount to Bond: \$400,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$7,617.51	\$14,413.88	\$22,031.38	\$22,031.38
			\$7,069.69	\$7,069.69	
11/1/2013	3.000%	\$7,892.00	\$7,069.69	\$14,961.69	\$22,031.38
			\$6,927.50	\$6,927.50	
11/1/2014	3.000%	\$8,176.39	\$6,927.50	\$15,103.89	\$22,031.38
			\$6,780.18	\$6,780.18	
11/1/2015	3.000%	\$8,471.02	\$6,780.18	\$15,251.20	\$22,031.38
			\$6,627.56	\$6,627.56	
11/1/2016	3.000%	\$8,776.27	\$6,627.56	\$15,403.83	\$22,031.38
			\$6,469.43	\$6,469.43	
11/1/2017	3.000%	\$9,092.52	\$6,469.43	\$15,561.95	\$22,031.38
			\$6,305.61	\$6,305.61	
11/1/2018	3.000%	\$9,420.17	\$6,305.61	\$15,725.78	\$22,031.38
			\$6,135.88	\$6,135.88	
11/1/2019	3.000%	\$9,759.62	\$6,135.88	\$15,895.50	\$22,031.38
			\$5,960.04	\$5,960.04	
11/1/2020	3.000%	\$10,111.30	\$5,960.04	\$16,071.34	\$22,031.38
			\$5,777.86	\$5,777.86	
11/1/2021	3.000%	\$10,475.66	\$5,777.86	\$16,253.52	\$22,031.38
			\$5,589.12	\$5,589.12	
11/1/2022	3.000%	\$10,853.15	\$5,589.12	\$16,442.27	\$22,031.38
			\$5,393.57	\$5,393.57	
11/1/2023	3.000%	\$11,244.24	\$5,393.57	\$16,637.81	\$22,031.38
			\$5,190.98	\$5,190.98	
11/1/2024	3.250%	\$11,649.42	\$5,190.98	\$16,840.40	\$22,031.38
			\$4,981.09	\$4,981.09	
11/1/2025	3.250%	\$12,069.21	\$4,981.09	\$17,050.30	\$22,031.38
			\$4,763.63	\$4,763.63	
11/1/2026	3.375%	\$12,504.12	\$4,763.63	\$17,267.75	\$22,031.38
			\$4,538.34	\$4,538.34	
11/1/2027	3.500%	\$12,954.70	\$4,538.34	\$17,493.04	\$22,031.38
			\$4,304.93	\$4,304.93	
11/1/2028	3.500%	\$13,421.52	\$4,304.93	\$17,726.45	\$22,031.38
			\$4,063.11	\$4,063.11	
11/1/2029	3.625%	\$13,905.16	\$4,063.11	\$17,968.27	\$22,031.38
			\$3,812.58	\$3,812.58	
11/1/2030	3.750%	\$14,406.22	\$3,812.58	\$18,218.80	\$22,031.38
			\$3,553.02	\$3,553.02	
11/1/2031	4.000%	\$14,925.35	\$3,553.02	\$18,478.37	\$22,031.38
			\$3,284.10	\$3,284.10	
11/1/2032	4.000%	\$15,463.18	\$3,284.10	\$18,747.28	\$22,031.38
			\$3,005.50	\$3,005.50	
11/1/2033	4.000%	\$16,020.39	\$3,005.50	\$19,025.89	\$22,031.38
			\$2,716.85	\$2,716.85	
11/1/2034	4.000%	\$16,597.68	\$2,716.85	\$19,314.53	\$22,031.38
			\$2,417.81	\$2,417.81	
11/1/2035	4.250%	\$17,195.77	\$2,417.81	\$19,613.58	\$22,031.38
			\$2,107.98	\$2,107.98	
11/1/2036	4.250%	\$17,815.42	\$2,107.98	\$19,923.40	\$22,031.38
			\$1,787.00	\$1,787.00	
11/1/2037	4.250%	\$18,457.39	\$1,787.00	\$20,244.39	\$22,031.38
			\$1,454.44	\$1,454.44	
11/1/2038	4.250%	\$19,122.50	\$1,454.44	\$20,576.94	\$22,031.38
			\$1,109.91	\$1,109.91	
11/1/2039	4.250%	\$19,811.57	\$1,109.91	\$20,921.48	\$22,031.38
			\$752.96	\$752.96	
11/1/2040	4.250%	\$20,525.47	\$752.96	\$21,278.43	\$22,031.38
			\$383.14	\$383.14	
11/1/2041	4.250%	\$21,265.10	\$383.14	\$21,648.24	\$22,031.38
		\$400,000.00	\$260,941.54	\$660,941.54	\$660,941.54

RESOLUTION SUBMITTAL SHEET

2056

Capital Project	<u>8220</u>	Legislative Districts	<u>Various</u>
Operating Fund		Federal Aid %	
Other		State Aid %	

Give a complete description of why we are asking for reso; if aided, state status of aid

Construction of the Underground Injection Control (UIC) Management Program

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
2003 - 2009	Planning & Construction	<u>\$400,000</u>
2003A-2009	Bond Resolution	<u>\$400,000</u>

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>\$50,000</u>	Planning	<u>0</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>\$350,000</u>	Construction	<u>\$400,000</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status

Est. planning completion	<u>NA</u>	Design consultant	<u>NA</u>
Est. construction start	<u>Ongoing on an as needed basis</u>	Contractor	<u>TBD</u>
Est. construction completion			

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

Offset Leg. District Comments

2057

Intro. Res. No - 2011

Laid on the Table

12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH RENOVATIONS TO SURROGATE'S COURT (CP 1133)

WHEREAS, the Commissioner of Public Works has requested funds for the renovation of the Surrogate's Court facility; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$200,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, the Central Pine Barrens Joint Planning and Policy Commission, as SEQRA lead agency, on September 21, 2005 issued a Negative Declaration for all proposed development at the Riverhead County Center as contained the Final Resolution on the Compatible Growth Area Development of Regional Significance Hardship Application; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1133.111 (Fund 001-Debt Service)	20	Planning for Renovations to Surrogate's Court	\$200,000

Dated:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2057

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH RENOVATIONS TO SURROGATE'S COURT (CP 1133)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District	<input type="radio"/> Other (Specify):
<input type="radio"/> Library District	<input type="radio"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 21 st , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2057

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$43,671	\$0.08		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$43,671	\$0.08		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

2057

Term of Bonds: 5
 Amount to Bond: \$200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$37,670.91	\$6,000.00	\$43,670.91	\$43,670.91
11/1/2013	3.000%	\$38,801.04	\$2,434.94	\$41,235.98	\$43,670.91
11/1/2014	3.000%	\$39,965.07	\$1,852.92	\$41,817.99	\$43,670.91
11/1/2015	3.000%	\$41,164.03	\$1,253.44	\$42,417.47	\$43,670.91
11/1/2016	3.000%	\$42,398.95	\$635.98	\$43,034.93	\$43,670.91
		\$200,000.00	\$18,354.57	\$218,354.57	\$218,354.57

RESOLUTION SUBMITTAL SHEET

2057

Capital Project 1133
Operating Fund
Other

Legislative Districts 1st
Federal Aid %
State Aid %

Give a complete description of why we are asking for reso; if aided, state status of aid

Renovations to Surrogate's Court

Previous resolution (list previous reso for the same work)

Resolution

<u>Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>382-2008</u>	<u>Construction</u>	<u>\$1,240,000</u>
<u>381-2008</u>	<u>Bond Resolution</u>	<u>\$1,240,000</u>
<u>452-2008</u>	<u>Bond Resolution</u>	
<u>127-2009</u>		

Amounts being requested

Planning	<u>\$200,000</u>
Site	<u>0</u>
Construction	<u>0</u>
Land	<u>0</u>
F&E	<u>0</u>

Current Funding

Planning	<u>\$200,000</u>
Site	<u>0</u>
Construction	<u>0</u>
Land	<u>0</u>
F&E	<u>0</u>

Project Status

Est. planning completion	<u>8/2011</u>	Design consultant	<u>TBD</u>
Est. construction start	<u>4/2011</u>	Contractor	<u>TBD</u>
Est. construction completion	<u>04/2012</u>		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2057
SKP
A8
COPY

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive (2 copies)
FROM: James Peterman, P.E., Acting Chief Deputy Commissioner
DATE: September 19, 2011
RE: CP 1133 – Renovations to Surrogate’s Court

Gilbert Anderson for

Attached for your review is a draft resolution appropriating the sum of \$200,000 into planning funds. This appropriation will fund the planning renovation of the Surrogate’s Court and the accessible restrooms, replacement of worn surfaces, mechanical and electrical upgrades for energy efficiency inside the facility.

Pursuant to the SEQRA negative declaration for a Type I action issued for the Riverhead County Center site by the Central Pine Barrens Joint Planning and Policy Commission as lead agency, it has been determined this project will not have a significant environmental impact.

An e-mail copy of this resolution has been sent to CE RESO Review saved under the title Reso-DPW-CP1133 Resolution Surrogate’s Court.doc.

JP/rjm
attachments

- cc: Christopher Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Gilbert Anderson, P.E., Commissioner
- Tedd Godek, R.A., County Architect, Buildings Design & Construction
- Michael J. Monaghan, P.E., Chief Engineer, Facilities Engineering
- James J. Ingenito, R.A., Public Works Capital Projects Manager
- Kathy LaGuardia, Executive Assistant for Finance & Administration
- Laura Conway, CPA, Chief Accountant
- CE RESO Review (e-mail)
- Brendan Chamberlain, Director of Intergovernmental Relations

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

2058

Intro. Res. No. -2011

Laid on Table

12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011, APPROPRIATING FUNDS IN CONNECTION WITH THE REMOVAL OF TOXIC AND HAZARDOUS MATERIALS IN COUNTY PARKS (CP 7185)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested construction funds for the removal of toxic and hazardous materials in County parks; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said construction under Capital Program Number 7185; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2011 Capital Budget as the basis for funding capital projects such as this project; and

WHEREAS, all conditions precedent to the financing of the Capital Project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

WHEREAS, removal of all toxic and hazardous materials discovered in county parks will be in accordance with all Federal and OSHA standards; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$200,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that the Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Part 617.5 (c):

(1) maintenance or repair involving no substantial changes in an existing structure or facility; and

(2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in Section 617.4 of this Part; and

(20) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may effect the environment; and therefore SEQRA is complete; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-eight (68) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7185.314 (Fund 001–Debt Service)	26	Removal of Toxic and Hazardous Materials in County Parks	\$200,000

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

2058

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2011, APPROPRIATING FUNDS IN CONNECTION WITH THE REMOVAL OF TOXIC AND HAZARDOUS MATERIALS IN COUNTY PARKS (CP 7185)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 18 th , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2058

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$43,671	\$0.08		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$43,671	\$0.08		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

2058

Term of Bonds: 5
 Amount to Bond: \$200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$37,670.91	\$6,000.00	\$43,670.91	\$43,670.91
			\$2,434.94	\$2,434.94	
11/1/2013	3.000%	\$38,801.04	\$2,434.94	\$41,235.98	\$43,670.91
			\$1,852.92	\$1,852.92	
11/1/2014	3.000%	\$39,965.07	\$1,852.92	\$41,817.99	\$43,670.91
			\$1,253.44	\$1,253.44	
11/1/2015	3.000%	\$41,164.03	\$1,253.44	\$42,417.47	\$43,670.91
			\$635.98	\$635.98	
11/1/2016	3.000%	\$42,398.95	\$635.98	\$43,034.93	\$43,670.91
		\$200,000.00	\$18,354.57	\$218,354.57	\$218,354.57

COUNTY OF SUFFOLK



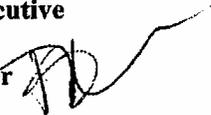
2058

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOSEPH J. MONTUORI
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: KEN CRANNELL, Deputy County Executive
FROM: JOSEPH J. MONTUORI, Commissioner 
CC: BRENDAN CHAMBERLAIN, Director of Intergovernmental Relations
DATE: NOVEMBER 21, 2011
RE: INTRODUCTORY RESOLUTION APPROPRIATING FUNDS IN
CONNECTION WITH THE REMOVAL OF TOXIC AND HAZARDOUS
MATERIALS IN COUNTY PARKS (CP 7185)

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS- Appropriating Funds for CP 7185 - Removal Toxic Materials.doc".

Frequently in the course of rehabilitating or restoring parks or historic structures, hazardous materials are discovered including lead, asbestos, and PCBs, among other substances. Special training and procedures must be followed in handling these materials, which increases the costs associated with their removal.

The funds appropriated under this resolution will go toward removing toxic and hazardous materials discovered during the course of renovation, restoration or demolition of structures, installing and upgrading leak detection systems to comply with State and Federal regulations, removing underground storage tanks, and other projects as needed.

Should you require anything further, please contact my office at 4-4984.

Enclosures



Intro Res. No. 2059-11

Laid on Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, AUTHORIZING THE FILING OF A
GRANT APPLICATION FOR FEDERAL FISCAL YEAR 2010 SECTION
5309 BUS AND BUS-RELATED FACILITIES FOR SUFFOLK COUNTY
TRANSIT**

WHEREAS, the Federal Transit Administration (FTA), an operating administration of the United States Department of Transportation awards grants for federal capital assistance for mass transportation projects as authorized by 49 U.S.C Chapter 53, Title 23, United States Code and other federal statutes administered by the Federal Transit Administration; and

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal capital assistance for transportation projects; and

WHEREAS, in Federal Fiscal Year 2010 Suffolk County was allocated \$600,000 in federal capital assistance funds for Bus and Bus Facilities under Section 5309 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

WHEREAS, the County of Suffolk is a Designated Recipient of Federal formula funds for mass transportation capital projects as defined by 49 U.S.C. Section 5307(a)(2); and

WHEREAS, the grant contracts for Federal and State financial assistance will impose certain obligations upon the County, and will require the County to commit resources necessary to cover the entire grant with the understanding that reimbursement at the ratio of 80% Federal funds and 20% non-federal funds will be made and that the State share will be used to fund up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total projects costs and that the County will provide the remaining 10% local share of total project costs; and

WHEREAS, the County will provide all annual certifications and assurances required for the project to the Federal Transit Administration; and

WHEREAS, it is required by the U.S. Department of Transportation, in accord with the provision of Title VI of the Civil Rights Act of 1964, as amended, that the County give an assurance that it will comply with the Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements there under; now, therefore, be it

^{1st} **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to file and execute an application for a grant with the FTA for federal capital financial assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the FTA; and be it further

3rd **RESOLVED**, that the County proposes to utilize allocated Federal Fiscal Year 2010 funds to aid in the financing of capital mass transportation projects pursuant to Section 5309 of the Federal Transit Act, a Program of Projects and Budget being described as follows:

<u>Related Capital Program Number</u>	<u>Program of Projects</u>	<u>Estimated Total Cost</u>
5658	Purchase Replacement Paratransit Vans including related equipment, pre and post delivery Buy America audits and inspection during manufacture	\$690,000
-	Contingencies	30,000
-	Project Administration	30,000
Total Estimated Cost of the Program of Projects		\$750,000
Estimated Federal Share: 80%		\$600,000
Estimated State Share: 10%		\$75,000
Estimated County Share: 10%		\$75,000

and be it further

4th **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the Program of Projects and Budget; and be it further

5th **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute grant agreements on behalf of the County of Suffolk with the U.S. Department of Transportation and the New York State Department of Transportation for aid in the financing of the capital Program of Projects and Budget herein described; and be it further

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

2059

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

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2011, AUTHORIZING THE FILING OF A GRANT APPLICATION FOR FEDERAL FISCAL YEAR 2010 SECTION 5309 BUS AND BUS-RELATED FACILITIES FOR SUFFOLK COUNTY TRANSIT		
3. Purpose of Proposed Legislation		
Enables the County to apply for a grant for federal funds for the purchase of replacement vans for Suffolk County Transit's paratransit service		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the Answer to Item 4 is "yes", on what will it impact? (Circle the appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (specify):
Library District	Fire District	
6. If the Answer to Item 5 is "yes", Provide Detailed Explanation of Impact.		
Total cost is estimated to be \$750,000. County will provide 10% share of the project which is estimated to be \$75,000.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision		
8. Proposed Source of Funding		
80% Federal Transit Administration - \$600,000; 10% NYS Department of Transportation Funds - \$75,000 and 10% County - \$75,000.		
9. Timing of Impact		
2012		
10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
Garry Lenberger, Acting Director of Transportation Operations		7/7/11

Dan Kelly
Principal Financial Analyst

11/2/11

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2059

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

RESOLUTION SUBMITTAL SHEET

2059

Capital Project	<u>CP 5658</u>	Legislative Districts	<u>All</u>
Operating Fund		Federal Aid %	<u>80%</u>
Other		State Aid %	<u>10%</u>
		County	<u>10%</u>

Give a complete description of why we are asking for reso; if aided, state status of aid

In Federal Fiscal Year 2010 Suffolk County was allocated \$600,000 in capital assistance funds for Bus and Bus Facilities under FTA Section 5309. Suffolk County Transit replaces the vans used in its fleet for its paratransit service (SCAT) on a regular basis. This project proposes to utilize federal funds to offset the cost of purchasing vans eligible for replacement under federal guidelines. In order for the County to apply for these Federal funds (80% share), and State (10% share) funds, a resolution authorizing the County to apply for the funds is needed. The County will provide a local 10% share.

Previous resolution (list previous reso for the same work)

<u>Resolution</u>		
<u>Number</u>	<u>Purpose</u>	<u>Amount</u>

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning		Planning	
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>0</u>	Construction	<u>0</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>None at This Time</u>	F&E	<u>N/A</u>

Project Status

Est. planning completion	Design consultant
Est. construction start	Contractor
Est. construction completion	

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

	<u>Leg. District</u>	
<u>Offset</u>		<u>Comments</u>

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2059

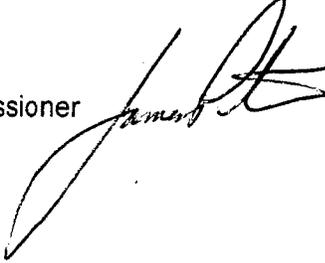
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

FROM: James Peterman, P.E. Chief Deputy Commissioner
Department of Public Works 

DATE: July 8, 2011

RE: CP 5658- Public Transit Vehicles
Proposed resolution authorizing the filing of a grant application for Federal Fiscal Year 2010 Section 5309 Bus and Bus-related facilities funds for Suffolk County Transit

In Federal Fiscal Year 2010 Suffolk County was allocated \$600,000 in capital assistance funds for Bus and Bus Facilities under FTA Section 5309. Suffolk County Transit replaces the vans used in its fleet for its paratransit service (SCAT) on a regular basis. This project proposes to utilize federal funds to offset the cost of purchasing vans eligible for replacement under federal guidelines. In order for the County to apply for these Federal funds (80% share), and State (10% share) funds, a resolution authorizing the County to apply for the funds is needed. The County will provide a local 10% share.

The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "RESO-DPW-Grant Applic for FFY 2010 FTA Section 5309 Funds".

Please initiate the process to have this resolution introduced at the meeting of the Suffolk County Legislature on August 2, 2011. If you have any questions, please do not hesitate to contact Garry Lenberger, Acting Director of Transportation Operations, at 24880.

JP:GL:cfn
Enclosures

cc: Christopher Kent, Chief Deputy County Executive, w/enc.
Brendan Chamberlain, Director of Intergovernmental Relations, w/enc.(2)
Kathy LaGuardia, DPW Finance, w/enc.
Amy Baldwin, DPW Capital Accounting, w/enc.
Debra Kolyer, Budget Office, Budget Office, w/enc.
Evelyn Creen, Federal & State Aid Office, w/enc
CE Reso Review List, e-mail

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

2060

Intro Res. No. -2011

Laid on Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO - 2011, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AND STATE AID FUNDING FOR THE CONTINUATION OF THE HOV BUS SERVICE ON THE LONG ISLAND EXPRESSWAY FOR 2011

WHEREAS, the New York State Department of Transportation has requested an extension of the bus service which operates in the High Occupancy Lane of the Long Island Expressway for the period January 1, 2011 through December 31, 2011; and

WHEREAS, Federal and State funding has been made available to cover the deficit related to the operation of this service; and

WHEREAS, the Federal funds are in the amount of \$620,000 and the State funds are in the amount of \$155,000 for a total of \$775,000; and

WHEREAS, sufficient funds as well as the revenue estimates have been included in the 2011 Operating Budget for these services; and

WHEREAS, no County match is required; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that the County Department of Public Works is hereby authorized, empowered, and directed to take such action as may be necessary, pursuant to Section C8-2(P) of the Suffolk County Charter; and be it further

3rd RESOLVED, that the Designee of the County Executive of Suffolk County is hereby authorized to execute an agreement with the New York State Department of Transportation to accept these funds.

DATED:

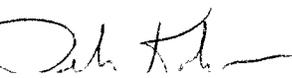
APPROVED BY:

County Executive of Suffolk County
Date of Approval

2060

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AND STATE AID FUNDING FOR THE CONTINUATION OF THE HOV BUS SERVICE ON THE LONG ISLAND EXPRESSWAY FOR 2011		
3. Purpose of Proposed Legislation Enables the County to receive the federal & state aid to cover the deficit related to the operation of this service		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> </u> No <u> X </u>		
5. If the Answer to Item 4 is "yes", on what will it impact? (Circle the 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 Federal Funds - \$620,000 and State Funds - \$155,000 = \$775,000 (Deficit)		
9. Timing of Impact N/A		
10. Typed Name and Title of Preparer Garry Lenberger, Acting Director Transportation Operations	11. Signature of Preparer 	12. Date 5/19/11

DEAR KATHY PRINCIPAL FINANCIAL HEALTH 

11/21/11

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2060

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

RESOLUTION SUBMITTAL SHEET

2060

Capital Project		Legislative Districts	<u>All</u>
Operating Fund	<u>01-5631</u>	Federal Aid %	<u>80%</u>
Other		State Aid %	<u>20%</u>

Give a complete description of why we are asking for reso; if aided, state status of aid

New York State Department of Transportation has requested an extension of the bus service which operates in the High Occupancy Lane of the Long Island Expressway. Additional federal and state funds have been made available to the County to fund the deficit related to the operation of this service for the period January 1, 2011 through December 31, 2011. There is no required match on the part of the County.

Sufficient funds as well as the revenue estimates have been included in the 2010 operating budget for this service.

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>334-2010</u>	<u>Authorizing the execution of an agreement between the County and the NYS DOT for Federal and State Aid Funding for the continuation of the HOV bus service on The LIE for 2010</u>	<u>\$775,000</u>

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>0</u>	Planning	<u>0</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>0</u>	Construction	<u>0</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status

Est. planning completion	Design consultant	
Est. construction start	Contractor	<u>CBS Lines, Inc.</u>
Est. construction completion		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
---------------	----------------------	-----------------

2060



TRANSPORTATION DIVISION

11 JUN 13 AM 8:06

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION TEN
250 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, NEW YORK 11788
www.nysdot.gov

SUBHIMAL CHAKRABORTI P.E.
REGIONAL DIRECTOR

JOAN McDONALD
ACTING COMMISSIONER

June 9, 2011

Mr. Garry Lenberger
Acting Director of Transportation Operations
Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, NY 11980-9744

Re: State Contract C005011, PIN 0806.59 - Express Bus Service along I-495

Dear Mr. Lenberger,

Enclosed please find an unsigned copy of the Supplemental Agreement No. 8 for PIN 0806.59. Kindly have this supplemental agreement executed and return to me with the following:

- 5 full sets of the Supplemental Agreement signed and notarized
- 5 original copies of a certified spending Resolution from the county

These documents are necessary in order to assure the processing of your agreement in a timely manner.

If you have any questions please contact Kevin Scott, of this office, at (631) 952-6108.

Thank you,

Dennis Baydar
Planning & Program Management Group, Rm. 4A3

2060

Municipality/Sponsor: **Suffolk County**
PIN: 0806.59 BIN: N/A
Comptroller's Contract No. **C005011**
Supplemental Agreement No.8
Date Prepared:6/9/2011 By:DB
Initials

Press F1 for instructions in the blank fields:

SUPPLEMENTAL AGREEMENT No. 8 to C005011 (Comptroller's Contract No.)

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State");

and

Suffolk County (the Municipality/Sponsor)
Acting by and through the **Chief Deputy County Executive**
with its office at **335 Yaphank Ave, Yaphank, NY 11980**.

This amends the existing Agreement between the parties in the following respects only (check applicable categories):

Amends a previously adopted Schedule A by (check as applicable):

- amending a project description
- amending the contract end date
- amending the scheduled funding by:
 - adding additional funding (check and enter the # phase(s) as applicable):
 - adding phase which covers eligible costs incurred on/after / /
 - adding phase which covers eligible costs incurred on/after / /
 - increasing funding for a project phase(s)
 - adding a pin extension
 - change from Non-Marchiselli to Marchiselli
 - deleting/reducing funding for a project phase(s)
 - other ()

Amends a previously adopted Schedule "B" (Phases, Sub-phase/Tasks, and Allocation of Responsibility)

Amends the text of the Agreement as follows (insert text below):

SCHEDULE B-6: WORK PROGRAM AND BUDGET
SUFFOLK COUNTY INNOVATIVE TRANSIT

Contract and Program Term: January 1, 2011 to December 31, 2011

2060

WORK PROGRAM TASK	METHOD & BASIS FOR COMPENSATION	UPSET AMOUNT ⁽¹⁾
<p>Task 1: Operation of Buses</p> <p>Operate Express Bus Service along the Long Island Expressway (I-495) from central Suffolk County to the Hauppauge Industrial Park & NY 110 Corridor</p>	<p>Payment of supplemental funding will be based on the estimated unfunded deficit (NET) amount.</p> <p>Cost reimbursement in this agreement will be based upon the contract cost of operations, estimated at \$800,000 for the period of this agreement, less the fare revenue which is estimated to be \$25,000 for the period of this agreement.</p> <p>Therefore, the NET amount is estimated to be \$775,000 for the period of this agreement, (\$620,000, 80% federal STP funds, and \$155,000, 20% state SDF Funds.)</p>	
<p align="right">TOTAL:</p>		<p align="right">\$775,000</p>

COUNTY OF SUFFOLK



2060

COPY

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

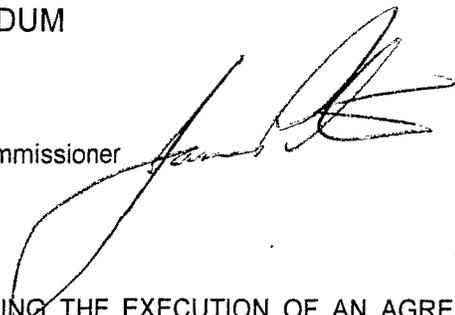
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

FROM: James Peterman, P.E., Chief Deputy Commissioner
Department of Public Works 

DATE: August 17, 2011

RE: PROPOSED RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AND STATE AID FUNDING FOR THE CONTINUATION OF THE HOV BUS SERVICE ON THE LONG ISLAND EXPRESSWAY FOR 2011

New York State Department of Transportation has requested an extension of the bus service which operates in the High Occupancy Lane of the Long Island Expressway. Additional federal and state funds have been made available to the County to fund the deficit related to the operation of this service for the period January 1, 2011 through December 31, 2011. There is no required match on the part of the County.

Sufficient funds as well as the revenue estimates have been included in the 2011 operating budget for this service.

The SCIN Forms 175a and Statement of Financial Impact Form are attached as well as copies of correspondence from NYSDOT related to this project..

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-Cont. HOV Bus SVC. LIE for 2011

Please initiate the process to have this resolution introduced at the August 26th Suffolk County Legislature meeting. If you have any questions, please do not hesitate to contact Garry Lenberger, Acting Director of Transportation Operations, at 2-4880.

JP:GL:lc

- cc: Christopher Kent, Chief Deputy County Executive, w/enc.
 Brendan Chamberlain, Director of Intergovernmental Relations, w/enc. (2)
 Kathy LaGuardia, DPW Finance, w/enc.
 Amy Baldwin, DPW Capital Accounting, w/enc.
 Debra Kolyer, Budget Office, Budget Office, w/enc.
 Evelyn Creen, Federal & State Aid Office, w/enc
 CE Reso Review List, e-mail

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

2061

Intro. Res. No. - 2011

Laid on the Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011, AUTHORIZING EXECUTION
OF A ROAD MAINTENANCE AGREEMENT WITH THE TOWN OF
EAST HAMPTON**

WHEREAS, the County of Suffolk and the Town of East Hampton entered into intermunicipal agreements for the exchange of road maintenance services pursuant to Resolution Nos. 1227-1990, 384-1997, 987-2001 and 1404-2005, which exchange of services has been mutually beneficial; and

WHEREAS, the Town of East Hampton and the County of Suffolk wish to continue this exchange of services; and

WHEREAS, the above parties have negotiated an agreement in which they will continue to make available each other's workers, equipment, materials and services of their respective department of public works for their mutual benefits; now, therefore, be it

1st RESOLVED, that the County hereby authorizes the County Executive, or his designee, to execute an agreement on behalf of the County of Suffolk with the Town of East Hampton; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the ownership transfer agreement and all other contract documents shall be subject to the approval of the County Attorney.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

2061

RESOLUTION SUBMITTAL SHEET

Capital Project	<u>n/a</u>	Legislative Districts	<u>2</u>
Operating Fund	<u>105-5110-4560</u>	Federal Aid %	
Other		State Aid %	

Give a complete description of why we are asking for reso; if aided, state status of aid

The resolution authorizes the execution of a road maintenance agreement with the Town of East Hampton for another 5 years (1/1/11 thru 12/31/15)

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>1227-90</u>	<u>Road Maintenance Agreement</u>	<u>n/a</u>
<u>384-97</u>	<u>Road Maintenance Agreement</u>	<u>n/a</u>
<u>987-01</u>	<u>Road Maintenance Agreement</u>	<u>n/a</u>
<u>1404-05</u>	<u>Road Maintenance Agreement</u>	<u>n/a</u>

Amounts being requested

Planning
 Site
 Construction
 Land
 F&E

Current Unencum Bal w/Quotes

Planning
 Site
 Construction
 Land
 F&E

Project Status

Est. planning completion	Design consultant
Est. construction start	Contractor
Est. construction completion	

State required offsets, their legis. Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Legis District</u>	<u>Comments</u>
----------------------	------------------------------	------------------------

2061

TOWN OF EAST HAMPTON ROAD MAINTENANCE AGREEMENT

This Agreement ("**Agreement**") is between the **County of Suffolk** ("**County**"), a municipal corporation of the State of New York, acting through its duly constituted **Department of Public Works** ("**Department**"), located at 335 Yaphank Avenue, Yaphank, New York 11980-9744; and

Town of East Hampton ("**Town**"), a municipal corporation of the State of New York, having its principle offices located at 159 Pantigo Road, East Hampton, New York 11937.

The parties hereto desire to make available to each other the personnel, equipment, materials and services for their respective Departments of Public Works for the purpose of maintaining certain County and Town roads located within the Town of East Hampton.

Term of the Agreement: January 1, 2011 through December 31, 2015.

Total Cost of the Agreement: A total amount over the term of the Agreement not to exceed \$603,725, or not to exceed \$120,745 annually, plus striping of County roads by the Town as an additional service, if done, as set forth in paragraph 2 of Exhibit E.

Terms and Conditions: Shall be as set forth in Articles I through III, and Exhibits 1 and 2, attached hereto and incorporated herein.

In Witness Whereof, the parties hereto have executed the Agreement as of the latest date written below.

TOWN OF EAST HAMPTON

COUNTY OF SUFFOLK

By: _____
William Wilkinson
Supervisor

By: _____

Date: _____

Name: _____

Title: Deputy County Executive

Date: _____

Fed. Tax ID # _____

Approved: Department of Public Works

By: _____
Scott King
Superintendent of Highways

By: _____
Gilbert Anderson, P.E., Commissioner

Date: _____

Date: _____

Approved as to Legality:
Christine Malafi, County Attorney

By: _____
Basia Deren Braddish
Assistant County Attorney

Date: _____

8/5/11 Law No. 10-PW-020
Town of East Hampton Road Maintenance Agreement

2061

List of Articles & Exhibits

Article I

Description of Duties and Obligations

Article II

Financial Terms and Conditions

1. Conflicting Provisions
2. General Payment Terms
3. Agreement Subject to Appropriation of Funds
4. Budget and Specific Payment Terms and Conditions

Article III

County Terms and Conditions

1. Elements of Interpretation
2. Meanings of Terms
3. Contractors Responsibilities
4. Qualifications, Licenses, and Professional Standards
5. Notifications
6. Documentation of Professional Standards
7. Credentialing
8. Engineering Certificate
9. Termination
10. Indemnification and Defense
11. Insurance
12. Independent Contractor
13. Severability
14. Merger; No Oral Changes
15. Set-Off Rights
16. Non-Discrimination in Services
17. Nonsectarian Declaration
18. Governing Law
19. No Waiver
20. Conflicts of Interest
21. Cooperation on Claims
22. Confidentiality
23. Assignment and Subcontracting
24. No Intended Third Party Beneficiaries
25. Certification as to Relationships
26. Publications and Publicity
27. Copyrights and Patents
28. Arrears to County
29. Lawful Hiring of Employees Law in Connection with Contracts for Construction or Future Construction
30. Notice

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Exhibit 1
Suffolk County Legislative Requirements

1. Contractor's/Vendors Public Disclosure Statement
2. Living Wage Law
3. Use of County Resources to Interfere with Collective Bargaining Activities
4. Lawful Hiring of Employees Law
5. Gratuities
6. Prohibition Against Contracting with Corporations that Reincorporate Overseas
7. Child Sexual Abuse Reporting Policy
8. Non Responsible Bidder
9. Use of Funds in Prosecution of Civil Actions Prohibited
10. Work Experience Participation
11. Suffolk County Local Laws Website Address

Exhibit 2
Authorizing Resolutions

Appendix

Public Disclosure
Living Wage
Union Certification
Lawful Hiring

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Article I
Description of Duties and Obligations

Whereas, the parties hereto, having mutual interests and purposes in maintaining certain County and Town roads located with the Town of East Hampton; and

Whereas, there was a prior agreement for such work, which expired on December 15, 2010; and

Whereas, the Town has been designated to received funds from the County in support of the agreement as described herein; and

Whereas, County Legislative Resolution No. ___-___ authorized the County to enter into an agreement with the Town for this Road Maintenance Agreement (hereinafter "the Agreement"); and

Whereas, pursuant to Town Board Resolution No. ___-___ Town of East Hampton authorized the Town Supervisor to execute a Road Maintenance Agreement with the County;

Now, Therefore, in consideration of the mutual provisions and covenants hereafter set forth, the parties hereto agree as follows:

- A. The Town agrees to expend the monies made available pursuant to this Agreement.
- B. The Town shall perform all work in accordance with this Agreement. Changes may not be made to the Agreement description set forth herein without prior written approval of the Department. Such approval may be granted provided that the changes are not substantive and do not alter the scope and intent of basic elements of the Project.
- C. The Town represents that it is a municipal corporation under the laws of the State of New York, and that it has all requisite power and authority to enter into this Agreement.
- D. The Town represents that this Agreement has been executed by the Town in such manner and form as to comply with all applicable laws to make this Agreement a valid and legally binding act and agreement of the Town.
- E. The Town agrees to comply with all applicable federal, state and local laws and ordinances.
- F. The County, at its option, may undertake the double-centerline striping of Town roads.
- G. The Town shall maintain 12.71 miles of County roads located within in the Town, as outlined below:

	Miles
CR 40, CR 40A: Three Mile Harbor Road from East Hampton Village Line (Cedar Street) northerly to 200 feet north of Copeces Lane	2.51
CR 41: Springs-Amagansett (Fireplace) Road from Three Mile Harbor Road, CR 40, northerly to end of concrete (n/s of Woodbine Drive)	3.06
CR 49, 95: Edgemere Street, Flamingo Avenue, from Montauk Highway, NYS Rt. 27, northerly along Edgemere Street to Flamingo Avenue, then northeasterly to West Lake Drive, CR77	3.10
CR 77: West Lake Drive, from Montauk Highway, NYS Rt. 27, northerly	3.05

past its intersection with Flamingo Avenue, CR 49, then around the loop returning to the intersection with CR 49

CR 59: Long Lane from East Hampton Village Line northwesterly to 870 feet \pm south of Stephen Hands Path (end of concrete) 0.99

- H. If the County agrees to stripe County roads under this Agreement, a list of the roads to be striped by the County shall be submitted by the Town to the County Commissioner of Public Works by April 1st of each year this Agreement is in effect, and said striping shall be performed on or before June 1st of the same year.
- I. The term "maintenance" as used in the Agreement means and includes, but is not limited to: (a) salting, sanding and snow plowing; (b) litter pick-up; (c) catch basin and drainage pipe cleaning; (d) snow fence installation; (e) brush cutting, tree trimming and removal; (f) installation and repair of guiderail; (g) installation of signs which are to be supplied by the County; (h) manhole and catch basin repair, except on CR 40, Three Mile Harbor Road from the Village line to Springs-Fireplace Road, where such repairs shall be performed jointly; (i) mowing areas adjacent to the County roads; (j) emergency callout work, including traffic accidents; (k) special markings, such as school crossings; (l) street sweeping at least three times a year, and upon special occasions, emergencies and valid citizen complaints; and (m) pavement patching.
- J. The County shall be responsible for line striping of County roads, unless the Town, at the request of the County, agrees to provide line striping of County roads as an additional service under this agreement; and major work, *i.e.*, road reconstruction under a Capital Program on the County roads within the Town.
- K. All work performed under this Agreement shall, at all times, be under the supervision of the County Commissioner of Public Works and/or his designee, and his decisions and interpretations of this Agreement shall be conclusive and binding on both parties hereto.
- L. The Town Superintendent of Highways shall have the authority to act for the Town in all matters pertaining to the performance of this Agreement, and shall give his full attention to the work performed by the Town hereunder.
- M. Each party shall perform its obligations hereunder with maximum consideration to the safety of the traveling public and the movement of traffic.
- N. Each party shall obtain any license(s) or permit(s) required by Federal and/or State authorities in connection with the work to be performed hereunder.
- O. All equipment and materials used in connection with any of the work to be performed hereunder shall meet the specifications promulgated by the Commissioner of the County's Department of Public Works and shall be subject to such testing as the said Commissioner deems necessary. Any such equipment and materials rejected by the said Commissioner shall not be used in connection with any work to be performed hereunder.
- P. All vehicular equipment shall be equipped, whenever necessary, with adequate and distinctive warning lights and with tow and tire chains, shovels, and other protective devices and tools appropriate and necessary for such equipment.

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- Q. Warning signs, lights, barriers and guiding devices shall be used to maintain, protect and control traffic whenever necessary to protect the public and workers from damage to person and other protective devices and tools appropriate and necessary for such equipment, which must comply with the most recent Manual of Uniform Traffic Control Devices (MUTCD).
- R. The Town must comply with Chapter 380 of the Suffolk County Code regarding pest control
- S. All work to be performed pursuant to this Agreement shall be performed to the satisfaction of the County's Commissioner of Public Works. All legal rights are reserved to the said Commissioner in the event of the Town's failure to properly perform any of the work required or it hereunder.
- T. In the event that any work performed by the Town on County roads pursuant to the Agreement is not performed by the Town to the satisfaction of the County's Commissioner of Public Works, the said Commissioner shall have the right to perform such work and to demand and seek from the Town reimbursement of the cost thereof.
- U. For so long as this Agreement is in effect, the Town shall have the right to use the facility of the County's Department of Public Works located on Stephen Hands Path in the Town of East Hampton (the "Facility"). During the term of this Agreement, the Town shall, at its sole cost, expense and effort, maintain the Facility and keep it in good repair. The Town's use of, and responsibility to maintain the Facility shall not deprive the County of access to and use of the Facility.

End of Text for Article I

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Article II
Financial Terms and Conditions

1. Conflicting Provisions

In the event of any conflict between any provision in this Article II and any other Article or Exhibit to this Agreement, this Article shall prevail.

2. General Payment Terms

- A. In consideration of the Town's faithfully complying with all of the covenants set forth in the Agreement, the County shall compensate the Town as set forth below.
- B. For the Town's maintenance of County roads pursuant to this Agreement, the County shall pay the Town, for each year that this Agreement is in effect, the sum of ONE HUNDRED TWENTY THOUSAND SEVEN HUNDRED FORTY-FIVE DOLLARS (\$120,745.00). This sum represents \$9,500.00 (the Town's per-mile cost of maintenance for Town roads) multiplied by 12.71 (the mileage of County roads to be maintained by the Town, as set forth in Article I of this Agreement).
- C. The sum set forth in paragraph B above shall be remitted, in each year that this Agreement is in effect, in two equal payments, the first payment to be made on or before May 15 and the second payment to be made on or before October 15.
- D. In the event that, during any year or years that this Agreement is in effect, the County stripes any Town roads (see Article I, Paragraph H), the County shall, during each such year, deduct from the sum set forth in paragraph B above the County per-mile cost to stripe roads multiplied by the mileage of Town roads striped.
- E. In the event that during any year or years that this Agreement is in effect the Town stripes any County roads at the County's request (see Article I, Paragraph G), the Town shall, during each such year, bill the County in addition to the sum set forth in Paragraph B above, at the Town's per-mile cost to stripe roads multiplied by the mileage of County roads striped.

Presentation of Suffolk County Payment Voucher

In order for payment to be made by the County to the Town pursuant to this Agreement, the Town shall prepare and present a Suffolk County Payment Voucher ("Voucher"), which shall be documented by sufficient, competent and evidential matter.

Voucher Documentation

To the extent applicable to the Agreement, the Town shall prepare and present a claim form supplied by the County (Suffolk County Payment Voucher) together with certified and itemized statement in support of the payment for the work, services or expenditures incurred under this Agreement, to reflect all charges due thereon.

Payment by County

The Town agrees to comply in full with and payment shall be made to the Town in accordance with the Comptroller's Rules and Regulations for Payment by the County. Payment shall be made within thirty

2061

(30) days after approval of the Voucher by the Comptroller of the County of Suffolk. The acceptance by the Town of full payment of all billings made on the final invoice for each item listed herein shall operate as and shall be a release to the County from all claims and liability to the Town, its successors, legal representatives and assigns, for anything done or furnished under and by provisions of such documents.

Taxes

The charges payable to the Town under this Agreement are exclusive of Federal, State and local taxes, the County being a municipality exempt from payment of such taxes, to the extent that the Town is not obligated to pay same.

Limitation On Use of Funds

The funds provided by the County pursuant to this Agreement shall be utilized strictly for services as outlined in Article I, Paragraph I, and shall not be utilized to provide fiscal relief to the Town or any of its agencies, contractors, or assigns, or to support or supplant operating costs or any administrative expenses of the Town.

3. Agreement Subject to Appropriation of Funds and Budget Deficiency Plans

The Agreement is subject to the amount of funds appropriated and any subsequent modifications thereof by the Legislature, and no liability shall be incurred by the County beyond the amount of funds appropriated by the Legislature for the Services.

4. Specific Payment Terms and Conditions

The County shall pay the Town an amount not to exceed the amount as set forth on page one of this Agreement as the "Total Cost of the Agreement", for the labor, services and or purchase contemplated in this Agreement, notwithstanding the total amount of time expended and any additional payment due for striping County roads pursuant to paragraph E. In no event shall the payment under this Agreement the total cost of agreement, unless authorized in writing by the Department.

End of Text for Article II

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Article III
County Terms and Conditions

1. Elements of Interpretation

As used throughout the Agreement:

a. Words of the masculine gender shall mean and include correlative words of the feminine and neuter genders and words importing the singular number shall mean and include the plural number and vice versa. Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons, and shall include successors and assigns.

b. Capitalized terms used, but not otherwise defined herein, shall have the meanings assigned to them in the Agreement.

2. Meanings of Terms

As used in the Agreement:

“Agreement” means all terms and conditions herein forming all rights and obligations of the Contractor and the County.

“Comptroller” means the Comptroller of the County of Suffolk.

“Contractor” means the Town, signatory person, partnership, corporation, association or other entity, its officers, officials, employees, agents, servants, sub-contractors and any successor or assign of any one or more of the foregoing performing the Services.

“County” means the County of Suffolk, its departments, agents, servants, officials, and employees.

“County Attorney” means the County Attorney of the County of Suffolk.

“Department” means the signatory department approving the Agreement.

“Engineering Services” means the definition of the practice of engineering and the definition of practice of land surveying, as the case may be, under Section 7201 and Section 7203 of the State Education Law, respectively.

“Event of Default” means

a. The Contractor’s failure to maintain the amount and types of insurance required by the Agreement; or

b. The Contractor’s failure to comply with any Federal, State or local law, rule, or regulation, and County policies or directives; or

c. The Contractor’s bankruptcy or insolvency; or

d. The Contractor’s failure to cooperate in an Audit; or

e. The Contractor’s falsification of records or reports, misuse of funds, or malfeasance or nonfeasance in financial record keeping arising out of, or in connection with, any agreement with the County; or

f. The Contractor’s failure to submit, or failure to timely submit, documentation to obtain Federal or State funds; or

g. The inability of the County or the Contractor to obtain Federal or State funds due to any act or omission of the Contractor; or

h. Any condition the County determines, in its sole discretion, is dangerous.

“Federal” means the United States government, its departments and agencies.

“Fund Source” means any direct or indirect sum payable to the Contractor by the County pursuant to any lawful obligation.

“Legislature” means the Legislature of the County of Suffolk.

“Services” means all that which the Contractor must do and any part thereof arising out of, or in connection with, the Agreement necessary to provide the services described in this Agreement.

“State” means the State of New York.

“Suffolk County Payment Voucher” means the document authorized and required by the Comptroller for release of payment.

“Term” means the time period set forth on page one of the Agreement unless sooner terminated as set forth in this Agreement.

“Town” means the Town, its departments, agents, servants, officials, and employees.

3. Contractor Responsibilities

a. It shall be the duty of the Contractor to discharge, or cause to be discharged, all of its responsibilities in the interest of the County in accordance with the provisions of the Agreement.

b. The Contractor shall promptly take all action as may be necessary to render the Services.

c. The Contractor shall not take any action that is inconsistent with the provisions of the Agreement.

4. Qualifications, Licenses, and Professional Standards

a. The Contractor represents and warrants that it has, and shall continuously possess, during the Term, the required licensing, education, knowledge, experience, and character necessary to qualify it to render the Services.

b. The Contractor shall continuously have during the Term all required authorizations, certificates,

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certifications, registrations, licenses, permits, and other approvals required by Federal, State, County, or local authorities necessary to qualify it to render the Services.

5. **Notifications**

a. The Contractor shall immediately notify the County, in writing, of any disciplinary proceedings, commenced or pending, with any authority relating to a license held by any person necessary to qualify him or the Contractor to perform the Services.

b. In the event that a person is no longer licensed to perform the Services, the Contractor must immediately notify the County, but in no event shall such notification be later than five (5) days after a license holder has lost the license required to qualify the license holder or the Contractor to perform the Services.

c. In the event that the Contractor is not able to perform the Services due to a loss of license, the Contractor shall not be reimbursed for the Services rendered after the effective date of termination of such license. Without limiting the generality of the foregoing, if any part of the Agreement remains to be performed, and the termination of the license does not affect the Contractor's ability to render the Services, every other term and provision of the Agreement shall be valid and enforceable to the fullest extent permitted by law.

6. **Documentation of Professional Standards**

The Contractor shall maintain on file, in one location in Suffolk County, all records that demonstrate that it has complied with paragraphs 4 and 5 above. The address of the location of the aforesaid records and documents shall be provided to the County no later than the date of execution of the Agreement. Such documentation shall be kept, maintained, and available for inspection by the County upon twenty-four (24) hours notice.

7. **Credentialing**

a. In the event that the Department, or any division thereof, maintains a credentialing process to qualify the Contractor to render the Services, the Contractor shall complete the required credentialing process. In the event that any State credential, registration, certification, or license, Drug Enforcement Agency registration, or Medicare or Medicaid certification is restricted, suspended, or temporarily or permanently revoked, it is the duty of the Contractor to contact the Department, or division thereof, as the case may be, in writing, no later than three (3) days after such restriction, suspension, or revocation.

b. The Contractor shall forward to the Department, or division thereof, as the case may be, on or before July 1 of each year during the Term, a complete list of the names and addresses of all persons providing the Services, as well as their respective areas of certification, credentialing, registration, and licensing.

8. **Engineering Certificate**

In the event that the Agreement requires any Engineering Services, the Contractor shall submit to the County, no later than the due date for submission for approval of any engineering work product, the Certificate of Authorization ("Certificate"), issued pursuant to § 7210 of the New York Education Law, of every person performing any Engineering Services. The failure to file, submit or maintain the Certificate shall be grounds for rejection of any engineering work product submitted for approval.

9. **Termination**

a. **Event of Default; Termination on Notice**

i.) The County may immediately terminate the Agreement, for cause, upon such terms and conditions it deems appropriate, in the Event of Default.

ii.) If the Contractor defaults under any other provision of the Agreement, the County may terminate the Agreement, on not less than five (5) days notice, upon such terms and conditions it deems appropriate.

iii.) The parties to this Agreement may agree to terminate this Agreement at any time, according to mutually agreed upon terms and conditions which are set forth in writing and executed by both the County and the Town. Such terms and conditions shall include appropriate provisions whereby the County may continue the work as described in Article I of this Agreement.

iv.) If the Town, before completion, discontinues the project, the County, by written notice to the Town, may terminate any or all of the County's obligations under this Agreement or may suspend any or all of its obligations under this Agreement until the event or condition resulting in such suspension has ceased or been corrected.

v.) Upon receipt of a notice of termination or suspension, the Town shall promptly carry out the actions required by such notice which may include furnishing a status report on the progress of the work.

b. **Duties upon Termination**

i.) The Contractor shall discontinue the Services as directed in the termination notice.

ii.) The County shall pay the Contractor for the Services rendered through the date of termination.

iii.) The County shall be released from any and all liability under the Agreement, effective as of the date of the termination notice.

iv.) Upon termination, the Contractor shall

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reimburse the County the balance of any funds advanced to the Contractor by the County no later than thirty (30) days after termination of the Agreement. The provisions of this subparagraph shall survive the expiration or termination of the Agreement.

v.) Nothing contained in this paragraph shall be construed as a limitation on the County's legal or equitable remedies, or other rights available to it as set forth in the Agreement.

10. **Indemnification and Defense**

a. To the greatest extent permitted by law, the Contractor shall protect, indemnify, and hold harmless the County, its agents, servants, officials, and employees from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, suits or actions, costs, and expenses caused by the negligence or any acts or omissions of the contractor, including reimbursement of the cost of reasonable attorneys' fees incurred by the County, its agents, servants, officials, and employees in any action or proceeding arising out of or in connection with the Agreement.

b. The Contractor hereby represents and warrants that it will not infringe upon any copyright in performing the Services. The Contractor agrees that it shall protect, indemnify, and hold harmless the County, its agents, servants, officials, and employees from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, suits or actions, costs, and expenses arising out of any claim asserted for infringement of copyright, including reimbursement of the cost of reasonable attorneys' fees incurred by the County, its agents, servants, officials, and employees in any action or proceeding arising out of or in connection with any claim asserted for infringement of copyright due to the Contractor's actions in carrying out its duties under this Agreement.

c. The Contractor shall defend the County, its agents, servants, officials, and employees in any proceeding or action, including appeals, arising out of, or in connection with, the Agreement, and any copyright infringement proceeding or action. At the County's option, the County may defend any such proceeding or action and require the Contractor to pay reasonable attorneys' fees for the defense of any such suit.

11. **Insurance**

a. The Contractor shall continuously maintain, during the Term of the Agreement, insurance in amounts and types as follows:

i.) **Commercial General Liability** insurance, including contractual liability coverage, in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and Two Million Dollars (\$2,000,000.00) per occurrence for property damage. The County

shall be named an additional insured.

ii.) **Automobile Liability** insurance (if any vehicles are used by the Contractor in the performance of the Agreement) in an amount not less than Five Hundred Thousand Dollars (\$500,000.00) per person, per accident, for bodily injury and not less than One Hundred Thousand Dollars (\$100,000.00) for property damage per occurrence.

iii.) **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. The Contractor shall furnish to the County, prior to its execution of the Agreement, 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, the Agreement shall be void and of no effect unless the Contractor shall provide and maintain coverage during the Term for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

iv.) **Professional Liability** insurance in an amount not less than Two Million Dollars (\$2,000,000.00) on either a per-occurrence or claims-made coverage basis.

b. The County may mandate an increase in the liability limits set forth above in the immediate preceding paragraphs.

c. All policies providing such coverage shall be issued by insurance companies with an A.M. Best rating of A- or better.

d. The Contractor shall furnish to the County, prior to the execution of the Agreement, declaration pages for each policy of insurance, other than a policy for commercial general liability insurance, and upon demand, 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 Contractor shall furnish to the County, prior to the execution of the Agreement, a declaration page or insuring agreement and endorsement page evidencing the County's status as an additional insured on said policy, and upon demand, a true and certified original copy of such policy evidencing compliance with the aforesaid insurance requirements.

e. All evidence of insurance shall provide for the County to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in the policy to which such evidence relates. It shall be the duty of the Contractor to notify the County immediately of any cancellation, nonrenewal, or material change in any insurance policy.

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f. In the event the Contractor shall fail to provide evidence of insurance, the County may provide the insurance required in such manner as the County deems appropriate and deduct the cost thereof from any payments due the Town under this Agreement or any other agreement between the County and the Town.

g. If the Town has a self-insurance program under which it acts as a self-insurer for any of such required coverage, it may provide self-funded coverage and certificates or other evidence of such self-insurance in lieu of insurance issued by insurance companies.

12. **Independent Contractor**

The Contractor is not, and shall never be, considered an employee of the County for any purpose. Notwithstanding anything herein, the Agreement shall not be construed as creating a principal-agent relationship between the County and the Contractor or the Contractor and the County, as the case may be.

13. **Severability**

It is expressly agreed that if any term or provision of the Agreement, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of the Agreement, 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 the Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

14. **Merger; No Oral Changes**

It is expressly agreed that the Agreement represents the entire agreement of the parties and that all previous understandings are herein merged in the Agreement. No modification of the Agreement shall be valid unless in written form and executed by both parties.

15. **Set-Off Rights**

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 from a Fund Source an amount no greater than any moneys due and owing to the County for any reason. The County shall exercise its set-off rights subject to approval by the County Attorney. In cases of set-off pursuant to a Comptroller's audit, the County shall only exercise such right after the finalization thereof, and only after consultation with the County Attorney.

16. **Non-Discrimination in Services**

a. The Contractor shall not, on the grounds of race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status:

i.) deny any individual the Services provided pursuant to the Agreement; or

ii.) provide the Services to an individual that is different, or provided in a different manner, from those provided to others pursuant to the Agreement; or

iii.) subject an individual to segregation or separate treatment in any matter related to the individual's receipt of the Services provided pursuant to the Agreement; or

iv.) restrict an individual in any way from any advantage or privilege enjoyed by others receiving the Services provided pursuant to the Agreement; or

v.) treat an individual differently from others in determining whether or not the individual satisfies any eligibility or other requirements or conditions which individuals must meet in order to receive the Services provided pursuant to the Agreement.

b. The Contractor shall not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status, or have the effect of substantially impairing the Agreement with respect to individuals of a particular race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status, in determining:

i.) the Services to be provided, or

ii.) the class of individuals to whom, or the situations in which, the Services will be provided; or

iii.) the class of individuals to be afforded an opportunity to receive the Services.

17. **Nonsectarian Declaration**

The Services performed under the Agreement are secular in nature. No funds received pursuant to the Agreement shall be used for sectarian purposes or to further the advancement of any religion. The Services will be available to all eligible individuals regardless of religious belief or affiliation.

18. **Governing Law**

The Agreement shall be governed by and construed in accordance with the laws of the State of New York, without regard to conflict of laws. Venue shall be designated in the Supreme Court, Suffolk County, the United States District Court for the Eastern District of New York, or, if appropriate, a court of inferior jurisdiction in Suffolk County.

19. **No Waiver**

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It shall not be construed that any failure or forbearance of the County to enforce any provision of the Agreement in any particular instance or instances is a waiver of that provision. Such provision shall otherwise remain in full force and effect, notwithstanding any such failure or forbearance.

20. **Conflicts of Interest**

The Contractor shall not, during the Term, pursue a course of conduct which would cause a reasonable person to believe that he or she is likely to be engaged in acts that create a substantial conflict between its obligations under the Agreement and its private interests. The Contractor is charged with the duty to disclose to the County the existence of any such adverse interests, whether existing or potential. This duty shall continue as long as the Term. The determination as to whether or when a conflict may potentially exist shall ultimately be made by the County Attorney after full disclosure is obtained.

21. **Cooperation on Claims**

The Contractor and the County shall render diligently to each other, without compensation, any and all cooperation that may be required to defend the other party, its employees and designated representatives against any claim, demand or action that may be brought against the other party, its employees or designated representatives arising out of or in connection with the Agreement.

22. **Confidentiality**

Any document of the County, or any document created by the Contractor and used in rendering the Services, shall remain the property of the County and shall be kept confidential in accordance with applicable laws, rules, and regulations.

23. **Assignment and Transfer**

a. The Contractor shall not delegate its duties under the Agreement, or assign, transfer, convey, or otherwise dispose of the Agreement, or any of its right, title or interest therein, or its power to execute the Agreement, or assign all or any portion of the monies that may be due or become due hereunder, (collectively referred to in this paragraph 23 as "Assignment"), to any other person, entity or thing without the prior written consent of the County, and any attempt to do any of the foregoing without such consent shall be a material default by the Contractor.

24. **No Intended Third Party Beneficiaries**

The Agreement is entered into solely for the benefit of the County and the Contractor. No third party shall be deemed a beneficiary of the Agreement and no third party shall have the right to make any claim or assert any right under the Agreement.

25. **Certification as to Relationships**

The Contractor certifies under penalties of perjury that, other than through the funds provided in the Agreement and other valid agreements with the County, there is no known spouse, life partner, business, commercial, economic, or financial relationship with the County or its elected officials. The Contractor also certifies that there is no relationship within the third degree of consanguinity, between the Contractor, any of its partners, members, directors, or shareholders owning five (5%) percent or more of the Contractor, and the County.

26. **Publications and Publicity**

a. The Contractor shall not issue or publish any book, article, report, or other publication related to the Services without first obtaining written prior approval from the County. After approval in writing is obtained, all such printed matter or other publication shall contain the following statement in clear and legible print:

"This publication is fully or partially funded by the Suffolk County Executive's Office."

b. The Contractor shall not issue press releases or any other information to the media, in any form, concerning the Services, without obtaining prior written approval from the County.

27. **Copyrights and Patents**

a. **Copyrights**

If the work of the Contractor should result in the production of original books, manuals, films, or other materials for which a copyright may be granted, the Contractor may secure copyright protection. However, the County reserves to itself, and the Contractor hereby gives to the County, and to any other person designated by the County, a royalty-free, nonexclusive license to produce, reproduce, publish, translate, or otherwise use any such materials.

b. **Patents**

If the Contractor makes any discovery or invention during the Term, or as a result of work performed under the Agreement, the Contractor may apply for and secure for itself patent protection. However, the County reserves to itself, and the Contractor hereby gives to the County, and to any other person designated by the County, a royalty-free, nonexclusive license to produce or otherwise use any item so discovered or patented.

28. **Arrears to County**

The Contractor warrants that, except as may otherwise be authorized by agreement, it is not in arrears to the County upon any debt, agreement, or any other lawful obligation, and is not in default to the County as surety.

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29. **Lawful Hiring of Employees Law in Connection with Agreements for Construction or Future Construction**

In the event that the Agreement 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 Article entitled "Suffolk County Legislative Requirements," the Contractor shall maintain the documentation mandated to be kept by this law on the construction site at all times. Employee sign-in sheets and register/log books shall be kept on the construction site at all times 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.

30. **Notice**

Unless otherwise expressly provided herein, all notices shall be in writing and shall be deemed sufficiently given if sent by regular first class mail and certified mail, or personally delivered during business hours as follows: 1.) to the Contractor at the address on page I of the Agreement and 2.) to the County at the Department, or as to either of the foregoing, to such other address as the addressee shall have indicated by prior written notice to the addressor. All notices received by the County relating to a legal claim shall be immediately sent to the Department and also to the County Attorney at 100 Veterans Memorial Highway, P.O. Box 6100, (Sixth Floor), Hauppauge, New York, 11788. The County shall report to the Contractor in writing within ten (10) days of the initiation by or against it of any legal action or proceeding in connection with or relating to The Agreement.

End of Text for Article III

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Exhibit 1
Suffolk County Legislative Requirements

1. Contractor's/Vendor's Public Disclosure Statement

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section A5-7 of Article V of the Suffolk County Code.

Unless certified by an officer of the Contractor as being exempt from the requirements of section A5-7 of Article V of the Suffolk County Code, the Contractor represents and warrants that it has filed with the Comptroller 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 Comptroller on or before the 31st day of January in each year of the 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 the 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

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 347, of the Suffolk County Code.

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 agreements 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 the Agreement and to seek other remedies as set forth therein, for violations of this 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 (Agreement)"

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

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 466 of the Suffolk County Code.

County Contractors (as defined by section 466-2) shall comply with all requirements of Chapter 466 of the Suffolk County Code, 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 Contractor 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 the 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 the Services are for the provision of human services and are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Chapter 466, the County shall have the authority, under appropriate circumstances, to terminate the 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

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 234 of the Suffolk County Code.

This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk. 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, agreement, subcontract, license agreement, lease or other financial

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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 agreement, 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 agreement, 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 agreement, 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 agreement and upon the renewal or amendment of the agreement, and whenever a new contractor or subcontractor is hired under the terms of the agreement.

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 the Agreement.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate the Agreement for violations of this Law and to seek other remedies available under the law.

The documentation mandated to be kept by this law shall at all times be kept on site. Employee sign-in sheets and register/log books shall be kept on 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 site during such working hours.

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

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 386 of the Suffolk County Code.

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of the County or the 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.

6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of sections A4-13 and A4-14 of Article IV of the Suffolk County Code.

The Contractor represents that it is in compliance with sections A4-13 and A4-14 of Article IV of the Suffolk County Code. Such law provides that no agreement 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

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article IV of Chapter 577 of the Suffolk County Code.

The Contractor shall comply with Article IV of Chapter 577, 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 the Agreement with regard to child sexual abuse reporting policy.

8. Non Responsible Bidder

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article II of Chapter 143 of the Suffolk County Code.

Upon signing the Agreement, the Contractor certifies that it has not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding

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of guilty after a trial or a plea of guilty to an offense covered under the provision of section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

9. **Use of Funds in Prosecution of Civil Actions Prohibited**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section 590-3 of Article III of Chapter 590 of the Suffolk County Code.

The Contractor shall not use any of the moneys, in part or in whole, and either directly or indirectly, received under the Agreement in connection with the prosecution of any civil action against the County in any jurisdiction or any judicial or administrative forum.

10. **Work Experience Participation**

In accordance with Local Law No. 44-2009, (Suffolk County Code Chapter 419-14), all contract agencies that conduct youth sports programs are required to develop and maintain a written plan or policy addressing incidents of possible or actual concussion or other head injuries among sports program participants. Such plan or policy must be submitted prior to the award of the County contract, grant or funding. Receipt of such plan or policy by the County does not represent approval or endorsement of any such plan or policy, nor shall the County be subject to any liability in connection with any such plan or policy.

11. **Suffolk County Local Laws Website Address**

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County website at <http://www.co.suffolk.ny.us>.

End of Text for Exhibit 1

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Exhibit 2
COUNTY AND TOWN AUTHORIZING DOCUMENTS

- 2-A Suffolk County Legislative Resolution No. _____ - 2011, "Authorizing Execution of a Road Maintenance Agreement with the Town of East Hampton".
- 2-B Town Board Resolution No. >>, dated _____, "Authorizing Execution of a Road Maintenance Agreement with Suffolk County"

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2061

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK

2061
JKP



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

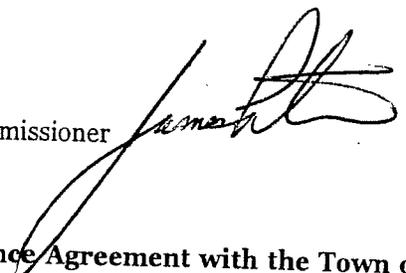
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: October 18, 2011

RE: **Authorizing Execution of a Road Maintenance Agreement with the Town of East Hampton**

Attached is a draft resolution and duplicate copy authorizing the execution of a Road Maintenance Agreement with the Town of East Hampton.

Pursuant to past resolutions (1227-1990, 384-1997, 987-2001 and 1404-2005) and associated agreements, the County of Suffolk and the Town of East Hampton have engaged in a mutually beneficial transfer of equipment, materials and services for road maintenance of County roads within the Town of East Hampton.

The Suffolk County Council on Environmental Quality has reviewed these types of projects and determined they constitute a Type II action, as the resolution concerns routine or continuing agency administration and management.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-East Hamp Road Maint Agreee.doc".

JKP/WH/td
attach.

- cc: 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

Intro. Res. No. 2062-11

Laid on the Table

12/6/11

Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. - 2011, APPROVING THE VECTOR CONTROL PLAN OF THE DEPARTMENT OF PUBLIC WORKS DIVISION OF VECTOR CONTROL PURSUANT TO SECTION C8-4(B)(2) OF THE SUFFOLK COUNTY CHARTER

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

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

WHEREAS, the Vector Control 2012 Annual Plan of Work was filed with the Clerk of the Legislature; and

WHEREAS, at its meeting on October 19, 2011, the Suffolk County Council on Environmental Quality recommended a determination that the Vector Control 2012 Annual Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions as set forth in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement, as approved by Suffolk County in Resolution No. 285-2007, and that, therefore, no further compliance is required pursuant to Title 6 New York Code of Rules and Regulations (NYCRR) Section 617.10(d)(1) and the State Environmental Quality Review Act, N.Y. Evtl. Conserv. Law Art. 8 (SEQRA); and

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

1st RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that, as demonstrated in the Environmental Assessment Form and relevant documents and testimony, the Vector Control 2012 Annual Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement as approved by Suffolk County in Resolution No. 285-2007; and, be it further

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

3rd RESOLVED, that in accordance with Section 279-5(c)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution; and be it further

4th RESOLVED, that the Vector Control 2012 Annual Plan of Work is hereby approved in its entirety.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

RESOLUTION CONCERNING A SEQRA DETERMINATION
FOR THE PURPOSES OF CHAPTER 279 OF THE SUFFOLK COUNTY CODE
FOR THE 2012 VECTOR CONTROL PLAN OF WORK

WHEREAS, at its October 19, 2011 meeting, the Suffolk County Council on Environmental Quality reviewed the EAF and associated information submitted by the Suffolk County Department of Public Works, Division of Vector Control; and

WHEREAS, a presentation regarding the proposal was given at the meeting by Dominick Ninivaggi, Superintendent, Department of Public Works, Division of Vector Control; and

WHEREAS, the action involves the implementation of the 2012 Vector Control Annual Plan of Work by the Suffolk County Department of Public Works, Division of Vector Control to control mosquito infestations that significantly threaten public health, or create social or economic problems to the communities in which they occur. To achieve this goal, the Division employs an integrated control program. Control measures are employed in a hierarchical manner that emphasizes prevention. Control first proceeds from surveillance and more permanent "environmentally friendly" measures such as water management and biological control, then through the highly specific larvicides and finally, uses chemicals such as adulticides only after other measures prove to be either insufficient or not feasible. This integrated approach is recognized as the most effective and environmentally sound manner in which to conduct a mosquito control program. Only pesticides that are federally and NYS registered and approved for mosquito control will be used. All machine work within existing mosquito ditches for the purpose of eliminating mosquito breeding areas that involves BMPs 4 and above will be reviewed by the Suffolk County Office of Ecology with the Department of Health Services, the Council on Environmental Quality and the Department of Environment and Energy and approved by the N.Y.S.D.E.C. in order to minimize environmental impacts on wetlands; and

WHEREAS, Suffolk County Resolution No. 285-2007 adopted the Suffolk County Vector Control and Wetlands Management Long Term Plan and State Environmental Quality Review Act Findings Statement for the Final Generic Environmental Impact Statement; now, therefore, be it;

RESOLVED, that based on the information received, a quorum of the Council recommends to the Suffolk County Legislature and County Executive, pursuant to Chapter 279 of the Suffolk County Code, that the proposed 2012 Vector Control Annual Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions as set forth in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement as adopted by Suffolk County. Therefore, no further SEQRA compliance is required pursuant to Title 6 NYCRR Part 617.10(d)(1) and the Legislature and County Executive should adopt a resolution stating as such.

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2062

DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

R. Lawrence Swanson
CHAIRPERSON
CEQ

Michael P. Mulé
ENVIRONMENTAL PROJECTS
COORDINATOR

MEMORANDUM

TO: Honorable Steve Levy, Suffolk County Executive
Honorable William J. Lindsay, Presiding Officer

FROM: R. Lawrence Swanson, Chairperson

DATE: October 19, 2011

RE: CEQ Review of the Vector Control 2012 Annual Plan of Work

At its October 19, 2011 meeting, the CEQ reviewed the above referenced proposal. Pursuant to Chapter 279 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Dominick Ninivaggi, Superintendent, Department of Public Works Office of Vector Control, the Council advises the Suffolk County Legislature and County Executive, in CEQ Resolution No. 56-2011, a copy of which is attached, that the proposed 2012 Vector Control Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions as set forth in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement as approved by Suffolk County in 2007. Therefore, no further SEQR compliance is required pursuant to 6 NYCRR, Part 617.10(d)(1).

If the Legislature concurs with the Council on Environmental Quality's recommendation that the action is in conformance with the FGEIS and Finding Statement, the Presiding Officer should cause to be brought before the Legislature for a vote a determination that SEQR is complete and no further compliance is necessary.

Enclosed for your information is a copy of CEQ Resolution No.56-2011 setting forth the Council's recommendations and associated information received. If the council can be of further help in this matter, please let us know.

cc: All Suffolk County Legislators
Tim Laube, Clerk of Legislature
George Nolan, Attorney for the Legislature
Brian Culhane, Commissioner, Dept. of Environment & Energy
Christine Malafi, Suffolk County Attorney

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

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

(631) 853-5191
fax (631) 853-4044

Motion by: Mr. Bagg

Second by: Ms. Growney

CEQ Vote:	Appointed Members:	6	Ayes:	6
	CAC Representatives:	0	Nays:	0
	Total Voting:	6	Abstentions:	0
	Presiding:	Mr. Swanson		

Further information may be obtained by contacting:

Michael P. Mulé, Environmental Projects Coordinator
Council on Environmental Quality
P.O. Box 6100
Hauppauge, New York 11788
Tel: (631) 853-5205

2062

PROJECT # DPW-68-11
RESOLUTION # 56-2011
DATE: October 19, 2011

RECORD OF CEQ RESOLUTION VOTES

<u>CEQ APPOINTED MEMBERS</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>RECUSED</u>
Larry Swanson	X				
Michael Kaufman					X
Vivian Viloria-Fisher					X
James Bagg	X				
Eva Growney	X				
Thomas C. Gulbransen	X				
Richard Machtay	X				
Daniel Pichney	X				
Gloria G. Russo					X
Mary Ann Spencer					X
<u>CAC REPRESENTATIVES</u>					

Recommendation: SEQRA complete pursuant to Title 6 NYCRR Part 617.10(d)(1) –
Recommend adoption

Motion: Mr. Bagg
Second: Ms. Growney

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2012 ANNUAL PLAN OF WORK- DIVISION OF VECTOR CONTROL

SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS
DIVISION OF VECTOR CONTROL

2012 ANNUAL PLAN OF WORK

The Suffolk County Department of Public Works, Division of Vector Control, is responsible under the County Charter for controlling mosquito infestations that are of public health importance. The Division's responsibility is to control mosquito infestations that significantly threaten public health, or create social or economic problems for the communities in which they occur. The Division meets its responsibilities in consultation with the Suffolk County Department of Health Services (SCDHS) and the appropriate federal, state and local agencies. This Plan of Work has been prepared pursuant to and in compliance with the Vector Control and Wetlands Management Long Term Plan and Generic Environmental Impact Statement (the Long Term Plan). The Long Term Plan was approved by the County Legislature as Resolution 285-2007 on March 20, 2007 and signed by the County Executive on March 22, 2007. The 2012 Annual Plan of Work is therefore governed by State Environmental Quality Review Act (SEQRA) Regulation 617.10(d)(1) which provides the following: "When a final generic EIS has been filed under this part (1) no further SEQR compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement." This issue is also discussed in the Findings, appended hereto, pages 7 and 58. This Annual Plan complies with the reporting requirements in Executive Order 15-2007 (Suffolk County Vector Control Pesticide Management Committee) and Resolution 285-2007 (which adopts the Findings Statement for the Long-Term Plan). The reporting requirements of Resolution 285-2007 are satisfied within this Annual Plan, and the Pesticide Management Committee will submit a report to CEQ independently to satisfy Executive Order 15-2007.

2012 SUMMARY

1. Water Management: Water Management activities will conform to the guidelines outlined in the Long Term Plan and Finding statement's Wetlands Best Management Practices (BMP's). Because the Wetlands Stewardship Program has not yet finalized the Wetlands Stewardship Plan, 2012 water management will be consist primarily of maintenance of existing structures as described in BMP's 2, 3 and 4 in the Findings Statement and Long Term Plan. Other water management activity will depend on the guidance of the Wetlands Stewardship Program as it develops definitions of wetlands health and guidance for additional BMP's. Any water management work, other than measures specified in BMP's 2, 3, and 4, would have to undergo review under SEQRA, and would be subject to Suffolk County's Council of Environmental Quality (CEQ) review, as well. As per the attached Findings, machine ditch maintenance will be minimal (a maximum of 50,000 linear feet, and probably significantly less). Notice of all machine maintenance work will be provided to CEQ, prior to commencing the work.

2012 ANNUAL PLAN OF WORK- DIVISION OF VECTOR CONTROL

2. Larval Control: Perform approximately 15,000 inspections of larval sites. Treat approximately 30,000 acres with Vectobac (*Bacillus thuringiensis israelensis* or *Bti*), Vectolex (*Bacillus sphaericus*) or Altosid (methoprene).
3. Adult Control: Conduct adult control when infestations are severe and widespread and/or necessary to respond to the presence of pathogens.
4. Research and Surveillance: Collect and process 10,000-12,000 larval and adult mosquito samples, depending on mosquito populations and viral activity. Collect and process approximately 50,000 mosquitoes for arbovirus surveillance. Evaluate the effectiveness of treatments. Perform special studies of problem areas, such as identifying the sources of unusual infestations or finding larval habitats of problem species.

Technical and Institutional Framework for Vector Control

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

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

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

2012 PROGRAM COMPONENTS

WATER MANAGEMENT: Field personnel conduct this component from January 1 to April 30, and October 1 to December 31 (approximate dates). Water management is a functional way to reduce the need for pesticide applications. The Division expects to conduct water management in each of the County's ten towns. The work will be performed on a priority, as needed basis. Highest priority is assigned to larval habitats where infestations have the greatest potential for negative impact. In particular, areas that showed unexpectedly high infestations in 2011 will have high priority over the coming winter. Water management activities will be carried out in such a manner so that the primary goal of the work will be to protect the health of the marsh.

The purpose of water management is to minimize mosquito production through maintaining existing systems of ditches, culverts and other structures that drain off surface water and/or allow access to potential larval habitats by predatory fish. In some cases, the current ditch system has become an important component of the wetland as it exists today, and maintenance of the system is necessary to maintain tidal flow, fish habitat, or existing vegetative patterns. Much of this is maintenance work that may not require a permit, but is nonetheless conducted after consultation with the New York State Department of Environmental Conservation (DEC) to ensure consistency with conservation of the wetland. Sometimes, work to restore a system, even within its original configuration, requires a permit. In such cases, work is performed under permit and in cooperation with the DEC. Now that the Long Term Plan has been approved, all water management activities will be conducted with appropriate notification to and oversight by the Wetlands Stewardship Committee and Council for Environmental Quality (CEQ), as outlined in the Findings Statement of the Suffolk County Legislature that was adopted by Suffolk County Resolution 285-2007. Because the Wetlands Stewardship Committee has not yet completed its work in establishing standards for BMP's, water management in 2012 will probably be limited to maintenance activities described in the Wetlands Best Management Practices (BMP's). Existing pipes and culverts may be replaced in place and in kind (BMP 2). There will be cleaning of a maximum of 200,000 linear feet of upland and freshwater wetland ditches with hand labor to maintain the flow of water in mosquito habitats (BMP 3). Machine maintenance of ditches in tidal wetlands will be limited to the minimum needed to maintain those ditches or other structures that provide tidal flow or otherwise serve a critical ecological or public health need, and will total no more than 50,000 linear feet (BMP 4). If the Wetlands Stewardship approves the use of additional BMP's they will be used, subject to appropriate approval process that they will define.

CONTROL OF MOSQUITO LARVAE: All field personnel conduct larval control during the active mosquito season. Most crews conduct ground larviciding, while a heavy equipment crew assists in helicopter larvicide applications. This component is conducted during the active mosquito season of May 1 to September 30 (approximate dates). Larval control is most often employed when water management has not been able to completely prevent mosquito production. It also is used when water management has not been conducted or is not appropriate. Larval control is the Division's second most important control method. Ground crews visit

known larval habitats, check for the presence of larvae, obtain larval specimens for identification in the laboratory and apply larvicide if necessary. Field crews also eliminate larval habitats by unclogging pipes, removing containers or otherwise eliminating standing water. While the acreage of these sites is small, their proximity to residential areas makes them important. Ground crews also respond to complaints from the public. Over 90% of the larvicide used by the Division is applied in the major salt marshes and other wetlands, by helicopter. These marshes are surveyed at least weekly, or after flood tides. If larvae are discovered, a contract helicopter applies larvicide. For salt marshes and similar habitats, either liquid Bti (*Bacillus thuringiensis israelensis*) or liquid Altosid (methoprene) is applied, based on larval stage, temperature, and weather conditions. Larval control is used only if inspection of a site reveals or has the potential for significant larval production.

The larval control products to be used in 2012 and the conditions under which they are used are described as follows:

- Altosid Liquid Larvicide concentrate (methoprene, EPA 2724-446) – Aerial application to tidal and freshwater marshes.
- Altosid Liquid Larvicide (methoprene, EPA 2724-392) – Ground application to tidal and freshwater marshes, as well as other temporarily flooded areas.
- Altosid Pellets (methoprene, EPA 2724-448) – Ground application to intermittently or permanently flooded areas such as freshwater swamps, catch basins, drainage areas and recharge basins, provided that they are not fish habitats.
- Altosid XR-G (methoprene, EPA 2724-451) – Ground or aerial application to tidal wetlands; ground application to intermittently flooded freshwater areas; aerial application in freshwater areas in response to Eastern Equine Encephalitis (EEE) or West Nile Virus (WNV) with case-by-case approval by DEC.
- Altosid XR Briquets (methoprene, EPA 2724-421) – Catch basins and other drainage or artificial structures that are not fish habitats. XR briquets will be used in May and June, with follow up treatments using Vectolex or Altosid pellets as necessary.
- Aquabac 200G (Bti, EPA 62637) – Ground application to intermittently flooded freshwater and tidal areas. This material is the functional equivalent of Vectobac CG. It is being used because it won the County contract for a granular Bti product.
- Valent BioSciences Vectolex CG (*B. sphaericus*, EPA 73049-20) – Aerial or ground application to freshwater and tidal areas that hold water for more than 7 days, such as ditches, impounded marshes, swamps, ponds; catch basins in July and August.
- Sphaeratax SPH (50G) (*B. sphaericus*, EPA 84268-2) - Aerial or ground application to freshwater and tidal areas that hold water for more than 7 days, such as ditches, impounded marshes, swamps, ponds; catch basins in July and August. This material is the functional equivalent of Vectolex CG. It is being used because it won the County contract for a granular *B. sphaericus* product.
- Valent BioSciences Vectobac 12 AS (Bti, EPA 73049-38) – Aerial application to tidal and freshwater marshes; ground application to intermittently flooded areas such as tidal and freshwater marshes.
- Summit B.t.i. Briquets (Bti, EPA 6218-47) – Catch basins, ground depressions, artificial sites.

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2012 ANNUAL PLAN OF WORK- DIVISION OF VECTOR CONTROL

Fourstar Briquets 90 (Bti plus *B. sphaericus*, EPA 83362-3) – Catch basins, ground depressions, artificial sites.

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

The Division has developed technical guidelines for larval surveillance and control that determine where and when larvicides are used and what materials are chosen for a particular situation. These guidelines emphasize the use of bacterial products when possible and reserve methoprene for those situations where bacterial products are unlikely to be effective. As per the Findings for the Long Term Plan and Executive order 15-2007, the Pesticide Management Committee has reported on the results of its review of literature on methoprene and potential impacts, as well as on research sponsored by the County. The Committee found no significant new concerns regarding the use of methoprene. The County is committed to implementing a Pesticide Reduction Action Plan, that will seek to further accelerate pesticide reduction. As part of this Pesticide Reduction Action Plan, the County will continue to work with technical experts to further refine protocols related to larval monitoring and larvicide usage, consistent with the Long-Term Plan and GEIS. The County is not aware of any new data, studies or reports which contravene research, reports and Findings of the Long Term Plan with respect to larval treatment guidelines or thresholds. Therefore, those Findings are still valid, and control this Annual Plan.

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

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

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

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

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

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

- Determination if the problem will spread beyond the currently affected area absent intervention, based on the life history and habits of the species involved.
- Absent immediate intervention, no relief from the problem can be expected.
- Crew reports from adjacent larval habitats suggest adults will soon move into populated areas.
- Life history factors of mosquitoes present – i.e., if a brooded species is involved, determining if the brood is young or is naturally declining.
- Seasonal and weather factors, in that cool weather generally alleviates immediate problems, but warm weather and/or the onset of peak viral seasons exacerbate concerns.
- Determining, if the decision is delayed, if later conditions will prevent treatment at that time or not. Conversely, adverse weather conditions might remove most people from harm's way.

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

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

The need for Health Emergency treatments is determined by the New York State Department of Health West Nile Virus Response Plan for mosquito-borne disease. Because of the persistent presence of WNV in the County, the County perpetually begins each year in Risk Category 2. The New York State Department of Health has determined that there is an ongoing threat to the public health from West Nile Virus, and no longer declares health threats on a year-by-year basis for WNV. As indicators of pathogen presence accumulate (positive dead birds, positive pools of mosquitoes), the Commissioner of the SCDHS determines the need for control measures. If the risk assessments made by SCDHS indicate that risks to the residents of an area of the County are no longer tolerable, the Commissioner will, in conjunction with DEC and SCVC, determine the optimal treatment area to reduce risks of disease transmission to people. In 2009 and previous years, an Emergency Authorization were requested from DEC if freshwater wetlands were involved to eliminate the need for an Article 24 (Freshwater Wetlands) permit. In 2011, NYSDEC issued an Article 24 permit to allow adulticide applications in freshwater wetlands or

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adjacent areas if necessary to protect the public health and replace the use of Emergency Authorizations. This permit controls the use of adulticides in and adjacent to freshwater wetlands during the term of that permit, 2011-2020. The permit covers Health Emergency applications throughout the County and will also allow Vector Control applications in and adjacent to some freshwater wetlands in heavily developed areas of southern Brookhaven. Appropriate required public notices will be issued. Pre-application mosquito sampling will be conducted (for efficacy determinations). If, as is often the case for Health Emergency applications, an aerial application is proposed, a helicopter using the Adapco Wingman guidance system will be used to optimize the delivery of the pesticide.

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

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

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

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groups and associations. In addition, the Division offers assistance to residents in eliminating sources of mosquitoes on their property, and leaves "door hangers" with educational information at properties they visit. Upgrades to the Division computer systems and cooperation with Health Services and MIS have allowed the establishment of a Web page on the Internet. The appearance of the exotic, container-breeding species *Aedes japonicus* and *Aedes albopictus* means this component will take on increasing importance, since the public's cooperation will be needed to control these larval habitats.

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

In addition to the previous public notification procedures, the County has implemented the new County law, passed in 2010, requiring the use of its "Code Red" automated calling and messaging system to provide more thorough public notice for adulticiding. This system allows automated phone calls to be placed to all telephones in an area designated for treatment. These messages provide basic information about the operation, such as spray hours, and refers the recipient to additional sources of information. The system ensures that nearly everyone in the area knows about the operation. Use of the Code Red system in 2011 was very successful and provides a new level of public information for the program.

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

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SURVEILLANCE AND RESEARCH: All control operations are based on information obtained from surveillance and research. This a cooperative effort between Vector Control staff in the Department of Public Works and the Arthropod Borne Disease Laboratory in the Department of Health Services. Knowledge of mosquito populations, species composition and arbovirus activity is used to guide and evaluate control measures. Arbovirus surveillance allows the Division, in cooperation with the County and State Health Departments, to gauge the potential for disease transmission and take appropriate action.

- A) Mosquito population surveillance: Approximately 12,000 larval and adult mosquito surveys are analyzed each year. These surveys are necessary for locating infestations, directing control efforts and evaluating the effectiveness of those efforts. The mosquito species that breed in various locations are determined from larval samples. Numbers of adult mosquitoes in residential areas are estimated from a network of approximately 29 New Jersey light traps in fixed locations throughout the County. New Jersey traps provide a dead sample three to five times per week. Some 50,000 mosquitoes per year from these traps are identified and counted. In addition, virus surveillance is based on live mosquitoes captured in portable CDC traps (see below).
- B) Arbovirus surveillance in mosquitoes: Viral surveillance will be directed primarily at two pathogens, EEE and WNV. Surveillance will be conducted according to the latest CDC and State DOH guidelines, modified for Suffolk County's unique environment. To monitor virus activity, CDC light traps and gravid traps are placed on a weekly or rotating basis at various locations throughout the County. These sites are chosen based on their history of viral activity or the presence of viral indicators such as the finding of birds with WNV in the area. The Division collects and processes approximately 50,000 live, adult mosquitoes annually for viral analysis. In 2012, the samples will be sorted by species, frozen, and sent to Albany for arbovirus analysis in the State DOH laboratory.
- C) Bird and other surveillance: SCDHS, State DOH, DEC and CDC monitor other WNV indicators such as unusual bird deaths or the number of dead birds sighted in an area. The presence of WNV-positive birds is a strong indicator of virus activity in an area. The County picks up selected dead birds for WNV testing. The County conducts a rapid, field test (the RAMP test). There are also indications that the number of dead bird sightings in an area is a surrogate indicator of risk. There will also be SCDHS monitoring of hospitals and outreach to physicians to quickly detect any human cases.
- D) Efficacy monitoring: While the Division has always monitored the effectiveness of the control program in a variety of ways, there will be an increased effort in this area, based on trial work to develop methods conducted in 2007. In particular, trapping of adult mosquitoes before and after adulticide events will be conducted using carbon dioxide baited CDC light traps. While the number of adult mosquitoes in New Jersey traps and other traps is a key indicator of the overall success of the larval control program, additional effort will be directed toward before and after sampling of treated areas to confirm the efficacy of the treatment methods used. For methoprene applications, this requires bringing pupae from the

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

- E) Special surveys and field investigations: The Entomologist and other staff also conduct special surveys to determine the source of mosquito problems when these turn up in places where they are not expected. For instance, a survey was conducted that found the larval habitats causing an early season infestation in Belle Terre, allowing larval crews to prevent further trouble through the summer. Likely upcoming work includes studies on mosquito production in catch basins, determining the causes of late-season increases in salt marsh mosquitoes in certain parts of the County such as Heckscher State Park and factors leading to the increase in the Asian tiger mosquito, *Ae. albopictus* in recent years. Given the somewhat unpredictable ways mosquitoes seem to find to cause problems for Suffolk residents, it is important that the Division retain a flexible ability to investigate issues as they come up.
- F) Support for Wetlands Stewardship activities: Vector Control continues to provide support for monitoring and other investigations related to Wetlands Stewardship activities. In particular, Division staff assists in the monitoring of the Integrated Marsh Management (IMM) project at Wertheim National Wildlife Refuge. In addition, the Division will assist the Wetlands Stewardship Program in identifying and evaluating prospective sites for future IMM projects, particularly those that will help meet Long Term Plan goals for pesticide use reduction.

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

2012 ANNUAL PLAN OF WORK- DIVISION OF VECTOR CONTROL

Pesticide Use in 2011

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The Findings Statement for the Long Term Plan requires Vector Control to provide an annual report of pesticide use to the Legislature. The table below summarizes the use of pesticides by the Division in 2011. The acres treated are compiled by multiplying the total used by the standard dose. In a Duplex treatment, the same acres are treated with both products. The corrected acres represent the total actually treated by subtracting acres of Duplex mix from the total larvicide use to avoid counting the same treatment twice.

Product	Active ingredient	Amount used	Units	Air/Ground Application	2011 Acreage
Larvicides					
Altosid Liquid Larvicide (5% methoprene)	Methoprene	8.75	gal	Ground	280
Altosid Liquid Larvicide concentrate (20% methoprene)	Methoprene	121.5	gal	Aerial	15552
Altosid pellets	Methoprene	136	lbs	Ground	27
Altosid XR-G	Methoprene	817	lbs	Ground	163
Valent BioSciences Vectobac 12 AS	Bti	1610	gal	Air/Ground	12880
Summit Bti briquets	Bti	1000	ea	Ground	2
Fourstar 90 briquets	Bti/ <i>B. sphaericus</i>	20	ea	Ground	0
Valent BioSciences Vectobac CG	Bti	497	lbs	Ground	50
Aquabac 200G	Bti	2035	lbs	Ground	204
Valent BioSciences Vectolex CG	<i>B. sphaericus</i>	12598	lbs	Ground	840
Altosid XR briquets	Methoprene	37494	ea	Ground	86
					0
Larvicide total					30084
Duplex Vect 12AS + Altosid 20%	methoprene+Bti tank mix (included above)			Aerial	9150
Corrected acreage	Total - Duplex				20934
Adulticides					
Scourge 18/54	resmethrin	62	gal	Ground/Air	13227
Anvil 10+10 ULV	sumithrin	13	gal	Ground	2773
Adulticide acreage					16000

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2062

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK

2062



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

JEP

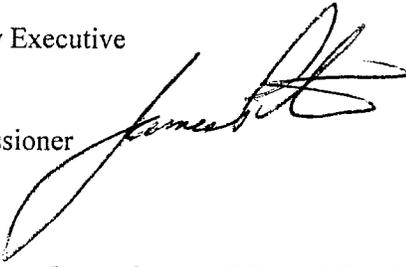
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: October 27, 2011

RE: Resolution to Adopt the Vector Control Annual Plan of Work – Year 2012

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

I have attached a draft resolution and hereby request that you initiate the process to have a resolution introduced to the Legislature to adopt the 2012 Work Plan. The Council on Environmental Quality (CEQ) met on October 19, 2011 and approved a resolution determining that the proposed 2012 Vector Control Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions as set forth in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement as approved by Suffolk County in 2007. Therefore, no further SEQR compliance is required pursuant to 6 NYCRR, Part 617.10(d)(1).

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

Enclosures

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

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

2063

Intro. Res. No. - 2011

Laid on the Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2011, AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND NEW YORK CITY PURSUANT TO SECTION 119-0 OF THE GENERAL MUNICIPAL LAW FOR PROVISION OF HIGHWAY MAINTENANCE ASSISTANCE

WHEREAS, Suffolk County acting through the Department of Public Works, provided emergency relief efforts to New York City Department of Parks; and

WHEREAS, The New York City Department of Parks (NYCDP) requested that the Suffolk County Department of Public Works assist the (NYCDP) by providing labor and equipment to assist New York City in storm clean-up for its residents; and

WHEREAS, in the spirit of intermunicipal cooperation, Suffolk County temporarily made such assistance, services and equipment available to NYCDP; and

WHEREAS, in the public interests of the residents of municipalities to share resources and promote health and safety by carrying out effective highway programs; and

WHEREAS, the municipalities are authorized, pursuant to both Article 9 § 1 of the New York State (the "State") Constitution and Section 119-o of the General Municipal Law to enter into intergovernmental agreements; now, therefore be it

1st **RESOLVED**, that the County Executive is hereby authorized to execute Intermunicipal Agreement with the New York City Department of Parks (NYCDP) pursuant to Section 119-0 of the New York General Municipal Law, subject to the terms and conditions set forth in this resolution; and be it further

2nd **RESOLVED**, that the Intermunicipal Agreement shall be subject to the following terms and conditions:

- a) The Intermunicipal Agreement shall be subject to a resolution by the County Legislature of the County of Suffolk approving entry into such an Agreement; and
- b) The SCDPW and Parks services were provided subject to the availability of its staff and equipment, as determined in the sole discretion of the Suffolk County Commissioner of Public Works, or his designee; and
- c) The Suffolk County commissioner of Public Works, or his designee, did have the ability to redirect the use of SCDPW Staff and equipment at any time, if deemed necessary in his sole discretion, notwithstanding the New York City Department of Parks decision to undertake SCDPW assistance; and
- d) The New York City Department of Parks shall reimburse the County of Suffolk for all of its actual costs in providing the services, including, but not limited to labor costs, overtime costs, and meal costs, and, at the discretion of the Suffolk County Commissioner of Public Works, a cost for any equipment used; and

Indemnification and Defense

- a. The New York City Department of Parks shall protect, indemnify, and hold harmless the County of Suffolk, its agents, servants, officials, and employees from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, suites or actions, costs, and expenses caused by the negligence or any acts or omissions of the New York City Department of Parks, including reimbursement of the cost of reasonable attorneys' fees incurred by the County of Suffolk, its agents, servants, officials, and employees in any action or proceeding arising out of or in connection with this Intermunicipal Agreement.
- b. For purposes of this paragraph the "New York City Department of Parks" means its departments, agents, servants, officials and employees:
- e) The Intermunicipal Agreement shall be subject to a term September 17, 2010 through September 29, 2010 and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law, which provides for municipal cooperation and sharing of resources but does not authorize any specific Highway Maintenance activities, is a Type II action pursuant to Title 6 NYCRR Section 617.5(c)(20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

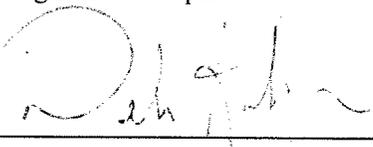
APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2063

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. - 2006, AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND NEW YORK CITY PURSUANT TO SECTION 119-0 OF THE GENERAL MUNICIPAL LAW FOR PROVISION OF HIGHWAY MAINTENANCE ASSISTANCE		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County <input checked="" type="checkbox"/>	Town _____	Economic Impact _____
Village _____	School District _____	Other (Specify): _____
Library District _____	Fire District _____	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact The Department of Public Works provided emergency assistance to the City of New York following the Storm/Tornado on September 16, 2010. This resolution authorizes an Intermunicipal agreement between Suffolk County and the New York City Department of Parks to allow for reimbursement to Suffolk County for labor and equipment costs associated with the storm cleanup.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Not applicable		
8. Proposed Source of Funding Revenue to the County		
9. Timing of Impact Upon Execution of Agreement		
10. Typed Name & Title of Preparer Debra Kolyer Principal Financial Analyst	11. Signature of Preparer 	12. Date November 21, 2011

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2063

GENERAL FUND

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POLICE DISTRICT AND DISTRICT COURT

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84612T0003

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**COOPERATIVE AGREEMENT BETWEEN
CITY OF NEW YORK PARKS & RECREATION
AND
SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS**

84612T0003

STORM EMERGENCY CLEAN UP SERVICES

THIS COOPERATIVE AGREEMENT ("Agreement") with an effective date of October 4, 2010, is between the City of New York Parks & Recreation ("Department"), with offices located at 24 West 61 Street, New York, New York 10023 and Suffolk County Department of Public Works ("Suffolk County"), with its principal offices located at 335 Yaphank Avenue, Yaphank, New York 11980.

WITNESSETH:

WHEREAS, the Department is charged with the management, maintenance and development of parkland in the City pursuant to Section 533 of the City Charter; **AND**

WHEREAS, Suffolk County was asked on an emergency basis to assist the Department in clean up of the Storm/Tornado on September 16, 2010; **AND**

WHEREAS, Department and Suffolk County (the "Parties") desire to enter this Agreement in order to provide for storm clean-up efforts.

NOW, THEREFORE BE IT RESOLVED, the parties hereto agree as follows:

ARTICLE 1. TERM OF PERFORMANCE

The term of this Agreement shall be for the period of September 17, 2010 through December 31, 2010, ("the Term").

ARTICLE 2. RESPONSIBILITIES

Suffolk County has provided emergency assistance to the Department in the storm clean up by providing the following services:

1. **Labor Cost: \$32,080.89** – for 12 employees from Sunday, September 19, 2010 through Wednesday, September 29, 2010.
2. **Equipment Cost: \$9,208.60** -
 - Ford 250 pickup/crew
 - Trailer
 - F550 bucket
 - Woodchipper
 - 7-Chain Saws
 - 6-Clippers
 - 6-Handsaws
 - Dump Rack Truck
 - Ford F150 Pickup Crew Cab
 - Chevy Silverado 2500HD Pickup
 - HD 2500 F250

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- 3. **Meal Allowance: \$1,716.00** - for 12 employees from Sunday, September 19, 2010 through Wednesday, September 29, 2010.
- 4. **Vector Control Cost: \$17,958.87** – for 19 employees from Sunday, September 19, 2010 through Wednesday, September 29, 2010.
- 5. **Equipment Rental Cost: \$6,882.19**

The services provided are set forth in the Work completion report, attached hereto as exhibit A.

ARTICLE 3. TERMS OF PAYMENT

Department will pay \$67,846.55 to Suffolk County for its costs associated with services provided in the storm clean up.

ARTICLE 4. CONFLICTS and TERMS OF AGREEMENT

During the term of the Agreement, conflicts between the various documents shall be resolved in the following order of precedence, such documents constituting the entire agreement between the parties:

- 1. Agreement

ARTICLE 5. RETENTION OF RECORDS

Suffolk County shall retain all books, records and other documentation relevant to this Agreement for a period of six (6) years after the final payment or termination of this Agreement, whichever is later. Any City, State, and Federal auditors and any other person duly authorized by the Department shall have full access to and the right to examine any of said materials during said period.

ARTICLE 6. COMPLIANCE WITH LAW

The services rendered under this Agreement shall be performed in accordance with all applicable provisions of Federal, State and Local laws, rules and regulations as are in effect at the time such services are rendered.

ARTICLE 8. NO VICARIOUS LIABILITY

Each party to this Agreement acknowledges that it is responsible for acts, errors, or omissions of its own employees, agents, contractors, and servants in connection with or arising out of the activities/work performed under this Agreement, and each party is responsible for its own liability, whether alleged to be based on negligence, recklessness, or intentional conduct, for claims for loss, damage, or injury (including death) to persons or property of whatever kind or nature. The parties agree that neither party shall be vicariously liable for the acts, errors, or omissions of the other party's employees, agents, contractors, or servants.

ARTICLE 9. ENTIRE AGREEMENT

This written Agreement contains all the terms and conditions agreed upon by the parties, and no other agreement, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto, or to vary any of the terms contained therein.

SIGNATURE PAGE follows

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SIGNATURE PAGE

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates appearing below their respective signatures:

SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS

By: _____

Title: _____

Date: _____

CITY OF NEW YORK PARKS & RECREATION

By: Parmod Tripathi

Title: Agency Chief Contracting Officer

Date: _____

APPROVED AS TO FORM, CERTIFIED AS TO LEGAL AUTHORITY

ACTING CORPORATION COUNSEL

84611T00012

2063



**COOPERATIVE AGREEMENT BETWEEN
CITY OF NEW YORK PARKS & RECREATION
AND
SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS**

84611T0012

STORM EMERGENCY CLEAN UP SERVICES

THIS COOPERATIVE AGREEMENT ("Agreement") with an effective date of October 4, 2010, is between the City of New York Parks & Recreation ("Department"), with offices located at 24 West 61 Street, New York, New York 10023 and Suffolk County Department of Public Works ("Suffolk County"), with its principal offices located at 335 Yaphank Avenue, Yaphank, New York 11980.

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ARTICLE 2. RESPONSIBILITIES

Suffolk County has provided emergency assistance to the Department in the storm clean up by providing the following services:

- 6- Pick Up Trucks
- 1- Utility Truck
- 2- Dump Trucks
- 16- Wheel Dump Truck
- 3- Wood Chipper
- 14- Chain Saws
- 2- Pole Chain Saws
- Crew staffing for above and supervision

The services provided are set forth in the Work completion report, attached hereto as exhibit A

ARTICLE 3. TERMS OF PAYMENT

Department will pay \$82,617.41 to Suffolk County for its costs associated with services provided in the storm clean up.

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ARTICLE 4. CONFLICTS and TERMS OF AGREEMENT

During the term of the Agreement, conflicts between the various documents shall be resolved in the following order of precedence, such documents constituting the entire agreement between the parties:

1. Agreement

ARTICLE 5. RETENTION OF RECORDS

Suffolk County shall retain all books, records and other documentation relevant to this Agreement for a period of six (6) years after the final payment or termination of this Agreement, whichever is later. Any City, State, and Federal auditors and any other person duly authorized by the Department shall have full access to and the right to examine any of said materials during said period.

ARTICLE 6. COMPLIANCE WITH LAW

The services rendered under this Agreement shall be performed in accordance with all applicable provisions of Federal, State and Local laws, rules and regulations as are in effect at the time such services are rendered.

ARTICLE 8. NO VICARIOUS LIABILITY

Each party to this Agreement acknowledges that it is responsible for acts, errors, or omissions of its own employees, agents, contractors, and servants in connection with or arising out of the activities/work performed under this Agreement, and each party is responsible for its own liability, whether alleged to be based on negligence, recklessness, or intentional conduct, for claims for loss, damage, or injury (including death) to persons or property of whatever kind or nature. The parties agree that neither party shall be vicariously liable for the acts, errors, or omissions of the other party's employees, agents, contractors, or servants.

ARTICLE 9. ENTIRE AGREEMENT

This written Agreement contains all the terms and conditions agreed upon by the parties, and no other agreement, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto, or to vary any of the terms contained therein.

SIGNATURE PAGE follows

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SIGNATURE PAGE

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates appearing below their respective signatures:

SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS

By: _____

Title: _____

Date: _____

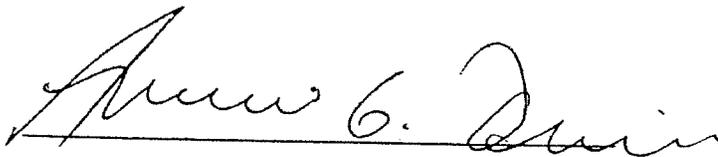
CITY OF NEW YORK PARKS & RECREATION

By: Parmod Tripathi

Title: Agency Chief Contracting Officer

Date: _____

APPROVED AS TO FORM, CERTIFIED AS TO LEGAL AUTHORITY



ACTING CORPORATION COUNSEL

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SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS Highway Maintenance Division		TORNADO DAMAGE		New York City Tornado Relief		
DESCRIPTION OF DAMAGE		REGULAR		OVERTIME		LABOR COST
QUANTITY	HRS	RATE	COST	HRS	RATE	COST
9-20-10 thru 9-29-10 8 Days 5 AM TO 7:30/8:00PM						
-LABOR-						
ZS	1			3	58.97	176.91
ZS	1			4	59.13	236.52
AHZS	1	35.06	1314.75	35	54.42	1904.70
HLCL	1	37.5	1200.75	36.5	49.59	1810.04
HLCL	1	37.5	1200.75	35	49.59	1735.65
BMM1	1			2	38.43	76.86
HFO	1	22.5	788.63	22.5	54.26	1220.85
HFO	1	37.5	23.52	35.5	39.95	1416.23
HFO	1	37.5	17.47	32	26.21	838.72
HFO	1	37.5	21.92	35	32.88	1150.80
AEO	1	37.5	20.35	35	30.53	1068.55
AEO	1	37.5	18.56	35.5	27.84	988.32
AEO	1	37.5	22.99	35.5	36.17	1284.04
CEO	1	22.5	15.89	32	23.84	762.88
LABORER	1	26.68	600.30	19.5	40.02	780.39
AM4	1	22.5	349.20	19.5	23.28	453.96
AM3	1			9	48.02	432.18
PM	1			9	43.88	394.92
TOTAL	19		\$10,730.63	440.5		\$16,934.61
						\$27,665.23

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9-27 to 9-29 -LABOR-	REGULAR			OVERTIME			LABOR COST
	QUANTITY	HRS	RATE	COST	HRS	RATE	
AHZS	1	22.5	27.47	618.08	21.5	41.21	886.02
HLCL	1	22.5	28.32	637.20	22.5	44.16	993.60
HLCL	1	22.5	32.01	720.23	22.5	48.02	1080.45
HEO	1	22.5	24.75	556.88	22.5	37.94	853.65
HEO	1	22.5	20.60	463.50	22.5	30.90	695.25
HEO	1	22.5	21.23	477.68	22.5	31.85	716.63
AEO	1	15.0	15.89	238.35	14.0	23.84	333.76
CEO	1	15.0	26.68	400.20	15.0	40.02	600.30
LABORER	1	22.5	14.55	327.38	22.5	21.83	491.18
LABORER	1	15.0	15.52	232.80	15.0	23.28	349.20
LABORER	1	7.5	19.21	144.06	7.5	28.82	216.15
TOTAL	11	210		\$4,816.35	208		\$7,216.18
							\$12,032.53
9-27 to 9-29 -EQUIPMENT-	QUANTITY	HRS	RATE	COST	HRS	RATE	COST
PICKUP	3	75.00			15.81		3557.25
PICKUP	3	45.00			15.81		2134.35
UTILITY TRUCK	1	45.00			33.87		1524.15
DUMP TRUCK (SD)	2	120.00			33.87		8128.80
DUMP TRUCK (SD)	1	90.00			33.87		3048.30
6 WHEEL DUMP TRUCK	1	120.00			37.66		4519.20
10 WHEEL DUMP TRUCK	1	120.00			76.91		9229.20
Wood Chipper	2	120.00			23.98		5755.20
Chainsaw	14	120.00			1.73		2906.40
Pole Chainsaw	2	120.00			0.92		220.80
TOTAL							41023.65
Meal Allowance	158 X	12.00					1896.00
REVISED TOTAL							\$82,617.41
*LABOR RATE DOES NOT INCLUDE BENEFIT PACKAGE							

COUNTY OF SUFFOLK



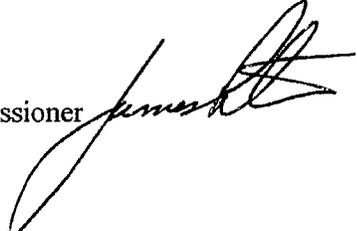
STEVE LEVY
SUFFOLK COUNTY EXECUTIVE
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: October 20, 2011

RE: Intermunicipal Agreement between the County of Suffolk and New York City

We are forwarding herewith a draft resolution for reimbursement of tornado relief work in which the County assisted New York City Department of Parks from 9/17/10 to 9/29/10

Attached are two intermunicipal agreements between Suffolk County and New York City Department of Parks.

An e-mail version was sent to CE RESO REVEIW saved under the title "Reso NYC Dept of Parks Tornado Assistance Reimbursement."

JP:CM:mm

Att.

cc: Nick Paglia, Assistant Executive Analyst
Brendan Chamberlain, Director of Intergovernmental Relations
Debra A. Kolyer, Principal Financial Analyst
Christine Malafi, County Attorney
Kathy LaGuardia, Chief Auditor
Laura Conway, Chief Accountant

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Laid on Table 12/6/11

RESOLUTION NO. -2011, AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF SOUTHAMPTON FOR THE PURPOSE OF ADMINISTRATION AND ENFORCEMENT OF NEW YORK STATE FIRE PREVENTION AND BUILDING CODES WITHIN THE AIRPORT PLANNED DEVELOPMENT DISTRICT

WHEREAS, since adopting the 1981 Airport Master Plan the County of Suffolk has continually planned the redevelopment of property at the Francis S. Gabreski Airport as an industrial park that would be an economic engine for year round, high paying, career employment, beneficial to the east end and all of Suffolk County; and

WHEREAS, the County, as the property owner, and the Town of Southampton as the local zoning authority, have worked diligently and in partnership to move this development forward; and

WHEREAS, through Resolution 151-2008, this Legislature adopted a policy regarding the development of the Hampton Business and Technology Park (Airport Planned Development District) and a State Environmental Quality Review Act Findings Statement; and

WHEREAS, through Resolution 379-2009, amended by 214-2010, this Legislature authorized a lease of the Hampton Business and Technology Park for the purposes of said development; and

WHEREAS, the County and the Town wish to enter into an Intermunicipal Agreement whereby the Town of Southampton would provide services for the administration and enforcement of New York State Fire Prevention and Building Codes within the Airport Planned Development District; and

WHEREAS, The Town of Southampton is the assessing and taxing authority for the APDD and it is practical and expedient that they have the authority to administer and enforce the New York State Fire Prevention and Building Codes for new facilities within the APDD; and

WHEREAS, the Town of Southampton has adopted Resolution No. 2011-965, attached as Exhibit A, authorizing the Town to enter into a municipal agreement with the County to provide administrative and enforcement duties under the New York State Fire Prevention and Building Codes within the Airport Planned Development District at Gabreski Airport; now, therefore be it

1st RESOLVED, that pursuant to New York General Municipal Law Section 119-o the County Executive is hereby authorized to execute an Intermunicipal Agreement with the Town of Southampton for the purposes of administration and enforcement of New York State Fire Prevention and Building Codes within the Airport Planned Development District located at Gabreski Airport attached as Exhibit B; and be it further

2nd RESOLVED, that this Legislature being the State Environmental Quality Review Act (SEQRA) lead agency hereby finds and determines that this law constitutes a Type II action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) as it involves the 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 is hereby directed to circulate any appropriate SEQRA notices in accordance with this law.

DATED:

APPROVED:

County Executive of Suffolk County

Date:



Southampton Town Board

116 Hampton Road
Southampton, NY 11968

ADOPTED

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RESOLUTION 2011-965

Meeting: 10/11/11 01:00 PM
Department: Office of Contracts Administration
Category: Agreements, Contracts, Leases
Prepared By: Joseph Burke
Initiator: Joseph Burke
Sponsors: Supervisor Anna Throne-Holst
DOC ID: 13707

Authorize the Supervisor to Sign an Intermunicipal Agreement with Suffolk County in Relation to the Administration and Enforcement of NYS Fire Prevention and Building Codes within the Airport Planned Development District (APDD) at Gabreski Airport

WHEREAS, there is an ongoing partnership between the Town of Southampton (the "Town") and the County of Suffolk (the "County") regarding the development of the Airport Planned Development District (APDD) at Gabreski Airport; and

WHEREAS, the Town and the County are desirous of consolidating and merging the enforcement and administration duties and obligations under the New York State Fire Prevention and Building Codes in relation to the APDD; and

WHEREAS, an Intermunicipal Agreement has been proposed which formalizes the County and the Town's wish for the Town to provide services for the administration and enforcement of the New York State Fire Prevention and Building Codes within the APDD; and

WHEREAS, under the Agreement, the Town shall undertake to perform all services in connection with the administration and enforcement of the State Codes with respect to private building construction located within the APDD and shall retain all Town charged inspection fees; and

WHEREAS, the Agreement does not pertain to areas within Gabreski Airport but outside the APDD, nor does it pertain to public improvements performed by, or on behalf of, the County within the boundaries of the APDD; and

WHEREAS, the Agreement shall remain in full force and effect until either of the parties shall notify the other of the termination of the agreement, which notice must be made no less than six (6) months prior to the effective date of termination; and

WHEREAS, this Agreement is mutually beneficial to both the Town and the County; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute the Intermunicipal Agreement that has been prepared by the County and reviewed by the Town Attorney and the Office of Contracts Administration for the Town to assume the administration and enforcement duties and obligations under the aforementioned State Codes with regard to development located within the APDD at Gabreski Airport.

Financial Impact

To be determined, as the Town will retain fees for permits/inspections within the APDD.

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

State of New York)
 County of Suffolk)
 Office of the Clerk of the)
 Town of Southampton, NY)

ss.:

This is to certify that I, **Sundy A. Schermeyer**, Clerk of the Town of Southampton, in the said County of Suffolk, State of New York, have compared the foregoing copy of the resolution with the original resolution now on file in this office, and which was passed by the Town Board of the Town of Southampton in said County of Suffolk, on **October 11, 2011** and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 12th day of October 2011.

Sundy A. Schermeyer

Sundy A. Schermeyer, Clerk of the Town Board
Town of Southampton, Suffolk County, NY

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**INTERMUNICIPAL AGREEMENT FOR
ADMINISTRATION AND ENFORCEMENT OF
NEW YORK STATE FIRE PREVENTION AND BUILDING CODES
WITHIN THE AIRPORT PLANNED DEVELOPMENT DISTRICT**

This Intermunicipal Agreement ("Agreement") is between the County of Suffolk ("County"), a municipal corporation of the State of New York 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 the

Town of SOUTHAMPTON ("TOWN"), a municipal corporation of the State of New York, located at Town Hall, 116 Hampton Road, Southampton, New York 11968.

The parties hereto desire that the TOWN undertake the performance of certain fire and building inspection services for new buildings located within the Airport Planned Development District at Suffolk County Gabreski Airport.

Term of Agreement: This Agreement shall remain in full force and effect until either of the parties shall notify the other of the termination of this Agreement, which notice must be made no less than six (6) months prior to the effective date of termination.

Terms and Conditions: Shall be as set forth in Articles I through III, attached hereto and incorporated herein.

In Witness Whereof, the parties hereto have executed this Agreement as of the latest date written below.

Town of Southampton

County of Suffolk

BY: *Anna Throe-Holst*

BY: _____

Name: Anna Throe-Holst

Name: _____

Title: Supervisor

Title: Deputy County Executive

Date: 10/12/11

Date: _____

**Approved as to Legality:
Christine Malafi
Suffolk County Attorney**

**Reviewed and Approved:
Department of Public Works**

By: _____
Basia Deren Braddish
Assistant County Attorney

By: _____
Gilbert Anderson, P.E.
Commissioner of Public Works

**Reviewed and Approved:
Department of Fire Rescue and
Emergency Services**

**Recommended:
Department of Economic Development and Workforce**

By: _____
Joseph F. Williams, Commissioner

By: _____
Yves R. Michel, Commissioner

Date: _____

Date: _____

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LIST OF ARTICLES & EXHIBITS

Article I

Description of Duties and Obligations

Article II

County Terms and Conditions

1. Elements of Interpretation
2. Meanings of Terms
3. Town Responsibilities
4. Qualifications, Licenses, and Professional Standards
5. Intentionally Omitted
6. Intentionally Omitted
7. Intentionally Omitted
8. Intentionally Omitted
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11. Insurance
12. Independent Contractor
13. Severability
14. Merger; No Oral Changes
15. Intentionally Omitted
16. Intentionally Omitted
17. Intentionally Omitted
18. Governing Law
19. No Waiver
20. Conflicts of Interest
21. Cooperation on Claims
22. Intentionally Omitted
23. Intentionally Omitted
24. Intentionally Omitted
25. Certification as to Relationships
26. Publications and Publicity
27. Intentionally Omitted
28. Arrears to County
29. Intentionally Omitted
30. Notice

Article III

Suffolk County Legislative Requirements

Exhibit 1

County Authorizing Resolution

Exhibit 2

Town Authorizing Resolution

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Article I – Description of Duties and Obligations

WHEREAS, the Town of Southampton and the County of Suffolk are desirous of consolidating and merging the enforcement and administration duties and obligations under the Building Code of New York State, Fire Code of New York State, Property Maintenance Code of New York State, Plumbing Code of New York State, Mechanical Code of New York State, Fuel Gas Code of New York State, Energy Conservation Construction Code of New York State, and Residential Code of New York State, and any applicable Suffolk County Local Laws, or any future amendments to any of the foregoing herein referred to collectively as the “Codes,” in relation to the Airport Planned Development District (hereinafter “APDD”) located at Suffolk County Gabreski Airport, in the Office of the Building Inspector of Town of Southampton; and

WHEREAS, the parties agree that this action will promote efficiency in the provision of such services in connection with development in the APDD at Gabreski Airport;

WHEREAS, County Legislative Resolution No. ___ - ___ authorized the County to enter into an agreement with the Town for the transfer of the administration and enforcement of the “Codes” with regard to development within the APDD (Exhibit 1); and

WHEREAS, pursuant to Town Board Resolution No. ___ - ___, the Town of Southampton authorized the Town Supervisor to execute an inter-municipal agreement with the County to assume the administration and enforcement duties and obligations of the County under the “Codes” with regard to development located at Gabreski within the APDD (Exhibit 2);

NOW, THEREFORE, in consideration of the mutual provisions and covenants hereafter set forth, the parties hereto agree as follows:

- A. The Town Building Inspector's Office shall undertake to perform all services in connection with the administration and enforcement of the “Codes” with respect to private building construction located within the APDD. In no instance shall the Town Building Inspector’s Office have authority to perform any services in connection with the administration and enforcement of the “Codes” with respect to: i) areas within Gabreski Airport, but outside the APDD; or ii) public improvements performed by, or on behalf of, the County within the boundaries of the APDD.
- B. All costs incurred in connection with the provision of services described in paragraph A shall be borne by the Town.
- C. The Town shall retain all Town charged inspection fees collected from private developers and/or third parties in connection with the provision of services described above in paragraph A. In no instance shall fees be assessed and payable in connection with work performed by or on behalf of the County.
- D. If the Town enters into contracts for the performance of any of the services required pursuant to this Agreement, the Town shall be solely responsible for such performance. Nothing in the contract shall impair the rights of the County under this Agreement. No contractual relationship shall be deemed to exist between any contractor and the County. Nothing in this Agreement shall impair any right of

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contribution or indemnification that the County may have against any subcontractor or other third party.

- E. Any violations in connection with the enforcement of the "Codes" under paragraph A above shall be made returnable in accordance with the procedures of the Town and any fines imposed as a result of said violations may be retained by the Town.
- F. This Agreement shall remain in full force and effect until either of the parties shall notify the other of the termination of this Agreement which Notice must be made six (6) months prior to the effective date of termination. Should this Agreement be terminated, the Town shall transfer to the County all files, filing cabinets and building department records relating to the APDD.
- G. Indemnification: a) The Town agrees that it shall, to the greatest extent permitted by law, protect, indemnify and hold harmless the County and its officers, officials, employees, contractors, agents and other persons (the "County Indemnified Parties") from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorneys' fees, arising out of the acts or omissions or the negligence of the Town in connection with the services described or referred to in this Agreement. The Town shall defend the County Indemnified Parties in any suit, including appeals, or at the County's option, pay reasonable attorney's fees for defense of any such suit arising out of the acts or omissions or negligence of the Town, its officers, officials, employees, subcontractors or agents, if any, in connection with the services described or referred to in this Agreement.

End of Text for Article I

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Article II
County Terms and Conditions

1. Elements of Interpretation

As used throughout the Agreement:

a. Words of the masculine gender shall mean and include correlative words of the feminine and neuter genders and words importing the singular number shall mean and include the plural number and vice versa. Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons, and shall include successors and assigns.

b. Capitalized terms used, but not otherwise defined herein, shall have the meanings assigned to them in the Agreement.

2. Meanings of Terms

As used in the Agreement:

"**Agreement**" means all terms and conditions herein forming all rights and obligations of the Town and the County.

"**Comptroller**" means the Comptroller of the County of Suffolk.

"**Contractor**" means the Town, signatory person, partnership, corporation, association or other entity, its officers, officials, employees, agents, servants, sub-contractors and any successor or assign of any one or more of the foregoing performing the Services.

"**County**" means the County of Suffolk, its departments, agents, servants, officials, and employees.

"**County Attorney**" means the County Attorney of the County of Suffolk.

"**Department**" means the signatory department approving the Agreement.

"**Event of Default**" means

a. The Town's failure to maintain the amount and types of insurance required by the Agreement; or

b. The Town's failure to comply with any Federal, State or local law, rule, or regulation, and County policies or directives; or

c. The Town's bankruptcy or insolvency; or

d. The Town's failure to cooperate in an Audit; or

e. The Town's falsification of records or reports, misuse of funds, or malfeasance or nonfeasance in financial

record keeping arising out of, or in connection with, any agreement with the County; or

f. The Town's failure to submit, or failure to timely submit, documentation to obtain Federal or State funds; or

g. The inability of the County or the Town to obtain Federal or State funds due to any act or omission of the Town; or

h. Any condition the County determines, in its sole discretion, is dangerous.

"**Federal**" means the United States government, its departments and agencies.

"**Legislature**" means the Legislature of the County of Suffolk.

"**Services**" means all that which the Town must do and any part thereof arising out of, or in connection with, the Agreement necessary to provide the services described in this Agreement.

"**State**" means the State of New York.

"**Suffolk County Payment Voucher**" means the document authorized and required by the Comptroller for release of payment.

"**Term**" means the time period set forth on page one of the Agreement unless sooner terminated as set forth in this Agreement.

"**Town**" means the Town of Southampton, its departments, agents, servants, officials, and employees.

3. Town Responsibilities

a. It shall be the duty of the Town to discharge, or cause to be discharged, all of its responsibilities in the interest of the County in accordance with the provisions of the Agreement.

b. The Town shall promptly take all action as may be necessary to render the Services.

c. The Town shall not take any action that is inconsistent with the provisions of the Agreement.

4. Qualifications, Licenses, and Professional Standards

a. The Town represents and warrants that it has, and shall continuously possess, during the Term, the required licensing, education, knowledge, experience, and character necessary to qualify it to render the Services.

b. The Town shall continuously have during the Term all required authorizations, certificates, certifications, registrations, licenses, permits, and other approvals required by Federal, State, County, or local authorities necessary to qualify it to render the Services.

5. Intentionally Omitted

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- 6. Intentionally Omitted
- 7. Intentionally Omitted
- 8. Intentionally Omitted
- 9. Termination

a. In the event that the County, by legislation or written agreement, assumes responsibility for the administration and enforcement of the New York State Fire Prevention and Building Codes, this Agreement shall, upon thirty (30) days written notice to the Town, be null and void and of no further consequence as to the APDD at Gabreski Airport. Any notice providing for termination in accordance with this Section 2 shall be delivered as provided in Exhibit D, Section 2. In the event the County does not assume such responsibility, the provisions of the Agreement, and the duties and obligations set forth herein shall continue in full force and effect as to the APDD at Gabreski Airport.

b. Upon termination, the Town shall discontinue the Services as directed in the termination notice.

10. **Indemnification and Defense**

a. To the greatest extent permitted by law, the Town shall protect, indemnify, and hold harmless the County, its agents, servants, officials, and employees from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, suits or actions, costs, and expenses caused by the negligence or any acts or omissions of the Town,—including reimbursement of the cost of reasonable attorneys' fees incurred by the County, in any action or proceeding arising out of or in connection with the Agreement.

b. The Town hereby represents and warrants that it will not infringe upon any copyright in performing the Services. The Town agrees that it shall protect, indemnify, and hold harmless the County, its agents, servants, officials, and employees from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, suits or actions, costs, and expenses arising out of any claim asserted for infringement of copyright, including reimbursement of the cost of reasonable attorneys' fees incurred by the County, its agents, servants, officials, and employees in any action or proceeding arising out of or in connection with any claim asserted for infringement of copyright due to the Town's actions in carrying out its duties under this Agreement.

c. The Town shall defend the County, its agents, servants, officials, and employees in any proceeding or action, including appeals, arising out of, or in connection with, the Agreement, and any copyright infringement proceeding or action. At the County's option, the County may defend any such proceeding or action and require the Town to pay reasonable attorneys' fees for the defense of any such suit.

11. **Insurance**

a. The Town shall continuously maintain, during the Agreement, insurance in the minimum amounts and types as follows:

i.) **Commercial General Liability** insurance, including contractual liability coverage, in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and Two Million Dollars (\$2,000,000.00) per occurrence for property damage. The County shall be named an additional insured.

ii.) **Automobile Liability** insurance (if any vehicles are used by the Town in the performance of the Contract) in an amount not less than Five Hundred Thousand Dollars (\$500,000.00) per person, per accident, for bodily injury and not less than One Hundred Thousand Dollars (\$100,000.00) for property damage per occurrence.

iii.) **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.

iv.) **Professional Liability** insurance in an amount not less than Two Million Dollars (\$2,000,000.00) on either a per-occurrence or claims-made coverage basis.

b. All policies providing such coverage shall be issued by insurance companies with an A.M. Best rating of A- or better.

c. The Town shall furnish to the County, prior to the execution of the Contract, declaration pages for each policy of insurance, other than a policy for commercial general liability insurance, and upon demand, 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 Town shall furnish to the County, prior to the execution of the Contract, a declaration page or insuring agreement and endorsement page evidencing the County's status as an additional insured on said policy, and upon demand, a true and certified original copy of such policy evidencing compliance with the aforesaid insurance requirements.

d. All evidence of insurance shall provide for the County to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in the policy to which such evidence relates. It shall be the duty of the Town to notify the County immediately of any cancellation, nonrenewal, or material change in any insurance policy.

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12. Independent Contractor

The Town is not, and shall never be, considered an employee of the County for any purpose. Notwithstanding anything herein, the Agreement shall not be construed as creating a principal-agent relationship between the County and the Town or the Town and the County, as the case may be.

substantial conflict between its obligations under the Agreement and its private interests. The Town is charged with the duty to disclose to the County the existence of any such adverse interests, whether existing or potential. This duty shall continue as long as the Term. The determination as to whether or when a conflict may potentially exist shall ultimately be made by the County Attorney after full disclosure is obtained.

13. Severability

It is expressly agreed that if any term or provision of the Agreement, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of the Agreement, 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 the Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

21. Cooperation on Claims

The Town and the County shall render diligently to each other, without compensation, any and all cooperation that may be required to defend the other party, its employees and designated representatives against any claim, demand or action that may be brought against the other party, its employees or designated representatives arising out of or in connection with the Agreement.

14. Merger; No Oral Changes

It is expressly agreed that the Agreement represents the entire agreement of the parties and that all previous understandings are herein merged in the Agreement. No modification of the Agreement shall be valid unless in written form and executed by both parties.

22. Intentionally Omitted

23. Intentionally Omitted

24. Intentionally Omitted

25. Certification as to Relationships

The Town certifies under penalties of perjury that, other than through the funds provided in the Agreement and other valid agreements with the County, there is no known spouse, life partner, business, commercial, economic, or financial relationship with the County or its elected officials. The Town also certifies that there is no relationship within the third degree of consanguinity, between the Town, any of its partners, members, directors, or shareholders owning five (5%) percent or more of the Town, and the County.

15. Intentionally Omitted

16. Intentionally Omitted

17. Intentionally Omitted

18. Governing Law

The Agreement shall be governed by and construed in accordance with the laws of the State of New York, without regard to conflict of laws. Venue shall be designated in the Supreme Court, Suffolk County, the United States District Court for the Eastern District of New York, or, if appropriate, a court of inferior jurisdiction in Suffolk County.

26. Publications and Publicity

a. The Town shall not issue or publish any book, article, report, or other publication related to the Services without first obtaining written prior approval from the County. After approval in writing is obtained, all such printed matter or other publication shall contain the following statement in clear and legible print:

"This publication is fully or partially funded by the County of Suffolk."

b. The Town shall not issue press releases or any other information to the media, in any form, concerning the Services, without obtaining prior written approval from the County.

19. No Waiver

It shall not be construed that any failure or forbearance of the County to enforce any provision of the Agreement in any particular instance or instances is a waiver of that provision. Such provision shall otherwise remain in full force and effect, notwithstanding any such failure or forbearance.

27. Intentionally Omitted

20. Conflicts of Interest

The Town shall not, during the Term, pursue a course of conduct which would cause a reasonable person to believe that he or she is likely to be engaged in acts that create a

Law No. 11-ED-137
Town of Southampton
Enforcement and Administration of
NYS Fire Prevention and Building Codes

2064

28. Arrears to County

The Town warrants that, except as may otherwise be authorized by agreement, it is not in arrears to the County upon any debt, agreement, or any other lawful obligation, and is not in default to the County as surety.

29. Intentionally Omitted

30. Notice

Unless otherwise expressly provided herein, all notices shall be in writing and shall be deemed sufficiently given if

sent by regular first class mail and certified mail, or personally delivered during business hours as follows: 1.) to the Town at the address on page 1 of the Agreement and 2.) to the County at the Department, or as to either of the foregoing, to such other address as the addressee shall have indicated by prior written notice to the addressor. All notices received by the County relating to a legal claim shall be immediately sent to the Department and also to the County Attorney at 100 Veterans Memorial Highway, P.O. Box 6100, (Sixth Floor), Hauppauge, New York, 11788. The County shall report to the Town in writing within ten (10) days of the initiation by or against it of any legal action or proceeding in connection with or relating to The Agreement.

End of Text for Article II

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Article III
Suffolk County Legislative Requirements

1. Contractor's/Vendor's Public Disclosure Statement

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section A5-7 of Article V of the Suffolk County Code.

Unless certified by an officer of the Contractor as being exempt from the requirements of section A5-7 of Article V of the Suffolk County Code, the Contractor represents and warrants that it has filed with the Comptroller 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 Comptroller on or before the 31st day of January in each year of the 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 the 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

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 347, of the Suffolk County Code.

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 agreements 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 the Agreement and to seek other remedies as set forth therein, for violations of this 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 (Agreement)"

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

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 466 of the Suffolk County Code.

County Contractors (as defined by section 466-2) shall comply with all requirements of Chapter 466 of the Suffolk County Code, 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 Contractor 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 the 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 the Services are for the provision of human services and are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Chapter 466, the County shall have the authority, under appropriate circumstances, to terminate the 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

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 234 of the Suffolk County Code.

This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk. 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,

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appropriation, payment, tax incentive, agreement, 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 agreement, 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 agreement, 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 agreement, 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 agreement and upon the renewal or amendment of the agreement, and whenever a new contractor or subcontractor is hired under the terms of the agreement.

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 the Agreement.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate the Agreement for violations of this Law and to seek other remedies available under the law.

The documentation mandated to be kept by this law shall at all times be kept on site. Employee sign-in sheets and register/log books shall be kept on 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 site during such working hours.

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

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 386 of the Suffolk County Code.

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of the County or the 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.

6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of sections A4-13 and A4-14 of Article IV of the Suffolk County Code.

The Contractor represents that it is in compliance with sections A4-13 and A4-14 of Article IV of the Suffolk County Code. Such law provides that no agreement 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

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article IV of Chapter 577 of the Suffolk County Code.

The Contractor shall comply with Article IV of Chapter 577, 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 the Agreement with regard to child sexual abuse reporting policy.

8. Non Responsible Bidder

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**Law No. 11-ED-137
Town of Southampton
Enforcement and Administration of
NYS Fire Prevention and Building Codes**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article II of Chapter 143 of the Suffolk County Code.

Upon signing the Agreement, the Contractor certifies that it has not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

9. Use of Funds in Prosecution of Civil Actions Prohibited

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section 590-3 of Article III of Chapter 590 of the Suffolk County Code.

10. Work Experience Participation

In accordance with Local Law No. 44-2009, (Suffolk County Code Chapter 419-14), all contract agencies that conduct youth sports programs are required to develop and maintain a written plan or policy addressing incidents of possible or actual concussion or other head injuries among sports program participants. Such plan or policy must be submitted prior to the award of the County contract, grant or funding. Receipt of such plan or policy by the County does not represent approval or endorsement of any such plan or policy, nor shall the County be subject to any liability in connection with any such plan or policy.

11. Suffolk County Local Laws Website Address

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County website at <http://www.co.suffolk.ny.us>.

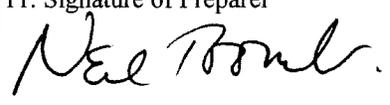
Law No. 11-ED-137
Town of Southampton
Enforcement and Administration of
NYS Fire Prevention and Building Codes

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Exhibit 2
TOWN AUTHORIZING RESOLUTION

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2064

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2011, AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF SOUTHAMPTON FOR THE PURPOSE OF ADMINISTRATION AND ENFORCEMENT OF NEW YORK STATE FIRE PREVENTION AND BUILDING CODES WITHIN THE AIRPORT PLANNED DEVELOPMENT DISTRICT		
3. Purpose of Proposed Legislation		
AUTHORIZING THE TOWN OF SOUTHAMPTON TO PROVIDE SERVICES TO ENFORCE NYS FIRE PREVENTION CODES FOR THE APDD.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> </u> <u> </u> No <u> X </u> <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Upon execution of Intermunicipal agreement.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
NEIL TOOMB INTERGOVERNMENTAL REL. COORD.		November 21, 2011

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2064

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



2064

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive (2 copies)
FROM: James Peterman, P.E., Chief Deputy Commissioner
DATE: October 25, 2011
RE: **Intermunicipal Agreement with Town of Southampton**

Attached for your review is a draft resolution authorizing an intermunicipal agreement with the Town of Southampton for the purpose of clarifying administration and enforcement of New York State Fire Prevention and Building Codes within the Airport Planned Development District.

This action is constitutes a Type II action under SEQRA pursuant to Title 6 NYCRR Part 617.5(c) (20) and (27) as it involves the promulgation of regulations, rules, policies, procedures and legislative decisions in connection with continuing agency administration, management and information collection.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-IMA Southampton.doc.

JP/JJI/dk
attachments

cc: Ed Dumas, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Chief Engineer
James J. Ingenito, R.A., Public Works Capital Projects Manager
Kathy LaGuardia, Executive Assistant for Finance & Administration
Laura Conway, CPA, Chief Accountant
CE RESO Review (e-mail)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

RESOLUTION NO.

CONTROL#873-2011

Intro. Res. # 2065-11

Laid on Table 12/6/11

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 #873-2011)

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.

2065

**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

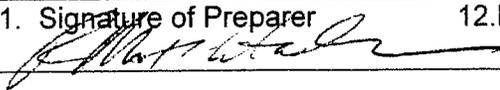
9. Timing of Impact

2011

10. Typed Name & Title of Preparer

R. Motschenbacher RPAT II

11. Signature of Preparer



12. Date November 18, 2011

Additional back-up regarding IR 2065 is on file with the

Legislative Clerk's Office, Hauppauge.

2066

Intro. Res. No. - 2011

Laid on the Table

12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2011, APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR MEDICAL, LEGAL INVESTIGATIONS & FORENSIC SCIENCES (CP 1132)

WHEREAS, the Commissioner of Health Services has requested funds for the purchase of equipment for Medical, Legal Investigations and Forensic Sciences; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said request under Capital Program Number 1132; and

WHEREAS, purchases of scientific instrumentation and laboratory equipment is needed to replace outdated instruments, to keep up with technological advances, and/or to be compliant with regulations or statutes; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$240,500 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) 20, 21, 25 and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-six (56) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 amended by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$240,500 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1132.516 (Fund 001-Debt Service)	40	Equipment for Med-Legal Investigations and Forensic Sciences	\$240,500

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

2066

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2011, APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR MEDICAL, LEGAL INVESTIGATIONS & FORENSIC SCIENCES (CP 1132)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 22 nd , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2066

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$52,514	\$0.10		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$52,514	\$0.10		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

2066

Term of Bonds: 5
 Amount to Bond: \$240,500

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$45,299.27	\$7,215.00	\$52,514.27	\$52,514.27
11/1/2013	3.000%	\$46,658.25	\$2,928.01	\$49,586.26	\$52,514.27
11/1/2014	3.000%	\$48,058.00	\$2,228.14	\$50,286.14	\$52,514.27
11/1/2015	3.000%	\$49,499.74	\$1,507.27	\$51,007.01	\$52,514.27
11/1/2016	3.000%	\$50,984.73	\$764.77	\$51,749.50	\$52,514.27
		\$240,500.00	\$22,071.37	\$262,571.37	\$262,571.37

2066

CP 1132 Purchase of Equipment for Medical, Legal Investigations and Forensic Sciences

Equipment List

Pathology

One (1) Formalin Recycler (R) -This recycler will replace a unit that was purchased in 1995. This unit recycles the formalin used in the procuring of specimens allowing us to reuse the chemical.

\$ 22,000

Toxicology Laboratory

One (1) Liquid Chromatograph/Mass Spectrometer (LC/MS) (R) – The LC/MS is currently used to analyze virtually every postmortem and DWI sample submitted to Toxicology for drug analysis. The current unit was purchased in 2000. The LC/MS enables the laboratory to analyze for drugs that are crucial to DWI prosecution as well as postmortem case resolution. The drugs cannot be analyzed by alternate instrumentation.

\$218,500

2011 Equipment Total

\$240,500

COUNTY OF SUFFOLK



2066

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

September 9, 2011

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

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution to appropriate funds in connection with the purchase of equipment for the Medical, Legal Investigations and Forensic Sciences (CP 1132). The purpose of this legislation is to fund the purchase of replacement scientific instrumentation and laboratory equipment. These replacements are needed for outdated instruments, to keep up with technological advances, and/or to be compliant with regulations or statutes.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Dr. Yvonne Milewski, M.E. at 853-5555. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP 1132 ME Equipment.doc".

Sincerely,

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

Enclosures

JLT/lw

- C: Christopher E. Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations (2 copies)
Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Janet DeMarzo, Deputy Commissioner
Dr. Yvonne Milewski, M.E., Chief Medical Examiner
Diane E. Weyer, Principal Financial Analyst



2067

Intro. Res. No. - 2011

Laid on the Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2011, AMENDING THE ADOPTED
2011 CAPITAL BUDGET AND PROGRAM AND
APPROPRIATING FUNDS FOR THE BROWNFIELDS
PROGRAM, FORMER BLUE POINT LAUNDRY SITE (CP
8223)**

WHEREAS, the former Blue Point Laundry Site is located in a residential area on Park Street in Blue Point, N.Y.; and

WHEREAS, the former Blue Point Laundry site was an active commercial laundry with dry cleaning capabilities and is currently owned by Suffolk County; and

WHEREAS, the groundwater and soil at this site have been tested and found to be contaminated primarily with petroleum products; and

WHEREAS, in September 2009, the New York State Department of Environmental Conservation (NYSDEC) was notified of the contamination in this site; and

WHEREAS, at the direction of NYSDEC Spills Unit additional sampling and testing was performed in March of 2010 and significant Stoddard solvent contamination was found; and

WHEREAS, NYSDEC is requesting that Suffolk County sign a Stipulation Agreement and/or other document resolution matter and provide a remediation plan for this site; and

WHEREAS, if the County does not sign the Stipulation Agreement and provide a remediation plan for this site then NYSDEC may have the site remediated and chargeback the County at three times the cost; and

WHEREAS, it is the desire of the Department of Health Services to create a Capital Project for the Brownfields Program, Former Blue Point Laundry Site; and

WHEREAS, the total anticipated costs for planning and construction for this project is \$1,300,000; and

WHEREAS, \$100,000 in planning funds are needed; and

WHEREAS, sufficient funds are not included in the 2011 Capital Budget and Program to cover the costs of said request under a new Capital Program and pursuant to Suffolk County Charter Section C4-13 an offsetting authorization must be provided from other Capital Projects; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$100,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 278 of the Suffolk County Code, has determined pursuant to Resolution No. 889-2008 that this project constitutes an unlisted action, under the provisions of Title 6 NYCRR, Part 617. This legislation has determined that implementation of this project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;
- 2.) The project entails investigation and remediation of the site in accordance with NYSDEC Brownfield programs;
- 3.) All toxic and hazardous materials remediated will be disposed of in accordance with State and Federal regulations;
- 4.) The action only involves clean-up of the site and no new development is proposed; and
- 5.) The project will result in beneficial environmental impacts.

and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty six (66) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 amended by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2011 Capital Budget and Program be and is hereby amended as follows:

Project Number: 8224
Project Title: Public Health Related Harmful Algal Blooms

	Total Estimated Cost	Current 2011 Capital Budget & Program	Revised 2011 Capital Budget & Program
1. Planning	\$257,719	\$25,000B	\$0
5. Furniture & Equipment	<u>\$75,000</u>	<u>\$0</u>	<u>\$0</u>
TOTAL	\$332,719	\$25,000	\$0

Project Number: 8235
Project Title: Peconic Bay Estuary Program

	Total Estimated Cost	Current 2011 Capital Budget & Program	Revised 2011 Capital Budget & Program
1. Planning	\$595,000	\$10,000B	\$0
4. Site Improvements	\$380,000	\$140,000B	\$100,000B

5. Furniture & Equipment	<u>\$348,000</u>	<u>\$0</u>	<u>\$0</u>
TOTAL	\$1,323,000	\$150,000	\$100,000

Project Number: 8237
 Project Title: Water Resource Management

	<u>Total Estimated Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
1. Planning	<u>\$1,250,000</u>	<u>\$25,000B</u>	<u>\$0</u>
TOTAL	\$1,250,000	\$25,000	\$0

Project No.: 8223
 Project Title: Brownfields Program (Former Blue Point Laundry site)

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
1. Planning	<u>\$1,263,700</u>	<u>\$0</u>	<u>\$100,000B</u>
TOTAL	\$6,411,700	\$0	\$100,000

and be it further

4th RESOLVED, that the proceeds of \$100,000 in serial bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8223.112 (Fund 001 Debt Service)	40	Brownfields Program (Former Blue Point Laundry site)	\$100,000

and be it further

5th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute any and all contract documents related to this project, including the standard agreement for reimbursement, if any, with the New York State Department of Environmental Conservation on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

 County Executive of Suffolk County
 Date:

2067

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. – 2011, AMENDING THE ADOPTED 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR THE BROWNFIELDS PROGRAM, FORMER BLUE POINT LAUNDRY SITE (CP 8223)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u> County </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 22 nd , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2067

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$21,835	\$0.04		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$21,835	\$0.04		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

2067

Term of Bonds: 5
 Amount to Bond: \$100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$18,835.46	\$3,000.00	\$21,835.46	\$21,835.46
			\$1,217.47	\$1,217.47	
11/1/2013	3.000%	\$19,400.52	\$1,217.47	\$20,617.99	\$21,835.46
			\$926.46	\$926.46	
11/1/2014	3.000%	\$19,982.54	\$926.46	\$20,909.00	\$21,835.46
			\$626.72	\$626.72	
11/1/2015	3.000%	\$20,582.01	\$626.72	\$21,208.73	\$21,835.46
			\$317.99	\$317.99	
11/1/2016	3.000%	\$21,199.47	\$317.99	\$21,517.47	\$21,835.46
		\$100,000.00	\$9,177.29	\$109,177.29	\$109,177.29

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2067

DEPARTMENT OF HEALTH SERVICES

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

September 14, 2011

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

I request the introduction of the enclosed Resolution to amend the Adopted 2011 Capital Budget and Program and appropriate funds for the Brownfields Program, Former Blue Point Laundry Site (CP 8223). The former Blue Point Laundry site was an active commercial laundry with dry cleaning capabilities. There is both groundwater and soil contamination, primarily from petroleum products, at this site. This property was taken over by Suffolk County in 1998 and the New York State Department of Environmental Conservation Spills Unit is requiring that Suffolk County enter into a Stipulation Agreement and provide a remediation plan for this site. This resolution will create a capital project for this site and appropriate needed planning funds.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Walter Dawydiak 852-5800. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP 8223 Blue Point Laundry.doc".

Sincerely,

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

Enclosures

JLT/lw

- C: Christopher E. Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations (2 copies)
Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Janet DeMarzo, Deputy Commissioner
Walter Dawydiak, P.E., Acting Director, Division of Environmental Quality
James W. Meyers, P.E., Principal Public Health Engineer
Diane E. Weyer, Principal Financial Analyst



Public Health
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER
225 Rabro Drive East, Hauppauge, NY 11788 (831) 853-3000 Fax (831) 853-2927

New York State Department of Environmental Conservation
Division of Environmental Remediation, Region One
Spill Prevention and Response
Stony Brook University
50 Circle Road, Stony Brook, NY 11790-3409
Phone: (631) 444-0320 • **Fax:** (631) 444-0328
Website: www.dec.ny.gov

2067



Joe Martens
Commissioner

June 13, 2011

Suffolk County Department of Health Services
Office of Pollution Control
15 Horseblock Place
Farmingville, NY 11738

Attn: Jim Meyers

RE: Spill #09-06677, Former Blue Point Laundry Site, 36 Park Street, Blue Point.

Dear Mr. Meyers:

The purpose of this letter is to obtain your (Suffolk County) commitment to cleanup and remove the discharge of petroleum which occurred at the former Blue Point Laundry site, 36 Park Street, Blue Point, New York. As a result of an investigation undertaken by this Department, we believe that Suffolk County is responsible for this discharge.

In an effort to bring about the timely and appropriate cleanup of this discharge, we have enclosed a Stipulation agreement for your signature, a sample Corrective Action Plan (CAP) and the Guidance for Petroleum Spill Stipulation Agreement document. A CAP delineates the work that needs to be done and a schedule for such work. The guidance document includes the required discharge or emission levels that would normally be required for this type of activity. If this agreement is signed, no separate permits will be required. This allows the remediation to start promptly without delays that may be caused by having to obtain Department permits.

By signing the Stipulation agreement, you are not admitting that you caused the discharge or admitting liability for this discharge under Article 12 of the Navigation Law. The sole purpose of the Stipulation is to effectuate the remediation of this discharge in an expeditious fashion. If you choose not to sign this agreement, the Department will hire a contractor to perform the required remediation. This will result in your being billed for the actual costs incurred by the State for this activity.

This agreement will not affect your right to pursue any claims you may have against other parties as a result of this discharge. Additionally, in the event that you are not a responsible party under Article 12 of the Navigation Law, this agreement will not prevent you from filing a claim against the New York Environmental Protection and Spill Compensation Fund.

2067

You should be advised that your agreement to clean up this discharge does not affect the Department's right to pursue any claims that the Department may have against you for penalties based on violations of the Navigation Law or the Environmental Conservation Law arising out of this discharge of petroleum. However, by signing this agreement, you have not waived any defenses you may have to any such claims.

If you choose to perform the remediation of this discharge, please sign the attached Stipulation, draft a Corrective Action Plan and return them to the undersigned. If we have not heard from you or received the signed stipulation within a timely manner, we will proceed, as discussed above, to hire a contractor to perform the required remediation or pursue enforcement action in accordance with Article 12 of the Navigation Law. If you have any questions, please contact Nick Acampora of the Spill Response Staff at (631) 444-0322.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Gomez', with a stylized flourish at the end.

Karen J. Gomez, P.E.
Regional Spill Engineer

cc: N. Acampora

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

2067

STIPULATION PURSUANT TO SECTION 17-0303 OF THE ENVIRONMENTAL
CONSERVATION LAW AND SECTION 176 OF THE NAVIGATION LAW BY:

County of Suffolk, Respondent

Spill No. 09-06677

1. The Department of Environmental Conservation is the agency responsible for the cleanup and removal of discharges of petroleum pursuant to Article 12 of the Navigation Law and Article 17 of the Environmental Conservation Law.
2. Respondent has agreed to clean up and remove a discharge of petroleum which was discovered on September 11, 2009 at the former Blue Point Laundry site, 36 Park Street, Blue Point, NY (the Site) by taking the steps and according to the conditions set forth in the Corrective Action Plan attached to this Stipulation.
3. Respondent and its employees, servants, agents, lessees, sublessees, successors, and assigns hereby waive any right to pursue reimbursement of monies expended by Respondent prior to the Termination Date as against the State of New York or the New York Environmental Protection and Spill Compensation Fund (the Spill Fund), and agree to indemnify and hold harmless the Spill Fund from any and all legal or equitable claims, suits, causes of action, or demands whatsoever with respect to the Site that any of same has or may have as a result of Respondent's entering into or fulfilling the terms of this Stipulation with respect to the Site.
4. This Stipulation does not affect the Department's right to pursue any claims that the Department may have against Respondent, including but not limited to, claims for alleged violations of the Navigation law or the Environmental Conservation law. This Stipulation does not affect any defenses that Respondent may have to any such claims.
5. Respondent, without admitting liability, consents to the issuance of this Stipulation, waives the right to notice and hearing with respect to the issuance and entry of this Stipulation as provided by law, and agrees to be bound by the terms of this Stipulation, including any attachments thereto.
6. This Stipulation is equivalent to an order pursuant to ECL §17-0303 and a directive pursuant to NL §176 and is enforceable as such.
7. The Corrective Action Plan may be modified in writing as may be agreed between the parties. The Corrective Action Plan may be modified by the Department in the same manner as a Department permit. In the event of a conflict between the terms of this Stipulation and any Corrective Action Plan submitted pursuant to this Stipulation, the terms of this Stipulation shall control over the terms of the Corrective Action Plan(s).

2067

8. The effective date of this Stipulation is the date it is signed by the Department. This Stipulation shall terminate when the Department issues a written determination that no further remedial activities are required with respect to the petroleum discharge at the Site (the Termination Date).

Date

Respondent's Signature*

Respondent's Title (if corporation)

Date

Regional Spill Engineer, Region 1

*NOTE:: If stipulation is with a corporation, the respondent must be an official, authorized corporate representative.

2061
COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

JAMES I. TOMARKEN, MD
MSW, MPH, MBA, FRCP, FACP
COMMISSIONER

MEMORANDUM

TO: Liza Wright
Budget/Purchasing/Inventory Unit

From: Walter Dawydiak, PE - Acting Director *WD*
Division of Environmental Quality *PE*

DATE: September 13, 2011

SUBJECT: *Blue Point Laundry - Request for Appropriation*

Additional Planning and Design funding for CP 8223 is critical to address newly discovered contamination at the Blue Point Laundry site which is owned by Suffolk County. Significant contamination has been discovered behind the site on LIRR property. The contaminant plume heads directly towards Corey Creek. Additional funding is required for work plans, reports and additional investigation related to this contamination beyond what has already been approved. The site is currently in the NYSDEC Oil Spill Program and the DEC is very concerned about potential impacts to the creek. They have indicated that proactive steps are necessary to investigate and remediate the problem. Failure to promptly address these issues could result in fines as well as a DEC takeover of the cleanup efforts resulting in penalties in the amount of triple the cleanup costs.

A 2011 appropriation of \$100,000 for planning work is requested for this project. To support the critical Blue Point Laundry planning work, we are proposing the following offsets from 2012 Planning authorizations:

- \$25,000 from CP 8224 (Harmful Algal Blooms)
- \$25,000 from CP 8237 (Water Quality Model)
- \$50,000 from CP 8235 (National Estuary Program)

Thank you for your help and please let us know if there are any questions.

Attachment



◆ OFFICE OF THE ACTING DIRECTOR ◆
DIVISION OF ENVIRONMENTAL QUALITY - 860 YAPHANK AVENUE ~ YAPHANK, NY 11980
☎ (631) 852.8800/FAX: (631) 852.7625

2068

Intro. Res. No. - 2011

Laid on the Table

12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH THE PECONIC BAY ESTUARY PROGRAM (CP 8235)

WHEREAS, funds were adopted in the 2011 Capital Budget for the Peconic Bay Estuary Program; and

WHEREAS, these funds are to support the implementation of Watershed Storm-water Management plans in the Peconic Estuary; and

WHEREAS, the implementation of these plans is expected to focus on improved management of storm-water pollutants that are negatively impacting our waters; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said request under Capital Program Number 8235; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$100,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) 20, 21, and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8235.116 (Fund 001-Debt Service)	40	Peconic Bay Estuary Program	\$100,000

DATED:

APPROVED BY:

County Executive of Suffolk County
Date:

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2068

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$21,835	\$0.04		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$21,835	\$0.04		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

2068

Term of Bonds: 5
 Amount to Bond: \$100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$18,835.46	\$3,000.00	\$21,835.46	\$21,835.46
11/1/2013	3.000%	\$19,400.52	\$1,217.47	\$20,617.99	\$21,835.46
11/1/2014	3.000%	\$19,982.54	\$926.46	\$20,909.00	\$21,835.46
11/1/2015	3.000%	\$20,582.01	\$626.72	\$21,208.73	\$21,835.46
11/1/2016	3.000%	\$21,199.47	\$317.99	\$21,517.47	\$21,835.46
		\$100,000.00	\$9,177.29	\$109,177.29	\$109,177.29

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2068

DEPARTMENT OF HEALTH SERVICES

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

September 14, 2011

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

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution to appropriate funds in connection with the Peconic Bay Estuary Program (CP 8235). These funds are to support the implementation of Watershed Stormwater Management plans in the Peconic Estuary. The implementation of these plans is expected to focus on improved management of storm-water pollutants that are negatively impacting our waters.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Walter Dawydiak at 2-5800. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP 8235 PEP.doc".

Sincerely,

A handwritten signature in cursive script that reads "James L. Tomarken".

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

Enclosures

JLT/lw

- C: Christopher E. Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations (2 copies)
Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Janet DeMarzo, Deputy Commissioner
Walter Dawydiak, Acting Director, Division of Environmental Quality
Diane E. Weyer, Principal Financial Analyst



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

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2068

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

TO: Liza Wright
Budget/Purchasing

FROM: Walter Dawydiak, PE *WD*
Acting Director - Div of Environmental Quality

DATE: September 14, 2011

SUBJECT: Capital Project Request - Peconic Estuary Program
CP 8235 -- \$100,000

The SCDHS, Division of Environmental Quality, is requesting appropriation of \$100,000 in authorized 2011 CP 8235 planning funds. The requested funding will support the structural and non-structural improvements as listed in one of the existing Peconic Estuary Program (PEP) Subwatershed Management Plans. To date, the PEP has funded the development of ten Subwatershed Management Plans throughout the five East-End towns. These plans were developed to provide a framework for improvements to increase the water quality of impaired waterbodies within the Peconic Estuary. These impaired waterbodies are subjected to stormwater inputs containing bacteria and excess nutrients and the plans focus on improved management of stormwater pollutants, including the primary stressors (nitrogen, phosphorous, suspended solids, and bacteria) and secondary stressors (metals and hydrocarbons) that are negatively impacting the waterbodies.

The stormwater assessments were used to identify likely stormwater pollutant sources as well as areas where best management practices (BMPs) could be installed to improve the management and treatment of stormwater in the watershed. By implementing these plans and carrying out the recommended infrastructure improvements as listed in the plans, impacts caused by stormwater runoff will be mitigated; as a result, thousands of acres of shellfishing waters will benefit leading to increased recreational enjoyment and economic benefit for the region.

The Peconic Estuary grant received from the EPA requires Suffolk County to provide matching funds. CP8235 provides part of those required matching funds.

C: Margaret Bermel, Director of Health Administrative Services
Len Marchese - MBA, CPA - Director of Management and Research
Christopher Lubicich, PE - Chief - Office of Ecology
Kimberly Shaw, Principal Environmental Analyst - PEP



Intro. Res. No. 2069-11
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 12/6/11

**RESOLUTION NO. -2011, AMENDING THE
ADOPTED 2011 OPERATING BUDGET TO TRANSFER
FUNDS FROM FUND 477 WATER QUALITY
PROTECTION, AMENDING THE 2011 CAPITAL BUDGET
AND PROGRAM, AND APPROPRIATING FUNDS IN
CONNECTION WITH STORMWATER REMEDIATION
IMPROVEMENTS TO BROWN CREEK AT COUNTY
ROAD 65, MIDDLE ROAD (CP 8240.326)**

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to , Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Suffolk County Department of Public Works will sponsor a non-point source abatement and control remediation project in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the project involves replacement of the existing inadequate drainage system to the west and east of Brown Creek with leaching basins and structural stormwater treatment units to prevent the current direct discharge of stormwater and provide treatment to the runoff; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2008 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2011 Capital Budget and Program; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, has found and determined that the project proposed pursuant to this resolution constitutes an unlisted action which will not have significant adverse impacts on the environment as stated in SEQRA resolution No. 126-2007, and pursuant to Section 617.5 (c) (20), (21) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-019 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and Legislative decisions in connection with continuing agency administration, management 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; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th **RESOLVED**, that the Adopted 2011 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$480,000

and be it further

5th **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Water Quality Protection	\$480,000
(Ref.525-CAP-IFTR-R477)					

and be it further

6th **RESOLVED**, that the 2011 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240
 Project Title: Storm Water Remediation Improvements to Brown Creek at County Road 65, Middle Road

	<u>Total Est'd Cost</u>	<u>Capital Budget & Program</u>	<u>Capital Budget & Program</u>
3. Construction	\$480,000	\$0	\$480,000W
TOTAL	\$480,000	\$0	\$480,000

and be it further

7th **RESOLVED**, that these Water Quality proceeds in the amount of \$480,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.326	50	Storm Water Remediation Improvements to Brown Creek at County Road 65, Middle Road	\$480,000

and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. -2011, AMENDING THE ADOPTED 2011 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER REMEDIATION IMPROVEMENTS TO BROWN CREEK AT COUNTY ROAD 65, MIDDLE ROAD (CP 8240.326)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">County</div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND- AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8240- STORMWATER REMEDIATION PROJECT.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
FUND 477 RESERVE FUND BALANCE		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		September 27th, 2011

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2069

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS

COUNTY OF SUFFOLK



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STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

R. Lawrence Swanson
CHAIRPERSON

James Bagg
CHIEF ENVIRONMENTAL ANALYST

MEMORANDUM

TO: Honorable Steve Levy, Suffolk County Executive
Honorable William J. Lindsay, Presiding Officer

FROM: R. Lawrence Swanson, Chairperson

DATE: November 26, 2007

RE: CEQ Review of the Proposed CR 65 Middle Road @ Brown Creek Stormwater Remediation.

At its November 21st, 2007 meeting, the CEQ reviewed the above referenced project. Pursuant to Chapter 279 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Victor Keneiby, P.E. Associate Civil Engineer and Jonah Rivera, Junior Civil Engineer with the Suffolk County Department of Public Works, the council advises the Suffolk County Legislature and County Executive, in CEQ Resolution No. 126-07, a copy of which is attached, that the proposed project be considered an unlisted action under SEQRA that will not have significant adverse impacts on the environment.

If the Legislature concurs with the Council on Environmental Quality's recommendation that the project will not have a significant effect on the environment, the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution determining that the proposed action is an unlisted action pursuant to SEQRA that will not have significant adverse impacts on the environment (negative declaration). However, if the Legislature has further environmental concerns regarding the project and needs additional information, then the Presiding Officer should submit a resolution requiring a draft environmental impact statement (positive declaration), and authorize the initiating unit to prepare such a document.

Enclosed for your information is a copy of the EAF, associated information and CEQ Resolution No. 126-07 setting forth the council's recommendations. If the council can be of further help in this matter, please let us know.

cc: All Suffolk County Legislators
Tim Laube, Clerk of Legislature
George Nolan, Attorney for the Legislature
Carrie Meek Gallagher, Director of Environmental Affairs
Christine Malafi, Suffolk County Attorney
(Dept. Head and/or Presenter)

RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION
AND DETERMINATION FOR THE PURPOSES OF
CHAPTER 279 OF THE SUFFOLK COUNTY CODE
FOR THE PROPOSED CR 65 MIDDLE ROAD @ BROWN CREEK STORMWATER
REMEDATION

WHEREAS, at its November 21, 2007 meeting, the Suffolk County Council on Environmental Quality reviewed the EAF and associated information submitted by the Suffolk County Department of Public Works; and

WHEREAS, a presentation regarding the project was given at the meeting by Victor Keneiby, P.E. Associate Civil Engineer and Jonah Rivera, Junior Civil Engineer with the Suffolk County Department of Public Works; and

WHEREAS, the project involves replacement of the existing inadequate drainage system to the west and east of Brown Creek with leaching basins and structural stormwater treatment units to prevent the current direct discharge of stormwater and provide treatment to the runoff; now

Be It Therefore

RESOLVED, that in the judgment of the CEQ, based on the information received and presented, the above activity is an unlisted action under the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code; and

Be It Further

RESOLVED, that based on the information received, a quorum of the council recommends to the Suffolk County Legislature and County Executive, pursuant to Chapter 279 of the Suffolk County Code, that the project will not have significant adverse impacts on the environment for the following reasons:

1. the proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form:
2. the proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code:
3. the project is necessary to comply with the Suffolk County policy limiting direct discharge of stormwater runoff to surface water:
4. The action is in conformance with the Long Island South Shore Estuary Reserve Comprehensive Master Plan and the NYSDEC Stormwater Remediation Manual; and

that the Legislature and County Executive adopt a SEQRA determination of non-significance (negative declaration).

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Project #DPW-122-07

CEQ Resolution 126-07

November 21, 2007

Motion by: Mr. Kaufman	Seconded by: Mr. Pichney
CEQ Vote: Appointed Members: 7	Ayes: 7
CAC Representatives: 0	Nays: None
Total Voting: 7	Abstentions: None
	Presiding: Mr. Swanson

Further information may be obtained by contacting:

Council on Environmental Quality
P.O. Box 6100
Hauppauge, New York 11788
James F. Bagg, Chief Environmental Analyst
Tel: (631) 853-5203

JFB/cd

cc: Honorable Steve Levy, Suffolk County Executive
Honorable William J. Lindsay, Presiding Officer
All Suffolk County Legislators
Tim Laube, Clerk of Legislature
George Nolan, Attorney for the Legislature
Carrie Meek Gallagher, Director of Environmental Affairs
Christine Malafi, Suffolk County Attorney
(Dept. Head and/or Presenter)

COUNTY OF SUFFOLK



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STEVE LEVY
COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT
AND ENERGY

BRIAN T. CULHANE
COMMISSIONER

September 27, 2011

Mr. Ken Crannell
Deputy County Executive
H Lee Dennison Bldg. Fl. 12
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Enclosed for your consideration and submission are the original and one (1) copy of the proposed resolution pursuant to:

AMENDING THE 2011 OPERATING BUDGET IN CONNECTION WITH STORMWATER
REMEDIAION IMPROVEMENTS TO BROWN CREEK AT COUNTY ROAD 65, MIDDLE ROAD

There are sufficient funds included in the 2011 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee approved "Stormwater Remediation Improvements to Brown Creek at County Road 65, Middle Road", submitted by the Suffolk County Department of Public Works, as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds in the amount of \$480,000.

After your examination please place this on the Legislative Agenda as soon as possible. If you have any questions or concerns, please contact me.

Sincerely,

Brian T. Culhane, Commissioner
Suffolk County Department of Environment and Energy

BTC:gkr
Enc.

cc: Nick Paglia, Assistant Executive Analyst
Brendan Chamberlain, Director Intergovernmental Relations
Amy Engel, Senior Management Analyst

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF \$120,000 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S OPERATION HOT WHEELS VIII PROGRAM WITH 82.29% SUPPORT.

WHEREAS, the New York State Division of Criminal Justice Services has made \$120,000.00 in State Motor Vehicle Theft and Insurance Fraud Prevention Program funds available to Suffolk County for the continuance of the Suffolk County Police Department's Operation Hot Wheels Program; and

WHEREAS, this program is designed to reduce the incidence of motor vehicle theft and insurance fraud within Suffolk County; and

WHEREAS, the operational period of the program will be from January 1, 2012 through December 31, 2012; and

WHEREAS, said grant funds have not been included in the 2011 Suffolk County Operating Budget; now, therefore, be it

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

REVENUE:	<u>Amount</u>
001-3390-State Aid: Operation Hot Wheels VIII	\$120,000

ORGANIZATIONS:

**Police Department (POL)
Operation Hot Wheels VIII
001-POL-3680**

<u>1000-Personnel Services</u>	<u>\$114,000</u>
1120-Overtime Salaries	114,000
<u>4000-Utilities</u>	<u>\$3,504</u>
4015-Cellular Communications	3,504
<u>4300-Travel</u>	<u>\$2,496</u>
4340-Travel Other Contracts	2,496

and be it further

2nd RESOLVED, that the employee benefits of \$25,821 associated with the overtime salaries for this grant are included in the 2011 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 10/5/2011 REV 11/21/11
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date 9/30/2011

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

I. BACKGROUND INFORMATION

- Grant Title **Operation Hot Wheels VIII**
- Statutory Legislation (Public Law No. & Title & Department Administering Grant Program): 1994 NYS Executive Law 846, The Motor Vehicle Theft and Insurance Fraud Prevention Demonstration Program, administered by NYS Division of Criminal Justice Services.
- Grant/Contract Status (Check One Box)
 - A. ___ New Program Application
 - B. X Renewal Application
 - C. ___ Supplemental (Specify) _____
 - D. ___ Extension of Funding Period
 - E. ___ Contract
- General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment).
The Suffolk County Police Department's Vehicle Theft Section proposes to continue its multi-pronged approach to reducing vehicle theft and insurance fraud in Suffolk County.
- County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) District Attorney

II. BUDGET INFORMATION

1. Term of Contract From 1/01/2012 To: 12/31/2012

2. Financial Assistance Requested

SOURCE	SEVENTH FUNDING CYCLE		EIGHTH FUNDING CYCLE		NINTH FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$	%	\$	%	\$	%
State	\$127,395	84.13%	\$117,450	84.07%	\$120,000	82.29%
Private	\$	%	\$	%	\$	%
County	\$24,030	15.87%	\$22,255	15.93%	\$25,821	17.71%
Total	\$151,425	100%	\$139,705	100%	\$145,821	100%

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3. Explanation of Requested County Financial Assistance			
Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE:	\$ 25,821	\$	\$25,821
A. Cash Contribution	\$ 25,821	\$	\$25,821
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X	YES
			NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2011

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	114,000 114,000			
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2090 Radio and Communication 2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				2070
4000 UTILITIES: 4010 Telephone & Telegraph 4015 Cellular Communications 4210 Computer Services	3,504 3,504			
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts	2,496 2,496			

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2011

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		25,821 24,168 1,653	2070	These expenses are not eligible for funding under this program.
OTHER (List Source & Brief Explanation)				

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES			Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	GRANTOR	SOURCE OF FUNDING BY % COUNTY IN-KIND
Detective	4	98.31hr OT	Various	100	
Detective Sergeant		108.72/hr OT	Various	100	
Detective Lieutenant		121.04/hr OT	Various	100	

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STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
4 Tower Place
Albany, New York 12203-3764
<http://criminaljustice.state.ny.us>

ANDREW M. CUOMO
GOVERNOR

SEAN M. BYRNE
ACTING COMMISSIONER

November 18, 2011

Ms. Sarah Furey
Grants Analyst
Suffolk County Police Department
30 Yaphank Avenue
Yaphank, NY 11980

**Re: MV 2011/12 Award for Motor Vehicle Theft and
Insurance Fraud Prevention Program**

Dear Ms. Furey:

I am pleased to advise you that the Suffolk County Police Department has been awarded \$120,000 in SFY 2011/12 grant funds with agreement by the New York State Motor Vehicle Theft and Insurance Fraud Prevention Board (the Board). This funding is available through the Motor Vehicle Theft and Insurance Fraud (MVTIF) Prevention Demonstration Program to support the program proposal described in your recent grant application.

Over \$4.4 million in grant funding was requested as compared to the \$3.8 million available for awards in this cycle. As a result of this overwhelming response, the Board was able to recommend funding at reduced levels. We will work with you to help structure your proposed program consistent with the award amount.

The Statewide Plan of Operation for motor vehicle theft and insurance fraud, as legislated by Article 36-A of the Executive Law, requires a coordinated approach to detect, prevent, deter and reduce motor vehicle theft and insurance fraud. The Division of Criminal Justice Services (DCJS) requires that all MVTIF grantees develop a strategy that includes a threat assessment describing the scope of the motor vehicle theft and insurance fraud problem and the coordinated efforts that would be utilized to effectively combat these crimes. An evaluation of these efforts will be incorporated into the project work plan for the 2011/2012 grant period.

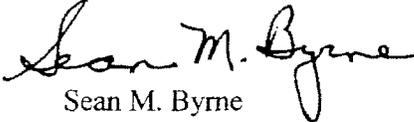
All grant recipients are required to enter investigative targets in the Secure Automated Fast Event Tracking Network (SAFETNet) as a special condition of the award. During the contract period, grantees will be expected to produce substantiated information, both statistical and programmatic, on the effectiveness of the initiatives implemented by the grant program. This information is essential to demonstrate the success of your program and may influence the continued support of your program initiatives in future funding cycles.

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The primary contact for your project will receive a contract preparation package from the DCJS Office of Program Development and Funding Criminal Justice Program Representative (CJPR) assigned to this project. The CJPR will assist your office in the development of the MVTIF grant contract. If you have any questions related to the Motor Vehicle Theft and Insurance Fraud Prevention Program, please call the MVTIF Program staff at (518) 457-8404.

On behalf of the Board and DCJS, congratulations on your award. We look forward to continuing to work with you to reduce motor vehicle theft and insurance fraud in New York State.

Very truly yours,


Sean M. Byrne
Acting Commissioner

SMB:mmm:pr

cc: Ed Dumas, Chief Deputy County Executive for Policy & Communications
Suffolk County

Project No.

Grantee Name

MV11-1004-E00

Suffolk County

11/22/2011

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Budget Summary by Participant

Suffolk County

Suffolk County Police Department

Version 1

#	Personnel	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Detective Sergeant OT	1	\$12,000.00	\$12,000.00	\$12,000.00	\$0.00

Justification: To be expended in grant operations. Dependent on the varying success of the operational areas proposed, it will be preferable to be able to maximize efforts in one operational area, which is meeting success over another area that is not. The ability to move manpower and resources as conditions warrant will be our best guarantee of meeting our stated objectives. Number of hours dedicated to the program for each rank is approximated. Labor contracts require supervision on overtime, so that a D/Sgt. or D/Lt. will oversee project operations. Depending on the case activity being conducted, there will be times when both the D/Sgt. and the D/Lt. will be involved in overtime operations.

2	Detective Lieutenant OT	1	\$14,000.00	\$14,000.00	\$14,000.00	\$0.00
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Justification: @ 121.04 to be expended in grant operations. Dependent on the varying success of the operational areas proposed, it will be preferable to be able to maximize efforts in one operational area, which is meeting success over another area that is not. The ability to move manpower and resources as conditions warrant will be our best guarantee of meeting our stated objectives. Number of hours dedicated to the program for each rank is approximated. Labor contracts require supervision on overtime, so that a D/Sgt. or D/Lt. will oversee project operations. Depending on the case activity being conducted, there will be times when both the D/Sgt. and the D/Lt. will be involved in overtime operations.

3	Detective OT	7	\$12,571.43	\$88,000.00	\$88,000.00	\$0.00
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Justification: @ 98.31 to be expended in grant operations. Dependent on the varying success of the operational areas proposed, it will be preferable to be able to maximize efforts in one operational area, which is meeting success over another area that is not. The ability to move manpower and resources as conditions warrant will be our best guarantee of meeting our stated objectives. Number of hours dedicated to the program for each rank is approximated. Labor contracts require supervision on overtime, so that a D/Sgt. or D/Lt. will oversee project operations. Depending on the case activity being conducted, there will be times when both the D/Sgt. and the D/Lt. will be involved in overtime operations.

Total				\$114,000.00	\$114,000.00	\$0.00
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	Travel and Subsistence	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
4	Training and Seminars	1	\$2,496.00	\$2,496.00	\$2,496.00	\$0.00

Justification: Travel to 2012 IAATI Conf, statewide advisory group meeting, seminars

Total				\$2,496.00	\$2,496.00	\$0.00
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Version 1 Total	Total Cost	Grant Funds	Matching Funds
	\$116,496.00	\$116,496.00	\$0.00

Version 2

	All Other Expenses	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
5	12 months of Internet and phone service for 4 Blackberries	4	\$876.00	\$3,504.00	\$3,504.00	\$0.00

Justification: Officers working in the field and outside of normal business hours need to be able to obtain information regarding stolen vehicles from various data bases, most importantly the NICB data base which cannot be accessed by telephone in the evening, night, or weekend hours and the Carco and Carfax databases which allow detectives immediate access to car data. Monthly cost for each Blackberry is approximately \$73.00 dollars, yearly cost per Blackberry is approximately 876.00 dollars. Yearly cost for all 4 Blackberries is 3,504.00.

Total				\$3,504.00	\$3,504.00	\$0.00
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Version 2 Total	Total Cost	Grant Funds	Matching Funds
	\$3,504.00	\$3,504.00	\$0.00

Advance Request

Advance: \$0.00

Justification: none

COUNTY OF SUFFOLK

D. Chafetz BS

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STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

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

FROM: Cornelius McKenna, Inspector
Office of Chief of Support Services
Suffolk County Police Department *CM*

DATE: November 22, 2011

SUBJECT: Resolution Packet & SCIN Forms for
Operation Hot Wheels VIII
DCJS # MV11-1004-E00

Certificate of Necessity Requested

Attached please find two copies of the following for the New York State Division of Criminal Justice Services sponsored Operation Hot Wheels VIII project:

1. Grant Resolution
2. Grant SCIN Forms
3. Request for Introduction of Legislation
4. Financial Impact Statement
5. Copy of the award letter from the New York State Division of Criminal Justice Services
6. Copy of project budget

This is a one year program beginning on January 1, 2012 and ending on December 31, 2012 with no extensions possible. In order to obtain the maximum benefit from the funding and to begin grant activities promptly in January, it is imperative that the resolution to accept and appropriate the funding for the project be passed as soon as possible. For this reason we are requesting a Certificate of Necessity for the December 6, 2011 meeting of the Legislature. Thank you for your consideration and assistance with this program.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted for signature upon approval of the resolution.

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

Thank you again for your assistance with this project.

CM/sck

Evelyn Creen, Senior Federal & State Aid Claims Examiner

Christopher Keane **ACCREDITED LAW ENFORCEMENT AGENCY**

www.joinscpd.com

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



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Intro. Res. No. - 2011

Laid on the Table

12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2011, AMENDING RESOLUTION NO. 1357-2007, AMENDED BY RESOLUTION NOS. 685-2008 AND 547-2009 IN CONNECTION WITH THE BROWNFIELDS PROGRAM (CP 8223.111)

WHEREAS, Resolution No. 1357-2007 appropriated \$855,000 in 100% Suffolk County funds; and

WHEREAS, Resolution No. 685-2008 amended Resolution No. 1357-2007 to accept \$46,346 in State funding from the New York State Department of Environmental Conservation (NYSDEC) for the former Bellport Gas Station site; and

WHEREAS, Resolution No. 547-2009 further amended Resolution No. 1357-2007 to accept an additional \$80,000 in State funding from NYSDEC for the former Wallpaper Factory site; and

WHEREAS, there has been an increase of \$79,756 in costs to complete the investigation and to perform the Interim Remedial Measures required at the former Bellport Gas Station site; and

WHEREAS, these additional costs of \$79,756 are also eligible for 90% reimbursement in the amount of \$71,780; and

WHEREAS, the reimbursement is to be received pursuant to a State Assistance Contract between the NYS Department of Environmental Conservation and Suffolk County under the Clean Water/Clean Air Bond Act, Environmental Restoration Program, for investigation related to the Former Bellport Gas Station (Site Number E152194); and

WHEREAS, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the State portion based on actual expenditures; now, therefore, be it

1st RESOLVED, that the apportionment of the cost of Capital Project 8223.111 be amended to reflect the additional ninety percent (90%) State assistance to complete investigation and perform Interim Remedial Measures in the amount of \$71,780; and be it further

2nd RESOLVED, that the apportionment of the cost of Capital Project 8223.111 be amended to reflect a total cost of \$855,000 with a share allocation of 90% State reimbursement in the amount of \$198,126, and a County share of \$656,874; and be it further

3rd RESOLVED, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$656,874; and be it further

4th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any State aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$656,874 for the County share; and be it further

5th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept added State funding up to \$71,780; and be it further

6th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total State share of \$198,126; and be it further

7th RESOLVED, that the County Legislature hereby authorized the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Environmental Conservation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County
Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2071

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2011, AMENDING RESOLUTION NO. 1357-2007, AMENDED BY RESOLUTION NOS. 685-2008 AND 547-2009 IN CONNECTION WITH THE BROWNFIELDS PROGRAM (CP 8223.111)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution seeks to accept reimbursement in the amount of \$71,780.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
NYS DEC Clean/Water Air Bond Act, Environmental Restoration Program Suffolk County Serial Bonds and/or BANS		
9. Timing of Impact		
Upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 22 nd , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2011

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Law # 11-EE-007

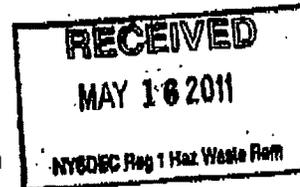
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
1996 CLEAN WATER/CLEAN AIR BOND ACT
ENVIRONMENTAL RESTORATION PROGRAM
STATE ASSISTANCE CONTRACT

2011

IN RE:

Municipality Name: Suffolk County
Site Name: Former Bellport Gas Station
Site Address: 1401 Montauk Highway
Site Number: E152194

Contract Number: C304320



This CONTRACT is made between the New York State Department of Environmental Conservation (Department), acting for and on behalf of the State, and the Suffolk County, with offices located at Office of the County Executive, P.O. Box 6500, H. Lee Dennison Building, Hauppauge, New York 11788-0099.

WHEREAS, the Department is authorized by Article 56 of the New York State Environmental Conservation Law (hereinafter the "ECL") to enter into contracts on behalf of the State to provide State Assistance; and

WHEREAS, this Contract No. C304320 incorporates by reference Contract No. T303811 which the Department and the Municipality entered into on July 1, 2008. The original estimated eligible costs under Contract No. T303811 of \$50,670 resulted in a state assistance contract of \$46,346 for the original investigation scope of work. Since the contract amount was under \$50,000 the contract was given a "T" designation that now precludes it from being increased to cover the revised estimated eligible costs. Therefore, a new Contract No. 304320 is required for the estimated increase in eligible costs of \$79,756 to complete the investigation and perform the Interim Remedial Measure which results in a state assistance contract amount of \$71,780. See Schedule A for additional details; and

WHEREAS, the Legislature has determined that the preservation, enhancement, restoration and improvement of the quality of the State's environment is one of government's most fundamental obligations; and

WHEREAS, the Legislature authorized the Department to enter into contracts with municipalities to provide State Assistance to them to develop and implement Environmental Restoration Program projects approved by the Department for eligible properties held in title by them; and

WHEREAS, Municipality has applied for State Assistance to develop and implement an Environmental Restoration Program project (Project), the purpose and scope of which is set forth in Schedule A Scope of Work of this Contract, on the Site that is described in Appendix C Proof of Ownership and Legal Description of Site of this Contract, by metes and bounds and by reference to a recorded map showing its boundaries and bearing the seal and signature of a licensed land surveyor; and

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

B6
2071

DEPARTMENT OF HEALTH SERVICES

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

August 24, 2011

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

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution to amend Resolution No. 1357-2007, amended by Resolution Nos. 685-2008 and 547-2009 in Connection with the Brownfields Program (CP 8223.111). The County is required to first fund the entire cost of the project and then receives reimbursement from the State based on actual expenditures. This Resolution is needed to accept additional State reimbursement and reduce capital borrowing for the former Bellport Gas Station site.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Diane Weyer 3-6455. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-Add'l Aid CP 8223 Brownfields.doc".

Sincerely,

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

Enclosures

JLT/lw

- C: Christopher E. Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations (2 copies)
Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Janet DeMarzo, Deputy Commissioner
Walter Dawydiak, Acting Director, Division of Environmental Quality
Diane E. Weyer, Principal Financial Analyst



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

2072

Intro. Res. No. - 2011

Laid on Table

12/6/11

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 STEBBINS AND
THROGS NECK TRADING GROUP, LTD
PROPERTY - NOYAC GREENBELT (TOWN OF
SOUTHAMPTON - SCTM#0900-030.00-01.00-
008.000 & 0900-030.00-01.00-037.000)**

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

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

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

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

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 - Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 - Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Two Million Eight Hundred Thousand Dollars (\$2,800,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>		<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District	0900	5.2 _±	J. Monroe Stebbins 770 Middle Line Highway Sag Harbor, NY 11963
	Section	030.00		
	Block	01.00		
	Lot	008.000		
No. 2	District	0900	3.9 _±	Throgs Neck Trading Group, Ltd 770 Middle Line Highway Sag Harbor, NY 11963
	Section	030.00		
	Block	01.00		
	Lot	037.000		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Two Million Eight Hundred Thousand Dollars (\$2,800,000.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$2,800,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and TWO (2) Workforce Housing Development Rights shall be removed and placed

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

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

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

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that the above activity is an Unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

9th RESOLVED, that the project will not have a significant adverse impact on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria set forth in Title 6 NYCRR Part 617.7 which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
- 2.) the proposed use of the subject parcel is passive recreation and habitat management;
- 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;
- 4.) the above ground storage tanks, electrical transformer and any other debris will be removed and properly disposed of prior to acquisition and, be it further

10th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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

2072

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County 1/4% Drinking Water Protection Program, of the Stebbins and Throgs Neck Trading Group, Ltd. properties, (Noyac Greenbelt) SCTM#'s 0900-030.00-01.00-008.000 & 0900-030.00-01.00-037.000, (Town of Southampton).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding New Suffolk County 1/4% Drinking Water Protection Program		
9. Timing of Impact N/A		
10. <i>Typed Name & Title of Preparer</i> Janet M. Longo Acquisition Supervisor	11. <i>Signature of Preparer</i>	12. <i>Date</i> October 21, 2011

C1

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2072

BRIAN T. CULHANE
COMMISSIONER

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

PAMELA J. GREENE
DIVISION DIRECTOR

October 21, 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 Stebbins and Throgs Neck Trading Group, Ltd properties (Noyac Greenbelt), in the Town of Southampton, under the New Suffolk County ¼% Drinking Water Protection Program-Open Space. The purchase price is \$2,800,000.00 for 9.1± acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd

Att.

cc: 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)

2073

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

Laid on Table 12/6/11

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 SYLVESTER MANOR EDUCATIONAL FARM, INC. PROPERTY – SYLVESTER MANOR PHASE II – TOWN OF SHELTER ISLAND (SCTM NO. 0700-008.00-01.00-005.002 p/o)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted resolutions of the County of Suffolk ("County"); 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. 647-2009, authorized planning steps for the acquisition of farmland development rights of the subject property; and

WHEREAS, the Town of Shelter Island ("Town") has approved a resolution on April 29, 2011 authorizing the acquisition of farmland development rights of the subject property in partnership with the County; 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 Section 247 of the New York State General Municipal Law 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 the 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; and

WHEREAS, the County may be awarded grant funds pursuant to the Farm and Ranch Lands Protection Program as authorized by the Food, Conservation, and Energy Act of 2008 to offset up to fifty percent (50%) of the cost of the subject development rights; now, therefore, be it

1st **RESOLVED**, that the County 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, Section C12-2(A)(1)(f) of the Suffolk County Charter, for a total purchase price of Four Million Six Hundred Eighty Two Thousand Two Hundred Dollars (\$4,682,200.00±), at Eighty Two Thousand Dollars (\$82,000.00) per acre for 57.1± acres, which cost is to be shared by the County and the Town, with the County's share totaling Three Million Two Hundred Seventy Seven Thousand Five Hundred Forty Dollars (\$3,277,540.00±), for a seventy percent (70%) undivided interest, and with the Town's share totaling One Million Four Hundred Four Thousand Six Hundred Sixty Dollars (\$1,404,660.00±), for a thirty percent (30%) 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, for inclusion in the Suffolk County Purchase of Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u> <u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER</u> <u>AND ADDRESS:</u>
No. 1	District 0700 Section 008.00 Block 01.00 Lot 005.002 p/o	57.1±	Sylvester Manor Educational Farm, Inc. a not-for-profit corporation organized under the laws of the State of New York having a mailing address at P.O. Box 2029 Shelter Island, NY 11964

; 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 listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the Suffolk County Charter, for a total purchase price of Four Million Six Hundred Eighty Two Thousand Two Hundred Dollars (\$4,682,200.00±), of which the County contribution will be Three Million Two Hundred Seventy Seven Thousand Five Hundred Forty Dollars (\$3,277,540.00±), at Eighty Two Thousand Dollars (\$82,000.00) per acre for 57.1± acres, subject to a final survey; and be it further

3rd **RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized to reserve and to pay \$3,277,540.00±, 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 County may be awarded grant funds pursuant to Cooperative Agreement No. 73-2c31-10-134 from the Farm and Ranch Lands Protection Program as authorized by the Food, Conservation, and Energy Act of 2008; that Cooperative

Agreement No. 73-2c31-10-134 authorizes the Federal Government to contribute up to fifty percent (50%) of the appraised market value of the development rights; and that the federal grant shall be shared by the County and the Town with the County receiving the benefit of seventy percent (70%) of the grant funds and the Town receiving the benefit of the remaining thirty percent (30%) of the grant funds; and be it further

5th **RESOLVED**, in the event that the Farm and Ranch Lands Protection Program grant funds are received at or prior to the time of closing, per the grant agreement, said grant funds shall be paid by the Federal Government to a third-party intermediary closing agent/title company for disbursement to the Seller at closing; the County share of the purchase price shall be seventy percent (70%) of the total purchase price of Four Million Six Hundred Eighty Two Thousand Two Hundred Dollars (\$4,682,200.00±), at Eighty Two Thousand Dollars (\$82,000.00) per acre for 57.1± acres, subject to a final survey, less the federal grant, payable to the Seller; and the Town share of the purchase price shall be thirty percent (30%) of the total purchase price of Four Million Six Hundred Eighty Two Thousand Two Hundred Dollars (\$4,682,200.00±), at Eighty Two Thousand Dollars (\$82,000.00) per acre for 57.1± acres, subject to a final survey, less the federal grant, payable to the Seller; and be it further

6th **RESOLVED**, in the event that the Farm and Ranch Lands Protection Program grant funds are received as reimbursement funds after the time of closing, said grant funds shall be paid by the Federal Government to the County and deposited into account number 477-6880; out of said account, the County shall retain seventy percent (70%) of the grant funds and the County Comptroller and the County Treasurer are authorized to reimburse the corresponding debt service; and the County Comptroller and the County Treasurer are further authorized to reimburse and pay thirty percent (30%) of the grant funds to the Town; and be it further

7th **RESOLVED**, that title to this acquisition shall be held by the County and the Town, as tenants-in-common, with the County owning a seventy percent (70%) undivided interest and the Town owning a thirty percent (30%) undivided interest; and be it further

8th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, the County Department of Planning, 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

9th **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:

COUNTY OF SUFFOLK



2013

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

October 21, 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 Stebbins and Throgs Neck Trading Group, Ltd properties (Noyac Greenbelt), in the Town of Southampton, under the New Suffolk County ¼% Drinking Water Protection Program-Open Space. The purchase price is \$2,800,000.00 for 9.1± acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd

Att.

cc: 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

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

2013

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Stebbins and Throgs Neck Trading Group, Ltd. properties, (Noyac Greenbelt) SCTM#'s 0900-030.00-01.00-008.000 & 0900-030.00-01.00-037.000, (Town of Southampton).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <u> ___ </u> NO <u> X </u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding New Suffolk County ¼% Drinking Water Protection Program		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer	12. Date October 21, 2011

2074
Intro. Res. No. -2011

Laid on Table

12/6/11

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 LONG ISLAND
BEAGLE CLUB #II, INC. PROPERTY - (TOWN
OF RIVERHEAD - SCTM#0600-078.00-01.00-
002.000)**

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 111-2010, authorized planning steps for the acquisition of said property; and

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Eight Million Eight Hundred Eighty Six Thousand Three Hundred Fifteen Dollars (\$8,886,315.00+), at Fifty Nine Thousand Two Hundred Fifty Dollars (\$59,250.00) per acre, for 149.98+ acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0600	149.98±	Long Island Beagle Club #II, Inc.
	Section 078.00		P.O. Box 679
	Block 01.00		1179 Edwards Avenue
	Lot 002.000		Calverton, NY 11933

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Eight Million Eight Hundred Eighty Six Thousand Three Hundred Fifteen Dollars (\$8,886,315,000.00±), at Fifty Nine Thousand Two Hundred Fifty Dollars (\$59, 250.00) per acre, for 149.98± acres, subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$8,886,315.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Forty Eight (48) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

g.) Open Space; and be it further

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use, specifically, hiking on existing trails; retaining the use of one existing, main building as an environmental

program/meeting facility and a care taker apartment and two existing out-buildings for park maintenance/storage; and continued use of existing unpaved parking area; and, be it further

8th RESOLVED, that the above activity is an Type I action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

9th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is passive recreational use specifically, hiking on existing trails; retaining the use of one existing, main building as an environmental program/meeting facility and a care taker apartment and two existing out-buildings for park maintenance/storage; and continued use of existing unpaved parking area; 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
- 4.) all appropriate remediation as recommended in the Supplemental Phase Two Environmental Site Assessment shall be completed prior to closing; and be it further

10th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK



2074

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

BRIAN T. CULHANE
COMMISSIONER

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

PAMELA J. GREENE
DIVISION DIRECTOR

November 18, 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 Long Island Beagle Club #II, Inc. property, in the Town of Riverhead, under the New Suffolk County 1/4% Drinking Water Protection Program-Open Space. The purchase price is \$8,886,315.00+ for 149.98+ acres, at \$59,250.00 per acre.

Please contact me if you require any additional information.

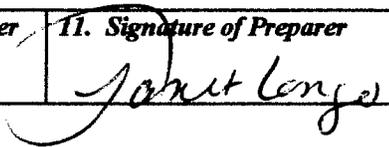
Sincerely,

Brian T. Culhane
Commssioner

BTC:pd
Att.

- cc: Ed Dumas, Chief Deputy County Executive
- Eric Kopp, Assistant Deputy County Executive
- Pamela J. Greene, Director, Division of Real Property Acquisition & Mgmt.
- Sarah Lansdale, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condernnation
- Lauretta Fischer, Chief Environmental Analyst, S.C. Planning Dept.
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Phyllis J. Benincasa, Acquisition Agent
- CE Reso Review (e-mail copy only)

**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"/>
2074		
2. Title of Proposed Legislation		
Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space, of the Long Island Beagle Club #II, Inc. property, SCTM#0600-078.00-01.00-002.000, (Town of Riverhead).		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
New Suffolk County ¼% Drinking Water Protection Program-Open Space		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Janet M. Longo Acquisition Supervisor		November 18, 2011

Intro. Res. No. 2075-11

Laid on Table 12/6/11

Introduced by Presiding Officer Lindsay on request of the County Executive

**RESOLUTION NO. – 2011, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION
NO. 574-2011**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 574-2011; and

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

WHEREAS, the County Executive and the Presiding Officer desire to make the following technical correction to this resolution; now, therefore, be it

RESOLVED, that the County Clerk of the Legislature shall make the following technical correction:

Resolution No. 574-2011

Authorizing Information should read as follows:
AUTHORIZING THE SALE, PURSUANT TO LOCAL
LAW NO. 16-1976, OF REAL PROPERTY
ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
THOMAS RUSSO
0200-033.00-07.00-001.000

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Intro. Reso. No. 2076-11

Laid on Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$16,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, U.S. MARSHALS SERVICE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE REGIONAL FUGITIVE TASK FORCE WITH 81.53% SUPPORT.

WHEREAS, the United States Department of Justice, U.S. Marshals Service, has made \$16,000 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the Regional Fugitive Task Force; and

WHEREAS, the operational period of the program is from October 1, 2011 through September 30, 2012; and

WHEREAS, said reimbursement funds have not been included in the 2011 Suffolk County Operating Budget; now, therefore, be it

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

REVENUE:	<u>Amount</u>
001-4382-Federal Aid: U.S. Marshals Service Regional Fugitive Task Force FFY12	\$16,000

ORGANIZATIONS:

Police Department (POL)
U.S. Marshals Service Regional Fugitive Task Force FFY12
001-POL-3677

<u>1000-Personal Services</u>	<u>\$16,000</u>
1120-Overtime Salaries	16,000

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately \$3,624 associated with the overtime salaries for this program are included in the 2011 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, U.S. Marshals Service.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 11/4/11
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980 2076	
Contact Person In Department/Agency Sarah Furey Senior Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

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

I. BACKGROUND INFORMATION	
1. Grant Title: United States Marshals Regional Fugitive Task Force FFY12	
2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 112-33, Continuing Appropriations Act, 2012, U. S. Department of Justice, Administered by the U.S. Marshals Service.	
3. Grant/Contract Status (Check One Box) A. <input type="checkbox"/> New Program Application B. <input checked="" type="checkbox"/> Renewal Application C. <input type="checkbox"/> Supplemental (Specify) D. <input type="checkbox"/> Extension of Funding Period E. <input type="checkbox"/> Contract	
4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.) This funding will provide reimbursement for the Suffolk County Police Department's participation in the U.S. Marshals Regional Fugitive Task Force.	
5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)	

II. BUDGET INFORMATION	
1. Term of Contract	From: 10/1/11 To: 09/30/12
2. Financial Assistance Requested	

SOURCE	SECOND FUNDING CYCLE		SECOND FUNDING CYCLE SUPPLEMENTAL		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$16,000.00	83.37%	\$1,000	81.50%	\$16,000	81.53%
State	\$		\$		\$	
Private	\$		\$		\$	
County	\$3,192.00	16.63%	\$227	18.50%	\$3,624	18.47%
Total	\$19,192.00	100%	\$1,227	100%	\$19,624	100%

2076

3. Explanation of Requested County Financial Assistance			
<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE:	\$3,624	\$	\$3,624
A. Cash Contribution	\$3,624	\$	\$3,624
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X YES	NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).			
N/A			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved _____	2. Signature of Coordinator	3. Date
	Disapproved _____		
4. Comments			
5. Budget Office Review:	Approved _____	6. Signature of Budget Director	7. Date
	Disapproved _____		
8. Comments			

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2011

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	16,000 16,000			
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Automobiles & Motorcycles 2070 Cameras and Photographic 2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				
4000 UTILITIES: 4010 Telephone & Telegraph				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				2076

GRANT BUDGET ANALYSIS		COUNTY BUDGET YEAR 2011			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS	
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings					
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees					
4900 CONTRACTED SERVICES (LIST)					
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		3,624 3,392 232		These benefits are not eligible for funding under this program.	2076
OTHER (List Source & Brief Explanation)					

I certify that the above in-kind contribution are not currently being used to support other grants
 SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT

PERSONAL SERVICES

2076

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %		
				GRANTOR	COUNTY	IN-KIND
Detective	4	\$98.31 HR/OT	To be determined	100%		

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2076

1. Type of Legislation

Resolution X

Local Law ___

Charter Law ___

2. Title of Proposed Resolution

Accepting & appropriating Federal funding in the amount of \$16,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in the Regional Fugitive Task Force with 81.53% support.

3. Purpose of Proposed Legislation

To accept funding in the amount of \$16,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in the Regional Fugitive Task Force.

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

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

(Circle appropriate category)

County

Town

Economic Impact

Village

School District

Other (specify):

Library District

Fire District:

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

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

Non-reimbursable employee fringe benefit costs of approximately \$3,624 will be incurred through September 30, 2012. Additional costs will only be incurred if the program receives additional funding in subsequent years.

8. Proposed Source of Funding

The United States Department of Justice, U.S. Marshals Service

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date

Susan C. Krause
Grants Technician



11/4/11

2076



U.S. Department of Justice
United States Marshals Service

JOINT LAW ENFORCEMENT OPERATIONS TASK FORCE OBLIGATION DOCUMENT

Section 1: Obligation Number

JLEO-12-0035

Section 2: Participating Agencies

Notification to state and local agencies of funding provided in support of Joint Law Enforcement Operations, pursuant to the Memorandum of Understanding (MOU) between:
Suffolk County Police Department

And

**The United States Marshals Service (USMS)
NYNJRTF**

Section 3: Period of Performance

October 4, 2011 through September 30, 2012

Section 4: Vehicle Information

Vehicle Quantity	Fuel/Maintenance and Retrofitting
Quantity of vehicles: _____	Quantity of vehicles: _____
Total vehicle purchase: <u>\$0.00</u>	Total vehicle fuel/maintenance and retrofit: _____

Section 5: Appropriation Data

Fiscal Year	Organization	Fund	Project	SOC	Purpose	Dollar Amount
FY: 2012		5042X	[Select]	2570	Vehicle	\$0.00
FY: 2012	A3403	5042X	JLEOTFS5	2607	Fuel/Maintenance	\$0.00
FY: 2012		5042X	[Select]	2544	Retrofit	\$0.00
FY: 2012		5042X	[Select]	2650	Radios	\$0.00
FY: 2012		5042X	[Select]	2100	Travel	\$0.00
FY: 2012		5042X	[Select]	2523	Training	\$0.00
FY: 2012		5042X	[Select]	2614	Equipment	\$0.00
FY: 2012	A3403	5042X	JLEOTFS5	2599	Overtime	\$16,000.00
Total Obligation Amount:						\$16,000.00

Section 6: Contact Information

District/RFTF POC:		State/Local POC:	
Name: <u>Brenda Catalano</u>	Phone: <u>631-715-6227</u>	Name: _____	Phone: _____
Email: <u>Brenda.Catalano@usdoj.gov</u>		Email: _____	

Section 7: Authorization

This obligation document serves as notification of funding provided to support state and local agencies participating in Joint Law Enforcement Operations subject to the availability of funds. The United States Marshals Service reserves the right to remove unused residual funds upon completion of payments under this obligation.

Certification of Funds: Kimberly Gruney
Kimberly Gruney
USMS Representative

10/04/2011
Date

Obligation Approval: Jesse L. Chavarria
Jesse Chavarria, Chief, DIB
Chief Deputy or RFTF Commander

10/04/2011
Date

Acknowledgement: _____

_____ Date

Department Representative

2076

***POLICE DEPARTMENT OF SUFFOLK COUNTY, NEW YORK**

INTERNAL CORRESPONDENCE

TO: Richard Dormer. DATE: October 31, 2011
Police Commissioner

FROM: D/Lt. James R. Hickey, C.O. Criminal Intelligence Section/1320

CC: Insp. James Burke, C.O., Organized Crime Bureau
Donna Miles, Senior Budget Analyst, Budget Section
✓ Susan Krause, Grants Technician, Budget Section
Evelyn Creen, Sr. Federal & State Aid Claims Examiner
Doria Smith, Office of the Commissioner (Legal Bureau)

SUBJECT: MOU - United States Marshals Service (USMS) with Suffolk County
Police Department (SCPD)

Attached you will find faxed copy of *Joint Law Enforcement Operations Task force Obligation Document*, from the United States Marshals Service advising of annual funding for the reimbursement of overtime in the amount of \$16,000.00 covering the period October 1, 2011 through September 30, 2012.

Respectfully submitted,

James R. Hickey 1/15/1320

05

COUNTY OF SUFFOLK



2076 NOV 16 2011

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

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

FROM: Cornelius McKenna, Inspector *CM*
Office of Chief of Support Services
Suffolk County Police Department

DATE: November 4, 2011

SUBJECT: Resolution Packets & SCIN Forms for
U.S. Marshals Service sponsored Regional Fugitive Task Force FFY12
Obligation Number JELO-12-0035

Attached please find two copies of the following for the U.S. Marshals Regional Task Force FFY 12 award:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Joint Law Enforcement Operations Task Force Obligation Document

We are not requesting a CN, but would appreciate it if this resolution could be put on the agenda for the November 22, 2011 meeting as a late starter. Unfortunately, we did not receive the funding obligation document in time to prepare and submit the resolution prior to the October 21, 2011 deadline. We will be unable to charge back any overtime incurred during 2011 pursuant to this program, if the resolution is not passed during the 2011 year. Thank you very much for your consideration of this request.

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

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

Thank you as always for your assistance with this project.

CM/sck
Att.

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

ACCREDITED LAW ENFORCEMENT AGENCY

www.joinscpd.com

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



Intro. Reso. No. 2077-11
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 12/6/11

RESOLUTION NO. -2011, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE FBI JOINT TERRORISM TASK FORCE WITH 81.53% SUPPORT.

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

WHEREAS, the operational period of the project is from October 1, 2011 through September 30, 2012; and

WHEREAS, said reimbursement funds have not been included in the 2011 Suffolk County Operating Budget; now, therefore be it

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

REVENUE:	<u>Amount</u>
001-4381-Federal Aid: FBI Joint Terrorism Task Force FFY12	\$17,202
ORGANIZATIONS:	
	Police Department (POL)
	FBI Joint Terrorism Task Force FFY12
	001-POL-3678
<u>1000-Personal Services</u>	<u>\$17,202</u>
1120-Overtime Salaries	17,202

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately \$3,896 associated with the overtime salaries for this program are included in the 2011 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, Federal Bureau of Investigation.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 11/9/2011
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980 2011	
Contact Person In Department/Agency Sarah Furey Senior Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

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

I. BACKGROUND INFORMATION

1. Grant Title: FBI JTTF (Joint Terrorism Task Force) FFY12

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 112-36, Continuing Appropriations Act, 2012, U. S. Department of Justice, Administered by the Federal Bureau of Investigation

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

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

 This funding will provide reimbursement for the Suffolk County Police Department's participation in the FBI Joint Terrorism Task Force.

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

II. BUDGET INFORMATION

1. Term of Contract From: 10/1/11 To: 09/30/12

2. Financial Assistance Requested

SOURCE	SECOND FUNDING CYCLE		THIRD FUNDING CYCLE		FOURTH FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$16,903	85.14%	\$17,202	83.37%	\$17,202	81.53%
State	\$		\$		\$	
Private	\$		\$		\$	
County	\$2,950	14.86%	\$3,432	16.63%	\$3,896	18.47%
Total	\$19,853	100%	\$20,634	100%	\$21,098	100%

2077

3. Explanation of Requested County Financial Assistance			
Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE:	\$3,896	\$	\$3,896
A. Cash Contribution	\$3,896	\$	\$3,896
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X YES	NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).			
N/A			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved _____	2. Signature of Coordinator	3. Date
	Disapproved _____		
4. Comments			
5. Budget Office Review:	Approved _____	6. Signature of Budget Director	7. Date
	Disapproved _____		
8. Comments			

GRANT BUDGET ANALYSIS		COUNTY BUDGET YEAR 2011			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS	
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	17,202 17,202				
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Automobiles & Motorcycles 2070 Cameras and Photographic 2500 Other Equip Not Otherwise					
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment					
4000 UTILITIES: 4010 Telephone & Telegraph					
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				2077	

GRANT BUDGET ANALYSIS		COUNTY BUDGET YEAR 2011			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS	
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings					
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees					
4900 CONTRACTED SERVICES (LIST)					
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		3,896 3,647 249		Fringe benefits are not an allowable cost under this funding program	
OTHER (List Source & Brief Explanation)					2077

I certify that the above in-kind contribution are not currently being used to support other grants

DETAIL LISTING OF 1000 ACCOUNT

PERSONAL SERVICES

2077

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %		
				GRANTOR	COUNTY	IN-KIND
Detective	4	\$98.31/hr. OT	To be determined	100%		

2011

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

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Resolution

Accepting & appropriating Federal funding in the amount of \$17,202 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the FBI Joint Terrorism Task Force with 81.53% support.

3. Purpose of Proposed Legislation

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

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

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

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

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

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

Non-reimbursable employee fringe benefit costs of approximately \$3,896 will be incurred through September 30, 2012. Additional costs will only be incurred if the program receives additional funding in subsequent years.

8. Proposed Source of Funding

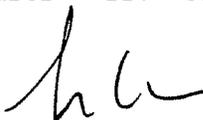
The United States Department of Justice, Federal Bureau of Investigation

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date

Susan C. Krause
Grants Technician



11/9/11

2077

NOTICE OF LIMITS

FOR

FY 2012 STATE AND LOCAL OVERTIME REIMBURSEMENTS

Subject to the availability of funding and legislative authorization, the FBI may reimburse state and local law enforcement agencies (LEA) for the cost of overtime incurred by officers assigned full-time to FBI managed task forces provided the overtime expenses were incurred as a result of task force related activities. Consistent with regulation and policy, a separate Cost Reimbursement Agreement (CRA) must be executed between the FBI and the LEA and an underlying Memorandum of Understanding (MOU) must exist in support of the task force relationship.

For Fiscal Year 2012, the maximum limits for reimbursements under these CRAs are \$1,433.52 per month and \$17,202.25 per year for each officer assigned full-time to the task force. These limits are effective for overtime worked on or after October 1, 2011.

FBI field offices and state and local law enforcement agencies may process overtime reimbursement requests under formally executed CRAs in accordance with the authority of this notice. This notice is issued unilaterally by the FBI's Head of Contracting Activity and does not require formal acceptance and signature by FBI field offices and state and local law enforcement agencies.


Deborah Ryan Broderick
Head of Contracting Activity
Federal Bureau of Investigation

June 29, 2011
Date

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COST REIMBURSEMENT AGREEMENT
BETWEEN
THE FEDERAL BUREAU OF INVESTIGATION (FBI)
AND
SUFFOLK COUNTY POLICE DEPARTMENT (AGENCY)

TASK FORCE FILE # 66F-NY-266217-B

Pursuant to Congressional appropriations, the FBI receives authority to pay overtime for police officers assigned to the formalized Joint Terrorism Task Force as set forth below for expenses necessary for detection, investigation, and prosecution of crimes against the United States. It is hereby agreed between the FBI and the Suffolk County Police Department located at 30 Yaphank Avenue, Yaphank, NY 11980, Taxpayer Identification Number: 116000464, Phone Number: (631) 852-6105 that:

1. Commencing upon execution of this agreement, the FBI will, subject to availability of required funding, reimburse the agency for overtime payments made to officers assigned full-time to the task force.
2. Requests for reimbursement will be made on a monthly basis and should be forwarded to the FBI field office as soon as practical after the first of the month which follows the month for which reimbursement is requested. Such requests should be forwarded by a Supervisor of the agency to the FBI Task Force Squad Supervisor and Special Agent in Charge for their review, approval, and processing for payment.
3. Overtime reimbursements will be made directly to the agency by the FBI. All overtime reimbursement payments are made by electronic fund transfer (EFT). An ACH Vendor/Miscellaneous Payment Enrollment Form must be on file with the FBI to facilitate EFT.
4. Overtime reimbursements will be calculated at the usual rate for which the individual officer's time would be compensated in the absence of this agreement. However, said reimbursement, per officer, shall not exceed monthly and/or annual limits established annually by the FBI. The limits, calculated using Federal pay tables, will be in effect for the Federal fiscal year running from October 1st of one year through September 30th of the following year, unless changed during the period. The FBI reserves the right to change the reimbursement limits, upward or downward, for subsequent periods based on fiscal priorities and appropriations limits. The FBI will notify the agency of the applicable annual limits prior to October 1st of each year.
5. The number of agency officers assigned full-time to the task force and entitled to overtime reimbursement by the FBI shall be approved by the FBI in advance of each fiscal year. Based on the needs of the task force, this number may change periodically, upward or downward, as approved in advance by the FBI.

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6. Prior to submission of any overtime reimbursement requests, the agency must prepare an official document setting forth the identity of each officer assigned full-time to the task force, along with the regular and overtime hourly rates for each officer. Should any officers change during the year, a similar statement must be prepared regarding the new officers prior to submitting any overtime reimbursement requests for the officers. The document should be sent to the field office for FBI review and approval.

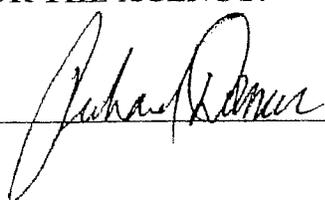
7. Each request for reimbursement will include the name, rank, ID number, overtime compensation rate, number of reimbursable hours claimed, and the dates of those hours for each officer for whom reimbursement is sought. The request must be accompanied by a certification, signed by an appropriate Supervisor of the agency, that the request has been personally reviewed, the information described in this paragraph is accurate, and the personnel for whom reimbursement is claimed were assigned full-time to the task force.

8. Each request for reimbursement will include an invoice number, invoice date, taxpayer identification number (TIN), and the correct banking information to complete the electronic fund transfer. The necessary banking information is the Depositor Account Title, Bank Account Number, Routing Number, and Type of Account (either checking, savings, or lockbox). If the banking information changes, a new ACH Vendor/Miscellaneous Payment Enrollment Form must be submitted to the FBI.

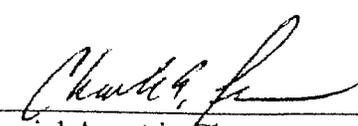
9. Requests for reimbursement must be received by the FBI no later than December 31st of the next fiscal year for which the reimbursement applies. For example, reimbursements for the fiscal year ending September 30, 2005 must be received by the FBI by December 31, 2005. The FBI is not obligated to reimburse any requests received after that time.

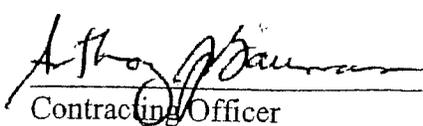
10. This agreement is effective upon signature of the parties and will remain in effect for the duration of the agency's participation in the task force, contingent upon approval of necessary funding, and unless terminated in accordance with the provisions herein. This agreement may be modified at any time by written consent of the parties. It may be terminated at any time upon mutual consent of the parties, or unilaterally upon written notice from the terminating party to the other party at least 30 days prior to the termination date.

FOR THE AGENCY:


Date 09/28/04

FOR THE FBI:


Special Agent in Charge Date 8/19/04


Contracting Officer Date 8/19/04
FBI Headquarters

***POLICE DEPARTMENT OF SUFFOLK COUNTY, NEW YORK**

INTERNAL CORRESPONDENCE

2077

TO: Richard Dormer. DATE: November 9, 2011
Police Commissioner

FROM: D/Lt. James R. Hickey, C.O. Criminal Intelligence Section/1320

CC: Insp. James Burke, C.O., Organized Crime Bureau
Donna Miles, Senior Budget Analyst, Budget Section
Susan Krause, Grants Technician, Budget Section
Evelyn Creen, Sr. Federal & State Aid Claims Examiner
Doria Smith, Office of the Commissioner (Legal Bureau)

SUBJECT: U.S. Department of Justice/FBI Joint Terrorist Task Force with SCPD

Attached you will find copy of letter from the U.S. Department of Justice confirming monthly overtime reimbursement for each officer assigned to FBI's Joint Terrorist Task Force during the period October 1, 2011 through September 30, 2012.

Respectfully submitted,

James R. Hickey / 1320

2077



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

26 Federal Plaza
New York, NY 10278

10/18/2011

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

Dear Ms Sinnott :

The monthly overtime reimbursement for each Task Force Officer assigned to the FBI's Joint Terrorist Task Force is \$ 1,433.52 for the fiscal year 2011. The reimbursement will take effect for any overtime reimbursement requests from October 2011 to September 2012.

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

Sincerely,

John Giacalone
Special Agent in Charge

By: Carolyn J. Kelliher
Coordinating Supervisory Special Agent

COUNTY OF SUFFOLK

NOV 16 2011



2077

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

**POLICE DEPARTMENT
MEMORANDUM**

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

FROM: Cornelius McKenna, Inspector *CM*
Office of Chief of Support Services
Suffolk County Police Department

DATE: November 9, 2011

SUBJECT: Resolution Packets & SCIN Forms for
The FBI Joint Terrorism Task Force (JTTF) FFY12

Attached please find two copies of the following for the FBI Joint Terrorism Task Force FFY12 program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Cost Reimbursement Agreement and the Notice of Reimbursement Limit for Federal fiscal year 2012.

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

We are not requesting a CN, but would appreciate it if this resolution could be put on the agenda for the November 22, 2011 meeting as a late starter. Unfortunately, we did not receive the funding obligation document in time to prepare and submit the resolution prior to the October 21, 2011 deadline. We will be unable to charge back any overtime incurred during 2011 pursuant to this program, if the resolution is not passed during the 2011 year. Thank you very much for your consideration of this request.

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

Thank you as always for your assistance with this project.

CM/sck

Att.

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

ACCREDITED LAW ENFORCEMENT AGENCY

www.joinscpd.com

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



Introductory Resolution No. 2078-11

Laid on Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(TOWN OF BROOKHAVEN)
(SCTM # 0200-824.00-06.00-058.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 824.00, Block 06.00 Lot 058.000 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 Page 171 and described as follows, known and designated as Lots 57 & 58 in Block 26 on a certain map entitled "Map of Lakeview Park, Plate A", and filed in the Office of the Clerk of the County of Suffolk on March 29, 1911 as Map No. 653; and

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

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

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

1st RESOLVED, that Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of \$1,326.13 plus the pro rata share of the current tax adjustment due at closing; and be it further

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

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

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

DATED: _____

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

RESOLUTION NO. 2011-880
MEETING OF October 18, 2011

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

AUTHORIZATION TO ACQUIRE A
VACANT PARCEL OF SUFFOLK
COUNTY OWNED LAND FOR DRAINAGE
PURPOSES PURSUANT TO SECTION 72-H
OF THE GENERAL MUNICIPAL LAW –
FRANKLIN AVENUE, MASTIC
(SCTM No. 0200-824.00-06.00-058.000)

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

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Franklin Avenue, Mastic, further identified as SCTM No. 0200-824.00-06.00-058.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for drainage purposes for a total consideration not to exceed \$1,326.03 plus pro-rata taxes at the time of closing; and

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

WHEREAS, the Town Board of the Town of Brookhaven is aware that the restrictive covenants described above will run with the land and shall bind the heirs, successors, and assigns of the Town of Brookhaven and in the event of any violation of the restrictive

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covenants stated above, the Deed conveying said parcels shall be void ab initio and title to the realty shall revert to the County of Suffolk; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel for drainage purposes further identified as SCTM No. 0200-824.00-06.00-058.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$1,326.03 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

2078

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: 0200-824.00-06.00-058.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$ 1,326.13

PURPOSE:

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

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

WRT: slb

2078



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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Brookhaven for drainage purposes

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

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

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

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2011

10. Typed Name & Title of Preparer

R.J. Bhatt
Land Management Specialist

Signature of Preparer

R.J. Bhatt

Date

11/14/11

COUNTY OF SUFFOLK



2078

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

November 14, 2011

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

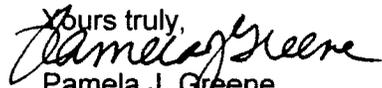
Re: Tax Map No.: 0200-824.00-06.00-058.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real
Estate to a Municipality, State, or Federal Government.

Dear Mr. Crannell:

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

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

I would appreciate your placing this on the legislative agenda.

Yours truly,

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

PJG:WRT:slb

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

Copy w/ Resolution to:
Eric Kopp, Assistant Deputy County Executive
Brendan Chamberlain, Director, International Relations (2 hard copies)
Connie Corso, Budget Director
Sarah Lansdale, Director of Planning
CE Reso Review via e-mail

Introductory Resolution No. 2079-11

Laid on Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(TOWN OF BROOKHAVEN)
(SCTM # 0200-975.90-01.00-027.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 975.90, Block 01.00 Lot 027.000 and acquired by Tax Deed on May 15, 1985 from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on May 15, 1985 in Liber 9791 at Page 20 and described as follows, known and designated as Lots 1 & 2 in Block 707 on a certain map entitled "Map of New York & Brooklyn Suburban Investment Company, Map 10", and filed in the Office of the Clerk of the County of Suffolk on August 5, 1890 as Map No. 102; and

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

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

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

1st RESOLVED, that Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of \$9,712.57 plus the pro rata share of the current tax adjustment due at closing; and be it further

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

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

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

DATED: _____

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

2079

RESOLUTION NO. 2011-401
MEETING OF May 10, 2011

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

AUTHORIZATION TO ACQUIRE VACANT PARCELS OF SUFFOLK COUNTY OWNED LAND FOR HIGHWAY PURPOSES PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW – ATLANTIC AVENUE, PATCHOGUE (SCTM NOS. 0200-975.80-05.00-025.000 AND 0200-975.90-01.00-027.000)

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

WHEREAS, there is a vacant parcels of Suffolk County owned land located on Atlantic Avenue, Patchogue, further identified as SCTM Nos. 0200-975.80-05.00-025.000 and 0200-975.90-01.00-027.000 as shown on the attached map; and

WHEREAS, the Superintendent of Highways of the Town of Brookhaven is interested in acquiring said parcel of real property for highway purposes known as SCTM No. 0200-975.80-05.00-025.000 for a total consideration not to exceed \$3,031.15 plus pro-rata taxes at the time of closing; and

WHEREAS, the Superintendent of Highways of the Town of Brookhaven is interested in acquiring said parcel of real property for highway purposes known as SCTM No. 0200-975.90-01.00-027.000 for a total consideration not to exceed \$9,712.57 plus pro-rata taxes at the time of closing; and

WHEREAS, the Town Board of the Town of Brookhaven is aware that the subject premises shall be conveyed subject to the following restrictive covenants that will run with the land so conveyed: 1) That the Grantee or any subsequent Grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and

2079

disposal of all debris, waste, and/or contamination in or on the subject premises; 2) That the Grantee shall not sell, convey, transfer or otherwise dispose of the subject premises; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel for highway purposes further identified as SCTM No. 0200-975.80-05.00-025.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$3,031.15 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above; and be it further

RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel for highway purposes further identified as SCTM No. 0200-975.90-01.00-027.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$9,712.57 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

2079

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: 0200-975.90-01.00-027.000

Section 72-h, Gen'l Municipal Law

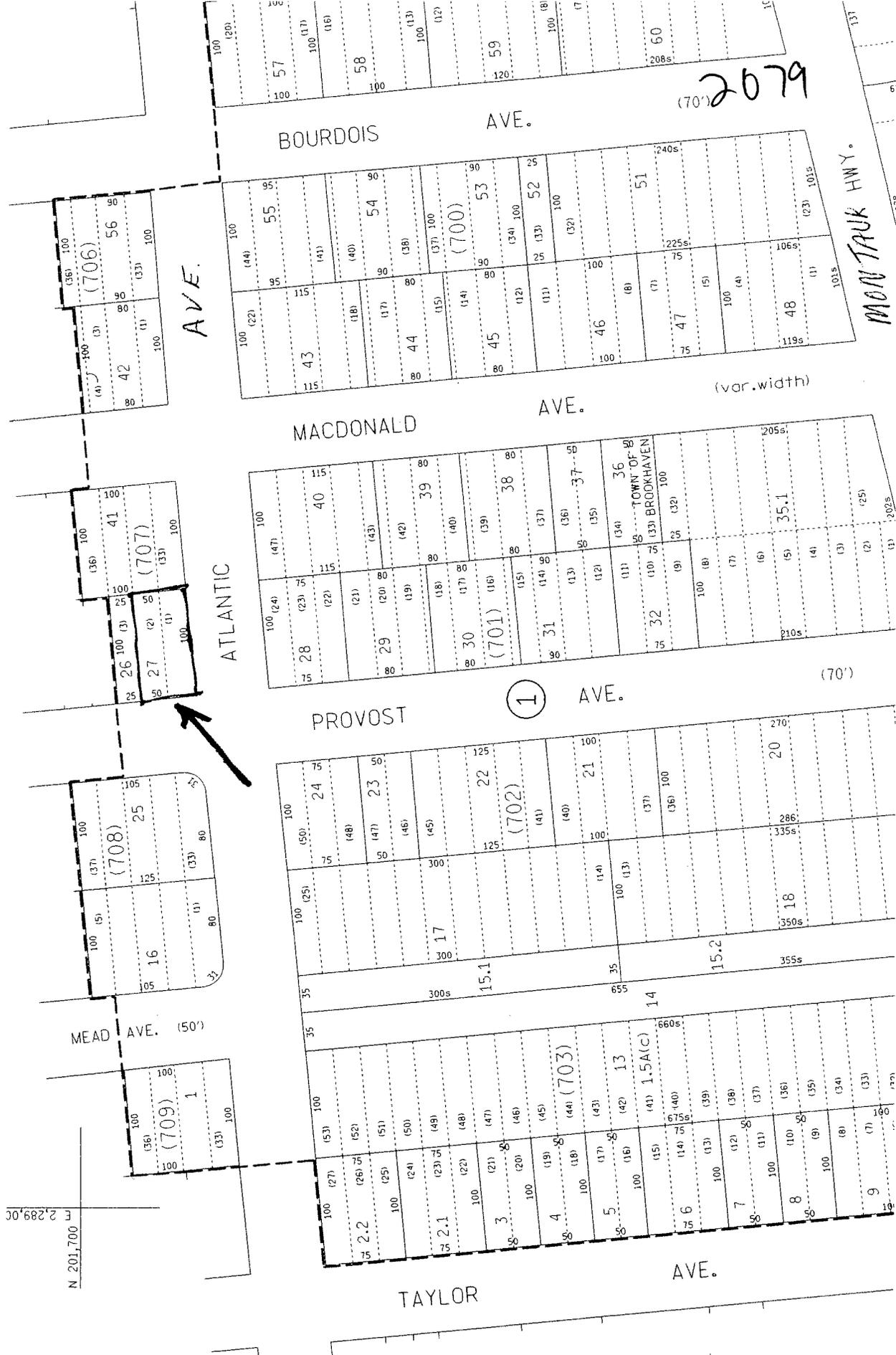
	<u>Amount</u>
County Investment	\$ 9,712.57

PURPOSE:

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

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

WRT: slb



Tm# 0200-975.90-0/00-027.000

2079



STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2079

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Brookhaven for highway purposes

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

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

X County _____ Town _____ Economic Impact

_____ Village _____ School District _____ Other (Specify):

_____ Library District _____ Fire District

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2011

10. Typed Name & Title of Preparer

R.J. Bhatt
Land Management Specialist

Signature of Preparer

R.J. Bhatt

Date

11/17/11

COUNTY OF SUFFOLK



2079

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

November 7, 2011

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

Re: Tax Map No.: 0200-975.90-01.00-027.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real
Estate to a Municipality, State, or Federal Government.

Dear Mr. Crannell:

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

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

I would appreciate your placing this on the legislative agenda.

Yours truly,

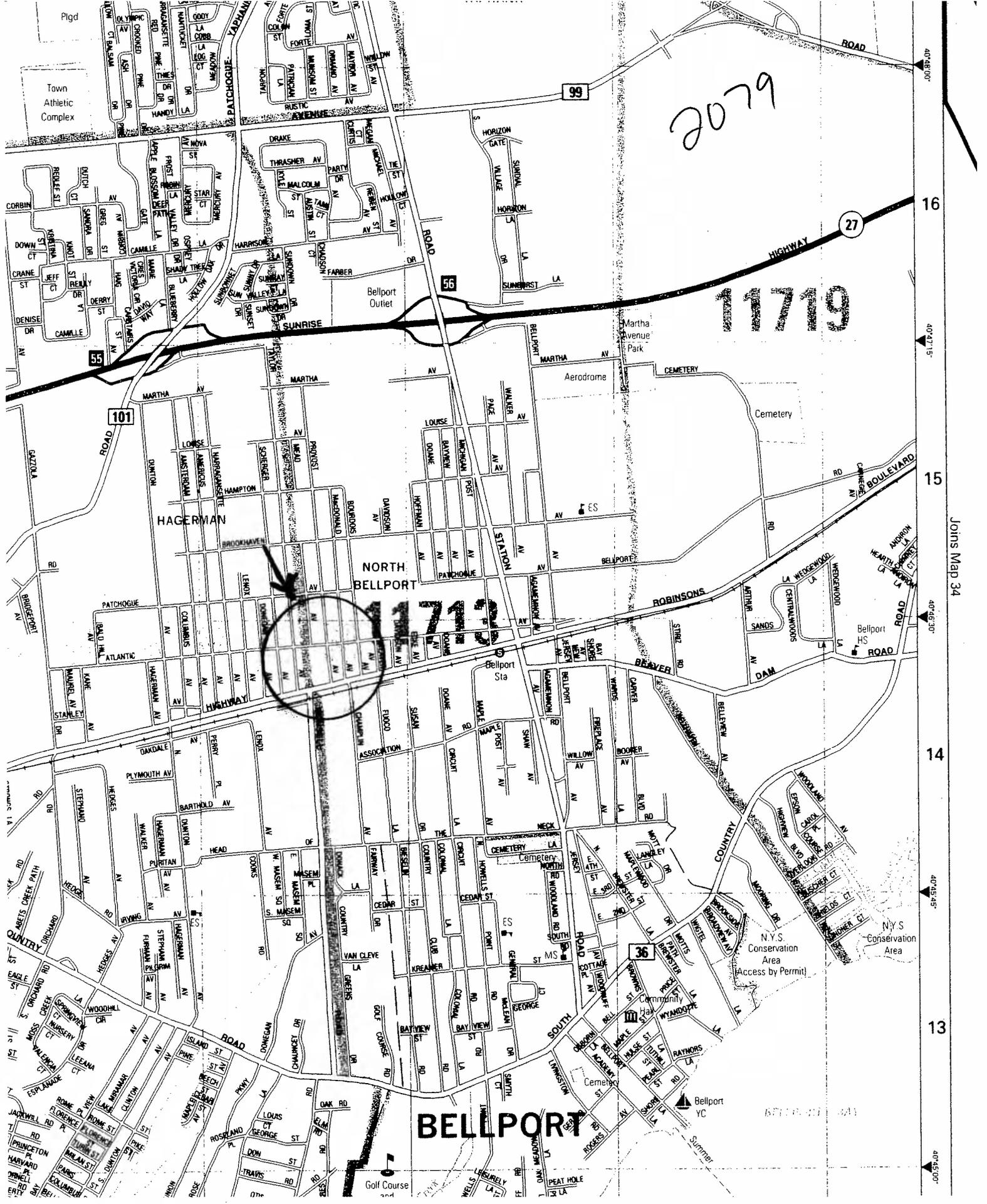
Pamela J. Greene
Director of Division of Real Property
Acquisition and Management

PJG:WRT:slb

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

Copy w/ Resolution to:

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



2079

11719

11719

BELLPORT

TM # 0200-975.90-01.00-027.000

Joins Map 34

16

15

14

13

40°45'00"

40°15'45"

40°46'30"

40°27'15"

40°48'00"

Intro. Res. No. 2080-11
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 12/6/11

RESOLUTION NO. -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION FOR BEACH REPLENISHMENT – MESCHUTT BEACH COUNTY PARK (CP 7163)

WHEREAS, the United States Department of Homeland Security through the Federal Emergency Management Agency (FEMA) declared that Suffolk County is eligible to receive federal disaster assistance under its Public Assistance Program as a result of damage sustained at Meschutt Beach County Park during March 13-31, 2011; and

WHEREAS, Meschutt Beach County Park was damaged by storm activity during March 13-31, 2010, and said storm activity was a Federal Emergency Management Agency (FEMA) declared disaster; and

WHEREAS, in an attempt to contain further damage at Meschutt Beach County Park, the County placed approximately 333 CY of sand in front of the concession stand building and 201 CY of sand, in the form of a protective berm, approximately 50 feet in length, on the east side of the concession stand and 100 feet in length on the western side of the concession stand; and

WHEREAS, FEMA's Public Assistance Program is an aid program that has provided Suffolk County with \$16,069 which represents 75 percent of the eligible costs of repairs; and

WHEREAS, 12.5 percent of the local share requirement of \$2,678 has been funded by the New York State Emergency Management Office (SEMO); and

WHEREAS, the remaining 12.5 percent local share requirement of \$2,678 has been funded by the County; and

WHEREAS, the agreements for Federal and associated State financial assistance impose certain obligations upon the County; and

WHEREAS, the County has first instance funded the entire cost of the project and has subsequently been reimbursed for the Federal and State shares of the project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2011 Capital Budget as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the FEMA and SEMO aid of approximately \$18,747 to be appropriated from holding account 6880 in Fund 525; now, therefore, be it

1st RESOLVED, that the New York State Department of Environmental Conservation ("DEC") is the lead agency for this project under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-two (52), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2011 Capital Budget and Program be and they are hereby amended as follows:

Project No. 7163

Project Title: Beach Replenishment at Meshcutt County Park-- FEMA/SEMO Aid

	<u>Total Estimated Cost</u>	<u>Current 2011 Capital Program and Budget</u>	<u>Revised 2011 Capital Program and Budget</u>
3. Construction	\$ <u>418,747</u>	\$ <u>50,000B</u>	\$ 50,000B \$ 2,678 S \$ <u>16,069 F</u>
TOTAL	\$ 418,747	\$50,000	\$ 68,747

and be it further

4th RESOLVED, that the proceeds of Federal Emergency Management Agency, Public Assistance Program Aid of \$16,069 be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7163.310	56	Beach Replenishment at Meshcutt Beach County Park	\$ 16,069

and be it further

5th RESOLVED, that the proceeds of New York State Emergency Management Office aid of \$2,678 be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7163.310	56	Beach Replenishment at Meshcutt Beach County Park	\$ 2,678

and be it further

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept additional Federal and State funding in the amount of \$18,747; and be it further

7th RESOLVED, that the Department of Public Works will be the lead agency in overseeing the engineering and performance of this project and will coordinate with the Department of Parks, Recreation and Conservation and the Department of Fire, Rescue &

Emergency Services (FRES) in communicating with all Federal and State agencies to ensure compliance and that all associated aid is captured; and be it further

8th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the United States Department of Homeland Security through the Federal Emergency Management Agency and New York State Emergency Management Office and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

2080

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION FOR BEACH REPLENISHMENT – MESCHUTT BEACH COUNTY PARK (CP 7163)		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact THIS RESOLUTION APPROPRIATES FEMA AID OF \$16,069 AND SEMO AID OF \$2,678 INTO 7163.310—BEACH REPLENISHMENT AT MESCHUTT BEACH COUNTY PARK.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding Federal Aid (FEMA) \$16,069 State Aid (SEMO) \$2,678		
9. Timing of Impact UPON ADOPTION		
10. Typed Name & Title of Preparer Nicholas Paglia Asst Executive Analyst	11. Signature of Preparer 	12. Date November 28 th , 2011

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2080

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2080

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOSEPH J. MONTUORI
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: KEN CRANNELL, Deputy County Executive

FROM: JOSEPH J. MONTUORI, Commissioner

CC: BRENDAN CHAMBERLAIN, Director of Intergovernmental Relations

DATE: NOVEMBER 28, 2011

RE: INTRODUCTORY RESOLUTION AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH BEACH REPLENISHMENT AT MESCHUTT COUNTY PARK (CP 7163)

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Amending Capital Budget and Appropriating Funds for CP 7163 Beach Replenishment at Meschutt County Park.doc."

In anticipation of Federal (FEMA) and State (SEMO) funds to reimburse the County for most of the costs associated with this project, I am submitting this resolution for consideration which seeks to amend the 2011 Capital Budget and Program in order to provide funds for Capital Project 5380 ("Beach Erosion and Coastline Protection) for construction at Meschutt Beach County Park for work associated with storm damage incurred March 13-31, 2010.

Should you require anything further, please contact my office at 4-4984.

Enclosures



2081

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

Laid on Table 12/6/11

RESOLUTION NO. -2011, AMENDING THE ADOPTED 2011 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, TO THE 2011 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE LONG ISLAND NATIVE PLANT INITIATIVE (CP 8713.)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee at the June 16, 2011 meeting, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Suffolk County Department of Parks has requested funding for a project that creates sources of long island native genotyped plant materials in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the Land Stewardship Initiative is widely accepted as the most cost-effective management approach to protect public lands and associated flora and fauna; and

WHEREAS, funding for this project is requested through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2011 Capital Budget and Program; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (SEQRA), hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NYCRR and with the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as promulgation of regulations, rules 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 and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th RESOLVED, that the Adopted 2011 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$ 60,000

and be it further

5th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Water Quality Protection	\$60,000

and be it further

6th RESOLVED, that the 2011 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8713.5xx
 Project Title: Long Island Native Plant Initiative

	<u>Total Est. Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
5. Equipment	\$60,000	\$0	\$60,000
TOTAL	\$60,000	\$0	\$60,000

and be it further

7th RESOLVED, that the transfer in the amount of \$60,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8713.5xx		Long Island Native Plant Initiative	\$60,000

and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

2081

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

<p>1. Type of Legislation</p> <p>Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u></p>											
<p>3. Title of Proposed Legislation:</p> <p>AMENDING THE ADOPTED 2011 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE LONG ISLAND NATIVE PLANT INITIATIVE</p>											
<p>4. Will the Proposed Legislation Have a Fiscal Impact? YES <u> </u> NO <u> X </u></p>											
<p>5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)</p> <table style="width:100%; border:none;"> <tr> <td style="width:33%;">County</td> <td style="width:33%;">Town</td> <td style="width:33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
<p>6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:</p> <p>N/A</p>											
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p> <p>N/A</p>											
<p>8. Proposed Source of Funding</p> <p>This resolution transfers funds from 477 Fund – Water Quality Protection and Restoration Program to Fund 525-Capital Fund and appropriates these funds in Capital Project 8713</p>											
<p>9. Timing of Impact</p> <p>N/A</p>											
<p>10. Typed Name & Title of Preparer</p> <p>Brian T. Culhane, Commissioner Dept. Environment & Energy</p>	<p>11. Signature of Preparer</p> 	<p>12. Date</p> <p>11/3/11</p>									

COUNTY OF SUFFOLK

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2081



STEVE LEVY
COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT
AND ENERGY

BRIAN T. CULHANE
COMMISSIONER

November 3, 2011

Mr. Ken Crannell
Deputy County Executive
H Lee Dennison Bldg. Fl. 12
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Enclosed for your consideration and submission are the original and one (1) copy of the proposed resolution pursuant to:

"AMENDING THE ADOPTED 2011 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, TO THE 2011 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE LONG ISLAND NATIVE PLANT INITIATIVE"

There are sufficient funds included in the 2011 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at the June 16, 2011 meeting, approved "Appropriating Funds in Connection with the Long Island Native Plant Initiative", submitted by the Suffolk County Department of Parks as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds in the amount of \$60,000.

After your examination please place this on the Legislative Agenda as soon as possible. If you have any questions or concerns, please contact me.

Sincerely,

Brian T. Culhane, Commissioner
Department of Environment and Energy

Enc.

cc: ✓ Eric Kopp, Assistant Deputy County Executive (letter only)
✓ Brendan Chamberlain, Director Intergovernmental Relations
CE Reso Rev (e-mail)

2082

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

12/6/11

RESOLUTION NO. , 2011 TRANSFERRING T-30, EE FUNDS TO THE CAPITAL PROJECT STUDYING SEWER CAPACITY IN UNSEWERED AREAS OF SUFFOLK COUNTY (CP 8189)

WHEREAS, funds were deposited into an escrow account defined as the Dry Sewer Fund (T-30, EE) to be used for future sewerage issues within the County; and

WHEREAS, those funds were deposited between 1965 and 1987 and thereafter the Legislature enacted Chapter 162 of the administrative local laws which ended the dry sewer program and called for a refund of \$7.6 million that remained in that fund; and

WHEREAS, the last refund was issued during 2007 with the remaining funds amounting to approximately \$890,600; and

WHEREAS, the opinion of the County Attorney's office was that if the remaining unclaimed funds in the Dry Sewer Fund were not utilized by February 1, 2011, they should be utilized for the purpose of planning and establishing future communal sewage systems in Suffolk County; and

WHEREAS, Resolution 876-2010 adopted a Local Law No. 53-2010 that amended the Suffolk County Code in regard to sewer system refunds and allowed remaining unclaimed funds to be used for the purpose of planning and establishing future communal systems as of February 1, 2011; and

WHEREAS, a request for proposal was prepared and issued by the Suffolk County Department of Public Works in order to study sewerage and unsewered areas in Suffolk County; and

WHEREAS, as a result of the review of proposals, a recommendation was made to and adopted by the Legislature where two consulting teams would perform sewer studies in sewerage areas and under CP 8185 and the other to perform sewer studies in unsewered areas under CP 8189; and

WHEREAS, the funds appropriated for CP 8189 were insufficient to provide the completed work, and therefore, an additional \$500,000 would be necessary; and

WHEREAS, the additional funds necessary to support the work of the consultant team for CP 8189 could be satisfied by a transfer from the dry sewer funds included in account T-30, EE to CP 8189; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy three (73), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 461-2006; and be it further

2nd RESOLVED, that Capital Project 8189 is consistent with the intended use of the remaining Dry Sewer Funds; and be it further

3rd RESOLVED, that the Dry Sewer Fund account T-30, EE shall provide the sum of \$500,000 for the purpose of completing the planning phase of CP 8189; and be it further

4th RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2011 Adopted Operating Budget, transfer funds and accept proceeds as follows:

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E527 - Transfer to Fund 527	\$500,000
527-IFT-R404 – Transfer from Fund T-30,EE	\$500,000

and be it further

5th RESOLVED, that the 2011 Capital Budget be and it hereby is amended as follows:

Project No.: 8189
Project Name: Sewer Capacity Study (Unsewered Areas)

	<u>TOTAL EST'D COST</u>	<u>CURRENT 2011 CAPITAL BUDGET & PROGRAM</u>	<u>REVISED 2011 CAPITAL BUDGET & PROGRAM</u>
1. Planning, Design & Supervision	\$ <u>1,700,000</u>	\$ <u>0</u>	\$ <u>500,000E</u>
TOTAL	\$1,700,000	\$0	\$500,000

and be it further

6th RESOLVED, that the proceeds of \$500,000 in T-30, EE Funds be and they hereby are appropriated as follows:

<u>PROJECT NO.</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
527-CAP-8189.110	Sewer Capacity Study, (Unsewered Areas)	\$500,000

and be it further

7th RESOLVED, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the completion of the sewer studies associated with CP 8189; and be it further

8th 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:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2082

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO., 2011 TRANSFERRING T-30, EE FUNDS TO THE CAPITAL PROJECT STUDYING SEWER CAPACITY IN UNSEWERED AREAS OF SUFFOLK COUNTY (CP 8189)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Resolution 876-2010 indicates that dry sewer funds will be available for use for sewer studies as of February 1 st , 2011 and this resolution transfers those escrow funds to Capital Project 8189.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Escrow T-30 EE Funds		
9. Timing of Impact		
Upon Adoption		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 28 th , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2082

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

RESOLUTION SUBMITTAL SHEET

Capital Project CP 8189
 Operating Fund
 Other

Legislative Districts all
 Federal Aid % none
 State Aid % none

2082

Give a complete description of why we are asking for reso; if aided, state status of aid

Transferring T-30, EE Funds to the Capital Project Studying Sewer Capacity in Unsewered Areas of Suffolk County (CP 8189)

Previous resolution (list previous reso for the same work) – (annual project)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
876-2010	Adopting Local Law	

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>0</u>	Planning	<u>0</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>0</u>	Construction	<u>0</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status

Est. planning completion	<u>N/A</u>	Design consultant	<u>N/A</u>
Est. construction start	<u>N/A</u>	Contractor	<u>To be determined</u>
Est. construction completion	<u>N/A</u>		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
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COUNTY OF SUFFOLK

73

2082



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

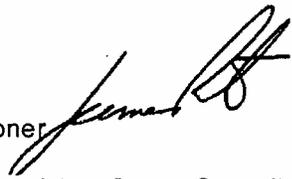
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

SUBJECT: Transferring T-30, EE Funds to the Capital Project Studying Sewer Capacity in Unsewered Areas of Suffolk County (CP 8189)

DATE: November 28, 2011

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW-CP 8189- Transferring T-30, EE funds 2-17-11 and backup filed as Backup DPW-CP 8189- Transferring T-30, EE funds 2-17-11. Funds have been appropriated in CP 8185 and CP 8189 to perform sewer studies in various areas throughout the County. The authorization contained in the appropriating resolutions directed an RFP to be prepared and issued and a selection to be recommended to the Legislature. The recommendation made to the Legislature was to award the project to two consulting teams, one to perform sewer studies in sewer areas which would utilize the funds in CP 8185 and the other to perform sewer studies in unsewered areas with the funds in CP 8189. The funds in CP 8189 are insufficient to provide the completed work and, therefore, this resolution transfers \$500,000 from the Dry Sewer Funds included in account T-30, EE.

It is noted that Resolution 876-2010 which defines the conditions of utilizing the Dry Sewer Funds indicates that as of February 1, 2011 those funds would be available. Based on the Legislative schedule for 2011, this resolution can be laid on the table at your earliest convenience and would satisfy the conditions of that resolution.

JP:BW:ni
Attachment

cc: Ed Dumas, Chief Deputy County Executive
 Gil Anderson, P.E., Commissioner
 Brendan Chamberlain, Director of Intergovernmental Relations
 Lynne Bizzarro, Esq., Chief Deputy County Attorney
 Kathy LaGuardia, Executive Director for Finance & Administration
 Debra Kolyer, Principal Financial Analyst
 Nick Paglia, Assistant Executive Analyst
 John Donovan, P.E., Chief Engineer, Sanitation
 Ben Wright, P.E., Principal Civil Engineer, Sanitation
 CE RESO REVIEW

jp-bw11-28-11 Backup DPW CP 8189 Transferring T30-EE funds memo to KCrannell

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

2082

Intro. Res. No. 1836-2010

Laid on Table 8/3/2010

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 876 -2010, ADOPTING LOCAL LAW
NO. 53 -2010, A LOCAL LAW TO AMEND THE SUFFOLK
COUNTY CODE IN REGARD TO SEWER SYSTEM REFUNDS**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on August 3, 2010, a proposed local law entitled, "**A LOCAL LAW TO AMEND THE SUFFOLK COUNTY CODE IN REGARD TO SEWER SYSTEM REFUNDS**"; and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 53 -2010, SUFFOLK COUNTY, NEW YORK

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 from approximately 1965-1987, the Suffolk County Sewer Agency administered a program, referred to as the Suffolk County "Dry Sewer Program," whereby the County would enter into agreements with subdividers, developers and land users to provide for the construction, conveyance and installation of sewage collection and treatment systems for dedication to future County sewer districts, as well as for the installation of dry sewer lines for use in future County sewer districts.

This Legislature further finds and determines that pursuant to the Dry Sewer Program, in lieu of such installations, subdividers, developers or land users were permitted to make a contribution to the "Dry Sewer Fund" (T-30, EE), which would then be utilized for future installations or future plant construction.

This Legislature also finds and determines that in 1987, this Legislature enacted Chapter 162 of the Administrative Local Laws which ended the Dry Sewer Program and called for a refund of the 7.6 million dollars that remained in the Dry Sewer Fund.

This Legislature further finds and determines the County last issued a refund from the Dry Sewer Fund in 2007 and that, currently, approximately \$882,864.40 remains in the Fund.

This Legislature also finds that the Suffolk County Department of Public Works is undertaking projects pursuant to which it will be reviewing the development of future sewer districts in Suffolk County.

This Legislature therefore now finds and determines that any remaining unclaimed funds in the Dry Sewer Fund T-30, EE as of February 1, 2011, should be utilized for the purpose of planning and establishing future communal sewerage systems in Suffolk County.

2082

Section 2. Amendments.

Chapter 162 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

§ 162-3. Refunds

D. Any claims for a refund pursuant to this Chapter must be received by the Suffolk County Department of Public Works no later than December 31, 2010. The Suffolk County Department of Public Works is hereby authorized and directed to publish a notice in the official papers of the County of Suffolk advising owners as designated in Subsection A(1) above of the deadline for filing a claim for a refund.

E. If as of February 1, 2011, any funds remain in the trust and agency account known and designated as "T-30, EE" the Suffolk County Executive, Comptroller and Treasurer shall be authorized to transfer the remaining funds to a fund to be used exclusively for the purpose of future communal sewerage systems in Suffolk County.

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.

2082

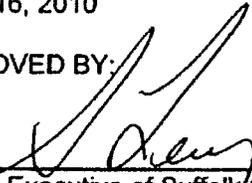
Section 6. Effective Date.

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

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

DATED: September 16, 2010

APPROVED BY:



County Executive of Suffolk County

Date: OCT 14 2010

After a public hearing duly held on October 4, 2010
Filed with the Secretary of State on October 28, 2010

2083

Intro. Res. No. -2011

Laid on Table

12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. _____, 2011 TRANSFERRING T-30, EE FUNDS TO THE CAPITAL PROJECT-SURVEILLANCE CONTROL AND DATA ACQUISITION (CP 8165)

WHEREAS, funds were deposited into an escrow account defined as the Dry Sewer Fund (T-30, EE) to be used for future sewerage issues within the County; and

WHEREAS, those funds were deposited between 1965 and 1987 and thereafter the Legislature enacted Chapter 162 of the administrative local laws which ended the dry sewer program and called for a refund of \$7.6 million that remained in that fund; and

WHEREAS, the last refund was issued during 2007 with the remaining funds amounting to approximately \$890,600; and

WHEREAS, the opinion of the County Attorney's office was that if the remaining unclaimed funds in the Dry Sewer Fund were not utilized by February 1, 2011, they should be utilized for the purpose of planning and establishing future communal sewage systems in Suffolk County; and

WHEREAS, Resolution 876-2010 adopted a Local Law No. 53-2010 that amended the Suffolk County Code in regard to sewer system refunds and allowed remaining unclaimed funds to be used for the purpose of planning and establishing future communal systems as of February 1, 2011; and

WHEREAS, a request for proposal was prepared and issued by the Suffolk County Department of Public Works in order to study sewerage and unsewered areas in Suffolk County; and

WHEREAS, Capital Project 8165, Surveillance Control and Data Acquisition, requires additional construction facility infrastructure funding; and

WHEREAS, the funds appropriated for CP 8165 were insufficient to provide the completed work, and therefore, an additional \$382,864 would be necessary; and

WHEREAS, the additional funds necessary to support the continued work of the SCADA project could be satisfied by a transfer from the dry sewer funds included in account T-30, EE to CP 8165; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy (70), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 461-2006; and be it further

2nd RESOLVED, that Capital Project 8165 is consistent with the intended use of the remaining Dry Sewer Funds; and be it further

3rd RESOLVED, that the Dry Sewer Fund account T-30, EE shall provide the sum of \$382,864 plus accrued interest for the purpose of completing the construction phase of CP 8165; and be it further

4th RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2011 Adopted Operating Budget, transfer funds and accept proceeds as follows:

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E527 - Transfer to Fund 527	\$382,864 + accrued interest
527-IFT-R404 – Transfer from Fund T-30,EE	\$382,864 + accrued interest

and be it further

5th RESOLVED, that the 2011 Capital Budget be and it hereby is amended as follows:

Project No.: 8165
 Project Name: Surveillance Control and Data Acquisition

	<u>TOTAL EST'D COST</u>	<u>CURRENT 2011 CAPITAL BUDGET & PROGRAM</u>	<u>REVISED 2011 CAPITAL BUDGET & PROGRAM</u>
3. Construction	\$ <u>2,112,864</u>	\$ <u>0</u>	\$ <u>382,864</u> E+ accrued interest
TOTAL	\$2,112,864	\$0	\$382,864 + accrued interest

and be it further

6th RESOLVED, that the proceeds of \$382,864 plus accrued interest in T-30, EE Funds be and they hereby are appropriated as follows:

<u>PROJECT NO.</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
527-CAP-8165.310	Surveillance Control and Data Acquisition (SCADA)	\$382,864 +accrued interest

and be it further

7th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the completion of the sewer studies associated with CP 8165; and be it further

8th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Resolution No. 539-2003 classified the action contemplated by the proposed Surveillance, Control and Data Acquisition (SCADA) for Suffolk County Sewer District a Type II action pursuant to the provisions of Environmental Conservation Law Article 8, Title 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 2083

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO., 2011 TRANSFERRING T-30, EE FUNDS TO THE CAPITAL PROJECT-SURVEILLANCE CONTROL AND DATA ACQUISITION (CP 8165)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Resolution 876-2010 indicates that dry sewer funds will be available for use for sewer studies as of February 1 st , 2011 and this resolution transfers those escrow funds (plus interest) to Capital Project 8165.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Escrow T-30 EE Funds		
9. Timing of Impact		
Upon Adoption		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 28 th , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2083

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

RESOLUTION SUBMITTAL SHEET

2083

Capital Project	<u>CP 8165</u>	Legislative Districts	<u>all</u>
Operating Fund		Federal Aid %	<u>none</u>
Other		State Aid %	<u>none</u>

Give a complete description of why we are asking for reso; if aided, state status of aid

Transferring T-30, EE Funds to the Capital Project – Surveillance Control and Data Acquisition (SCADA) (CP 8165).

Previous resolution (list previous reso for the same work) – (annual project)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>876-2010</u>	<u>Adopting Local Law</u>	

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>0</u>	Planning	<u>0</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>0</u>	Construction	<u>0</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status

Est. planning completion	<u>N/A</u>	Design consultant	<u>N/A</u>
Est. construction start	<u>N/A</u>	Contractor	<u>To be determined</u>
Est. construction completion	<u>N/A</u>		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
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COUNTY OF SUFFOLK

D4



2083

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

SUBJECT: **Transferring T-30, EE Funds to the Capital Project – Surveillance Control and Data Acquisition (SCADA) (CP 8165)**

DATE: November 28, 2011

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW-CP 8165 – Transferring T-30, EE funds for Surveillance Control and Data Acquisition (SCADA) 2-22-11 and backup filed as Backup DPW-CP 8165- Transferring T-30, EE funds for Surveillance Control and Data Acquisition (SCADA) 2-22-11. The T-30, EE funds were referred to as a Dry Sewer Program Funds. The Dry Sewer Program Funds were composed of contributions by developers and sub-dividers to be utilized for future installation or future plant construction. Those funds were determined by the Legislature to be refunded in 1987 and due to the adoption of the Local Law indicating that any funds not refunded by February 1, 2011 could be utilized for the development of future sewer districts and future installations of plant construction. The SCADA program involves data that can be utilized to evaluate capacity for future expansion and the connection of adjacent areas in order to eliminate the need for additional wastewater treatment facilities and, therefore, is appropriate for this use. This resolution transfers the remaining portion of the Dry Sewer Funds that is \$382,864.40 plus accrued interest into this capital project.

We would appreciate this resolution being laid on a table at the earliest convenience.

JP:BW:ni

Attachment

cc: Ed Dumas, Chief Deputy County Executive
 Gil Anderson, P.E., Commissioner
 Brendan Chamberlain, Director of Intergovernmental Relations
 Lynne Bizzarro, Esq., Chief Deputy County Attorney
 Kathy LaGuardia, Executive Director for Finance & Administration
 Debra Kolyer, Principal Financial Analyst
 Nick Paglia, Assistant Executive Analyst
 John Donovan, P.E., Chief Engineer, Sanitation
 Ben Wright, P.E., Principal Civil Engineer, Sanitation
 CE RESO REVIEW

jp-bw11-28-11 Backup DPW CP 8165 Transferring T30-EE funds for SCADA memo to KCrannell

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

2084

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

Laid on Table 12/6/11

RESOLUTION NO. -2011, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED FRANCIS S. GABRESKI AIRPORT – AVIATION UTILITY INFRASTRUCTURE – PHASE 2B AND 3 (CP 5734) TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Francis S. Gabreski Airport – Aviation Utility Infrastructure – Phase 2B and 3 (CP 5734), Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project includes the replacement of existing overhead and underground electric and water services as well as upgrades to other water and telecommunications infrastructure on both the southern and western portions of the airport site; and

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

WHEREAS, at its November 16, 2011 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development and Workforce Housing; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated November 17, 2011 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Francis S. Gabreski Airport – Aviation Utility Infrastructure – Phase 2B and 3 (CP 5734), Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

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

- 3) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
- 4) The action is in conformance with the 1990 Airport Master Plan approved by the Suffolk County Legislature in 1991;
- 5) The project provides sewer service to the southern portion of the airport as required by the Legislature in 1991; and
- 6) The project is also in conformance with the 1992 Long Island Comprehensive Special Groundwater Protection Plan, the 1995 Central Pine Barrens Comprehensive Land Use Plan as well as the 1970 & 1999 Town of Southampton Master Plan;

and be it further

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

2085

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

Laid on Table

12/6/11

RESOLUTION NO. -2011, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SEWER DISTRICT #3 - SOUTHWEST SERVICE AREA EXPANSION FEASIBILITY STUDY (CP 8139), AREAS OF DEER PARK, NORTH BABYLON, WEST BABYLON, WYANDANCH AND WEST ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Sewer District #3 - Southwest Service Area Expansion Feasibility Study (CP 8139), Areas of Deer Park, North Babylon, West Babylon, Wyandanch and West Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the preparation of a feasibility study to evaluate sewage infrastructure needs and identify costs and benefits associated with connecting the areas of Deer Park, North Babylon, West Babylon, Wyandanch and West Islip to the Southwest Sewer District #3; and

WHEREAS, at its November 16, 2011 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20), (21) and (27) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated November 17, 2011 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Sewer District #3 - Southwest Service Area Expansion Feasibility Study (CP 8139), Areas of Deer Park, North Babylon, West Babylon, Wyandanch and West Islip constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20), (21) and (27), since it involves conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action and does not commit the agency to commence, engage in or approve such action; and be it further

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\expansion-feasibility-study

2086

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

Laid on Table 12/6/11

RESOLUTION NO. -2011, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (TUCCIO PROPERTY) TOWN OF SOUTHAMPTON (SCTM NO. 0900-248.00-01.00-110.003)

WHEREAS, the Suffolk County Drinking Water Protection Program, as amended by Local Law 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of land for use as hamlet greens, hamlet parks, pocket parks, active parkland, active recreation, historic and/or cultural park in accordance with specific criteria set forth therein; and

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

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such lands as an active parkland, specifically a trap and skeet range; now, therefore be it

1st RESOLVED, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 75.52 acres, is hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER for use as a hamlet green, hamlet park, pocket parks, active parkland, active recreation, historic and/or cultural park; and be it further

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

3rd RESOLVED, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s); and be it further

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

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

6th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-tuccio-active-parkland-plan-steps

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 248.00 Block 01.00 Lot 110.003	±75.52	Edwin Fishel Tuccio 193 Griffing Avenue Riverhead, NY 11901

EXHIBIT "A"

2087

Intro. Res. No. - 2011

Laid on the Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2011, AMENDING RESOLUTION NO. 821-2010 IN CONNECTION WITH ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF CR 3, PINELAWN ROAD, TOWNS OF HUNTINGTON AND BABYLON; PIN # 075656 (CP 5510)

WHEREAS, Resolution No. 821-2010 appropriated funding in connection with acquisition of land for the Reconstruction of CR 3, Pinelawn Road and apportioned the share allocation as 80% Federal funds and 20% County funds; and

WHEREAS, New York State has subsequently separated the acquisition phase into two separate Project Identification Numbers (PINs), PIN #'s 075656 and 075987; and

WHEREAS, PIN # 075987 will be appropriated on a separate companion resolution; and

WHEREAS, it is necessary for the County to amend Resolution No. 821-2010 (PIN 075656); now, therefore, be it

1st RESOLVED, that the apportionment of the cost of Capital Project 5510.211 (PIN 075656) be amended to reflect the reallocation cost of \$4,000,000 with a share allocation of 80% Federal reimbursement in the amount of \$3,200,000 and a 20% County share of \$800,000; and be it further

2nd RESOLVED, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$800,000; and be it further

3rd RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any Federal or State aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$800,000 for the County share; and be it further

4th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$3,200,000; and be it further

5th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the Federal share of \$3,200,000; and be it further

6th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project; and be it further

7th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2087

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$67,638	\$0.12		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$67,638	\$0.12		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
General Obligation Serial Bonds
Level Debt

2087

Term of Bonds: **15**
 Amount to Bond: **\$900,000**

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$42,609.75	\$25,027.76	\$67,637.51	\$67,637.51
			\$11,847.36	\$11,847.36	
11/1/2013	3.000%	\$43,942.79	\$11,847.36	\$55,790.15	\$67,637.51
			\$11,159.99	\$11,159.99	
11/1/2014	3.000%	\$45,317.52	\$11,159.99	\$56,477.52	\$67,637.51
			\$10,451.12	\$10,451.12	
11/1/2015	3.000%	\$46,735.27	\$10,451.12	\$57,186.39	\$67,637.51
			\$9,720.07	\$9,720.07	
11/1/2016	3.000%	\$48,197.37	\$9,720.07	\$57,917.44	\$67,637.51
			\$8,966.15	\$8,966.15	
11/1/2017	3.000%	\$49,705.21	\$8,966.15	\$58,671.36	\$67,637.51
			\$8,188.65	\$8,188.65	
11/1/2018	3.000%	\$51,260.22	\$8,188.65	\$59,448.86	\$67,637.51
			\$7,386.82	\$7,386.82	
11/1/2019	3.000%	\$52,863.88	\$7,386.82	\$60,250.69	\$67,637.51
			\$6,559.90	\$6,559.90	
11/1/2020	3.000%	\$54,517.71	\$6,559.90	\$61,077.61	\$67,637.51
			\$5,707.12	\$5,707.12	
11/1/2021	3.000%	\$56,223.28	\$5,707.12	\$61,930.39	\$67,637.51
			\$4,827.65	\$4,827.65	
11/1/2022	3.000%	\$57,982.21	\$4,827.65	\$62,809.86	\$67,637.51
			\$3,920.67	\$3,920.67	
11/1/2023	3.000%	\$59,796.16	\$3,920.67	\$63,716.84	\$67,637.51
			\$2,985.32	\$2,985.32	
11/1/2024	3.250%	\$61,666.87	\$2,985.32	\$64,652.19	\$67,637.51
			\$2,020.71	\$2,020.71	
11/1/2025	3.250%	\$63,596.10	\$2,020.71	\$65,616.80	\$67,637.51
			\$1,025.91	\$1,025.91	
11/1/2026	3.375%	\$65,585.68	\$1,025.91	\$66,611.60	\$67,637.51
		\$800,000.00	\$214,562.66	\$1,014,562.66	\$1,014,562.66

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2087 COPY

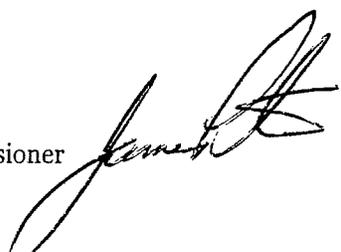
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: August 26, 2011

RE: **Amending Resolution No. 821-2010 in Connection with Acquisition of Properties for the Reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon (CP 5510)**

Attached is a draft resolution and duplicate copy to amend Resolution No. 821-2010 for land acquisition in connection with the above referenced project. The Federal Highway Administration, through the New York State Department of Transportation, has reassigned Project Identification Numbers (PINs) to this federally-aided project, separating the right-of-way acquisition phase into two PINS. This action requires the County to amend and reallocate funding originally appropriated under Resolution No. 821-2010, moving some of the funding into a new PIN and appropriating resolution.

\$5,316,250 originally appropriated under the above referenced resolution will be reduced to \$4,000,000, with the remaining \$1,316,250 to be reallocated into the new PIN and resolution.

The Suffolk County Council on Environmental Quality has reviewed this project and determined that it constitutes an unlisted action and no further review is required. The Suffolk County Legislature concurred with this finding pursuant to Resolution 981-2008.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5510(CR3 ROW Realloc PIN 075656).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

4802

SUSSEX COUNTY DEPARTMENT OF PUBLIC WORKS
 CAPITAL ACCOUNTING
 UNENCUMBERED BALANCE REPORT
 STATUS * Projects with *Y* are locked
 Closed Projects are Not listed
 August 12, 2011

C.P. NO.	SUB. OBJ.	PROJECT NAME	TOTAL APPROP.	TOTAL UNENC. BALANCE WITH AID QUOTES	TOTAL ENCUMBERED BALANCE	STATUS
5510	110	#50129 RECONSTRUCTION OF PINELAWN RD CR3 FROM RULAND RD TO LIE	\$1,550,000.00	\$0.59	\$0.00	
5510	111	RECONSTRUCTION OF CR3, PINELAWN ROAD	\$1,214,000.00	\$1,020,115.41	\$94,460.56	
5510	210	LAND ACQ. FOR RECONSTRUCTION OF CR3, PINELAWN ROAD, TN OF HUNTINGTON & BABYLON	\$155,000.00	\$110,452.72	\$0.00	
5510	211	ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF CR 3, PINELAWN ROAD	\$5,916,250.00	\$5,887,775.00	\$28,475.00	

** Nassau/Suffolk Transportation Coordinating Committee **
TIP Format Report for Selected Projects on Draft Program

202

AGENCY PIN WORKTYPE <AQ STATUS>	PROJECT DESCRIPTION COUNTY	TOTAL PROJECT COST	FUND SOURCES & OBLIGATION DATE	TOTAL 5-YEAR PROGRAM in millions of dollars	PHASE	5-YEAR PROGRAM (FFY) Starting October 01, 2010													
						PRE FFY 2011	FFY 2011	FFY 2012	FFY 2013	FFY 2014	FFY 2015	POST FFY 2015							
NYS DOT 053466 SAFETY <Exempt>	UPGRADE LIGHTING CABLE ON VARIOUS STATE PARKWAYS AS A SAFETY IMPROVEMENT IN NASSAU AND SUFFOLK COUNTIES		STP LG URBAN 09/2014 SDF 09/2014 NHS 03/2016 SDF 03/2016 NHS 03/2016 SDF 03/2016	1.097 0.274 0.000 0.000 0.000 0.000	DETLDES DETLDES CONINSP CONINSP CONINSP CONINSP											1.097 0.274		0.820 0.520 8.200 5.200	
AQC:A18P	MULTI	TPC: \$15-\$25 M	TOTAL SYR COST :	1.371	CONST	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	1.371	0.000	14.740
NYS DOT 053471 RAP <Exempt>	PAVEMENT REHABILITATION ON SOUTHERN STATE PARKWAY BETWEEN NASSAU RD AND NY110 TO MAINTAIN PAVEMENT TOWN OF OYSTER BAY AND BABYLON NASSAU AND SUFFOLK COUNTY		SDF 02/2010 NHS 10/2009 SDF 10/2009	0.000 0.000 0.000	CONST CONINSP CONINSP	0.398 0.383 0.096													
AQC:A10P	NASSAU	TPC: \$0.6-\$1.5 M	TOTAL SYR COST :	0.000	CONST	0.877	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000			0.000
NYS DOT 053472 BRIDGE <Exempt>	REHABILITATE THE HECKSCHER STATE PARKWAY BRIDGE OVER NY27. STATE OF GOOD REPAIR ISLIP TOWN, SUFFOLK COUNTY.		SDF 10/2009 HBR 05/2012 SDF 05/2012 HBR 05/2012 SDF 05/2012	0.000 0.594 0.148 0.148 1.485	DETLDES CONINSP CONINSP CONINSP CONST	0.279		0.594 0.148 5.940 1.485											
AQC:A19P	MULTI	TPC: \$7.5-\$12 M	TOTAL SYR COST :	8.167	CONST	0.279	0.000	8.167	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000			0.000
SUFFOLK CO. 075614 BRIDGE <Exempt>	MOTOR PARKWAY BRIDGE OVER THE LONG ISLAND EXPRESSWAY - EXIT 55. KENNEDY DRIVE TO HOPKIN AVENUE. BIN 1049410. PROVIDE TURN LANES AND WIDEN BRIDGE TO 91 FEET TO IMPROVE CONGESTION AND SAFETY.		STP LG URBAN 09/2010 LOCAL 09/2010 STP LG URBAN 09/2010 LOCAL 09/2010	0.000 0.000 0.000 0.000	CONINSP CONINSP CONST CONST	0.600 0.150 0.600 0.150													
AQC:D3P	SUFFOLK	TPC: \$15-\$25 M	TOTAL SYR COST :	0.000	CONINSP	0.279	0.000	8.167	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000			0.000
SUFFOLK CO. 075656 RECON <Exempt>	INTERSECTION REALIGNMENT OF CR 3, PINELAWN ROAD/WELLWOOD ROAD WITH CONKLIN STREET AND LONG ISLAND AVENUE. TO IMPROVE SAFETY AND TRAFFIC CONGESTION IN THE TOWN OF BABYLON. ACT NO.600		STP LG URBAN 04/2010 LOCAL 04/2010 LOCAL 04/2012 LOCAL 04/2012	0.000 0.000 1.500 11.700	ROWACQU ROWACQU CONINSP CONST	3.200 0.800		3.200 0.800 1.500 11.700											
AQC:D1P	SUFFOLK	TPC: \$15-\$25 M	TOTAL SYR COST :	13.000	CONINSP	1.500	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000			0.000
SUFFOLK CO. 075669 RECON <Non-Exempt>	CR37. NY27 TO NY231 - IMPROVEMENT OF CAPACITY, SAFETY, INSTALLING DRAINAGE AND IMPLEMENTING TRANSPORTATION SYSTEM MANAGEMENT, TRAVEL DEMAND MANAGEMENT, AND TRAFFIC CONTROL MEASURES. ACT NO.1158		MISC FA 04/2010 LOCAL 04/2010 MISC FA 04/2010 LOCAL 04/2010 STP LG URBAN 04/2010 LOCAL 04/2010 STP LG URBAN 04/2010 LOCAL 04/2010	0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.000	CONINSP CONINSP CONST CONST CONINSP CONINSP CONST CONST	0.576 0.144 5.184 1.296 0.840 0.210 7.560 1.890		0.576 0.144 5.184 1.296 0.840 0.210 7.560 1.890											
AQC:NON	SUFFOLK	TPC: \$15-\$25 M	TOTAL SYR COST :	0.000	CONST	17.700	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000			0.000

** Nassau/Suffolk Transportation Coordinating Committee **
 TIP Format Report for Selected Projects on Draft Program

AGENCY PIN WORKTYPE <AQ STATUS>	PROJECT DESCRIPTION	FUND SOURCES & OBLIGATION DATE	TOTAL 5-YEAR PROGRAM in millions of dollars	PHASE	PROGRAM/EPD Starting October 01, 2010									
					PRE FFY 2011	FFY 2011	FFY 2012	FFY 2013	FFY 2014	FFY 2015	POST FFY 2015			
AQC:A10	SUFFOLK	TPC: <\$0.75 M	TOTAL SYR COST :	0.430		0.430	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
LOCAL	THE TOWN OF BROOKHAVEN IS RESURFACING 3.33 MILES OF ROADWAYS IN THE HAMLET OF MEDEORD. THESE ROADS ARE DETERIORATED TO THE POINT THAT PAYMENT IMPROVEMENT IS NECESSARY TO MAINTAIN THE CURRENT TRANSPORTATION SYSTEM. NY626	MISC FA 08/2011 LOCAL 08/2011 MISC FA 08/2011 LOCAL 08/2011	0.034 0.009 0.310 0.077	CONINSP CONINSP CONST CONST		0.034 0.009 0.310 0.077								
AQC:C2	SUFFOLK	TPC: <\$0.75 M	TOTAL SYR COST :	0.370		0.370	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
LOCAL	GLEN COVE FERRY TERMINAL & BOAT BASIN PHASE 2 - THE CONSTRUCTION OF A FERRY TERMINAL BUILDING.	FBD 02/2011 STATE 02/2011 LOCAL 02/2011 FBD 02/2011 LOCAL 02/2011	0.195 0.695 0.049 1.755 0.439	CONINSP CONINSP CONINSP CONST CONST		0.195 0.695 0.049 1.755 0.439								
AQC:B10	NASSAU	TPC: \$2.54 M	TOTAL SYR COST :	3.133		3.133	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
SUFFOLK CO.	INTERSECTION RECONSTRUCTION AT CR3, PINELAWN ROAD/RULAND ROAD/COLONIAL SPRINGS ROAD INCLUDING: ADDING A LANE IN EACH DIRECTION ON COLONIAL SPRING ROAD APPROXIMATELY 3,500 FEET FROM THE INTERSECTION TO LITTLE EAST NECK ROAD, IN THE TOWN OF HUNTINGTON	MISC FA 05/2011 LOCAL 05/2011 STP LG URBAN 05/2012 STP LG URBAN 05/2012 LOCAL 05/2012	1.776 0.444 1.025 0.256 9.225 2.306	ROWACQU CONINSP CONINSP CONINSP CONST CONST		1.776 0.444 1.025 0.256 9.225 2.306								
AQC:DIP	SUFFOLK	TPC: \$12.5-\$19.5 M	TOTAL SYR COST :	15.032		2.220	12.812	0.000	0.000	0.000	0.000	0.000	0.000	0.000
LOCAL	HOFSTRA UNIVERSITY IS RESURFACE AND UPGRADE THE PARKING LOTS. INSTALL SIGNAGE, PUT NEW SIDE WALKS TO ENHANCE PEDESTRIAN FLOW THROUGHOUT CAMPUS & PROMOTE SAFETY & BUILD PEDESTRIAN BRIDGE UNIFYING HOFSTRA UNIVERSITY'S CAMPUS ON THE NORTH & SOUTH SIDE	TSCP 09/2011 LOCAL 09/2011	0.580 0.145	CONST CONST		0.580 0.145								
AQC:A10	NASSAU	TPC: \$0.6-\$1.5 M	TOTAL SYR COST :	0.725		0.725	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000

6802

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

7087

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation AMENDING RESOLUTION NO. 821-2010 IN CONNECTION WITH ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF CR 3, PINELAWN ROAD, TOWNS OF HUNTINGTON AND BABYLON (CAPITAL PROGRAM NUMBER 5510)		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact SERIAL BONDS WILL BE ISSUED TO FINANCE THE PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. SEE ATTACHED DEBT SCHEDULE.		
8. Proposed Source of Funding SERIAL BONDS.		
9. Timing of Impact 2011		
10. Typed Name & Title of Preparer DEBRA A. KOLYER CHIEF FINANCIAL ANALYST	11. Signature of Preparer	12. Date

RESOLUTION SUBMITTAL SHEET

2087

Capital Project 5510
Operating Fund
Other

Legislative Districts 15, 17
Federal Aid % 80%
State Aid %

Give a complete description of why we are asking for reso; if aided, state status of aid

This resolution amends Resolution 821-2010 and reallocates funding, as the Feds/State have now broken our project into two Project Identification Nos. (PINS), which requires us to amend & reallocate funds from Reso 821-2010 (PIN 075656).

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
821-2010	<u>Acquisition of Property for the Reconstruction of CR 3, Pinelawn Road</u>	<u>\$5,316,250</u>

<u>Amounts being requested</u>		<u>Current Unencum Bal w/Quotes</u>	
Planning		Planning	<u>\$1,020,115</u>
Site		Site	
Construction		Construction	
Land	<u>Reallocating to \$4,000,000</u>	Land	<u>\$5,997,775</u>
F&E		F&E	

Project Status

Est. planning completion	Design consultant
Est. construction start	Contractor
Est. construction completion	

State required offsets, their legis. Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

Offset Legis District Comments

n/a

2088

Intro. Res. No. - 2011

Laid on the Table

12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF CR 3, PINELAWN ROAD, TOWNS OF HUNTINGTON AND BABYLON; PIN # 075987 (CP 5510)

WHEREAS, Resolution No. 821-2010 appropriated funding in connection with acquisition of land for the Reconstruction of CR 3, Pinelawn Road and apportioned the share allocation as 80% Federal funds and 20% County funds; and

WHEREAS, New York State has subsequently separated the acquisition phase into two separate Project Identification Numbers (PINs), PIN #'s 075656 and 075987; and

WHEREAS, PIN # 075656 will be appropriated on a separate companion resolution; and

WHEREAS, it is necessary for the County to appropriate PIN # 075987; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said increase; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal and/or State Marchiselli portion; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2011 Capital Budget as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$2,200,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Adopted Resolution No. 981-2008 classified the action contemplated by this as an unlisted action which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the acquisition of land for the Reconstruction of CR 3, Pinelawn Road; and be it further

4th RESOLVED, that the proceeds of \$2,200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5510.212 (Fund 001 Debt Service)	50	Reconstruction of CR 3, Pinelawn Road	\$440,000

and be it further

5th RESOLVED, that Federal Aid in the amount of \$1,800,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5510.212	50	Reconstruction of CR 3, Pinelawn Road	\$1,760,000

6th RESOLVED, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$440,000; and be it further

7th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any Federal and/or State aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$440,000 for the County share; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$1,760,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the Federal share of \$1,760,000; and be it further

10th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project; and be it further

11th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2088

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF CR 3, PINELAWN ROAD, TOWNS OF HUNTINGTON AND BABYLON; PIN # 075657 (CP 5510)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Federal Highway Administration (FHWA) 80%, Suffolk County 20%. Suffolk County is required to first instance the entire cost of the project. This resolution authorizes the County Comptroller to issue bond anticipation notes to cover the Federal share. Serial bonds will be issued to finance the County share of this project. Principal and interest costs will be incurred over the life of the bonds.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
Federal Reimbursement (80%) \$1,760,000		
County share (20%) \$440,000		
Suffolk County Serial Bonds		
Suffolk County Bond Anticipation Notes		
9. Timing of Impact		
2012 – This resolution will become effective upon receipt of the Federal Authorization.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		November 29 th , 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2088

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$37,201	\$0.07		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$37,201	\$0.07		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
General Obligation Serial Bonds
Level Debt

Term of Bonds: **15**
Amount to Bond: **\$440,000**

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$23,435.36	\$13,765.27	\$37,200.63	\$37,200.63
			\$6,516.05	\$6,516.05	
11/1/2013	3.000%	\$24,168.53	\$6,516.05	\$30,684.58	\$37,200.63
			\$6,138.00	\$6,138.00	
11/1/2014	3.000%	\$24,924.64	\$6,138.00	\$31,062.63	\$37,200.63
			\$5,748.12	\$5,748.12	
11/1/2015	3.000%	\$25,704.40	\$5,748.12	\$31,452.51	\$37,200.63
			\$5,346.04	\$5,346.04	
11/1/2016	3.000%	\$26,508.55	\$5,346.04	\$31,854.59	\$37,200.63
			\$4,931.38	\$4,931.38	
11/1/2017	3.000%	\$27,337.86	\$4,931.38	\$32,269.25	\$37,200.63
			\$4,503.76	\$4,503.76	
11/1/2018	3.000%	\$28,193.12	\$4,503.76	\$32,696.88	\$37,200.63
			\$4,062.75	\$4,062.75	
11/1/2019	3.000%	\$29,075.13	\$4,062.75	\$33,137.88	\$37,200.63
			\$3,607.95	\$3,607.95	
11/1/2020	3.000%	\$29,984.74	\$3,607.95	\$33,592.69	\$37,200.63
			\$3,138.91	\$3,138.91	
11/1/2021	3.000%	\$30,922.80	\$3,138.91	\$34,061.72	\$37,200.63
			\$2,655.21	\$2,655.21	
11/1/2022	3.000%	\$31,890.21	\$2,655.21	\$34,545.42	\$37,200.63
			\$2,156.37	\$2,156.37	
11/1/2023	3.000%	\$32,887.89	\$2,156.37	\$35,044.26	\$37,200.63
			\$1,641.93	\$1,641.93	
11/1/2024	3.250%	\$33,916.78	\$1,641.93	\$35,558.70	\$37,200.63
			\$1,111.39	\$1,111.39	
11/1/2025	3.250%	\$34,977.85	\$1,111.39	\$36,089.24	\$37,200.63
			\$564.25	\$564.25	
11/1/2026	3.375%	\$36,072.13	\$564.25	\$36,636.38	\$37,200.63
		\$440,000.00	\$118,009.46	\$558,009.46	\$558,009.46

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2088
email 8/26

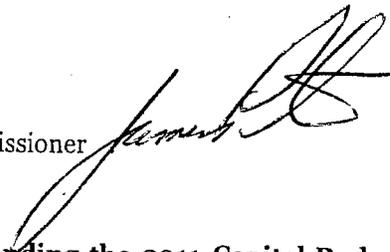
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

COPY
JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: August 26, 2011

RE: **Amending Resolution No. 821-2010 and Amending the 2011 Capital Budget and Program to Reallocate and Increase Funding in Connection with Acquisition of Properties for the Reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon (CP 5510)**

Attached is a draft resolution and duplicate copy to amend Resolution No. 821-2010 and increase funding for land acquisition in connection with the above referenced project. There are insufficient funds included in the 2011 Capital budget and program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

The Federal Highway Administration, through the New York State Department of Transportation, has reassigned Project Identification Numbers (PINs) to this federally-aided project, separating the right-of-way acquisition phase into two PINS. This action requires the County to amend and reallocate funding originally appropriated under Resolution No. 821-2010, moving some of the funding into this new PIN and appropriating resolution. \$1,316,250 will be reallocated from the above referenced resolution, with additional funding in the amount of \$883,750 into the new PIN and resolution.

The Suffolk County Council on Environmental Quality has reviewed this project and determined that it constitutes an unlisted action and no further review is required. The Suffolk County Legislature concurred with this finding pursuant to Resolution 981-2008.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5510(CR3 ROW Realloc PIN 075987).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

20802

SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS
 CAPITAL ACCOUNTING
 UNENCUMBERED BALANCE REPORT
 STATUS = Projects with "Y" are Locked
 Closed Projects Are Not Listed
 August 12, 2011

C.P. No.	SUB. OBJ.	PROJECT NAME	TOTAL APPROP.	TOTAL UNENC. BALANCE WITH ALL QUOTES	TOTAL ENCUMBERED BALANCE	STATUS
5510	110	#50129 RECONSTRUCTION OF PINELAWN RD CR3 FROM RULAND RD TO LIE	\$1,550,000.00	\$0.59	\$0.00	
5510	111	RECONSTRUCTION OF CR3, PINELAWN ROAD	\$1,214,000.00	\$1,020,115.41	\$94,460.56	
5510	210	LAND ACQ. FOR RECONSTRUCTION OF CR3, PINELAWN ROAD, TN OF HUNTINGTON & BABYLON	\$155,000.00	\$110,452.72	\$0.00	
5510	211	ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF CR 3, PINELAWN ROAD	\$5,916,250.00	\$5,887,775.00	\$28,475.00	

** Nassau/Suffolk Transportation Coordinating Committee **
 TIP Format Report for Selected Projects on Draft Program

AGENCY PIN WORKTYPE AQ STATUS>	PROJECT DESCRIPTION COUNTY	TOTAL PROJECT COST	FUND SOURCES & OBLIGATION DATE	TOTAL 5-YEAR PROGRAM in millions of dollars	PHASE	5-YEAR PROGRAM (FFY) Starting October 01, 2010										
						PRE FFY 2011	FFY 2011	FFY 2012	FFY 2013	FFY 2014	FFY 2015	POST FFY 2015				
NYSBOT 053466 SAFETY <Exempt>	UPGRADE LIGHTING CABLE ON VARIOUS STATE PARKWAYS AS A SAFETY IMPROVEMENT IN NASSAU AND SUFFOLK COUNTIES		STP LG URBAN 09/2014 SDF 09/2014 NHS 03/2016 SDF 03/2016 NHS 03/2016 SDF 03/2016	1.097 0.274 0.000 0.000 0.000 0.000	DETLDES DETLDES CONINSP CONINSP CONST CONST										1.097 0.274	0.820 0.520 8.200 5.200
AQC:A18P	MULTI	TPC: \$15-525 M	TOTAL SYR COST :	1.371	CONST	0.000	0.000	0.000	0.000	1.371	0.000					14.740
NYSBOT 053471 R&P <Exempt>	PAVEMENT REHABILITATION ON SOUTHERN STATE PARKWAY BETWEEN NASSAU RD AND NY110 TO MAINTAIN PAVEMENT TOWN OF OYSTER BAY AND BABYLON NASSAU AND SUFFOLK COUNTY		SDF 02/2010 NHS 10/2009 SDF 10/2009	0.000 0.000 0.000	CONST CONINSP CONINSP	0.398 0.383 0.096										
AQC:A10P	NASSAU	TPC: \$0.6-51.5 M	TOTAL SYR COST :	0.000	CONST	0.877	0.000	0.000	0.000	0.000	0.000					0.000
NYSBOT 053472 BRIDGE <Exempt>	REHABILITATE THE HECKSCHER STATE PARKWAY BRIDGE OVER NY27 STATE OF GOOD REPAIR ISLIP TOWN, SUFFOLK COUNTY		SDF 10/2009 HBRR 03/2012 SDF 05/2012 HBRR 05/2012 SDF 05/2012	0.000 0.594 0.148 5.940 1.485	DETLDES CONINSP CONINSP CONST CONST	0.279		0.594 0.148 5.940 1.485								
AQC:A19P	MULTI	TPC: \$7.5-512 M	TOTAL SYR COST :	8.167	CONST	0.279	0.000	8.167	0.000	0.000	0.000					0.000
SUFFOLK CO. 075614 BRIDGE <Exempt>	MOTOR PARKWAY BRIDGE OVER THE LONG ISLAND EXPRESSWAY - EXIT 55, KENNEDY DRIVE TO HOPKMAN AVENUE, B/N 1049410. PROVIDE TURN LANES AND WIDEN BRIDGE TO 97 FEET TO IMPROVE CONGESTION AND SAFETY.		STP LG URBAN 09/2010 LOCAL 09/2010 STP LG URBAN 09/2010 LOCAL 09/2010	0.000 0.000 0.000 0.000	CONINSP CONINSP CONST CONST	0.600 0.150 0.600 0.150										
AQC:D3P	SUFFOLK	TPC: \$15-525 M	TOTAL SYR COST :	0.000	CONST	0.279	0.000	8.167	0.000	0.000	0.000					0.000
SUFFOLK CO. 075656 RECON <Exempt>	INTERSECTION REALIGNMENT OF CR 3, PINELAWN ROAD/WELLWOOD ROAD WITH CONKLIN STREET AND LONG ISLAND AVENUE. TO IMPROVE SAFETY AND TRAFFIC CONGESTION, IN THE TOWN OF BABYLON ACT NO.600		STP LG URBAN 04/2010 LOCAL 04/2010 LOCAL 04/2012 LOCAL 04/2012	0.000 0.000 1.300 11.700	ROWACQU ROWACQU CONINSP CONST	3.200 0.800		1.300 11.700								
AQC:D1P	SUFFOLK	TPC: \$15-525 M	TOTAL SYR COST :	13.000	CONST	3.200	0.000	13.000	0.000	0.000	0.000					0.000
SUFFOLK CO. 075669 RECON <Non-Exempt>	CR31 NY27 TO NY231 - IMPROVEMENT OF CAPACITY, SAFETY, INSTALLING DRAINAGE AND IMPLEMENTING TRANSPORTATION SYSTEM MANAGEMENT, TRAVEL DEMAND MANAGEMENT, AND TRAFFIC CONTROL MEASURES. ACT NO.1158		MISC FA 04/2010 LOCAL 04/2010 MISC FA 04/2010 LOCAL 04/2010 STP LG URBAN 04/2010 LOCAL 04/2010 STP LG URBAN 04/2010 LOCAL 04/2010	0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.000	CONINSP CONINSP CONST CONST CONINSP CONINSP CONST CONST	0.576 0.144 5.184 1.296 0.840 0.210 7.560 1.890										
AQC:N0N	SUFFOLK	TPC: \$15-525 M	TOTAL SYR COST :	0.000	CONST	17.700	0.000	0.000	0.000	0.000	0.000					0.000

88202

**** Nassau/Suffolk Transportation Coordinating Committee ****
TIP Format Report for Selected Projects on Draft Program

AGENCY PIN WORKTYPE AQ STATUS>	PROJECT DESCRIPTION	TOTAL PROJECT COST	FUND SOURCES & OBLIGATION DATE	TOTAL 5-YEAR PROGRAM in millions of dollars	PHASE	PROGRAM FUNDING SCHEDULE (October 01, 2010)										
						PRE FFY 2011	FFY 2011	FFY 2012	FFY 2013	FFY 2014	FFY 2014	POST FFY 2015				
LOCAL 075984 RECON <Exempt>	THE TOWN OF BROOKHAVEN IS RESURFACING 3.33 MILES OF ROADWAYS IN THE HAMLET OF MEDFORD. THESE ROADS ARE DETERIORATED TO THE POINT THAT PAYMENT IMPROVEMENT IS NECESSARY TO MAINTAIN THE CURRENT TRANSPORTATION SYSTEM. NY626		MISC FA 08/2011 LOCAL 08/2011 MISC FA 08/2011 LOCAL 08/2011	0.034 0.009 0.310 0.077	CONINSP CONINSP CONST CONST		0.034	0.009	0.310	0.077						
AQC:A10	SUFFOLK	TPC: <\$0.75 M	TOTAL 5YR COST :	0.430		0.000	0.430	0.000	0.000	0.000	0.000	0.000	0.000	0.000		0.000
LOCAL 075985 RECON <Exempt>	THE TOWN OF BROOKHAVEN IN HAMLET OF GORDON HEIGHT INSTALLING SIDE WALKS, CURBS WHERE DOES NOT EXIST AND DRAINAGE SYSTEM TO PREVENT WATER FILTRATION ON SIDE WALKS AND CURBS. NY 627		MISC FA 08/2011 LOCAL 08/2011 MISC FA 08/2011 LOCAL 08/2011	0.029 0.008 0.266 0.067	CONINSP CONINSP CONST CONST		0.029	0.008	0.266	0.067						
AQC:C2	SUFFOLK	TPC: <\$0.75 M	TOTAL 5YR COST :	0.370		0.000	0.370	0.000	0.000	0.000	0.000	0.000	0.000	0.000		0.000
LOCAL 075986 CONST <Exempt>	GLEN COVE FERRY TERMINAL & BOAT BASIN PHASE 2 - THE CONSTRUCTION OF A FERRY TERMINAL BUILDING.		FBD 02/2011 STATE 02/2011 LOCAL 02/2011 FBD 02/2011 LOCAL 02/2011	0.195 0.695 0.049 1.735 0.439	CONINSP CONINSP CONINSP CONST CONST		0.195	0.695	0.049	1.735	0.439					
AQC:B10	NASSAU	TPC: \$2.84 M	TOTAL 5YR COST :	3.133		0.000	3.133	0.000	0.000	0.000	0.000	0.000	0.000	0.000		0.000
SUFFOLK CO. 075987 RECON <Exempt>	INTERSECTION RECONSTRUCTION AT CR3, PINELAWN ROAD/ULAND ROAD/COLOMIAL SPRINGS ROAD INCLUDING ADDING A LANE IN EACH DIRECTION ON COLOMIAL SPRING ROAD APPROXIMATELY 3,500 FEET FROM THE INTERSECTION TO LITTLE EAST NECK ROAD, IN THE TOWN OF HUNTINGTON		MISC FA 05/2011 LOCAL 05/2011 STP LG URBAN 05/2012 LOCAL 05/2012 LOCAL 05/2012	1.776 0.444 1.025 0.256 9.225 2.306	ROWACQU ROWACQU CONINSP CONINSP CONST CONST		1.776 0.444	1.025	0.256	9.225	2.306					
AQC:DIP	SUFFOLK	TPC: \$12.519 M	TOTAL 5YR COST :	15.032		0.000	2.220	12.812	0.000	0.000	0.000	0.000	0.000	0.000		0.000
LOCAL 075988 SAFETY <Exempt>	HOFSTRA UNIVERSITY IS RESURFACE AND UPGRADE THE PARKING LOTS, INSTALL SIGNAGE, PUT NEW SIDE WALKS TO ENHANCE PEDESTRIAN FLOW THROUGHOUT CAMPUS & PROMOTE SAFETY & BUILD PEDESTRIAN BRIDGE UNIFYING HOFSTRA UNIVERSITY'S CAMPUS ON THE NORTH & SOUTH SIDE		TCSF 09/2011 LOCAL 09/2011	0.580 0.145	CONST CONST		0.580	0.145								
AQC:A10	NASSAU	TPC: \$0.6515 M	TOTAL 5YR COST :	0.725		0.000	0.725	0.000	0.000	0.000	0.000	0.000	0.000	0.000		0.000

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2088

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation AMENDING RESOLUTION NO. 821-2010 AND AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM TO REALLOCATE AND INCREASE FUNDING IN CONNECTION WITH ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF CR 3, PINELAWN ROAD, TOWNS OF HUNTINGTON AND BABYLON (CAPITAL PROGRAM NUMBER 5510)		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact SERIAL BONDS WILL BE ISSUED TO FINANCE THE PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. SEE ATTACHED DEBT SCHEDULE.		
8. Proposed Source of Funding SERIAL BONDS.		
9. Timing of Impact 2011		
10. Typed Name & Title of Preparer DEBRA A. KOLYER CHIEF FINANCIAL ANALYST	11. Signature of Preparer	12. Date

20886

RESOLUTION SUBMITTAL SHEET

Capital Project	<u>5510</u>	Legislative Districts	<u>15, 17</u>
Operating Fund		Federal Aid %	<u>80%</u>
Other		State Aid %	

Give a complete description of why we are asking for reso; if aided, state status of aid

This resolution reallocates partial funding from Resolution 821-2010, as the Feds/State have now broken our project into two Project Identification Nos. (PINS), which requires us to reallocate a partial amount from Reso 821-2010 to this new resolution (PIN 075987), and also to amend the 2011 CB/CP and appropriation additional funds for ROW. These funds are reimbursable at 80%.

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>821-2010</u>	<u>Acquisition of Property for the Reconstruction of CR 3, Pinelawn Road</u>	<u>\$5,316,250</u>

<u>Amounts being requested</u>		<u>Current Unencum Bal w/Quotes</u>	
Planning		Planning	<u>\$1,020,115</u>
Site		Site	
Construction		Construction	
Land	<u>Reallocating \$1,316,250</u>	Land	<u>\$5,997,775</u>
	<u>Requesting \$883,750</u>		
F&E		F&E	

Project Status

Est. planning completion	Design consultant
Est. construction start	Contractor
Est. construction completion	

State required offsets, their legis. Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

Offset Legis District Comments

n/a

2089

Intro. Res. No. - 2011

Laid on the Table 12/6/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2011, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF CR 3, PINELAWN ROAD, TOWNS OF HUNTINGTON AND BABYLON (CP 5510)

WHEREAS, Resolution No. 894-2010 appropriated \$600,000 for ancillary costs in connection with acquisition of land for the Reconstruction of CR 3, Pinelawn Road; and

WHEREAS, these associated costs were appropriated as Federal funds (80%) (\$480,000); and County funds 20% (\$120,000) share allocation; and

WHEREAS, it was anticipated that New York State would allocate funding for these ancillary costs; and

WHEREAS, New York State has subsequently reallocated this funding, including the Federal share, entirely from ancillary costs to land acquisition; and

WHEREAS, to cover the necessary costs associated with the preparation of real property acquisition and condemnation, the County must now fully fund these ancillary costs; and

WHEREAS, the initial estimate for ancillary costs was \$600,000, however, after further review, it has been determined that these costs will not exceed \$250,000; and

WHEREAS, Resolution 894-2010 already appropriated \$120,000 in Suffolk County Serial Bonds, \$130,000 more is needed for a total of \$250,000; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said increase; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$130,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Adopted Resolution No. 981-2008 classified the action contemplated by this as an unlisted action which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the acquisition of land for the Reconstruction of CR 3, Pinelawn Road; and be it further

4th RESOLVED, that the proceeds of \$130,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5510.211 (Fund 001-Debt Service)	50	Acquisition of Properties for the Reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon	\$130,000

5th RESOLVED, that Federal Aid along with associated Bond Anticipation Notes in the amount of \$480,000, appropriated on resolution 894-2010, be no longer available and be restricted.

DATED: ,

APPROVED BY:

County Executive of Suffolk County

Date:

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2089

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$10,991	\$0.02		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$10,991	\$0.02		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

2089

Term of Bonds: 15
 Amount to Bond: \$130,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$6,924.08	\$4,067.01	\$10,991.10	\$10,991.10
			\$1,925.20	\$1,925.20	
11/1/2013	3.000%	\$7,140.70	\$1,925.20	\$9,065.90	\$10,991.10
			\$1,813.50	\$1,813.50	
11/1/2014	3.000%	\$7,364.10	\$1,813.50	\$9,177.60	\$10,991.10
			\$1,698.31	\$1,698.31	
11/1/2015	3.000%	\$7,594.48	\$1,698.31	\$9,292.79	\$10,991.10
			\$1,579.51	\$1,579.51	
11/1/2016	3.000%	\$7,832.07	\$1,579.51	\$9,411.58	\$10,991.10
			\$1,457.00	\$1,457.00	
11/1/2017	3.000%	\$8,077.10	\$1,457.00	\$9,534.10	\$10,991.10
			\$1,330.66	\$1,330.66	
11/1/2018	3.000%	\$8,329.79	\$1,330.66	\$9,660.44	\$10,991.10
			\$1,200.36	\$1,200.36	
11/1/2019	3.000%	\$8,590.38	\$1,200.36	\$9,790.74	\$10,991.10
			\$1,065.98	\$1,065.98	
11/1/2020	3.000%	\$8,859.13	\$1,065.98	\$9,925.11	\$10,991.10
			\$927.41	\$927.41	
11/1/2021	3.000%	\$9,136.28	\$927.41	\$10,063.69	\$10,991.10
			\$784.49	\$784.49	
11/1/2022	3.000%	\$9,422.11	\$784.49	\$10,206.60	\$10,991.10
			\$637.11	\$637.11	
11/1/2023	3.000%	\$9,716.88	\$637.11	\$10,353.99	\$10,991.10
			\$485.11	\$485.11	
11/1/2024	3.250%	\$10,020.87	\$485.11	\$10,505.98	\$10,991.10
			\$328.36	\$328.36	
11/1/2025	3.250%	\$10,334.37	\$328.36	\$10,662.73	\$10,991.10
			\$166.71	\$166.71	
11/1/2026	3.375%	\$10,657.67	\$166.71	\$10,824.38	\$10,991.10
		\$130,000.00	\$34,866.43	\$164,866.43	\$164,866.43

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CO
2089

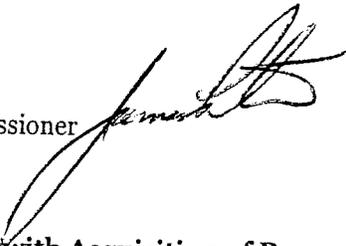
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: August 26, 2011

RE: **Amending Resolution 894-2010 in Connection with Acquisition of Properties for the Reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon and Removing Federal Aid (CP 5510)**

Attached is a draft resolution and duplicate copy to amend Resolution 894-2010 to remove the Federal share allocation in connection with ancillary costs associated with the acquisition of properties for the reconstruction of CR 3, Pinelawn Road. It has been determined that it would be in the best interest of Suffolk County to fully fund the \$250,000 required for these ancillary costs, as the costs associated with the purchase (acquisition) of properties will be much greater, and these costs will be reimbursed by Federal funds at 80%.

The Suffolk County Council on Environmental Quality has reviewed this project and determined that it constitutes an unlisted action and no further review is required. The Suffolk County Legislature concurred with this finding pursuant to Resolution 981-2008.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5510(CR3 ROW Ancillary Realloc).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

Thursday, November 19, 2009

**** NEW YORK METROPOLITAN TRANSPORTATION COUNCIL ****
TIP AMENDMENT: NS08-32

AGENCY PIN WORKTYPE <AQ STATUS>	PROJECT DESCRIPTION		FUND SOURCES & OBLIGATION DATE	TOTAL 5-YEAR PROGRAM in millions of dollars	PHASE	PRE FFY 2008	FFY 2009	FFY 2010	FFY 2011	POST FFY 2012	
	COUNTY	TOTAL PROJECT COST									
From											
SUFFOLK CO.	CR3 (PINELAWN ROAD); MELVILLE - LONG ISLAND EXPRESSWAY SOUTH SERVICE ROAD TO CONKLIN AVENUE, INCLUDING A CHANGE TO THE EXISTING OFF-SET INTERSECTION OF CONKLIN AVENUE/CR3/RULAND ROAD. ACT No.600	TPC: \$15-\$25 M	MISC FA 09/2007 LOCAL 09/2007 MISC FA 09/2009 LOCAL 09/2009 STP LG URBAN 02/2012 LOCAL 02/2012 STP LG URBAN 02/2012 LOCAL 02/2012 TOTAL 5YR COST:	0.000 0.000 1.766 0.446 0.960 0.240 8.640 2.160 14.212	ROWACQJ ROWACQJ ROWACQJ ROWACQJ CONINSP CONINSP CONST CONST	0.500 0.125				0.960 0.240 8.640 2.160	
AQC:DIP	SUFFOLK					0.625	0.000	2.212	0.000	0.000	12.000
To											
SUFFOLK CO.	CR3 (PINELAWN ROAD); MELVILLE - LONG ISLAND EXPRESSWAY SOUTH SERVICE ROAD TO CONKLIN AVENUE, INCLUDING A CHANGE TO THE EXISTING OFF-SET INTERSECTION OF CONKLIN AVENUE/CR3/RULAND ROAD. ACT No.600	TPC: \$15-\$25 M	MISC FA 04/2010 LOCAL 04/2010 MISC FA 10/2009 LOCAL 10/2009 STP LG URBAN 04/2010 LOCAL 04/2010 STP LG URBAN 02/2012 LOCAL 02/2012 STP LG URBAN 02/2012 LOCAL 02/2012 TOTAL 5YR COST >	1.766 0.446 0.480 0.480 3.200 0.800 0.960 0.240 8.640 2.160 18.812	ROWACQJ ROWACQJ ROWINCD ROWINCD ROWACQJ ROWACQJ CONINSP CONINSP CONST CONST	1.766 0.446 0.480 0.480 3.200 0.800					0.960 0.240 8.640 2.160
AQC:DIP	SUFFOLK					0.000	0.000	6.812	0.000	0.000	12.000
Ballot Comment: OFFSET STPU FROM 075736. MOVED BARMARK FUND TO FFY2010.SAFETEA-LU, SECTION 1702.#772, NY332											

2089

Monday, May 3, 2010

**** NEW YORK METROPOLITAN TRANSPORTATION COUNCIL **
TIP AMENDMENT: NS08-42**

AGENCY PIN WORKTYPE <AQ STATUS>	PROJECT DESCRIPTION	FUND SOURCES & OBLIGATION DATE	TOTAL 5-YEAR PROGRAM in millions of dollars	PHASE	5-YEAR PROGRAM (FFY) Starting October 01, 2007					POST FFY 2012	
					PRE FFY 2008	FFY 2009	FFY 2010	FFY 2011	FFY 2012		
AQ CODE	COUNTY	TOTAL PROJECT COST									
SUFFOLK CO. 075656 RECON <Exempt>	CR3 (PINELAWN ROAD); MELVILLE - LONG ISLAND EXPRESSWAY SOUTH SERVICE ROAD TO CONKLIN AVENUE, INCLUDING A CHANGE TO THE EXISTING OFF-SET INTERSECTION OF CONKLIN AVENUE/CR3/RULAND ROAD. ACT No.600	MISC FA 04/2010 LOCAL 04/2010 MISC FA 10/2009 LOCAL 10/2009 STP LG URBAN 04/2010 LOCAL 04/2010 STP LG URBAN 02/2012 LOCAL 02/2012 STP LG URBAN 02/2012 LOCAL 02/2012	1.766 0.446 0.480 0.120 3.200 0.800 0.960 0.240 8.640 2.160	ROWACQU ROWACQU ROWINCD ROWINCD ROWACQU ROWACQU CONINSP CONINSP CONST CONST	0.000	0.000	6.812	0.000	0.000	12.000	0.000
AQC-DIP	SUFFOLK	TPC : \$32-\$50 M	18.812		0.000	0.000	6.812	0.000	0.000	12.000	0.000
SUFFOLK CO. 075656 RECON <Exempt>	CR3 (PINELAWN ROAD); MELVILLE - LONG ISLAND EXPRESSWAY SOUTH SERVICE ROAD TO CONKLIN AVENUE, INCLUDING A CHANGE TO THE EXISTING OFF-SET INTERSECTION OF CONKLIN AVENUE/CR3/RULAND ROAD. ACT No.600	MISC FA 04/2010 LOCAL 04/2010 MISC FA 10/2009 LOCAL 10/2009 STP LG URBAN 04/2010 LOCAL 04/2010 STP LG URBAN 02/2011 LOCAL 02/2011 STP LG URBAN 02/2012 LOCAL 02/2012 STP LG URBAN 02/2012 LOCAL 02/2012	1.766 0.446 0.480 0.120 3.200 0.800 11.100 2.775 0.105 0.225 10.123 2.160	ROWACQU ROWACQU ROWINCD ROWINCD ROWACQU ROWACQU ROWACQU ROWACQU CONINSP CONINSP CONST CONST	0.000	0.000	6.812	0.000	11.100 2.775	0.105 0.225 10.123 2.160	12.613
AQC-DIP	SUFFOLK	TPC : \$32-\$50 M	33.300		0.000	0.000	6.812	0.000	13.875	12.613	0.000

Ballot Comment: ADDED FEDERAL FUND TO FFY 2011 FOR RIGHT OF WAY ACQUISITION

2089

**** NEW YORK METROPOLITAN TRANSPORTATION COUNCIL **
TIP ADMINISTRATIVE MODIFICATION: NS08-BB**

AGENCY PIN WORKTYPE <AQ STATUS>	PROJECT DESCRIPTION	FUND SOURCES & OBLIGATION DATE	TOTAL 5-YEAR PROGRAM in millions of dollars	PHASE	5-YEAR PROGRAM (FFY) Starting: October 01, 2007					POST FFY 2012
					PRE FFY 2008	FFY 2008	FFY 2009	FFY 2010	FFY 2011	
AQ CODE	COUNTY	TOTAL PROJECT COST								

From

SUFFOLK CO.	INTERSECTION REALIGNMENT OF CR 3, PINELAWN ROAD/WELLWOOD ROAD WITH CONKLIN STREET AND LONG ISLAND AVENUE, TO IMPROVE SAFETY AND TRAFFIC CONGESTION, IN THE TOWN OF BABYLON. ACT NO.600	MISC FA 04/2010 LOCAL 04/2010 MISC FA 10/2009 LOCAL 10/2009 STP LG URBAN 04/2010 LOCAL 04/2010 LOCAL 02/2011 LOCAL 02/2011	1.766 0.446 0.480 0.120 3.200 0.800 1.300 1.700	ROWACQU ROWACQU ROWINCD ROWINCD ROWACQU ROWACQU CONINSP CONST	1.766 0.446 0.480 0.120 3.200 0.800						
AQC:DIP	SUFFOLK	TPC : \$26-\$40 M	19.812	CONST	6.812	0.000	0.000	0.000	13.000	0.000	0.000
To											
SUFFOLK CO.	INTERSECTION REALIGNMENT OF CR 3, PINELAWN ROAD/WELLWOOD ROAD WITH CONKLIN STREET AND LONG ISLAND AVENUE, TO IMPROVE SAFETY AND TRAFFIC CONGESTION, IN THE TOWN OF BABYLON. ACT NO.600	MISC FA 04/2010 LOCAL 04/2010 LOCAL 02/2011 LOCAL 02/2011	3.200 0.800 1.300 1.700	ROWACQU ROWACQU CONINSP CONST	3.200 0.800 1.300 1.700				13.000	0.000	0.000
AQC:DIP	SUFFOLK	TPC : \$26-\$40 M	17.000	CONST	4.000	0.000	0.000	0.000	13.000	0.000	0.000

Ballot Comment: MOVED EARMARK FUND TO PIN#072445 IN FFY2011

From

LOCAL	PURCHASE OF TWO ALTERNATIVE FUEL (CNG) BUSES, VILLAGE OF EAST ROCKAWAY IN TOWN OF HEMPSTEAD.	FTA 5309 12/2009 STATE 12/2009 LOCAL 12/2009	0.380 0.045 0.044	MISC MISC MISC	0.380 0.045 0.044						
AQC:B10	NASSAU	TPC : <\$0.75 M	0.469		0.469	0.000	0.000	0.000	0.000	0.000	0.000

To

LOCAL	PURCHASE OF TWO ALTERNATIVE FUEL (CNG) BUSES, VILLAGE OF EAST ROCKAWAY IN TOWN OF HEMPSTEAD.	FTA 5309 12/2010 STATE 12/2010 LOCAL 12/2010	0.380 0.045 0.044	MISC MISC MISC	0.380 0.045 0.044				0.380 0.045 0.044		
AQC:B10	NASSAU	TPC : <\$0.75 M	0.469		0.469	0.000	0.000	0.000	0.469	0.000	0.000

Ballot Comment: MOVED TO FFY2011

2089

**** Nassau/Suffolk Transportation Coordinating Committee **
TIP Format Report for Selected Projects on Draft Program**

AGENCY PIN WORKTYPE <AQ STATUS>	PROJECT DESCRIPTION	FUND SOURCES & OBLIGATION DATE	TOTAL 5-YEAR PROGRAM in millions of dollars	PHASE	5-YEAR PROGRAM (FFY) Starting October 01, 2010					POST FFY 2015	
					PRE FFY 2011	FFY 2011	FFY 2012	FFY 2013	FFY 2014		FFY 2015
	COUNTY TOTAL PROJECT COST										
	EXTEND THE MULTI-USE BIKEPATH 6 MILES FROM BETHPAGE ST PK TO 1495 & THEN FOLLOWING 1495 & NY135 ROW TO SYOSSET RR STATION; INCLUDES PED IMPVTS @ STREET CROSSINGS, REPLANTING OF ERODED AREAS, PARKING & SIGNING, TOWN OF OYSTER BAY, NASSAU CO.	SDF 04/2011 SDF 04/2011	0.929 9.287	CONINSP CONST	0.929 9.287	0.000	0.000	0.000	0.000	0.000	0.000
	TPC: \$9.5-\$15.5 M	TOTAL 5YR COST :	10.216		10.216	0.000	0.000	0.000	0.000	0.000	0.000
	INSTALLATION OF LIGHTING CABLE OR UPGRADE LIGHTING CABLE ON VARIOUS STATE PARKWAYS IN NASSAU AND SUFFOLK COUNTIES	STP LG URBAN 09/2014 SDF 09/2014 NHS 03/2016 SDF 03/2016 NHS 03/2016 SDF 03/2016	1.097 0.274 0.000 0.000 0.000 0.000	DETLDES DETLDES CONINSP CONINSP CONST CONST	1.097 0.274			1.097 0.274			0.820 0.520 8.200 5.200
	TPC: \$15-\$25 M	TOTAL 5YR COST :	1.371		1.371	0.000	0.000	0.000	1.371	0.000	14.740
	MILL & FILL PAVEMENT ON SOUTHERN STATE PARKWAY BETWEEN NASSAU RD AND NY110	SDF 02/2010 NHS 10/2009 SDF 10/2009	0.000 0.000 0.000	CONST CONINSP CONINSP	0.398 0.383 0.096						
	TPC: \$0.6-\$1.5 M	TOTAL 5YR COST :	0.000		0.877	0.000	0.000	0.000	0.000	0.000	0.000
	REHABILITATE THE HECKSCHER STATE PARKWAY BRIDGE OVER NY27, ISLIP TOWN, SUFFOLK COUNTY. (FORMERLY PIN: 0T1466)	SDF 10/2009 HBRR 05/2012 SDF 05/2012 HBRR 05/2012 SDF 05/2012	0.000 0.594 0.148 5.940 1.485	DETLDES CONINSP CONINSP CONST CONST	0.279		0.594 0.148 5.940 1.485				
	TPC: \$7.5-\$12 M	TOTAL 5YR COST :	8.167		0.279	0.000	8.167	0.000	0.000	0.000	0.000
	MOTOR PARKWAY BRIDGE OVER THE LONG ISLAND EXPRESSWAY - EXIT 55. PROVIDE TURN LANES AND WIDEN BRIDGE TO 97 FEET.	STP LG URBAN 09/2010 LOCAL 09/2010 STP LG URBAN 09/2010 LOCAL 09/2010	0.000 0.000 0.000 0.000	CONINSP CONINSP CONST CONST	0.600 0.150 0.600 0.150						
	TPC: \$15-\$25 M	TOTAL 5YR COST :	0.000		1.500	0.000	0.000	0.000	0.000	0.000	0.000
	INTERSECTION REALIGNMENT OF CR 3, PINELAWN ROAD/WELLWOOD ROAD WITH CONKLIN STREET AND LONG ISLAND AVENUE, TO IMPROVE SAFETY AND TRAFFIC CONGESTION, IN THE TOWN OF BABYLON. ACT NO 600	STP LG URBAN 04/2010 LOCAL 04/2010 LOCAL 04/2011 LOCAL 04/2011	0.000 0.000 1.300 11.700	ROWACQU ROWACQU CONINSP CONST	3.200 0.800						
	TPC: \$15-\$25 M	TOTAL 5YR COST :	13.000		4.000	0.000	0.000	0.000	0.000	0.000	0.000

2089

ROWS INKED MEMORISED

RESOLUTION SUBMITTAL SHEET

2089

Capital Project 5510
Operating Fund
Other

Legislative Districts 15, 17
Federal Aid % 0
State Aid %

Give a complete description of why we are asking for reso; if aided, state status of aid

This resolution removes the federal share, as the \$480,000 is now being reallocated to fund the acquisition of property

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
894-2010	Ancillary Costs in Association with Acquisition of Properties for the Reconstruction of CR 3, Pinelawn Road (80%(F), 20%(B))	\$600,000

Amounts being requested

Planning
Site
Construction
Land
F&E

Current Unencum Bal w/Quotes

Planning
Site
Construction
Land
F&E

Project Status

Est. planning completion
Est. construction start
Est. construction completion

Design consultant
Contractor

State required offsets, their legis. Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

Offset Legis District Comments

n/a

2090

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

Laid on Table 12/6/2011

RESOLUTION NO. -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 48, MIDDLE ROAD, TOWN OF SOUTHOLD (CP 5526)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of CR 48, Middle Road; and

WHEREAS, sufficient funds are not included in the 2011 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

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

WHEREAS, the Suffolk County Council of Environmental Quality has reviewed this project and declared this project constituted an unlisted action that will not have a significant effect on the environment for the following reasons:

- 1) The proposed action will not exceed any criteria in section 617.7(c) of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment
- 2) A positive drainage system will be installed to improve drainage and eliminate discharging run-off to surface waters wherever possible
- 3) All necessary NYSDEC permits will be obtained
- 4) Traffic safety will be improved; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$4,230,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, Resolution No. 1113-2001, approved by the County Legislature, finds that this project constitutes an unlisted action that will not have a significant effect on the environment, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the Reconstruction of CR 48, Middle Road, pursuant to section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the 2011 Capital Budget and Program be and is hereby amended as follows:

Project Number: 5175

Project Title: Safety Improvements on CR 99, Woodside Avenue

<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	<u>\$3,600,000</u>	<u>\$3,500,000B</u>	<u>\$0</u>
TOTAL	\$3,700,000	\$3,500,000	\$0

Project Number: 5571

Project Title: Safety Improvements on CR 48, Middle Road and Cox Neck Road

<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	<u>\$2,000,000</u>	<u>\$730,000B</u>	<u>\$0</u>
TOTAL	\$2,000,000	\$730,000	\$0

Project Number: 5526

Project Title: Reconstruction of CR 48, Middle Road

<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	<u>\$16,380,000</u>	<u>\$0</u>	<u>\$4,230,000B</u>
TOTAL	\$18,170,000	\$0	\$4,230,000

and be it further

5th RESOLVED, that the proceeds of \$4,230,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5526.310	50	Reconstruction of CR 48, Middle Road	\$4,230,000

and be it further

6th 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.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

T:\BRO\romaine cr 48.docx

2091

Intro. Res. No. 2011 Laid on Table 12/1/2011
Introduced by Presiding Officer at request of County Executive

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011,
A CHARTER LAW REQUIRING THE VOTE ON THE COUNTY
BUDGET PRIOR TO ELECTION DAY**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2011, a proposed Local Law entitled "A CHARTER LAW REQUIRING THE VOTE ON THE COUNTY BUDGET PRIOR TO ELECTION DAY;" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

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

**A CHARTER LAW REQUIRING THE VOTE ON THE COUNTY
BUDGET PRIOR TO ELECTION DAY**

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

Section 1. Legislative Intent.

This Legislature finds and determines that in the last few annual budget cycles, amendments to the recommended operating budget are not being distributed within the prescribed timeline. This is not in the best interests of the residents of the County. People who are affected by the budget and these amending resolutions are not given any time to evaluate the financial impact of budget amendments, the Budget Office is not given any time to do any financial analysis, and the public at large is deprived of information about the budget until the time of the vote. Moreover, legislators are deprived of the opportunity to read the details of the proposed budget plan. This delay diminishes transparency in the budget process and deprives the public of detailed comment during any public portion of the meeting of the Legislature wherein the budget is adopted.

Therefore the purpose of this law is to accelerate the budget timeline.

Section 2. Amendments.

Article IV of the Suffolk County Charter is hereby amended as follows:

Article IV
County Budget and Capital Program

§ C4-9. A.) The County Legislature shall hold at least two public hearings on the proposed county budget not later than the [31st] 17th day of October in each year [or the 42nd day after the County Executive has actually submitted the proposed budget required by § C4-6 to the County Legislature, whichever is later]. The County Legislature shall have available for the public in advance of the hearings a reasonable number of copies of the tentative budget.

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

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



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

DATE: DECEMBER 1, 2011

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A CHARTER LAW REQUIRING THE VOTE ON THE COUNTY BUDGET PRIOR TO ELECTION DAY

SPONSOR: PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

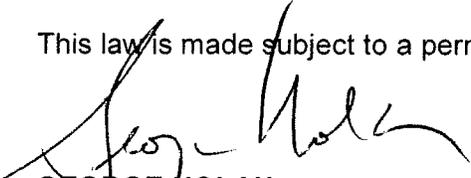
DATE OF RECEIPT BY COUNSEL: 11/22/2011 PUBLIC HEARING: 12/20/2011

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

This proposed charter law would alter the timeline under which the County Legislature adopts an operating budget each year.

Specifically, the law would advance the date by which the County Legislature must hold public hearings on the budget from October 31st to October 17th and require the Legislature to adopt an operating budget by Election Day. Currently, November 10th is the outside date for the Legislature to adopt an operating budget.

This law is made subject to a permissive referendum.


GEORGE NOLAN
Counsel to the Legislature

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