

L A I D O N T H E T A B L E M A Y 8 , 2 0 1 2

LADS REPORT PREPARED BY:

Michele Gerardi

1479. Authorizing a voluntary lag payroll for elected officials in 2013. (Barraga) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1480. Adopting Local Law No. -2012, A Local Law establishing registration requirement for Health Department expeditors. (Browning) HEALTH
1481. Amending Resolution No. 1027-2006, accepting and appropriating 80.1% State grant funds from the New York State Department of Environmental Conservation to the Suffolk County Department of Health Services for the support of the Peconic Bay Estuary Program. (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1482. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 364. (Co. Exec.) BUDGET AND FINANCE
1483. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 371. (Co. Exec.) BUDGET AND FINANCE
1484. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 372. (Co. Exec.) BUDGET AND FINANCE
1485. Declaring May "Motorcycle Safety Awareness Month" in Suffolk County. (Calarco) PUBLIC SAFETY
1486. Adopting Local Law No. -2012, A Local Law to increase the membership and clarify jurisdiction of the Gabreski Airport Conservation and Assessment Committee. (Schneiderman) ECONOMIC DEVELOPMENT AND ENERGY
1487. Naming a portion of CR 16 in Farmingville in honor of Lieutenant Richard Nappi. (Muratore) PUBLIC WORKS AND TRANSPORTATION
1488. Naming a portion of CR 96 in West Babylon in honor of United States Sergeant William McKenna. (Horsley) PUBLIC WORKS AND TRANSPORTATION
1489. Adopting Local Law No. -2012, A Local Law to improve the safety of vehicles used by child care providers that contract with the County ("Look Before You Leave Our Children Act"). (Stern) HUMAN SERVICES
1490. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Open Space component - for the Rams Head Investors, LLC property - Lake Montauk - Town of East Hampton (SCTM No. 0300-012.00-02.00-003.000). (Schneiderman) ENVIRONMENT, PLANNING AND AGRICULTURE

1491. Resolution of the County of Suffolk, New York, rescinding the Bond Resolution No. 1197-2011 adopted December 20, 2011 which authorized the issuance of \$400,000 bonds to finance the cost of planning for intersection improvements on CR 17, Carleton Avenue/Wheeler Road, Town of Islip. (Co. Exec.) BUDGET AND FINANCE
1492. Implementing a scale for health insurance contributions by exempt employees. (Romaine) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1493. Amending the Adopted 2012 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2012 Capital Budget and Program, and appropriating funds in connection with the Islip Regional Shellfish Hatchery (CP 7180). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1494. Accepting and appropriating additional WIA Funds from the New York State Department of Labor for the Workforce Investment Act (WIA) Program. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1495. Accepting and appropriating supplemental dislocated worker funds from the New York State Department of Labor for the Workforce Investment Act (WIA) Program. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1496. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Melvin E. Gavron (SCTM No. 0200-403.00-10.00-010.000). (Co. Exec.) WAYS & MEANS
1497. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Barry Simmons (SCTM No. 0500-186.00-02.00-143.000). (Co. Exec.) WAYS & MEANS
1498. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Steven G. Accetta (SCTM No. 0800-075.00-05.00-045.005). (Co. Exec.) WAYS & MEANS
1499. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Hector Morales (SCTM No. 0500-223.00-03.00-087.000). (Co. Exec.) WAYS & MEANS
1500. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Open Space component - for the Mallins and estate of Entenmann property - Beaverdam Creek - Town of Brookhaven (SCTM No. 0200-974.00-02.00-011.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1501. Authorizing empowering, and directing the Suffolk County Department of Economic Development and Planning to file a grant application pursuant to the New York State County Agricultural and Farmland Protection Planning Grant Program for matching State funds to develop an update to the Suffolk County Agricultural and Farmland Protection Plan. (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1502. Amending the 2012 Capital Budget and Program and appropriating funds in connection with FFY2012 resurfacing of CR 111, Daniel Roe Highway from the vicinity of NY 27, Sunrise Highway to the vicinity of I-495 Westbound access ramp; and CR 105, Cross River Drive from the vicinity of NY 24 to NY 25, Towns of Brookhaven, Riverhead and Southampton (CP 5599, Phase I, PIN OT2490). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1503. Amending the 2012 Capital Budget and Program and appropriating funds in connection with FFY2012 resurfacing of LIE (I-495) North and South Service Roads from the vicinity of NY 231 to the vicinity of CR 13, Crooked Hill Road, Towns of Huntington and Smithtown (CP 5599, Phase II, PIN OT2407). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1504. Amending the 2012 Capital Budget and Program and appropriating funds in connection with FFY2012 resurfacing of CR 46, William Floyd Parkway from the vicinity of Moriches Middle Island Road to the vicinity of NY 25A, Town of Brookhaven (CP 5599, Phase III, PIN OT2488). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1505. Amending the 2012 Capital Budget and Program and appropriating funds in connection with FFY2012 resurfacing of CR 97, Nicolls Road from the vicinity of the LIRR Tracks (Furrows Road) to the vicinity of NY 27, Sunrise Highway; and CR 19, Waverly Avenue/Patchogue-Holbrook Road from the vicinity of NY 27, Sunrise Highway to Broadway Avenue, Towns of Brookhaven and Islip (CP 5599, Phase IV, PIN OT2489). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1506. Authorizing the County Executive to request a public hearing from the New York State Department of Transportation and execute an agreement with the Metropolitan Transportation Authority (MTA)/Long Island Railroad (LIRR) for entry upon lands owned by railroads, in connection with the reconstruction of CR 3, Pinelawn Road in the vicinity of the Wellwood Avenue crossing, Town of Babylon, Suffolk County, New York (CP 5510). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1507. Appropriating funds in connection with rehabilitation of various bridges and embankments (CP 5850). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1508. Amending the 2012 Capital Budget and Program and appropriating funds in connection with the County Share for participation in the installation of a closed loop signal system on various County Roads (CP 3309, PIN 075993). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1509. Appropriating funds in connection with intersection improvements on CR 97, Nicolls Road, Town of Brookhaven (CP 5512). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1510. Appropriating funds in connection with Riverhead County Center Power Plant upgrade (CP 1715). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1511. Appropriating funds in connection with energy conservation at various County facilities (CP 1664). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

1512. Appropriating funds in connection with the Elevator Controls and Safety upgrading at various County facilities (CP 1760). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1513. Appropriating funds in connection with replacement/cleanup of fossil fuel, toxic and hazardous material storage tanks (CP 1706). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1514. Appropriating funds in connection Civil Court Renovations and addition – Courtrooms, Riverhead (CP 1130). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1515. Appropriating funds in connection with Fiber Cabling Network and WAN Technology Upgrades (CP 1726). (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY
1516. Amending the Adopted 2012 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2012 Capital Budget and Program, and appropriating funds in connection with stormwater remediation to Watchogue Creek (CP 8240). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1517. Appropriating funds in connection with the purchase of heavy duty vehicles for the Police Department (CP 3135). (Co. Exec.) PUBLIC SAFETY
1518. Amending the 2012 Adopted Operating Budget and the 2012 Capital Budget and Program and accepting and appropriating funds in connection with the Sewer District No. 21 SUNY - Improvement Project (CP 8121). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1519. Authorizing the filing of a grant application for Federal Fiscal Years 2010 and 2011 Section 5307 Formula Funds for mass transportation projects for Suffolk County Transit. (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1520. Authorizing the filing of a grant application for Federal Fiscal Year 2012 Section 5309 Bus and Bus Facilities Program Funds on behalf of the Town of Southampton. (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1521. Adopting Local Law No. -2012, A Local Law to prohibit smoking in County parks. (Spencer) PARKS & RECREATION
1522. Adopting Local Law No. -2012, A Local Law to enhance provisions for enforcement of certain Consumer Protection Laws. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION

PROCEDURAL MOTION

PM.09 Apportioning Mortgage Tax By: County Treasurer. (Pres. Off.)

1479

Intro. Res. No. -2012
Introduced by Legislator Barraga

Laid on Table 5/8/12

**RESOLUTION NO. -2012, AUTHORIZING A VOLUNTARY
LAG PAYROLL FOR ELECTED OFFICIALS IN 2013**

WHEREAS, the County of Suffolk faces a three-year deficit of \$530 million; and

WHEREAS, the County is facing employee layoffs and is seeking concessions from the County's public employees' unions; and

WHEREAS, provisions of State law restrict the enactment of a resolution or a local law that would mandate the reduction of an elected official's salary during his or her term of office; and

WHEREAS, elected officials should continue to set an example for the type of shared sacrifice that will be necessary to resolve the County's fiscal emergency; and

WHEREAS, the Suffolk County Legislature approved a voluntary lag payroll for County elected officials in 2009 and 2012; and

WHEREAS, elected officials should be offered the same opportunity to participate in a lag payroll in 2013 to realize additional savings; now, therefore be it

1st RESOLVED, that the Department of Audit and Control is hereby authorized, empowered and directed to take all necessary steps to permit the voluntary participation of County elected officials in a two week lag payroll; and be it further

2nd RESOLVED, that the voluntary participation by elected officials in a lag payroll be implemented by deferring the equivalent of ten days of pay over 26 consecutive pay periods beginning with the second payroll in January, 2013; and be it further

3rd RESOLVED, that elected officials who sustain a salary reduction as a result of their voluntary participation in a two week lag payroll shall be entitled to reimbursement of such salary reduction upon their separation from service with the County and said reimbursement rate shall be at the rate of pay the elected officials are receiving at the time of their separation from service; and be it further

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

UPDATED AS OF 5/2/2012

Intro. Res. No. 1480-2012
Introduced by Legislator Browning

Laid on Table 5/8/201

**RESOLUTION NO. -2012, ADOPTING LOCAL LAW
NO. -2012, A LOCAL LAW ESTABLISHING
REGISTRATION REQUIREMENT FOR HEALTH DEPARTMENT
EXPEDITORS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2012, a proposed local law entitled, "**A LOCAL LAW ESTABLISHING REGISTRATION REQUIREMENT FOR HEALTH DEPARTMENT EXPEDITORS**"; now, therefore be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW ESTABLISHING REGISTRATION
REQUIREMENT FOR HEALTH DEPARTMENT EXPEDITORS**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the Department of Health Services and the Board of Health regulate many activities that affect the public health of the residents of Suffolk County.

This Legislature also finds that the Department of Health Services considers applications and issues permits to individuals and businesses to conduct certain activities that are regulated by the Department.

This Legislature further finds that a fundamental area of concern for the Department of Health Services and the Board of Health is the protection of the County's surface waters and underground drinking water supply under Article 6 of the SUFFOLK COUNTY SANITARY CODE.

This Legislature also determines that the Department of Health Services must approve the water supply and sewage disposal facilities for proposed realty subdivisions, development and other construction projects.

This Legislature finds that individuals and businesses often hire "expeditors" to assist in moving their permit applications through the Department of Health Services.

This Legislature also finds that no special qualifications or expertise are required for persons who provide expediting services.

This Legislature further finds that expeditors working with the Department of Health Services should be required to register with the Department.

This Legislature determines that a registration requirement for expeditors will allow for greater transparency in the permitting process.

This Legislature also finds and determines that a registration requirement will allow the Department of Health Services to hold expeditors accountable and suspend or revoke the registration of expeditors who are guilty of misconduct.

Therefore, the purpose of this law is to establish a registration requirement for expeditors who interface with the Department of Health Services.

Section 2. Definitions.

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

“COMMISSIONER” shall mean the Commissioner of the Department of Health Services.

“DEPARTMENT” shall mean the Department of Health Services.

“EXPEDITING SERVICE” shall mean a service which provides, for any compensation or consideration, assistance in expediting or progressing an application for the issuance of a permit or other approval by the Department of Health Services, including the filing of an application with the Department or requesting or negotiating the approval of such application.

“PERSON” shall mean any natural person, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization of any kind.

Section 3. Registration Required.

- A. Except as provided in paragraph (B) of this section, it shall be unlawful for any person to provide, or offer to provide, expediting services without first obtaining an expeditor registration certificate from the Department in accordance with the provisions of this law.
- B. The following persons are exempt from the registration requirements of this law:
 - 1. The owner of the premises for which the application is filed including, and in the case of partnerships or corporations, the general partners or the principal officers of the corporation.
 - 2. The lessee of a premises for which the application is filed, when authorized to do so by the owner to file the application.
 - 3. Registered architects licensed by the New York State Department of Education.
 - 4. Professional engineers licensed by the New York State Department of Education.
 - 5. Attorneys duly admitted to practice law in the State of New York.

Section 4. Application Procedure; Information Required; Qualifications.

- A. All applications for registration certificates shall be submitted in writing on forms furnished by the Department. The application shall be signed under oath. Where a

corporation is an applicant, the applications shall be signed under oath by an officer of such corporation.

- B. An individual applicant must be at least 18 years of age and of good character. Consistent with Article 23-A of NEW YORK CORRECTION LAW, the Commissioner may deny registration to a person who has been convicted of a criminal offense related to giving or receiving a bribe, giving or receiving unlawful gratuities, official misconduct or other corruption related acts.

Section 5. Term of registration; renewal; fees.

- A. The initial application fee for an expeditor certificate of registration shall be \$200.
- B. Registration certificates should be valid for a period of two years from the date of issuance. The fee for an expeditor certificate of registration shall be \$200 per annum, \$400 biennially.
- C. No registration certificate shall be assignable or transferable.
- D. No registrant shall permit or authorize the use of his or her registration certificate by or on behalf of any other person.
- E. Each registrant shall, within 10 business days after a change of address, notify the Department of such change.

Section 6. Prohibited Activities; required contract terms.

- A. No expediting service shall claim or otherwise represent that they are a governmental entity or a part thereof or affiliated with an entity of government.
- B. No person shall enter into a contract or agreement with another party to provide expediting services unless such contract sets forth, in clear and conspicuous language, a schedule of the fees to be charged for such service and a provision permitting the other party, at any time within three days after having entered into such contract or agreement, to cancel such contract or agreement and receive a full refund of any fee or deposit already paid.

Section 7. Fines, suspension or revocation of registration.

- A. The Commissioner shall have the power to impose a civil fine not to exceed \$500 upon a registrant, to suspend or revoke a registration or to deny an application for the renewal of a registration for any one or more of the following causes:
 - (1) Fraud, deceit, misrepresentation or bribery in securing a registration certificate.
 - (2) The making of any false statement in an application for a registration certificate.
 - (3) Violation of any provision of this law, any other appropriate law or any rule or regulation promulgated thereunder.
 - (4) Fraud, deceit or misrepresentation in providing expediting services.

- B. No registration shall be suspended or revoked nor a fine imposed until after a hearing has first been held before the Commissioner upon at least seven business days' notice. Such notice shall be served either personally or by certified mail, return receipt requested, to the last known address of the registrant and shall state the date and place of the hearing as well as enumerate the grounds constituting the allegations against such registrant. The registrant may be represented by counsel and may produce witnesses in his or her own behalf. A verbatim record of the hearing shall be taken and preserved. For purposes of such hearing, the Commissioner may administer oaths, take testimony, subpoena witnesses and compel the production of books, paper, records or other documents deemed pertinent to the subject of the hearing.

Section 8. Penalties for Failure to Register.

Any person who provides expediting services without obtaining a registration certificate therefore or who shall continue to provide expediting services after having had their registration suspended or revoked shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than \$5,000 or imprisonment for not more than one year, or both. Each such violation shall be deemed a separate offense.

Section 9. 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 10. 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 11. Effective Date.

This law will take effect ninety (90) days after its filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1480

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: MAY 2, 2012
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. 1480-2012; A LOCAL LAW ESTABLISHING REGISTRATION REQUIREMENT FOR HEALTH DEPARTMENT EXPEDITORS

SPONSOR: LEGISLATOR BROWNING

DATE OF RECEIPT BY COUNSEL: 5/2/2012 PUBLIC HEARING: 6/5/2012
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed local law would require persons providing expediting services to register with the Department of Health Services. "Expediting services" are defined in the law as "a service, with provides, for any compensation or consideration, assistance in expediting or progressing an application for the issuance of a permit or other approval by the Department of Health Services, including the filing of an application with the Department or requesting or negotiating the approval of such application."

The owner or lessee of a premises for which the application is filed, registered architects, professional engineers and attorneys are exempt from the law's registration requirement.

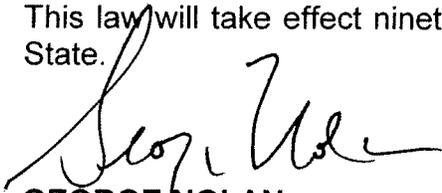
Applicants for the expeditor's certificate of registration must be at least 18 years of age and of good character. The law authorizes the Commissioner of the Department of Health Services to deny registration to persons who have been convicted of giving or receiving a bribe, giving or receiving unlawful gratuities, official misconduct or other corruption related acts.

The proposed local law will prohibit registered expeditors from representing that they are a governmental entity or affiliated with a governmental entity. The law would further require that expediting service contracts contain a provision allowing the contractee to cancel the agreement within 3 days after entering into such agreement.

The initial application fee for the expeditor certificate of registration will be \$200; the fee for the registration shall be \$400 biennially.

Persons providing expediting services without the required registration will be guilty of a misdemeanor and subject to a fine up to \$5,000 or year in jail, or both.

This law will take effect ninety (90) days after its filing in the Office of the Secretary of State.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-expeditors-registration-requirement

1481

Intro. Res. No. - 2012

Laid on the Table

5/8/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2012, AMENDING RESOLUTION NO. 1027-2006, ACCEPTING AND APPROPRIATING 80.1% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE SUPPORT OF THE PECONIC BAY ESTUARY PROGRAM

WHEREAS, Resolution No. 1027-2006 accepted and appropriated \$200,000 in grant funds for the Peconic Bay Estuary Program Benthic Mapping Project; and

WHEREAS, due to a grant reduction these funds were decreased to \$196,000; and

WHEREAS, the originally proposed project has been completed and there are remaining funds in this grant; and

WHEREAS, the Department of Environmental Conservation (DEC) has approved the use of these remaining funds for additional mapping via ground-truthing, photo-interpretation, and aerial photography of the Peconic Estuary; and

WHEREAS, the Suffolk County Department of Health Services will contract with Cornell Cooperative Extension of Suffolk County, the U.S. Fish and Wildlife Service, and the James W. Sewall Company to perform these mapping studies; and

WHEREAS, the grant period has been extended to December 31, 2013 to perform these additional mapping studies; now, therefore be it

1st RESOLVED, that the 1st WHEREAS clause of Resolution No. 1027-2006 is hereby amended to decrease the total award and extend the grant period date as follows:

WHEREAS, the New York State Department of Environmental Conservation has awarded 80.1% State grant funds to the Department of Health Services, Division of Environmental Quality for the NYS Member Item grant in the amount of [\$200,000] \$196,000 for support of the Peconic Bay Estuary Program for the period 05/01/06-[08/31/10] 12/31/13; and

and be it further

2nd RESOLVED, that the 2nd RESOLVED clause of Resolution No. 1027-2006 is hereby amended to include additional contracted agencies needed to complete the project:

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with the State University of New York at Stony Brook, Cornell Cooperative Extension of Suffolk County, The U.S. Fish and Wildlife Service, and the James W. Sewall Company; and

[] Brackets denote deletion of existing language

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

HSV #21-2012

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

1481

1. Type of Legislation		
Resolution <u> X </u> Local Law Charter Law		
Title of Proposed Legislation Amending Resolution No. 1027-2006, accepting and appropriating 80.1% State grant funds from the New York State Department of Environmental Conservation to the Suffolk County Department of Health Services for the support of the Peconic Bay Estuary Program.		
3. Purpose of Proposed Legislation This legislation is needed to amend Resolution No. 1027-2006 to extend the grant period and to name other contractors needed to perform additional mapping of the Peconic Estuary. Resolution No. 1027-2006 accepted and appropriated \$200,000 in grant funds for the Peconic Bay Estuary Program Benthic Mapping Project. The originally proposed project was completed and there are grant funds remaining for additional mapping. The Department of Environmental Conservation (DEC) has approved the use of these remaining funds for additional mapping via ground-truthing, photo-interpretation, and aerial photography of the Peconic Estuary. The grant period has been extended to December 31, 2013 to perform these additional mapping studies.		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <u> </u> NO <u> X </u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Not applicable		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. None		
8. Proposed Source of Funding 80.1% State grant funds from the New York State Department of Environmental Conservation		
9. Timing of Impact 2012		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst <i>The Peconic Bay Estuary Program</i> Principal Financial Analyst	11. Signature of Preparer <i>Diane E. Weyer</i> <i>Theresa Lello</i>	Date <i>4/9/12</i> <i>4/30/12</i>

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1481

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



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

1481

©

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD, MPH, MBA, MSW
COMMISSIONER

MEMORANDUM

TO: Diane Weyer
Principal Financial Analyst

FROM: Walter Dawydiak, PE *WD*
Acting Director

DATE: April 2, 2012

SUBJECT: *Peconic Estuary Program - Adopted Resolution #1027-2066
No Cost Contract Extension*

I am writing to request that a resolution be drafted to amend Adopted Resolution No. 1027-2006 (attached). The originally proposed project has been completed, but some funds remain in this NY State Grant in the amount of \$50,381.72. The NY State Department of Environmental Conservation (DEC) has granted an extension to this grant (State Grant #C-303053) until December 31, 2013 (see attached).

The grant amendment names new contractors to complete the additional mapping work that will be accomplished with the remaining funds. Because the original resolution accepting and appropriating these grant funds named the State University of New York at Stony Brook as the contractor, an amendment to the resolution is required in order to spend the remaining grant funds in accordance with the grant contract amendment. The new contractors will be Cornell Cooperative Extension of Suffolk County, The U.S. Fish and Wildlife Service, and the James W. Sewall Company.

Please do not hesitate to contact Alison Branco, PEP Program Director, at 2.5808 if you have any further questions.

WD.kn

Attachments.

C: Liza Wright, Senior Budget Analyst
Alison Branco, Ph.D. - PEP Program Director
Chris Lubicich, PE, Chief - Office of Ecology



Public Health
Prevent. Promote. Protect.

OFFICE OF THE ACTING DIRECTOR
♦ DIVISION OF ENVIRONMENTAL QUALITY ♦
360 YAPHANK AVENUE - SUITE 2B ~ YAPHANK, NY 11980
PHONE: 631.852.5800 - FAX: 631.852.5825

COUNTY OF SUFFOLK

1481



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

April 12, 2012

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution amending Resolution No. 1027-2006, accepting and appropriating 80.1% State grant funds from the New York State Department of Environmental Conservation to the Suffolk County Department of Health Services for the support of the Peconic Bay Estuary Program. Resolution No. 1027-2006 accepted and appropriated \$200,000 in grant funds for the Peconic Bay Estuary Program Benthic Mapping Project. The originally proposed project was completed and there are grant funds remaining for additional mapping. The Department of Environmental Conservation (DEC) has approved the use of these remaining funds for additional mapping via ground-truthing, photo-interpretation, and aerial photography of the Peconic Estuary. The grant period has been extended to December 31, 2013 to perform these additional mapping studies. This legislation is needed to extend the grant period and to name other contractors needed to perform this additional mapping of the Peconic Estuary.

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-Amend Reso. 1027-06 PEP.docx."

Sincerely,

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

Enclosures

JLT/lw

- C: Regina Calcaterra, Chief Deputy County Executive
- Ben Zwirn, Director of Intergovernmental Relations (2 copies)
- Thomas Vaughn, County Executive Assistant III
- Margaret B. Bermel, Director of Health Administrative Services
- Barry Paul, Deputy Commissioner
- Jane Corrarino, PhD, Public Health Nurse IV
- Walter Dawydiak, Acting Director, Environmental Quality
- Diane E. Weyer, Principal Financial Analyst
- Gary Amato, Accountant



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

1487

intro. Res. No. 2067-2006

Laid on Table 8/22/2006

Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine and Schneiderman

RESOLUTION NO. 1027 -2006, ACCEPTING AND APPROPRIATING 80.1% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE NYS LEGISLATIVE MEMBER ITEM GRANT FOR SUPPORT OF THE PECONIC BAY ESTUARY PROGRAM

WHEREAS, the New York State Department of Environmental Conservation has awarded 80.1% State grant funds to the Department of Health Services, Division of Environmental Quality for the NYS Member Item grant in the amount of \$200,000 for support of the Peconic Bay Estuary Program for the period 05/01/06-08/31/10; and

WHEREAS, the Peconic Estuary Program Management Conference has agreed that these funds will support Phase III of the Peconic Estuary Benthic Mapping Project; and

WHEREAS, these maps of the underwater lands for the Peconic Estuary are needed to document bathymetry and the distribution of natural resources; and

WHEREAS, a contract shall be executed with the researchers at the State University of New York at Stony Brook, Marine Sciences Research Center; and

WHEREAS, the Suffolk County Department of Health, Office of Ecology will oversee the work done by the researchers at State University of New York at Stony Brook; and

WHEREAS, this 80.1% State Aid is not currently included in the 2006 Adopted Operating Budget, now therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$200,000 State grant funds as follows:

REVENUES: AMOUNT

001-3910 Environmental Control \$200,000

APPROPRIATIONS

Department of Health Services (HSV)
Division of Environmental Quality
National Estuary Action Plan
001-HSV-4405

Fees for Service \$200,000
4560 Fees for Service, Non-Employees \$200,000
State University of New York at Stony Brook

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with the State University of New York at Stony Brook; and be it further

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

DATED: September 19, 2006

APPROVED BY:

1481

Intro. Res. No. 1084-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 113 -2007, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1027-2006

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1027-2006; and

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

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

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

Resolution No. 1027-2006

In the second RESOLVED clause:

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with the State University of New York at Stony Brook and to execute an agreement with the New York State Department of Environmental Conservation (NYS DEC) for this grant program; and be it further

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

DATED: March 6, 2007

APPROVED BY: _____

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: March 9, 2007

Intro Res. No. 1482-12

Laid on Table 5/8/12

Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #364

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

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

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

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

Table with 5 columns: Description, Year, Original Tax, Corrected Tax, Chargeback or Refund, if paid. Rows list property descriptions for Brookhaven from 2005/06 to 2008/09 with corresponding tax amounts.

0200-561.00-06.00-176.000 (ITEM #5109630)	2007/08	\$13,628.30	0.00	\$13,628.30
0200-561.00-06.00-176.000 (ITEM #5109630)	2008/09	\$14,132.45	0.00	\$14,132.45
0200-561.00-06.00-176.000 (ITEM #5109630)	2009/10	\$14,797.35	0.00	\$14,797.35
0200-620.00-03.00-028.000 (ITEM #8016170)	2010/11	\$ 7,544.21	0.00	\$ 7,544.21

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

1482

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
ResolutionXXX Local Law Charter Law

2. Title of Proposed Legislation
To readjust, compromise and grant refunds and charge backs on Correction of Errors/County Treasurer By: County Treasurer

3. Purpose of Proposed Legislation
To cancel or adjust taxes and make refunds and charge backs due to erroneous or improper assessments.

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

5. If the answer to item 5 is "yes," on what will it impact? (Circle appropriate category)
County **Town** Economic Impact
Village School District Other (Specify):
Library District Fire District

6. If the answer to item 5 is "yes," Provide Detailed Explanation of Impact
In the case of refunds, the County will initially refund the amount of the incorrect tax. Approximately 81% of the refunded amount will be charged back to the Town to be added to the subsequent year's tax warrant. The remainder will be a County charge. If the original tax is unpaid, the same procedure would apply, however, no County monies would be refunded and it will be charged back to the Town within twelve to eighteen months.

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

8. Proposed Source of Funding
To be refunded from the County General Fund

9. Timing of Impact
Variable

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date
Angie M. Carpenter *Angie M. Carpenter* 12/19/11
County Treasurer

**Additional back-up material regarding IR 1482 is on file in the
Legislative Clerk's Office, Hauppauge.**

Intro Res. No. 1483-12
Introduced by Presiding Officer on the Request of the County Executive

Laid on Table 5/8/12

RESOLUTION NO. TO READJUST, COMPROMISE, AND
GRANT REFUNDS AND CHARGEBACKS ON CORRECTION
OR ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #371

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
HUNTINGTON:				
0400-096.00-02.00-005.000	2011/12	\$12,481.41	\$458.09	\$12,023.32

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

1483

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

ResolutionXXX

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

YES XXX

NO

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

County

Town

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

Angie M. Carpenter
County Treasurer

11. Signature of Preparer

Angie M. Carpenter

12. Date

4/16/12

TO: SUFFOLK COUNTY TREASURER, COUNTY CENTER, RIVERHEAD, N.Y.
 FROM: ASSESSOR, TOWN OF HUNTINGTON
 RE: CANCELLATION OF TAXES (R.P.T.L. - Section 558)

1483

I, the undersigned Assessor of the Town of Huntington do hereby certify that the cancellation of taxes indicated hereon is correct.

Court Order Index No.

Date of Order (Petition)

Claimant COUNTY OF SUFFOLK

Number of tax years covered by order: ONE

Town Item #	Tax Map #	Original AV	AV changed to
	0400-096-02-005	3500	NO CHANGE IN AV CANCEL FOR 2011/12 WHOLLY EXEMPT (EXCEPT REFUSE) - PARSONAGE

Notation:

Refuse - \$458.09

Tax Levied: \$12,481.41

Corrected Tax: \$458.09

[Handwritten mark]

Charge back, if any, should be made to the: TOWN OF HUNTINGTON

ASSESSOR

BRYAN J. MONAGHAN

STATE OF NEW YORK
 COUNTY OF SUFFOLK

Sworn to before me this 12th day of April

2012

[Signature of Virginia D. Acker]
 Notary Public

VIRGINIA D. ACKER
 Notary Public, State of New York
 No. 01AC5086807
 Qualified in Suffolk County
 Commission Expires February 17, 2014



1483

SUFFOLK COUNTY TREASURER

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

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

ANGIE M. CARPENTER
COUNTY TREASURER

DOUGLAS W. SUTHERLAND
CHIEF DEPUTY

DIANE M. STUKE
DEPUTY

MEMORANDUM

TO: Ben Zwirn, County Executive Assistant for Intergovernmental Relations

FROM: Angie M. Carpenter, Suffolk County Treasurer

DATE: April 16, 2012

RE: RESOLUTION FOR CANCELLATION OF TAXES, CONTROL # 371

.....

Enclosed please find a proposed resolution, which this office requests be submitted to the Suffolk County Legislature for approval.

Also enclosed is any back-up material pertaining to this request.

Should you need anything further, please contact me.

AMC:dz
Enc.

Intro Res. No. 1484-12
Introduced by Presiding Officer on the Request of the County Executive

Laid on Table 5/8/12

RESOLUTION NO. TO READJUST, COMPROMISE, AND
GRANT REFUNDS AND CHARGEBACKS ON CORRECTION
OR ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #372

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
BROOKHAVEN:				
0200-852.00-08.00-075.002 (ITEM #4608690)	2011/12	\$7,605.68	0.00	\$7,605.68
0200-545.00-01.00-003.000 (ITEM #8205881)	2010/11	\$9,380.87	0.00	\$9,380.87
0200-545.00-01.00-003.000 (ITEM #8205881)	2011/12	\$9,804.80	0.00	\$9,804.80

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

1484

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

ResolutionXXX

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

YES XXX

NO

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

County

Town

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

Angie M. Carpenter
County Treasurer

11. Signature of Preparer

Angie M. Carpenter

12. Date

4/20/12

**Additional back-up material regarding IR 1484 is on file in the
Legislative Clerk's Office, Hauppauge.**

1485

Intro. Res. No. -2012
Introduced by Legislator Calarco

Laid on Table 5/8/12

RESOLUTION NO. -2012, DECLARING MAY "MOTORCYCLE SAFETY AWARENESS MONTH" IN SUFFOLK COUNTY

WHEREAS, motorcycle crash-related fatalities and injuries have been increasing since the late 1990's; and

WHEREAS, proper use of helmets and protective gear, better training and rider sobriety can prevent motorcycle fatalities; and

WHEREAS, the awareness of motorcycle safety has increased through operator licensing manuals, public service announcements, brochures, pamphlets, posters and internet websites, all of which encourage motorists to share the road safely with motorcycle riders; and

WHEREAS, to raise public awareness of this issue, the National Highway Traffic Safety Administration has declared the month of May as "Motorcycle Safety Awareness Month"; and

WHEREAS, to further encourage the safety of motorcycle use, this Legislature wishes to designate the month of May as "Motorcycle Safety Awareness Month" in Suffolk County; now, therefore be it

1st RESOLVED, that beginning in 2012 and continuing every year thereafter, May shall be designated as "Motorcycle Safety Awareness Month" in Suffolk County to raise public awareness and encourage greater motorcycle safety; and be it further

2nd RESOLVED, that Resolution No. 244-2010 is hereby repealed; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1486

Intro. Res. No. -2012
Introduced by Legislator Schneiderman

Laid on Table 5/8/12

RESOLUTION NO. -2012, ADOPTING LOCAL LAW NO. -2012, A LOCAL LAW TO INCREASE THE MEMBERSHIP AND CLARIFY JURISDICTION OF THE GABRESKI AIRPORT CONSERVATION AND ASSESSMENT COMMITTEE

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2012, a proposed local law entitled, "**A LOCAL LAW TO INCREASE THE MEMBERSHIP AND CLARIFY JURISDICTION OF THE GABRESKI AIRPORT CONSERVATION AND ASSESSMENT COMMITTEE**" now, therefore, be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO INCREASE THE MEMBERSHIP AND CLARIFY JURISDICTION OF THE GABRESKI AIRPORT CONSERVATION AND ASSESSMENT COMMITTEE

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 Resolution No. 214-2012 formally created and codified the Gabreski Airport Conservation and Assessment Committee. This Committee is authorized to review and make advisory recommendations regarding proposed licenses and leases at the airport.

This Legislature also finds and determines that it is necessary to make several technical changes to Resolution No. 214-2012 (codified at § A34-2 of the Suffolk County Administrative Code) to ensure the proper functioning of this advisory group.

Therefore, the purpose of this law is to amend Section A34-2 of the Suffolk County Administrative Code to add one member to the Gabreski Airport Committee and clarify the Committee's jurisdiction.

Section 2. Amendments.

Section A34-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

§ A34-2. Gabreski Airport Conservation and Assessment Committee

- A. There is hereby established a Gabreski Airport Conservation and Assessment Committee ("Committee") which shall be composed of the following [eight] nine members:

* * * *

7. the County Legislator representing the 2nd Legislative District or his or her designee.
- B. With the exception of the Legislator or designee representing the 2nd Legislative District, all members of the Committee shall be appointed for a term of three (3) years. The Chairman shall be appointed by the Committee at its first meeting of the year.
- C. The Department of Economic Development and Planning shall forward to the Committee all applications for leases, lease renewals, lease extensions, lease modifications, licenses, license renewals, license extensions and license modifications at Gabreski Airport, which have a term that exceeds 30 days duration, for review by the Committee. Upon completing its review of an application, the Committee shall make its findings and recommendations, which shall be advisory in nature.
- * * * * *
- J. The Department of Economic Development and Planning shall not refer to the Committee subleases in the Hamptons Business and Technology Park which are permissible under, and consistent with, the terms and provisions of the underlying lease.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

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

s:\laws\l-amend Gabreski Airport Conservation & Assessment Committee

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

14820

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: MAY 2, 2012
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. 1486-2012; LOCAL LAW TO INCREASE THE MEMBERSHIP AND CLARIFY
JURISDICTION OF THE GABRESKI AIRPORT CONSERVATION AND ASSESSMENT
COMMITTEE

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 4/16/12 PUBLIC HEARING: 6/5/12
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed local law would amend the recently enacted law establishing the Gabreski Airport Conservation and Assessment Committee as follows:

1. Adds the Legislator representing the 2nd Legislative District, or his or her designee, as a member on the Committee; and
2. Clarifies that subleases in the Hamptons Business and Technology Park which are permissible under, and consistent with, the terms and provisions of the underlying lease, are not subject to the Committee's review.

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

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-Gabreski Assessment Committee

1487

Intro. Res. No. -2012
Introduced by Legislator Muratore

Laid on Table 5/8/12

**RESOLUTION NO. -2012, NAMING A PORTION OF CR 16
IN FARMINGVILLE IN HONOR OF LIEUTENANT RICHARD
NAPPI**

WHEREAS, Richard Nappi, a lieutenant in the New York City Fire Department, collapsed and died recently in the line of duty after battling a warehouse fire in Brooklyn; and

WHEREAS, firefighting was a calling for Lt. Nappi, who responded to the 9/11 World Trade Center attacks while with Engine 7 in lower Manhattan; and

WHEREAS, Lt. Nappi served as a volunteer for the Farmingville Fire Department for 20 years; and

WHEREAS, Lt. Nappi trained firefighters in New York City and served as a part-time instructor at the Suffolk County Fire Academy in Yaphank; and

WHEREAS, in recognition of his extraordinary sacrifice and dedication to his family, career and community, Suffolk County wishes to honor Lt. Nappi; now, therefore be it

1st RESOLVED, that, the portion of CR 16 (Horseblock Road) from South Howell Avenue East to Morris Avenue in Farmingville, shall be named "Lt. Richard Nappi Road"; and be it further

2nd RESOLVED, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take all actions necessary and appropriate to effectuate this naming and dedication; and be it further

3rd RESOLVED, that this renaming shall be effective as of October 17, 2012; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1488

Intro. Res. No. -2012
Introduced by Legislator Horsley

Laid on Table

5/8/12

**RESOLUTION NO. -2012, NAMING A PORTION OF CR 96
IN WEST BABYLON IN HONOR OF UNITED STATES
SERGEANT WILLIAM McKENNA**

WHEREAS, after witnessing the events of September 11, 2001, William McKenna joined the United States Army at the age of 33; and

WHEREAS, William McKenna was stationed near a burn pit at the former Balad Air Base in Iraq and was exposed to toxins; and

WHEREAS, William McKenna, a Sergeant, served two tours of duty in Iraq before he was diagnosed with Stage 4T-Cell lymphoma, a direct result of exposure to toxic contaminants; he passed away at the age of 41; and

WHEREAS, The Department of Veterans Affairs ruled Sgt. McKenna's cancer was directly related to the burn pits and awarded him 100 percent service-connected disability; and

WHEREAS, Sgt. McKenna had a long, tough battle with his cancer and leaves behind a wife and two daughters; and

WHEREAS, it would be appropriate to honor Sgt. McKenna's personal sacrifice for this Nation; and

WHEREAS, naming of a portion of CR 96 (Great East Neck Road) after Sgt. McKenna, will be an enduring tribute to a heroic individual who loved and served his country well, now, therefore, be it

1st RESOLVED, that the portion of CR 96 (Great East Neck Road) between Millard Avenue and Arnold Avenue in West Babylon is hereby named "Sgt. William McKenna Avenue"; and be it further

2nd RESOLVED, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take all actions necessary and appropriate to effectuate this naming and dedication; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-name section of CR 96 - McKenna Ave

1489

Intro. Res. No. -2012
Introduced by Legislator Stern

Laid on Table

5/8/12

RESOLUTION NO. -2012, ADOPTING LOCAL LAW NO. -2012, A LOCAL LAW TO IMPROVE THE SAFETY OF VEHICLES USED BY CHILD CARE PROVIDERS THAT CONTRACT WITH THE COUNTY ("LOOK BEFORE YOU LEAVE OUR CHILDREN ACT")

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2012, a proposed local law entitled, "A LOCAL LAW TO IMPROVE THE SAFETY OF VEHICLES USED BY CHILD CARE PROVIDERS THAT CONTRACT WITH THE COUNTY ("LOOK BEFORE YOU LEAVE OUR CHILDREN ACT")" now, therefore, be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO IMPROVE THE SAFETY OF VEHICLES USED BY CHILD CARE PROVIDERS THAT CONTRACT WITH THE COUNTY ("LOOK BEFORE YOU LEAVE OUR CHILDREN ACT")

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 child care providers are entrusted with protecting the safety and security of thousands of Suffolk County's youngest residents.

This Legislature also finds and determines that many child care providers take the children they care for on field trips.

This Legislature further finds and determines that children frequently fall asleep in vehicles and are sometimes difficult to see from the front of a large vehicle.

This Legislature finds that vehicles used by child day care providers to transport children on field trips should be thoroughly checked each time they are parked to ensure that sleeping children are not left behind.

This Legislature determines that cost effective alarm systems are available which prompt drivers to check the vehicle for sleeping children prior to exiting.

This Legislature also finds that the County should require all child care providers it contracts with to install such alarms on vehicles used to transport children to ensure the highest standards of child safety.

Therefore, the purpose of this law is to require all child care providers that contract with the County of Suffolk to install and maintain a child safety alarm system in all vehicles used to transport children.

Section 2. Definitions.

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

“CHILD” shall mean any individual person under the age of 12.

“CHILD CARE” shall mean care for a child on a regular basis provided away from the child's residence for less than twenty-four hours per day by someone other than the parent, step-parent, guardian, or relative within the third degree of consanguinity of the parents or step-parents of such child. Child care shall not refer to care provided in: a day camp; an after-school program operated for the purpose of religious education, sports, or recreation; or a kindergarten, pre-kindergarten, or nursery school for children three years of age or older, or after-school program for children operated by a public school district or by a private school or academy which is providing elementary or secondary education or both, in accordance with the compulsory education requirements of the State Education law, provided that the kindergarten, pre-kindergarten, nursery school, or after school program is located on the premises or campus where the elementary or secondary education is provided.

“CHILD CARE PROVIDER” shall mean any individual, association, corporation, partnership institution or agency which provides child care for seven or more children for more than three hours per day per child.

Section 3. Requirements.

Any child care provider which contracts with the County of Suffolk to provide child care services must install and maintain in working condition a child safety alarm system in all vehicles used to transport children. The alarm system shall prompt the driver to inspect the vehicle for children prior to exiting such vehicle each time it is parked.

Section 4. Approved Child Safety Alarm List.

The Department of Social Services shall maintain a list of child safety alarm manufacturers and alarm systems that are approved to be installed in such vehicles.

Section 5. Contract Language.

All County contracts between a child care provider and the County subject to this law shall contain the following paragraph or substantially equivalent language:

“Pursuant to County law, the child care provider shall install and maintain, in good working, condition an alarm system in all vehicles used to transport children which shall prompt the driver to inspect the vehicle for children prior to exiting each time it is parked. The County shall have the authority, under appropriate circumstances, to terminate this contract and to seek other remedies as set forth therein for violations of this law.”

Section 6. Rules and Regulations.

The Department of Social Services is hereby authorized and empowered to promulgate rules and regulations associated with the implementation and enforcement of this law.

Section 7. Applicability.

This law shall apply to all contracts between the County and child day care providers entered into on or after the effective date of this law.

Section 8. Severability.

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

Section 9. SEQRA Determination.

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

Section 10. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1489

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: May 2, 2012
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. 1489-2012; A LOCAL LAW TO IMPROVE THE SAFETY OF VEHICLES USED BY CHILD CARE PROVIDERS THAT CONTRACT WITH THE COUNTY ("LOOK BEFORE YOU LEAVE OUR CHILDREN ACT")

SPONSOR: LEGISLATOR STERN

DATE OF RECEIPT BY COUNSEL: 5/2/12 **PUBLIC HEARING:** 6/5/12
DATE ADOPTED/NOT ADOPTED: _____ **CERTIFIED COPY RECEIVED:** _____

This proposed local law would require any child care provider, which contracts with the County to provide child care services, to install and maintain a child safety alarm system in the vehicles they use to transport children. The alarm system will prompt drivers to inspect the vehicle for children prior to exiting the vehicle each time it is parked. All future contracts between the County and child care providers will contain a clause requiring same.

This law will be enforced by the Department of Social Services ("DSS"). In furtherance of this law, DSS will maintain a list of child safety alarm manufactures and alarm systems that are approved to meet the County's standards. DSS will establish any additional rules and regulations necessary for the implementation of this law.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

1490

Intro. Res. No. -2012
Introduced by Legislator Schneiderman

Laid on Table

5/8/12

RESOLUTION NO. -2012, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - OPEN SPACE COMPONENT - FOR THE RAMS HEAD INVESTORS, LLC PROPERTY - LAKE MONTAUK - TOWN OF EAST HAMPTON (SCTM NO. 0300-012.00-02.00-003.000)

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. 47-2006, 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 Four Hundred Thousand Dollars (\$400,000.00), 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 0300	0.78±	Rams Head Investors, LLC
	Section 012.00		50 Tiffany Circle
	Block 02.00		North Hills, NY 11030
	Lot 003.000		

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 Four Hundred Thousand Dollars (\$400,000.00), 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 \$400,000.00, 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 One (1) 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; and be it further

8th **RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

9th **RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

1.) the proposed action will not exceed any of the criteria of 6 NYCRR,

Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have;

and be it further

10th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

S:\res\r-land-acq-rams-head

BOND RESOLUTION NO. -2012

**RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
RESCINDING THE BOND RESOLUTION NO. 1197-2011
ADOPTED DECEMBER 20, 2011 WHICH AUTHORIZED THE
ISSUANCE OF \$400,000 BONDS TO FINANCE THE COST OF
PLANNING FOR INTERSECTION IMPROVEMENTS ON CR 17,
CARLETON AVENUE/WHEELER ROAD, TOWN OF ISLIP**

Recitals

WHEREAS, the County Legislature of the County of Suffolk, New York, has heretofore adopted Resolution No. 1197-2011 dated December 20, 2011, authorizing the issuance of \$400,000 bonds or bond anticipation notes to finance a part of the cost of planning for intersection improvements on CR 17, Carleton Avenue/Wheeler Road, Town of Islip, which was appropriated on Resolution No. 1196-2011; and

WHEREAS, Bond Resolution No. 1197-2011 is a duplicate of Bond Resolution No. 244-2011, which was appropriated on Resolution No. 43-2011; NOW, THEREFORE

THE COUNTY LEGISLATURE THE COUNTY OF SUFFOLK, NEW YORK,
HEREBY RESOLVES AS FOLLOWS:

Section 1. The bond resolution of the County of Suffolk, New York, entitled:

BOND RESOLUTION NO. 1197 - 2011

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$400,000 BONDS TO FINANCE A PART OF THE COST OF PLANNING FOR INTERSECTION IMPROVEMENTS ON CR 17, CARLETON AVENUE/WHEELER ROAD, TOWN OF ISLIP (CP 5097.111)

is hereby rescinded, no obligations of the County having been issued pursuant to such resolution.

Section 2. This resolution shall take effect immediately upon approval by the County Executive.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

UPDATED VERSION AS OF 5/3/12

Intro. Res. No. 1492-2012

Laid on Table 5/8/2012

Introduced by Legislators Romaine and Kennedy

**RESOLUTION NO. -2012, IMPLEMENTING A SCALE FOR
HEALTH INSURANCE CONTRIBUTIONS BY EXEMPT
EMPLOYEES**

WHEREAS, Resolution No. 659-1988, established a fringe benefit policy for exempt employees; and

WHEREAS, Resolution 242-1992 extended the provisions of Resolution 659-1988 until such time as a new fringe benefit policy was enacted into law on a prospective basis; and

WHEREAS, the County of Suffolk faces a \$535 million three-year budget deficit; and

WHEREAS, the County of Suffolk must make difficult choices to close the budget deficit, improve cash flow and prevent future layoffs; and

WHEREAS, the County's health insurance costs are enormous and continuing to grow exponentially; and

WHEREAS, the County of Suffolk must, at this time, ask its employees to contribute to the cost of their health insurance;

WHEREAS, § 7 of Article XIII of the State Constitution prohibits changes to the compensation during a term of office for constitutionally established elected officials, including the District Attorney, County Comptroller, County Clerk, County Treasurer, and Sheriff; and

WHEREAS, all elected officials should be able to contribute toward their health insurance benefits at the same time as all other County employees; now, therefore be it

1st RESOLVED, that Chapter 935 of the Suffolk County Code is hereby amended as follows:

Chapter 935. Employee Benefits

Article 1. Fringe Benefits for Exempt Employees

§ 935-1. Terms and conditions for extension of fringe benefits to certain employees.

* * * *

I. Exempt employees, as defined, described and covered by or under this Article shall contribute for their health insurance benefits at a rate equal to the membership of the Suffolk County Association of Municipal Employees or any successor bargaining unit.

and be it further

2rd **RESOLVED**, that this resolution will supersede the terms of any earlier County resolution as it pertains to the health insurance benefits of exempt employees; and be it further

3rd **RESOLVED**, that the Suffolk County Comptroller is hereby authorized, empowered and directed to take all actions necessary to effectuate the policy established herein; and be it further

4th **RESOLVED**, that County Legislators, the District Attorney, the Sheriff and the Treasurer will be required to contribute for their health insurance benefits beginning on January 1, 2014, the County Clerk and County Comptroller will be required to contribute for their health insurance benefits beginning on January 1, 2015 and the County Executive will be required to contribute to his or her health insurance benefits beginning January 1, 2016; and be it further

5th **RESOLVED**, that all elected officials are hereby authorized and empowered to voluntarily contribute for their health insurance benefits until such time as they are required to do so; and be it further

6th **RESOLVED**, that this resolution shall not take effect until all collective bargaining units in the County agree to healthcare contribution terms; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\health benefits exempts Romaine & Kennedy

1493

Intro. Res. No. -2012

Laid on Table 5/8/12

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2012 AMENDING THE ADOPTED 2012 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE ISLIP REGIONAL SHELLFISH HATCHERY (7180)

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 funds; and

WHEREAS, the Suffolk County Department of Economic Development and Planning will sponsor an aquatic habitat restoration project in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, this project will entail the planning and design of a regional shellfish culture facility to replace the existing facility and expand both its capabilities and live product output; and

WHEREAS, the Town of Islip has committed by Town Resolution 14, adopted at the Town Board meeting on December 13, 2011, to accept the grant from the County of Suffolk for the first phase of the Islip Town Hatchery project and to enter into an inter-municipal agreement with the County of Suffolk for this project; and

WHEREAS, the Town of Islip will commit by Town Resolution 14 to provide matching project funds in the amount of at least 50% of the cost of the project; and

WHEREAS, funding is requested for this project through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2012 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 2012 Capital Budget and Program; now, therefore be it

1st RESOLVED, that the Town of Islip, having conducted a coordinated review and being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines in Town Resolution 14 that this proposed action will not have a significant adverse impact on the environment and constitutes an unlisted action for which a Negative Declaration was issued, in accordance with the provisions of 6 NYCRR §617.7. Therefore, the SEQRA review is complete and no further action needs to be taken by Suffolk County; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that 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 2012 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	\$150,000

and be it further

5th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT (Ref. 525 -CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$150,000

and be it further

6th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 7180
Project Title: Islip Regional Shellfish Hatchery

	<u>Total Est. Cost</u>	<u>Current 2012 Capital Budget & Program</u>	<u>Revised 2012 Capital Budget & Program</u>
1. Planning	<u>\$150,000</u>	<u>\$0</u>	<u>\$150,000W</u>
TOTAL	\$150,000	\$0	\$150,000

and be it further

7th RESOLVED, that the interfund revenues in the amount of \$150,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7180.115	50	Islip Regional Shellfish Hatchery	\$150,000

and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project; and be it further

9th RESOLVED, that the County Executive is hereby authorized to execute an inter-municipal agreement with the Town of Islip under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW which shall include, but not be limited to, a provision authorizing the Town of Islip Regional Shellfish Hatchery.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1493

December 13, 2011

Resolution #14

WHEREAS, on April 5, 2011 the Town Board adopted a resolution authorizing the Supervisor to apply for and accept grant funding through the Suffolk County Division of Water Quality Improvement's Water Quality Protection and Restoration Program and Land Stewardship Initiative for the first phase of the Islip Town Hatchery Improvements; and

WHEREAS, this project as proposed in the application would entail the planning, design, and construction of a regional shellfish culture facility to replace the existing facility and expand both its capabilities and material (live product) output; and

WHEREAS, said application was subsequently made by the Supervisor; and

WHEREAS, The Town received notification on August 2, 2011 that the Water Quality Review Committee voted in favor of recommending \$150,000 in funding for this project; and

WHEREAS, the Department of Environmental Control has completed a Full Environmental Assessment Form (FEAF) for the Town Board's use and review, and

WHEREAS, a Lead Agency coordination letter has been circulated among the involved agencies along with the Full Environmental Assessment Form.

NOW, THEREFORE, on a motion by Supervisor Nolan, seconded by Councilman Edwards, be it

RESOLVED, that the Town Board hereby assumes Lead Agency status in connection with the State Environmental Quality Review of this project; and, be it further

RESOLVED, that the Town Board of the Town of Islip, as Lead Agency for the action contemplated herein, after due deliberation, and after review and analysis of Parts 2 and 3 of the EAF, and 6 NYCRR §617.7, hereby determines that the proposed action will not have a significant adverse impact on the environment and that an environmental impact statement (EIS) is not required, and accordingly, hereby adopts a Negative Declaration of Significance; and, be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an inter-municipal agreement with the County of Suffolk in order for the Town to serve as the funding conduit for grant funding awarded through the Suffolk County Division of Water Quality Improvement's Water Quality Protection and Restoration Program and Land Stewardship Initiative for the first phase of the Islip Town Hatchery Improvements; and, be it further

RESOLVED, that the Town of Islip agrees to provide the required minimum of 50% matching funds, which can be in the form of "in-kind" services performed by the Town; and, be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries necessary to amend the budget in accordance with the terms of the grant.

Upon a vote being taken, the result was: unanimously carried 5-0

TOWN OF ISLIP



1493

OFFICE OF THE TOWN CLERK

OLGA H. MURRAY
TOWN CLERK & REGISTRAR

STATE OF

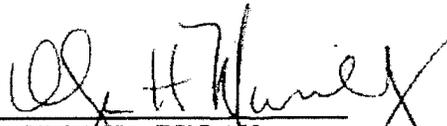
NEW YORK)

)SS:

COUNTY OF SUFFOLK)

I, Olga H. Murray, Town Clerk of the Town of Islip, Suffolk County, New York
DO HEREBY CERTIFY, that I have compared the foregoing with the original preamble and
resolution adopted by the Town Board of the Town of Islip at a meeting of said Board held on
the 13th day of December 2011, and that the foregoing is a true transcript from said
original resolution and the whole thereof and that the resolution adopted by said Board is on
file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of
Islip this 30th day of January 2012.

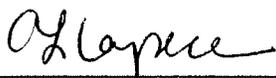


OLGA H. MURRAY
ISLIP TOWN CLERK

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1493

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
AMENDING ADOPTED RESOLUTION 909-2011, AMENDING THE ADOPTED 2012 OPERATING BUDGET TO TRANSFER FUNDS FOR FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE ISLIP REGIONAL SHELLFISH HATCHERY (CP 7180)		
3. Purpose of Proposed Legislation		
See 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): Fund 477
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
RESOLUTION TRANSFERS \$150,000 FUND 477 WATER QUALITY FUNDS TO FUND 525 FOR AQUATIC HABITAT RESTORATION IN THE TOWN OF ISLIP. THE TOWN OF ISLIP IS MATCHING FUNDS.		
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 WATER QUALITY PROGRAM		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer Colleen Capece Accountant	11. Signature of Preparer 	12. Date May 1, 2012

**FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1493

GENERAL FUND

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

COMBINED

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 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, SEPTEMBER 2011.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

1493

SARAH LANSDALE, A.I.C.P.
PLANNING DIRECTOR

DEPARTMENT OF ECONOMIC DEVELOPMENT AND
PLANNING
DIVISION OF WATER QUALITY IMPROVEMENT

FRANK CASTELLI
DIVISION DIRECTOR

February 28, 2012

Mr. Jon Schneider
Deputy County Executive
H Lee Dennison Bldg. Fl. 12
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

Enclosed for your consideration and submission is the proposed resolution pursuant to:

AMENDING THE ADOPTED 2012 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE ISLIP REGIONAL SHELLFISH HATCHERY

There are sufficient funds included in the 2012 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its June 16, 2011 meeting, approved "Islip Regional Shellfish Hatchery Improvements", submitted by the Town of Islip, as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of \$150,000.

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,

A handwritten signature in black ink, appearing to read "Sarah Lansdale".

Sarah Lansdale, A.I.C.P.
Director, Suffolk County Division of Planning and Environment

SL:gkr
Enc.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Tom Vaughn, County Executive Assistant
Ben Zwirn, Intergovernmental Relations
Eric Kopp, Legislative Liaison
Frank Castelli, Environmental Projects Coordinator

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

1493

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
3. Title of Proposed Legislation: AMENDING THE ADOPTED 2012 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE ISLIP REGIONAL SHELLFISH HATCHERY		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: 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 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 7180		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Sarah Lansdale, A.I.C.P. Department of Economic Development and Planning	11. Signature of Preparer	12. Date

1494
Intro Res. No. -12

LOT 5/8/12

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

RESOLUTION NO. -12, ACCEPTING AND APPROPRIATING ADDITIONAL WIA FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.

WHEREAS, the New York State Department of Labor (NYSDOL) has notified the Suffolk County Department of Labor of additional grant funds in the amount of \$58,619. This notification was forwarded by an Notice of Obligational Authority (NOA) to the Suffolk County Department of Labor; and

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

WHEREAS, these funds have not been included in the 2012 Adopted Operating Budget; and

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

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

REVENUES:

320- LAB - 4790 Federal Aid: Various Labor Programs \$58,619

ORGANIZATIONS:

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

1000 PERSONAL SERVICES

\$58,619

1100 – Permanent Salaries

\$58,619

and be it further

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

APPROVED BY: _____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1494

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation ACCEPTING AND APPROPRIATING ADDITIONAL WIA FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.		
3. Purpose of Proposed Legislation To accept and appropriate employment services funds.		
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)		
<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 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 Funds are available through Workforce Investment Act monies (100% federally funded).		
9. Timing of Impact 2012		
10. Typed Name & Title of Preparer Beth A. Reynolds Chief Executive Analyst	11. Signature of Preparer 	12. Date May 1, 2012

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

1494

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	2011 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	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk				Date March 29, 2012		
Submitting Department/Agency Suffolk County Department of Labor			Location Bldg. 17, No. County Complex 1494 Veterans Memorial Highway Hauppauge, NY 11788			
Contact Person in Dept/Agency James M. Andrews		Telephone Number 853-6610		Grant Application Due Date N/A		
INSTRUCTIONS: Applicant will complete all items on this form. If an item is not applicable enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" x 11" sheet cross referenced to the item.						
I. BACKGROUND INFORMATION						
Grant Title: ACCEPTING AND APPROPRIATING ADDITIONAL WIA FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.						
2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) NEW YORK STATE DEPARTMENT OF LABOR						
3. Grant/Contract Status (Check One)						
a. <input type="checkbox"/> New Program Application		d. <input type="checkbox"/> Extension of Funding Period				
b. <input type="checkbox"/> Renewal Application		e. <input type="checkbox"/> Contract				
c. <input checked="" type="checkbox"/> Supplemental (Additional federal funding)						
4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment) TO PROVIDE FUNDS FOR EMPLOYMENT SERVICES.						
5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program). SUFFOLK COUNTY DEPARTMENT OF LABOR						
II. BUDGET INFORMATION						
1. Term of Contract FROM: 07/01/11 TO: 06/30/13						
2. Financial Assistance Requested						
SOURCE	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$58,619	100%	\$	%	\$	%
State	\$	%	\$	%	\$	%
Town	\$	%	\$	%	\$	%
County	\$	%	\$	%	\$	%
Total	\$ 58,619	100%	\$	%	\$	%

SCIN Form 164b (10-80) This form replaces EXGC Form 1, which is obsolete

3. EXPLANATION OF REQUESTED COUNTY FINANCIAL ASSISTANCE

CATEGORY	TOTAL REQUESTED	PERSONNEL COSTS REQUESTED	NON-PERSONNEL COSTS REQUESTED
TOTAL COUNTY SHARE:	\$ -0-	\$ -0-	\$ -0- 1494
Cash Contribution: a.	\$ -0-	\$ -0-	\$ -0-
b. In-kind Contribution:	\$ -0-	\$ -0-	\$ -0-

4. Total Number of Positions Requested
-0-

5. Can This Program Be Re-funded by the Proposed Non-County Sources? 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.)
-0-

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

Program terminates.

8. Attach a List of Potential Subcontractors, If Any, Outlining the Purpose of Each Subcontract (That is, 456 and 498 Account Items; use an additional 8 1/2" x 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

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

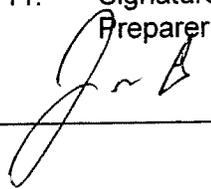
Comments

Budget Office Review:	<input type="checkbox"/> Approved	Signature of Budget Director	Date
	<input type="checkbox"/> Disapproved		

Comments

1494

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law ___ Charter Law		
2. Title of Proposed Legislation: ACCEPTING AND APPROPRIATING ADDITIONAL WIA FUNDS.		
3. Purpose of Proposed Legislation ACCEPT AND APPROPRIATE EMPLOYMENT SERVICES FUNDS.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No REVENUE TO COUNTY		
5. If the Answer to item 4 is "yes", on what will it impact? (check appropriate category) <input checked="" type="checkbox"/> County ___ Town ___ Economic Impact ___ Village ___ School District ___ Other (Specify ___ Library District ___ Fire District ___ NOT APPLICABLE		
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact REVENUE TO THE COUNTY.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Subdivision. N/A		
8. Proposed Source of Funding NEW YORK STATE DEPARTMENT OF LABOR		
9. Timing of Impact IMMEDIATE		
10. Typed Name & Title of Preparer JAMES M. ANDREWS PRINCIPAL MANAGEMENT ANALYST	11. Signature of Preparer 	12. Date March 29, 2012



New York State Department of Labor
Andrew M. Cuomo, Governor
Colleen C. Gardner, Commissioner

1494

March 14, 2012

Mr. Steven Bellone
County Executive
Suffolk County
H. Lee Dennison Building
100 Veteran's Memorial Highway
P.O. Box 6100, 12th Floor
Hauppauge, New York 11788

Dear Mr. Bellone:

Attached is a Notice of Obligational Authority (NOA) for LWIA – Suffolk County, distributing the balance of Program Year (PY) 2011 formula funds.

This NOA identifies additional funds available for the PY 2011 Title 1B Adult and Dislocated Worker programs. This NOA includes a revised allocation based on Training and Employment Guidance Letter (TEGL) 9-11 Change 1. These funds are available for the period July 1, 2011 - June 30, 2013.

Any questions concerning this information should be directed to Mr. Henry Daisey, State Representative at 212-775-3346.

Sincerely,

Karen A. Coleman
Acting Deputy Commissioner
for Workforce Development

Attachment

cc: Mr. Samuel Chu
Mr. James Andrews
Mr. Henry Daisey
Mr. Kuriakose Varkey
Ms. Delores Caruso

1494

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 78

NOA #PY11- 4

LWIA: Suffolk Co.
Grantee: Mr. Steven Bellone
County Executive, Suffolk County

GRANTOR: The Governor of New York through
the New York State Department
of Labor

This NOA authorizes Program Year 2011 funding for the period (07/01/11
through 6/30/13), except Youth (04/01/11 through 6/30/13.)

NYS DOL Contact: Henry Daisey

TELEPHONE: (212) 775-3346

WIA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
CFDA# 17.259 T-1B Youth	\$2,072,183.40	\$0.00	\$2,072,183.40
CFDA# 17.258,17.259,17.278 T-1B Admin	\$742,601.60	\$5,861.90	\$748,463.50
CFDA# 17.258 T-1B Adult	\$2,035,782.90	\$25,053.30	\$2,060,836.20
CFDA# 17.278 T-1B Dislocated Worker	\$2,575,448.10	\$27,703.80	\$2,603,151.90

Approved by:

03/14/12

Karen A. Coleman
Acting Deputy Commissioner for Workforce Development

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SAMUEL CHU
COMMISSIONER
DEPARTMENT OF LABOR
725 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788

1494
RECEIVED

APR 03 2012

OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

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

MEMORANDUM

TO: Jon Schneider, Deputy County Executive
Suffolk County Executive's Office

FROM: Samuel Chu, Commissioner 

DATE: March 29, 2012

RE: **INTRODUCTORY RESOLUTION**

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

RESOLUTION NO. -12, **ACCEPTING AND APPROPRIATING ADDITIONAL WIA FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.**

Thank you for your assistance.

SC:dv
Attachment

cc: Regina M. Calcaterra, Chief Deputy County Executive

1495

Intro Res. No. -12

LOT 5/8/12

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

RESOLUTION NO. -12, ACCEPTING AND APPROPRIATING SUPPLEMENTAL DISLOCATED WORKER FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.

WHEREAS, the New York State Department of Labor (NYSDOL) has awarded a grant in the amount of \$123,307 to the Suffolk County Department of Labor to fund Training; and

WHEREAS, this grant is funded by the Workforce Investment Act (WIA) program, for the express purpose of providing training services; and

WHEREAS, the funds were awarded for training, to provide vocational skills assessment and skills training.

WHEREAS, these funds have not been included in the 2012 Adopted Operating Budget; and

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

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

REVENUES:

320- LAB - 4790 Federal Aid: Various Labor Programs \$123,307

ORGANIZATIONS:

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

1000 PERSONAL SERVICES \$12,331
1100 – Permanent Salaries \$12,331

4000 CONTRACTUAL EXPENSES \$110,976
45600 – Fees For Services: Non-Employ \$110,976

and be it further

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

APPROVED BY: _____
County Executive of Suffolk County
Date of Approval:

1495

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk				Date March 29, 2012		
Submitting Department/Agency Suffolk County Department of Labor			Location Bldg. 17, No. County Complex Veterans Memorial Highway Hauppauge, NY 11788			
Contact Person in Dept/Agency James M. Andrews		Telephone Number 853-6610		Grant Application Due Date N/A		
INSTRUCTIONS: Applicant will complete all items on this form. If an item is not applicable enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" x 11" sheet cross referenced to the item.						
I. BACKGROUND INFORMATION						
Grant Title: ACCEPTING AND APPROPRIATING SUPPLEMENTAL DISLOCATED WORKER FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.						
2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) NEW YORK STATE DEPARTMENT OF LABOR						
3. Grant/Contract Status (Check One)						
a. <input type="checkbox"/> New Program Application		d. <input type="checkbox"/> Extension of Funding Period				
b. <input type="checkbox"/> Renewal Application		e. <input type="checkbox"/> Contract				
c. <input checked="" type="checkbox"/> Supplemental (Funding to provide training to Dislocated Workers)						
4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment) TO PROVIDE FUNDS FOR TRAINING.						
5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program). SUFFOLK COUNTY DEPARTMENT OF LABOR						
II. BUDGET INFORMATION						
1. Term of Contract FROM: 07/01/11 TO: 06/30/13						
2. Financial Assistance Requested						
SOURCE	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$123,307	100%	\$	%	\$	%
State	\$	%	\$	%	\$	%
Town	\$	%	\$	%	\$	%
County	\$	%	\$	%	\$	%
Total	\$ 123,307	100%	\$	%	\$	%

SCIN Form 164b (10-80) This form replaces EXGC Form 1, which is obsolete

1495

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1495

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING SUPPLEMENTAL DISLOCATED WORKER FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.		
3. Purpose of Proposed Legislation		
To accept and appropriate training funds.		
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)		
<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		
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		
Funds are available through New York State Department of Labor (NYSDOL) Workforce Investment Act monies (100% federally funded).		
9. Timing of Impact 2012		

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Beth A. Reynolds Chief Executive Analyst		May 1, 2012

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

1495

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	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

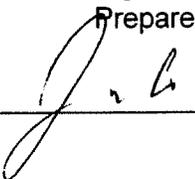
	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

1495

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law ___ Charter Law		
2. Title of Proposed Legislation: ACCEPTING AND APPROPRIATING DISLOCATED WORKER GRANT TRAINING FUNDS.		
3. Purpose of Proposed Legislation ACCEPT AND APPROPRIATE TRAINING FUNDS.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No REVENUE TO COUNTY		
5. If the Answer to item 4 is "yes", on what will it impact? (check appropriate category) <input checked="" type="checkbox"/> County ___ Town ___ Economic Impact ___ Village ___ School District ___ Other (Specify ___ Library District ___ Fire District ___ NOT APPLICABLE		
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact REVENUE TO THE COUNTY.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Subdivision. N/A		
8. Proposed Source of Funding NEW YORK STATE DEPARTMENT OF LABOR		
9. Timing of Impact IMMEDIATE		
10. Typed Name & Title of Preparer JAMES M. ANDREWS PRINCIPAL MANAGEMENT ANALYST	11. Signature of Preparer 	12. Date March 29, 2012



New York State Department of Labor
Andrew M. Cuomo, Governor
Colleen C. Gardner, Commissioner

1495

March 23, 2012

Mr. Steven Bellone
County Executive
Suffolk County
H. Lee Dennison Building
100 Veteran's Memorial Highway
P.O. Box 6100, 12th Floor
Hauppauge, New York 11788

Dear Mr. Bellone:

Attached is a PY 2011 Notice of Obligational Authority (NOA) for LWIA – Suffolk County.

This NOA represents a supplemental distribution of PY 2011 Dislocated Worker funds to the Local Workforce Investment Areas (LWIAs). These funds may be used as described in Workforce Development System Technical Advisory #12-4 dated March 15, 2012.

These funds will be available to supplement your LWIA's Dislocated Worker formula funds through October 31, 2012. Funds will be available for expenditure March 1, 2012 through October 31, 2012. Please note, at least 50% of these funds must be expended on training, and up to 10% may be expended on administration. When reporting these expenditures in PeopleSoft please charge Program 121. Expenditures should be charged to individual accounts as follows:

- Training-General - 513100, 553100, 593100
- Training ITA - 513200, 553200, 593200
- Training Contract - 513300, 553300, 593300
- Training Customized - 513400, 553400, 593400
- Training OJT - 513500, 553500, 593500
- Needs Related Payments - 514000, 554000, 594000
- Supportive Services – 515000, 555000, 595000
- Administration - 516000, 556000, 596000
- All others charges - 511000, 551000, 591000

If you have any questions, concerning this distribution please contact Mr. Henry Daisey, your State Representative at 212-775-3346.

Sincerely,

Karen A. Coleman
Acting Deputy Commissioner
for Workforce Development

Attachment

cc: Mr. Samuel Chu
Mr. James Andrews
Mr. Henry Daisey
Mr. Kuriakose Varkey
Ms. Delores Caruso

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

1495

RECEIVED

APR 03 2012

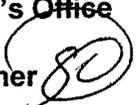
OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

SAMUEL CHU
COMMISSIONER
DEPARTMENT OF LABOR
725 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788

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

MEMORANDUM

TO: Jon Schneider, Deputy County Executive
Suffolk County Executive's Office

FROM: Samuel Chu, Commissioner 

DATE: March 29, 2012

RE: INTRODUCTORY RESOLUTION

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

RESOLUTION NO. -12, ACCEPTING AND APPROPRIATING SUPPLEMENTAL
DISLOCATED WORKER FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR
FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.

Thank you for your assistance.

* * *

SC:dv
Attachment

cc: Regina M. Calcaterra, Chief Deputy County Executive

Introductory Resolution No. 1496-12 Laid on Table 5/2/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT

MELVIN E. GAVRON
0200-403.00-10.00-010.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 403.00, Block 10.00, Lot 010.000, and acquired by tax deed on October 11, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 19, 2011, in Liber 12674, at Page 323, and otherwise known and designated by the Town of Brookhaven, as District 0200, Section 403.00, Block 10.00, Lot 010.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 11, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 19, 2011 in Liber 12674 at Page 323.

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

WHEREAS, MELVIN E. GAVRON has made application of said above described parcel and MELVIN E. GAVRON has paid the application fee and has paid \$1,982.88, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2012, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to MELVIN E. GAVRON, 1828 Eagle Trace Blvd., Palm Harbor, FL 34685, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1496

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation – AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT MELVIN E. GAVRON 0200-403.00-10.00-010.000		
3. Purpose of Proposed Legislation : Sale of property.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> _ </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Payment to the County in the amount of \$1,982.88 as payment of taxes, penalties, interest, recording fees and other charges.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding:		
9. Timing of Impact - immediate.		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer <i>Neil Toomb.</i>	12. Date: 5/1/12

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

1496

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.

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1496

April 17, 2012

Tax Map No.: 0200-403.00-10.00-010.000

Name of Last Legal Fee Owner: MELVIN E. GAVRON

TREASURER'S COMPUTATION.....	\$684.43
Taxes.....2011/2012.....	\$1,298.45
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$1,982.88
<hr/>	
Monies Received.....	\$1,982.88
<hr/>	
<u>RESOLUTION AMOUNT</u>	\$1,982.88
<hr/>	

APPROVED:

Karen Slater 4/17/12
Accounting
DB:lag

PREPARED BY:

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

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	403.00	10.00	010.000

1496

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2008/09	218.36
2009/10	238.07
2010/11	160.53

2011/12 PROPERTY TAXES OF \$1,298.45 NOT INCLUDED IN COMPUTATION

TOTAL: \$616.96

B. INTEREST DUE	34.88
C. TOTAL	651.84
D. 5% LINE C	32.59
E. FEE	
F. MISC	
G. MISC	

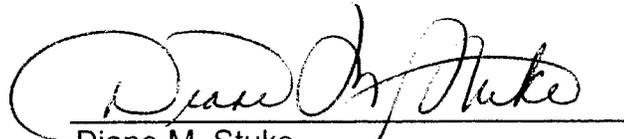
H. TOTAL DUE

\$684.43 *18*
4/17/12

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 30-Mar-12



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 09/26/12

BL

149b

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-403.00-10.00-010.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2012

10. Typed Name & Title of Preparer

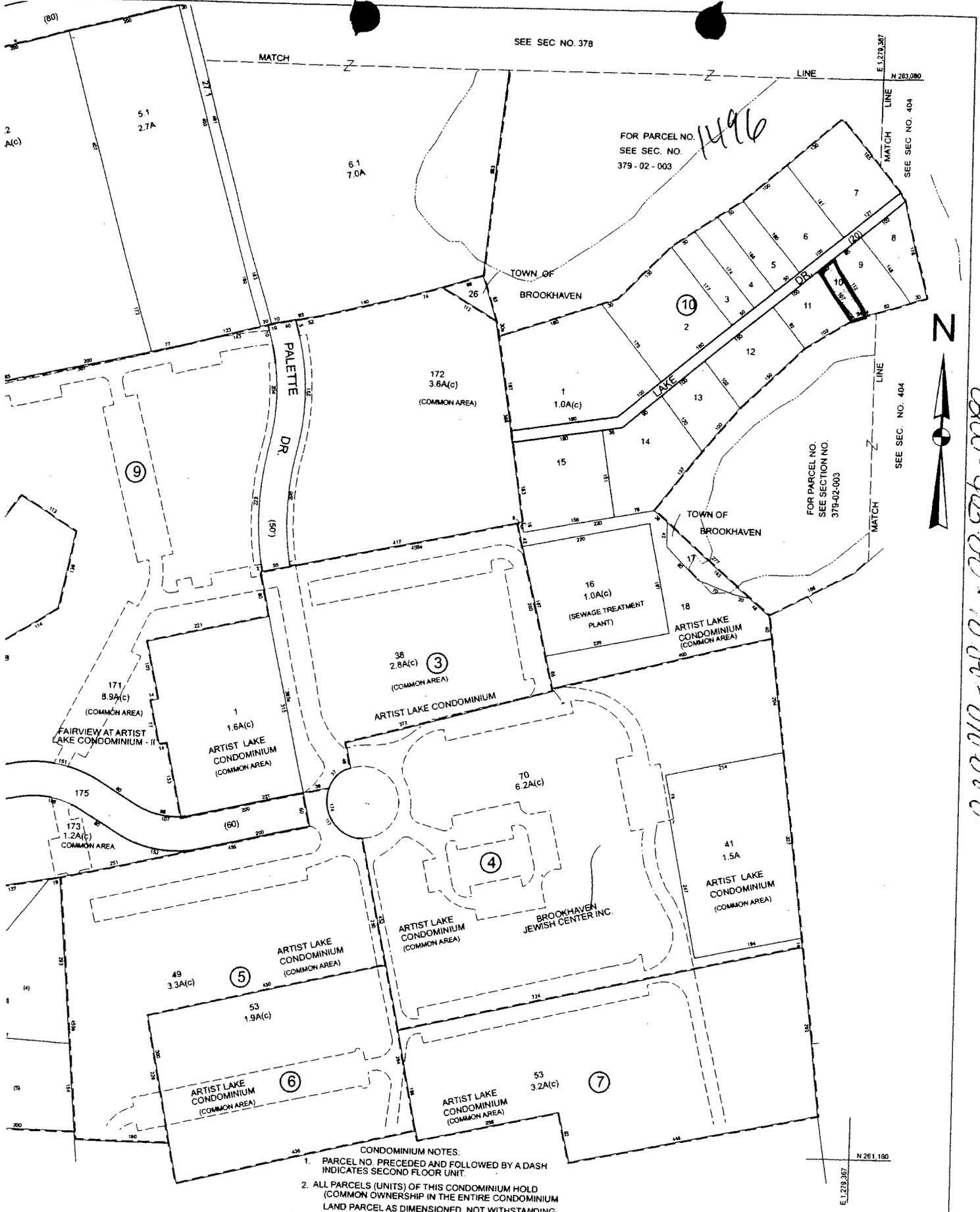
Signature of Preparer

Date

Diane Bishop



4/14/12



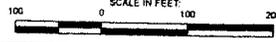
8300-403-00-10-00-010-000

CONDOMINIUM NOTES:
 1. PARCEL NO. PRECEDED AND FOLLOWED BY A DASH INDICATES SECOND FLOOR UNIT.
 2. ALL PARCELS (UNITS) OF THIS CONDOMINIUM HOLD COMMON OWNERSHIP IN THE ENTIRE CONDOMINIUM LAND PARCEL AS DIMENSIONED, NOT WITHSTANDING BLOCK LINE, BUILDING LINES OR UNITS LINES.

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



COUNTY OF SUFFOLK ©
Real Property Tax Service Agency
 County Center Riverhead, N Y 11901



KEY MAP	377	378	379
	402	403	404
	433	434	435

TOWN OF	BROOKHAVEN
VILLAGE OF	
DISTRICT NO	0200

SECTION NO	
403	
PROPERTY MAP	

Conservation Area
(Accessory Permit)

1496

26

25

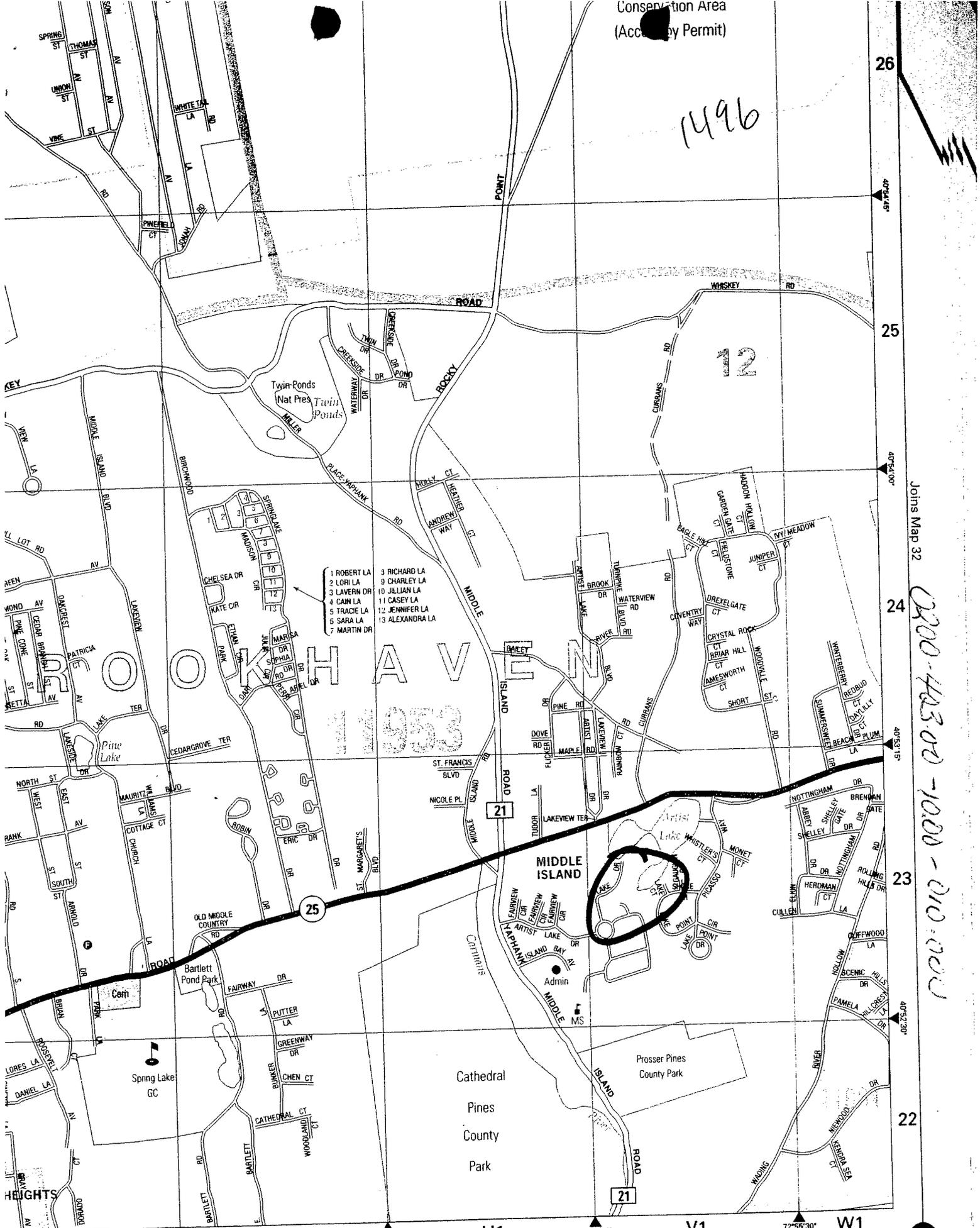
24

23

22

Joins Map 32

0200-423-02-1000-010-000



- 1 ROBERT LA
- 2 LORI LA
- 3 LAVERN DR
- 4 CAIN LA
- 5 TRACIE LA
- 6 SARA LA
- 7 MARTIN DR
- 8 RICHARD LA
- 9 CHARLEY LA
- 10 JILLIAN LA
- 11 CASEY LA
- 12 JENNIFER LA
- 13 ALEXANDRA LA

S1

T1

U1

V1

W1

65

Joins Map 27

©Hagstrom Map Company, Inc.

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

RECEIVED

APR 19 2012

1496 OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

PAMELA J. GREENE
DIVISION DIRECTOR

JOANNE MINIERI
COMMISSIONER

April 18, 2012

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

Re: Tax Map No. 0200-403.00-10.00-010.000
MELVIN E. GAVRON

Dear Mr. Schneider:

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

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

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

Very truly yours,

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

DB:lag

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

Copy of Resolution to:

Jon Schneider, Deputy County Executive (original & 1 hard copy)
Ben Zwirn, Director of Intergovernmental Relations (2 hard copies)
Regina M. Calcaterra, Chief Deputy County Executive (1 hard copy)
CE Reso Review (electronic copy)

Copy of letter to:

Eric Kopp, Legislative Liaison
Connie Corso, Budget Director
Sarah Lansdale, Planning Director, Division of Planning and Environment
Alice Kubicsko, Inventory

53

Introductory Resolution No. 1497

Laid on Table 5/8/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
BARRY SIMMONS
0500-186.00-02.00-143.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 186.00, Block 02.00, Lot 143.000, and acquired by tax deed on September 14, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 19, 2011, in Liber 12671, at Page 592, and otherwise known and designated by the Town of Islip, Westerly 50 feet of Lot No. 952, on a certain map entitled "Map of Columbus Park #6", filed in the office of the Clerk of Suffolk County as Map No. 224; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 14, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 19, 2011 in Liber 12671 at Page 592.

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

WHEREAS, BARRY SIMMONS has made application of said above described parcel and BARRY SIMMONS has paid the application fee and has paid \$3,040.47, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2012, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to BARRY SIMMONS, 65 Apple Street, Brentwood, NY 11717, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1497

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation – AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT BARRY SIMMONS 0500-186.00-02.00-143.000		
3. Purpose of Proposed Legislation : Sale of property.		
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 4 is "yes", Provide Detailed Explanation of Impact: Payment to the County in the amount of \$3,040.47 as payment of taxes, penalties, interest, recording fees and other charges.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding:		
9. Timing of Impact - immediate.		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer <i>Neil Toomb.</i>	12. Date: 5/1/12

FINANCIAL IMPACT
 2012 PROPERTY TAX LEVY
 COST TO THE AVERAGE TAXPAYER

1497

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.

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1497

April 17, 2012

Tax Map No.: 0500-186.00-02.00-143.000
Name of Last Legal Fee Owner: BARRY SIMMONS

TREASURER'S COMPUTATION..... \$1,742.02
Taxes.....2011/2012..... \$1,298.45
License/Storage Fee..... OPEN
Repairs..... OPEN
Miscellaneous Expenses..... OPEN

TOTAL..... \$3,040.47

Monies Received..... \$3,040.47

RESOLUTION AMOUNT..... \$3,040.47

APPROVED:

Karen Slater 4/17/12
Accounting
LS:lag

PREPARED BY:

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0500	186.00	02.00	1497 143.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2008/09 1,562.21

2009/10 PROPERTY TAXES PAID BY OWNER

2010/11 PROPERTY TAXES PAID BY OWNER

2011/12 PROPERTY TAXES OF \$1,298.45 NOT INCLUDED IN COMPUTATION

TOTAL: \$1,562.21

B. INTEREST DUE 96.86

C. TOTAL 1,659.07

D. 5% LINE C 82.95

E. FEE

F. MISC

G. MISC

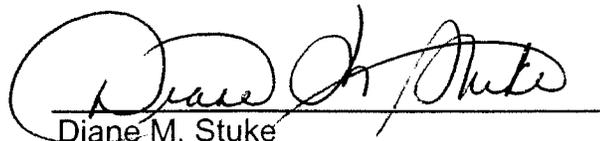
H. TOTAL DUE \$1,742.02

108
4/17/12

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 30-Mar-12



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 09/26/12

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1497

1. Type of Legislation

Resolution X

Tax Map Number 0500-186.00-02.00-143.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2012

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

Lori Sklar

Lori Sklar

4/17/12



NOTICE

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



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

SCALE IN FEET
 0 100 200

KEY MAP	182	183	184	TOWN OF ISLIP
	185	186	187	VILLAGE OF
	204	205	206	DISTRICT NO 0500

SECTION NO

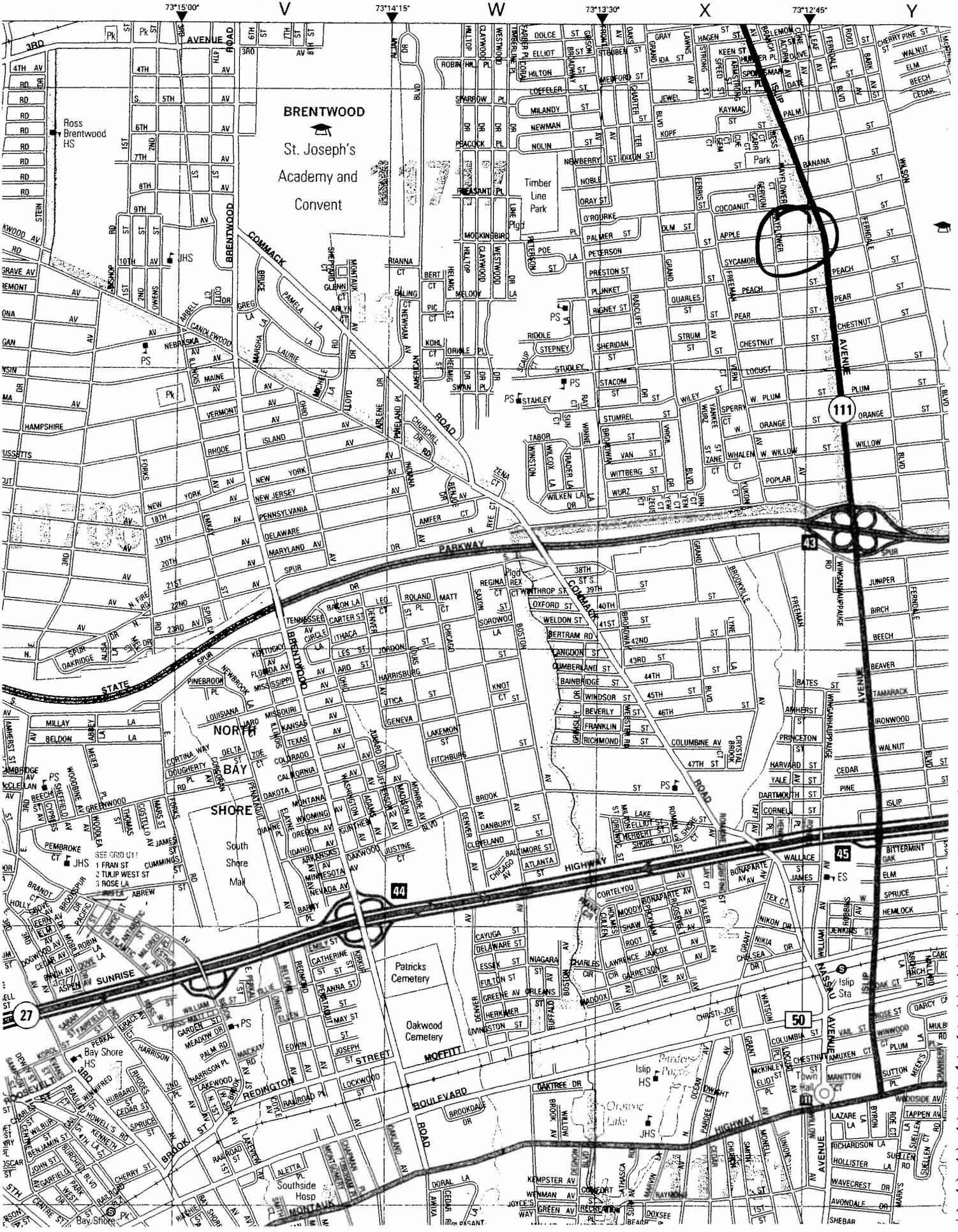
186

PROPERTY MAP

Suffolk Co.

Joins Map 15

1497



COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

1497
RECEIVED

APR 19 2012

OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

PAMELA J. GREENE
DIVISION DIRECTOR

JOANNE MINIERI
COMMISSIONER

April 18, 2012

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

Re: Tax Map No. 0500-186.00-02.00-143.000
BARRY SIMMONS

Dear Mr. Schneider:

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

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

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

Very truly yours,

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

LS:lag

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

Copy of Resolution to:

Jon Schneider, Deputy County Executive (original & 1 hard copy)
Ben Zwirn, Director of Intergovernmental Relations (2 hard copies)
Regina M. Calcaterra, Chief Deputy County Executive (1 hard copy)
CE Reso Review (electronic copy)

Copy of letter to:

Eric Kopp, Legislative Liaison
Connie Corso, Budget Director
Sarah Lansdale, Planning Director, Division of Planning and Environment
Alice Kubicko, Inventory

53

Introductory Resolution No. 1498-12 Laid on Table 578/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
STEVEN G. ACCETTA
0800-075.00-05.00-045.005

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800, Section 075.00, Block 05.00, Lot 045.005, and acquired by tax deed on August 03, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 08, 2011, in Liber 12667, at Page 728, and otherwise known and designated by the Town of Smithtown, as Lot 2 on a certain map entitled, "Map of Merritt Acres" which map was filed in the Office of the Clerk of the County of Suffolk on 4/22/77 as Map No. 6536; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 03, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 08, 2011 in Liber 12667 at Page 728.

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

WHEREAS, STEVEN G. ACCETTA has made application of said above described parcel and STEVEN G. ACCETTA has paid the application fee and has paid \$74,862.76, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2012, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to STEVEN G. ACCETTA, 7 Salt Hay Way, Smithtown, NY 11787, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1498

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation – AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT STEVEN G. ACCETTA 0800-075.00-05.00-045.005		
3. Purpose of Proposed Legislation : Sale of property.		
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 4 is "yes", Provide Detailed Explanation of Impact: Payment to the County in the amount of \$74,862.76 as payment of taxes, penalties, interest, recording fees and other charges.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding:		
9. Timing of Impact - immediate.		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer <i>Neil Toomb</i>	12. Date: 5/1/12

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

1498

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.

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1498

April 17, 2012

Tax Map No.: 0800-075.00-05.00-045.005

Name of Last Legal Fee Owner: STEVEN G. ACCETTA

TREASURER'S COMPUTATION..... \$64,692.18

Taxes.....2011/2012..... \$10,170.58

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$74,862.76

Monies Received..... \$74,862.76

RESOLUTION AMOUNT..... \$74,862.76

APPROVED:

Karon A. Slater 4/17/12
Accounting
DB:lag

PREPARED BY:

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0800	075.00	05.00	045.005

1498

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	7909.02
2007/08	14635.54
2008/09	13597.22
2009/10	12325.08
2010/11	9652.29

2011/12 PROPERTY TAXES \$10,170.58 NOT INCLUDED IN COMPUTATION

TOTAL: 58,119.15

B. INTEREST DUE	3492.45
C. TOTAL	61611.60
D. 5% LINE C	3080.58
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

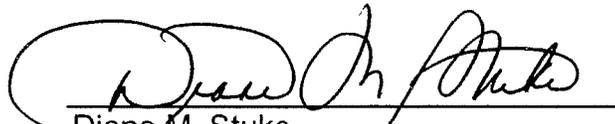
\$64,692.18

108
4/17/12

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 09-Feb-12


Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 08/07/12

BL

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1498

1. Type of Legislation

Resolution X
Tax Map Number 0800-075.00-05.00-045.005

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2012

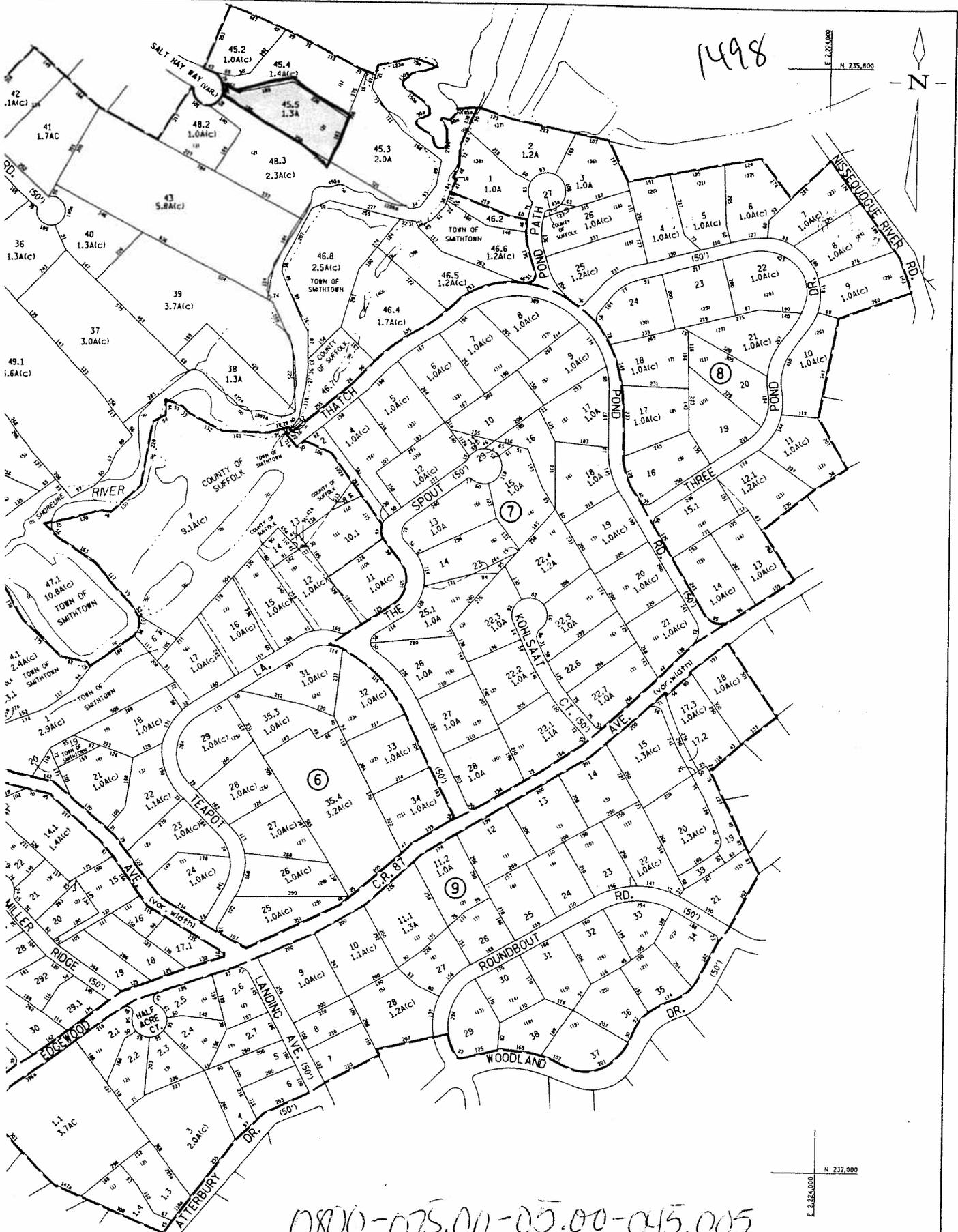
10. Typed Name & Title of Preparer Signature of Preparer Date

Diane Bishop

Diane Bishop

4-17-12

1498



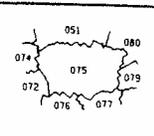
0800-075.01-05.00-045.005

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



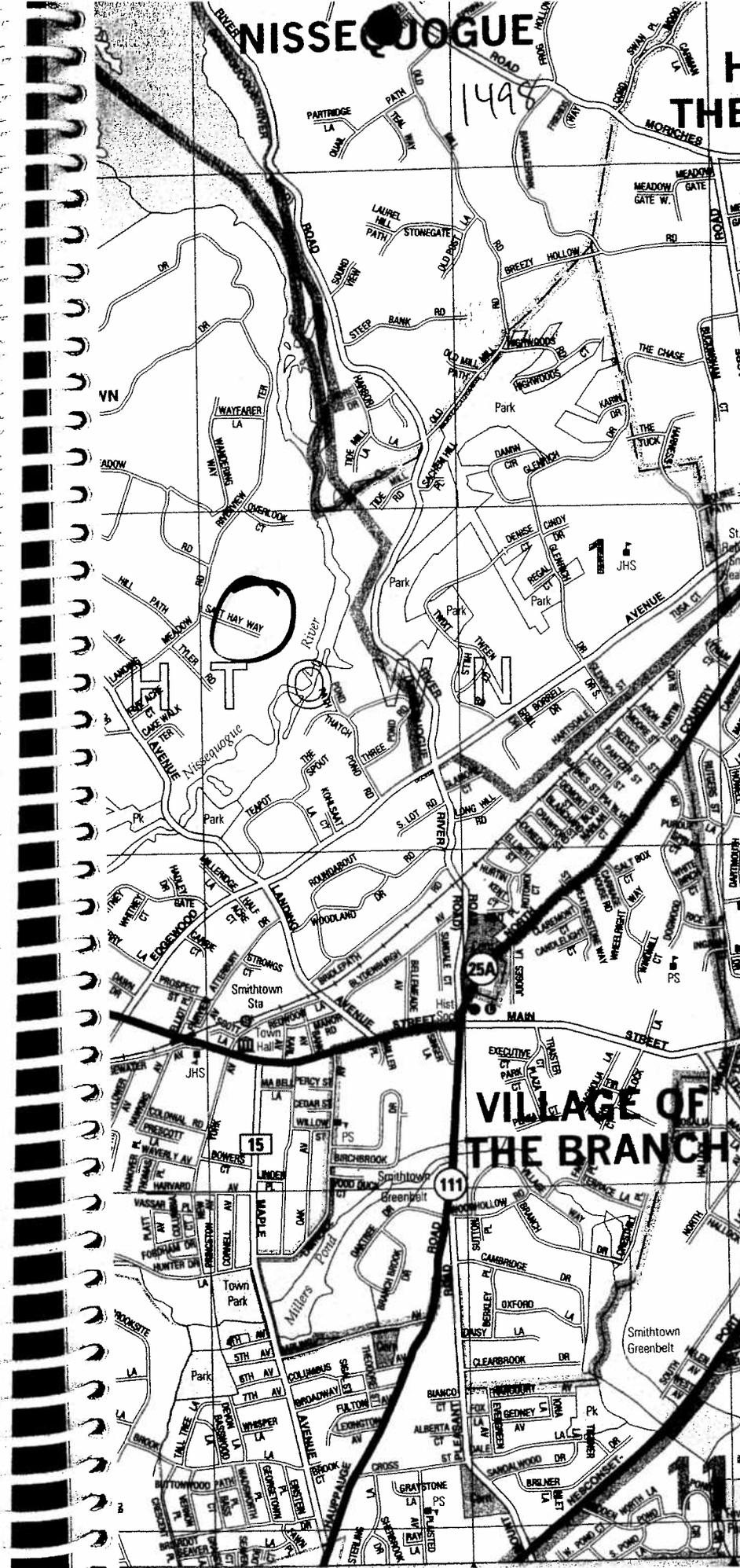
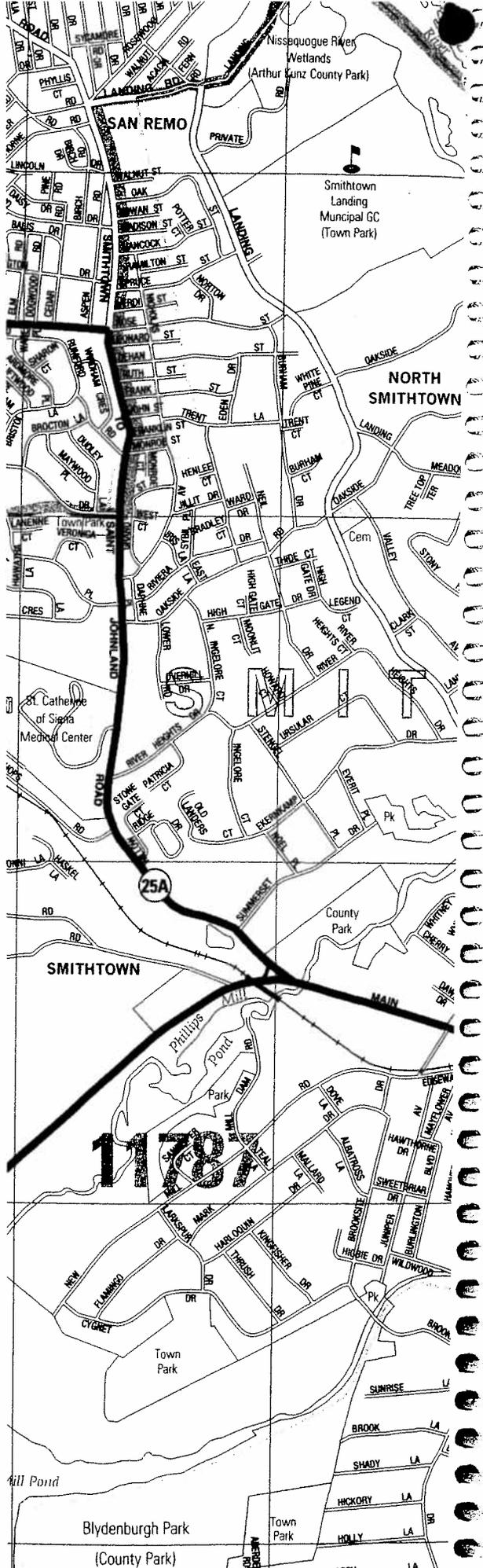
COUNTY OF SUFFOLK ©
 Real Property Tax Service Agency
 County Center Riverhead, N Y 11901
 SCALE IN FEET:
 0 100 200

KEY
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TOWN OF SMITHTOWN
 VILLAGE OF
 DISTRICT NO 0800

SECTION NO
 075
 PROPERTY MAP



0800-075-00-05.00-045 005

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

1498
RECEIVED
APR 19 2012
OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

PAMELA J. GREENE
DIVISION DIRECTOR

JOANNE MINIERI
COMMISSIONER

April 18, 2012

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

Re: Tax Map No. 0800-075.00-05.00-045.005
STEVEN G. ACCETTA

Dear Mr. Schneider:

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

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

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

Very truly yours,

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

DB:iag

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

Copy of Resolution to:

Jon Schneider, Deputy County Executive (original & 1 hard copy)
Ben Zwirn, Director of Intergovernmental Relations (2 hard copies)
Regina M. Calcaterra, Chief Deputy County Executive (1 hard copy)
CE Reso Review (electronic copy)

Copy of letter to:

Eric Kopp, Legislative Liaison
Connie Corso, Budget Director
Sarah Lansdale, Planning Director, Division of Planning and Environment
Alice Kubicko, Inventory

53

Introductory Resolution No. 1499-12 Laid on Table 5/8/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT

HECTOR MORALES
0500-223.00-03.00-087.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 223.00, Block 03.00, Lot 087.000, and acquired by tax deed on September 14, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 19, 2011, in Liber 12671, at Page 592, and otherwise known and designated by the Town of Islip, as District 0500, Section 223.00, Block 03.00, Lot 087.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 14, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 19, 2011 in Liber 12671 at Page 592.

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

WHEREAS, HECTOR MORALES has made application of said above described parcel and HECTOR MORALES has paid the application fee and has paid \$7,164.69, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2012, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to HECTOR MORALES, 7 C Hemlock Drive, Apt 87, Bay Shore, NY 11706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1499

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law		
2. Title of Proposed Legislation – AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT HECTOR MORALES 0500-223.00-03.00-087.000		
3. Purpose of Proposed Legislation : Sale of property.		
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 4 is "yes", Provide Detailed Explanation of Impact: Payment to the County in the amount of \$7,164.69 as payment of taxes, penalties, interest, recording fees and other charges.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding:		
9. Timing of Impact - immediate.		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer <i>Neil Toomb</i>	12. Date: 5/1/12

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1499

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.

1499

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

April 13, 2012

Tax Map No.: 0500-223.00-03.00-087.000
Name of Last Legal Fee Owner: HECTOR MORALES

TREASURER'S COMPUTATION.....	\$5,543.22
Taxes.....2011/2012.....	\$1,621.47
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$7,164.69
<hr/> <hr/>	
Monies Received.....	\$7,164.69
<hr/>	
<u>RESOLUTION AMOUNT</u>	\$7,164.69
<hr/> <hr/>	

APPROVED:

Karen Slator 4/16/12
Accounting /
LS:lag

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

COMPUTATIO. . BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u> 1499	<u>LOT</u>
0500	223.00	03.00	087.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2008/09	1424.31
2009/10	2055.84
2010/11	1532.27

2011/12 PROPERTY TAXES \$1,621.47 NOT INCLUDED IN COMPUTATION

TOTAL: 5012.42

B. INTEREST DUE	266.84
C. TOTAL	5279.26
D. 5% LINE C	263.96
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

\$5,543.22

QA
4/16/12

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 08-Feb-12



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 08/06/12

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

1499

Resolution

Tax Map Number 0500-223.00-03.00-087.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2012

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

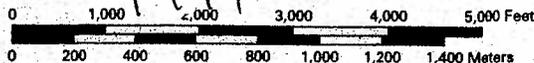
Lori Sklar

Lori Sklar

4/16/12

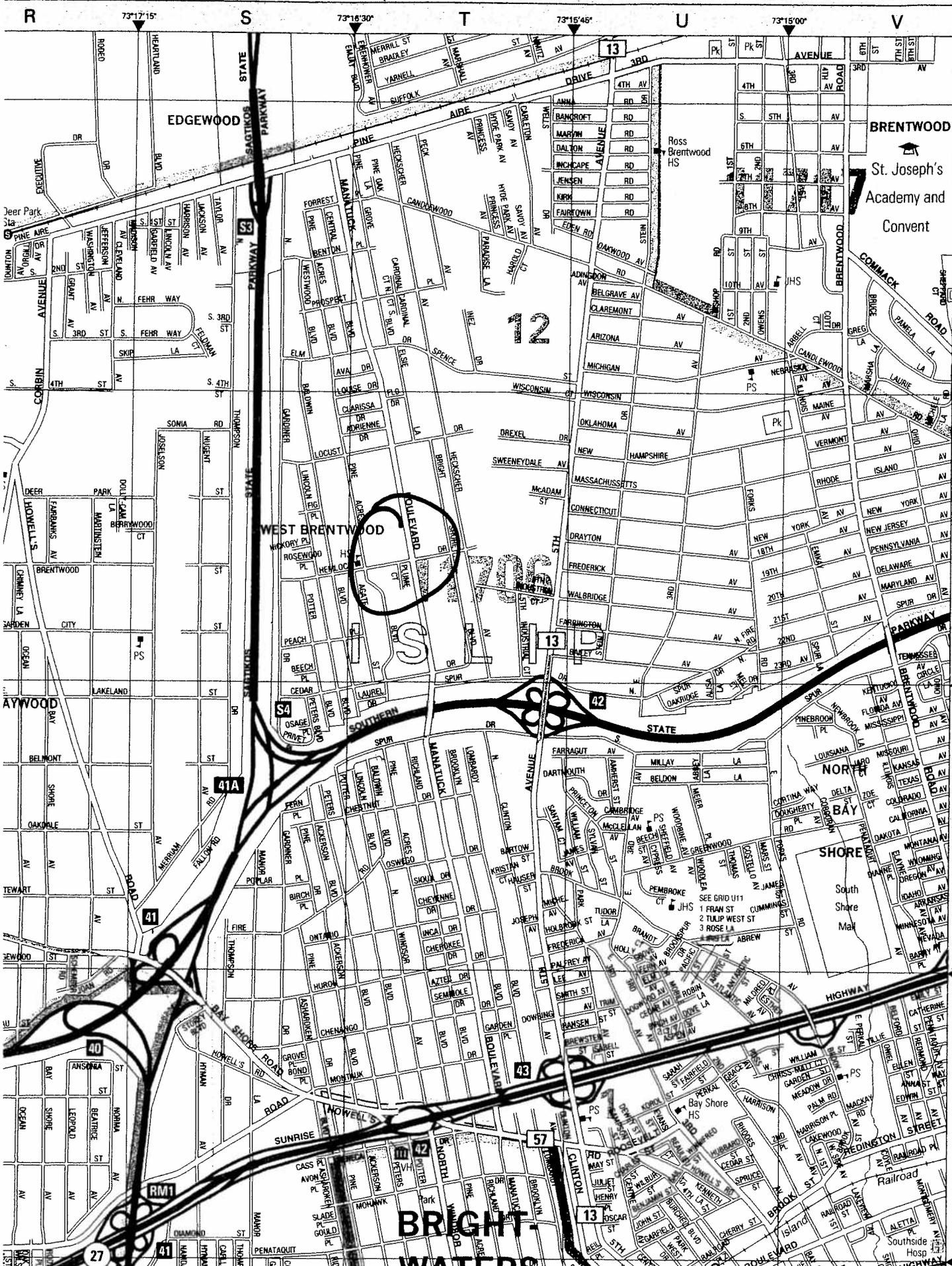
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approximately
mi. vertically.

Scale 1:24,000



Map
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Joins Map 9



Joins Map 16

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COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

1499
RECEIVED

APR 18 2012

OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING

DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

PAMELA J. GREENE
DIVISION DIRECTOR

JOANNE MINIERI
COMMISSIONER

April 18, 2012

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

Re: Tax Map No. 0500-223.00-03.00-087.000
HECTOR MORALES

Dear Mr. Schneider:

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

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

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

Very truly yours,

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

LS:lag

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

Copy of Resolution to:

Jon Schneider, Deputy County Executive (original & 1 hard copy)
Ben Zwirn, Director of Intergovernmental Relations (2 hard copies)
Regina M. Calcaterra, Chief Deputy County Executive (1 hard copy)
CE Reso Review (electronic copy)

Copy of letter to:

Eric Kopp, Legislative Liaison
Connie Corso, Budget Director
Sarah Lansdale, Planning Director, Division of Planning and Environment
Alice Kubicko, Inventory

1500

Intro. Res. No. - 2012

Laid on Table 5/8/12

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

**RESOLUTION NO. - 2012 AUTHORIZING
THE ACQUISITION OF LAND UNDER THE NEW
SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM (EFFECTIVE
DECEMBER 1, 2007) - OPEN SPACE
COMPONENT - FOR THE MALLINS & ESTATE
OF ENTENMANN PROPERTY - BEAVERDAM
CREEK (TOWN OF BROOKHAVEN -
SCTM#0200-974.00-02.00-011.000)**

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 1002-2007, authorized planning steps for the acquisition of said property; and

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of One Million Two Hundred Forty Five Thousand Dollars (\$1,245,000.00±), at One Hundred Fifty Thousand Dollars (\$150,000.00) per acre, for 8.3± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u> <u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER</u> <u>AND ADDRESS:</u>
No. 1	District 0200 Section 974.00 Block 02.00 Lot 011.000	8.3+	William Mallins and Robert D. Rosenthal and James E. Padden, as Co-Executor's of the Estate of William Entenmann c/o Edward Flower, Esq. 24 East Main Street Bayshore, NY 11706

; 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 One Million Two Hundred Forty Five Thousand Dollars (\$1,245,000.00+), at One Hundred Fifty Thousand Dollars (\$150,000.00) per acre, for 8.3+ acres, subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,245,000.00+, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study;
- d.) lands determined by the County Department of Planning to

be necessary for maintaining the quality of surface and/or groundwater in Suffolk County; and, be it further

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

9th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

10th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE MALLINS & ESTATE OF ENTENMANN PROPERTY – BEAVERDAM CREEK (TOWN OF BROOKHAVEN – SCTM#0200-974.00-02.00-011.000)		
3. Purpose of Proposed Legislation		
See 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	<u>Other (Specify): Fund 477</u>
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS HAVE BEEN AUTHORIZED AND ISSUED. FUNDS HAVE BEEN APPROPRIATED BETWEEN 2008 AND 2011 FOR THIS PROGRAM. RESOLUTION AUTHORIZES ACQUISITION. NO ADDITIONAL APPROPRIATIONS ARE REQUIRED.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer Colleen Capece Accountant	11. Signature of Preparer 	12. Date May 1, 2012

**FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1500

GENERAL FUND

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

COMBINED

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 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, SEPTEMBER 2011.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK

1500



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

**DEPARTMENT OF ECONOMIC DEVELOPMENT AND
PLANNING**
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

JOANNE MINIERI
COMMISSIONER

April 19, 2012

Mr. Jon Schneider, Deputy County Executive
for Intergovernmental Relations
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Mallins and Estate of Entenmann property (Beaverdam Creek), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program-Open Space. The purchase price is \$1,245,000.00± for 8.3± acres, at \$150,000.00.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd

Att.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Eric Kopp, Legislative Liaison
Ben Zwirn, Director, Intergovernmental Relations
Sarah Lansdale, Director, Division of Planning and Environment
Robert Braun, Deputy Bureau Chief, Law Dept., Real Estate-Condernnation
Janet M. Longo, Acquisition Supervisor
Lauretta Fischer, Principal Environmental Analyst, Division of Planning & Environment
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

PHONE (631)-853-@
FAX (631) 853-@

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

1500

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space, of the Mallins and Estate of Entenmanns property (Beaverdam Creek), SCTM#0200-974.00-02.00-011.000, (Town of Brookhaven).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding New Suffolk County ¼% Drinking Water Protection Program -Open Space		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer <i>Janet Longo</i>	12. Date April 18, 2012

1501
Intro. Res. No. -2012
Introduced by the Presiding Officer, on request of the County Executive

Laid on Table 5/8/12

RESOLUTION NO. 2012, AUTHORIZING, EMPOWERING, AND DIRECTING THE SUFFOLK COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING TO FILE A GRANT APPLICATION PURSUANT TO THE NEW YORK STATE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLANNING GRANT PROGRAM FOR MATCHING STATE FUNDS TO DEVELOP AN UPDATE TO THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

WHEREAS, Article 25-AAA of the New York State Agricultural and Markets Law directs the New York State Department of Agriculture and Markets Commissioner to initiate and maintain a state agricultural and farmland protection program to provide financial and technical assistance to municipalities; and

WHEREAS, Article 25-AAA of the New York State Agricultural and Markets Law authorizes the development of county agricultural and farmland protection plans which must include at least 1) the location of any lands or areas that are proposed to be protected; 2) an analysis of the value of such lands to the agricultural economy of the county, their open space value, the level of conversion pressure being experienced, and the consequences of possible conversion; and 3) a description of the activities, programs, and strategies intended to be used by the county to promote the maintenance of these lands in active agricultural uses; and

WHEREAS, this Legislature authorized, empowered, and directed the Suffolk County Planning Department to prepare an agricultural and farmland protection plan by Resolution No. 468-1994; and

WHEREAS, this Legislature adopted the Suffolk County Agricultural and Farmland Protection Plan by Resolution No. 861-1996; and

WHEREAS, this Legislature authorized, empowered and directed the Suffolk County Planning Department to file a grant application by Resolution No. 648-2009, and no such application was made and that resolution has expired; and

WHEREAS, the New York State Department of Agriculture and Markets has available matching funds to assist counties in the development of agricultural and farmland protection plans; now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Economic Development and Planning is hereby authorized, empowered, and directed, pursuant to Section 14-8(a)(9) of the Suffolk County Charter, to apply to the New York State Department of Agriculture and Markets for matching State funds to assist in the development of an update to the Suffolk County Agricultural and Farmland Protection Plan; and, be it further

2nd **RESOLVED**, that the Suffolk County Department of Economic Development and Planning is hereby authorized, empowered, and directed pursuant to Section 14-8(a)(9) of the Suffolk County Charter, to develop an update to Suffolk County Agricultural and Farmland

Protection Plan, said plan to be reduced to writing for submission to the County Executive and County Legislature no later than eighteen (18) months subsequent to the effective date of an award letter from the New York State Department of Agriculture and Markets Commissioner; and, be it further

3rd **RESOLVED**, that the County of Suffolk hereby pledges and commits to match any State grant funds obtained pursuant to this program, in an amount not to exceed fifty thousand dollars (\$50,000), on a dollar-for-dollar basis with at least 20% of the match to be made in cash with non-county funds from project partners and with in-kind matches for personnel services, consultant services, travel, expendable supplies, printing, or communication; and the County may use as a match any private or other public (not State) funds obtained to develop the plan; and, be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK



1501

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT

SARAH LANSDALE, AICP
PLANNING DIRECTOR

JOANNE MINIERI
DEPARTMENT COMMISSIONER

April 24, 2012

Mr. Jon Schneider
Deputy County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Re: "Reso-ECODEVPLN-NYSAM County Ag Farmland Protection Plan Grant-2012.doc"

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would (1) authorize, empower, and direct the Suffolk County Department of Economic Development and Planning to apply to the New York State Department of Agriculture and Markets for State funds to assist in the development of an update to the Suffolk County Agricultural and Farmland Protection Plan and (2) authorize, empower, and direct the Suffolk County Department of Economic Development and Planning to develop an update to the Suffolk County Agricultural and Farmland Protection Plan.

The County must have an adopted county agricultural and farmland protection plan to apply for State funds to assist in farmland protection efforts (e.g., acquisition of development rights). The County adopted its first county agricultural and farmland protection plan in 1996 (See Resolution No. 861-1996). The State has since recommended that plans adopted more than ten years ago be updated. To facilitate such effort, the State has expressed its intent to make grant funds available to assist in the development of plan updates.

Please contact me if you require additional information.

Sincerely,

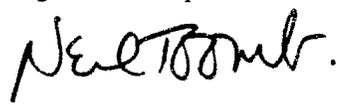
Sarah Lansdale, AICP
Director of Planning

SL:jlk
Enclosures

Cc: Regina M. Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Thomas Vaughn, County Executive Assistant
Lauretta R. Fischer, Chief Environmental Analyst
CE RESO REVIEW (*Email copy only*)

1501

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation – AUTHORIZING, EMPOWERING, AND DIRECTING THE SUFFOLK COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING TO FILE A GRANT APPLICATION PURSUANT TO THE NEW YORK STATE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLANNING GRANT PROGRAM FOR MATCHING STATE FUNDS TO DEVELOP AN UPDATE TO THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN		
3. Purpose of Proposed Legislation : Appointment to Suffolk County Planning Commission		
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: N/A		
9. Timing of Impact - n/a		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer 	12. Date: 5/1/12

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1501

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.

1501

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
AUTHORIZING, EMPOWERING, AND DIRECTING THE SUFFOLK COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING TO FILE A GRANT APPLICATION PURSUANT TO THE NEW YORK STATE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLANNING GRANT PROGRAM FOR MATCHING STATE FUNDS TO DEVELOP AN UPDATE TO THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES _____ NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Lauretta R. Fischer Chief Environmental Analyst		April 24, 2012

1502

Intro. Res. No. - 2012

Laid on the Table 5/8/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH FFY12 RESURFACING OF CR 111, DANIEL ROE HIGHWAY FROM THE VICINITY OF NY 27, SUNRISE HIGHWAY TO THE VICINITY OF I-495 WESTBOUND ACCESS RAMP; AND CR 105, CROSS RIVER DRIVE FROM THE VICINITY OF NY 24 TO NY 25, TOWNS OF BROOKHAVEN, RIVERHEAD AND SOUTHAMPTON (CP 5599, PHASE 1, PIN OT2490)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with FFY12 Resurfacing of CR 111, Daniel Roe Highway from the Vicinity of NY 27 to the Vicinity of I-495 Westbound Access Ramp; and CR 105, Cross River Drive from the Vicinity of NY 24 to NY 25; and

WHEREAS, there are Federal and/or State funds available from the Federal Highway Administration for this project, identified as PIN OT2490, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

WHEREAS, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said request under Capital Project 5599 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal and/or State Marchiselli portion; and

WHEREAS, the Department of Public Works will assign staff currently funded in the 2012 Suffolk County Operating Budget to perform a portion of the tasks as required for the engineering, planning and construction of this 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 County Legislature, by resolution of even date herewith, has authorized the issuance of \$6,513,750 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the strengthening and improving of County roads constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(4) and (27) since the action involves a legislative decision concerning the repaving of existing highways not involving the addition of new travel lanes; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of >> (>>) 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 FFY12 Resurfacing of CR 111, Daniel Roe Highway from the Vicinity of NY 27 to the Vicinity of I-495 Westbound Access Ramp; and CR 105, Cross River Drive from the Vicinity of NY 24 to NY 25; and be it further

4th RESOLVED, that the Department of Public Works keeps track of staff and costs associated with this project for chargeback purposes; and be it further

5th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5599
 Project Title: FFY12 Resurfacing of CR 111, Daniel Roe Highway from the Vicinity of NY 27 to the Vicinity of I-495 Westbound Access Ramp; and CR 105, Cross River Drive from the Vicinity of NY 24 to NY 25

	<u>Total Est'd Cost</u>	<u>Current 2012 Capital Budget & Program</u>	<u>Revised 2012 Capital Budget & Program</u>
5599	<u>\$1,302,750B</u>	<u>\$0B</u>	<u>\$1,302,750B</u>
	\$5,211,000F	\$0F	\$5,211,000F
TOTAL	\$6,513,750	\$0	\$6,513,750

6th RESOLVED, that the proceeds of \$1,302,750 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>
Ref-525-5599.310	50	FFY12 Resurfacing of CR 111, Daniel Roe Highway from the Vicinity of NY 27 to the Vicinity of I-495 Westbound Access Ramp; and CR 105, Cross River Drive from the Vicinity of NY 24 to NY 25	\$1,302,750

and be it further

7th RESOLVED, that Federal and/or State Aid in the amount of \$5,211,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-5599.310	50	FFY12 Resurfacing of CR 111, Daniel Roe Highway from the Vicinity of NY 27 to the Vicinity of I-495 Westbound Access Ramp; and CR 105, Cross River Drive from the Vicinity of NY 24 to NY 25	\$5,211,000

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal and/or State funding in the amount of \$5,211,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$5,211,000; and be it further

10th RESOLVED, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

11th RESOLVED, that 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:

1502

NEW YORK METROPOLITAN TRANSPORTATION COUNCIL

NASSAU/SUFFOLK TRANSPORTATION COORDINATING COMMITTEE

State Office Building
250 Veterans Memorial Highway
Hauppauge, NY 11788-5518
Tel: (631)952-6115
Fax: (631)952-6420

To: Garry Lenberger, Suffolk County
Bob Brickman, Nassau County
Marc Albrecht, MTA Grants Management
Subimal Chakraborti, NYSDOT, Region 10

From: Howie Mann, N/S TCC Staff Director



Subject: ADMINISTRATIVE MODIFICATION #NS12-O TO TIP 2011-2015

Date: March 16, 2012

At the request of the Suffolk County DPW, modification #NS12-O to the Transportation Improvement Program (TIP) FFY 2011-2015 has been prepared. This TIP action becomes effective with its transmittal to the voting members and Technical Committee.

This Action provides changes in programming for the following project. Please review the attached TIP STRIPS for more details.

- 075614: CR67 Bridge widening at LIE Exit 55. Added funding in ROW phase
- 0T2407: Resurfacing of service roads from CR231 to CR13.
- 0T2488: Resurfacing of CR46. Project split from 0T2407
- 0T2489: Resurfacing of CR97. Project split from 0T2407
- 0T2490: Resurfacing of CR111. Project split from 0T2407

All listed adjustments are consistent with the New York Metropolitan Transportation Council's (NYMTC) procedures. Additionally, this action has followed the Inter-Agency Consultation Group's (ICG) procedures that are in place to protect air quality standards.

Please contact Howie Mann at the N-S TCC with any questions regarding the aforementioned.

Attachments:

CC: Glenn Murrell, NYSDOT Acting RPPM,
Joel Ettinger, Executive Director, NYMTC
Technical Committee

**** NEW YORK METROPOLITAN TRANSPORTATION COUNCIL ****
ADMINISTRATIVE MODIFICATION: NS12-0

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										
AQ CODE	COUNTY	TOTAL PROJECT COST																	
From																			
SUFFOLK CO.	RESURFACING CR111,DANIEL ROE HIWY(PORT JEFF-WESTHAMPTON ROAD) FROM THE VICINITY OF NY27,SUNRISE HIGHWAY TO THE VICINITY OF I-495 WESTBOUND ACCESS RAMP IN THE TOWN OF BROOKHAVEN AND CR105,CROSS RIVER DRIVE FROM VICINITY OF NY24 TO NY25																		
AQC:A10P	SUFFOLK	TPC : \$6-\$9.4 M	TOTAL SYR COST :		0.000	0.000	0.000	0.000	0.000	0.000									
To																			
SUFFOLK CO.	RESURFACING CR111,DANIEL ROE HIWY(PORT JEFF-WESTHAMPTON ROAD) FROM THE VICINITY OF NY27,SUNRISE HIGHWAY TO THE VICINITY OF I-495 WESTBOUND ACCESS RAMP IN THE TOWN OF BROOKHAVEN AND CR105,CROSS RIVER DRIVE FROM VICINITY OF NY24 TO NY25																		
AQC:A10P	SUFFOLK	TPC : \$6-\$9.4 M	TOTAL SYR COST >		0.250	0.240	0.060	2.160	0.540	0.281	0.070	2.530	0.635	6.766	0.000	0.000	0.000	0.000	0.000

1502

Ballot Comment: OFFSET FROM 0T2407

1502

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation		
AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH FFY12 RESURFACING OF CR 111, DANIEL ROE HIGHWAY FROM THE VICINITY OF NY 27, SUNRISE HIGHWAY TO THE VICINITY OF I-495 WESTBOUND ACCESS RAMP; AND CR 105, CROSS RIVER DRIVE FROM THE VICINITY OF NY 24 TO NY 25, TOWNS OF BROOKHAVEN, RIVERHEAD AND SOUTHAMPTON (CP 5599, PHASE 1, PIN OT2490)		
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 2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
DEBRA A. KOLYER CHIEF FINANCIAL ANALYST		

1502

COUNTY OF SUFFOLK



RECEIVED

APR 18 2012

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E. Commissioner

DATE: April 12, 2012

RE: **Amending the 2012 Capital Budget and Program and Appropriating Funds in Connection with FFY12 Resurfacing of CR 111, Daniel Roe Highway from the Vicinity of NY 27, Sunrise Highway to the Vicinity of I-495 Westbound Access Ramp; and CR 105, Cross River Drive from the Vicinity of NY 24 to NY 25, Towns of Brookhaven, Riverhead and Southampton (CP 5599, Phase 1, PIN OT2490)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$6,513,750 for construction in connection with the above referenced project. There are no funds included in the 2012 Capital Budget and Program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

This funding will provide for the repair and/or resurfacing of the above referenced roadway(s). This project will improve both the surface and the structural condition of the road and will significantly extend the life of this roadway.

The Suffolk County Council on Environmental Quality has reviewed projects of this nature under a previous version of the implementing rules and regulations of SEQRA and determined that the project constitutes a Type II action.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5599(Ph1-CR111&CR105).doc".

GA/WH/td
attach.

- cc: Regina M. Calcaterra, Chief Deputy County Executive
- Ben Zwirn, Director of Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Nick Paglia, Assistant Executive Analyst
- William Hillman, P.E., Chief Engineer
- Laura Conway, CPA, Chief Accountant
- Kathy LaGuardia, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1503

Intro. Res. No. - 2012

Laid on the Table 5/8/12

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2012, AMENDING THE 2012
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH FFY12 RESURFACING OF LIE
(I-495) NORTH AND SOUTH SERVICE ROADS FROM THE
VICINITY OF NY 231 TO THE VICINITY OF CR 13, CROOKED
HILL ROAD, TOWNS OF HUNTINGTON AND SMITHTOWN (CP
5599, PHASE 2, PIN OT2407)**

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with FFY12 Resurfacing of LIE (I-495) North and South Service Roads from the Vicinity of NY 231 to the Vicinity of CR 13, Crooked Hill Road, Towns of Huntington and Smithtown; and

WHEREAS, there are Federal and/or State funds available from the Federal Highway Administration for this project, identified as PIN OT2490, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

WHEREAS, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said request under Capital Project 5599 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal and/or State Marchiselli portion; and

WHEREAS, the Department of Public Works will assign staff currently funded in the 2012 Suffolk County Operating Budget to perform a portion of the tasks as required for the engineering, planning and construction of this 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 County Legislature, by resolution of even date herewith, has authorized the issuance of \$4,625,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the strengthening and improving of County roads constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(4) and (27) since the action involves a legislative decision concerning the repaving of existing highways not involving the addition of new travel lanes; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of >> (>>) 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 FFY12 Resurfacing of LIE (I-495) North and South Service Roads from the Vicinity of NY 231 to the Vicinity of CR 13, Crooked Hill Road, Towns of Huntington and Smithtown; and be it further

4th RESOLVED, that the Department of Public Works keeps track of staff and costs associated with this project for chargeback purposes; and be it further

5th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5599
 Project Title: FFY12 Resurfacing of LIE (I-495) North and South Service Roads from the Vicinity of NY 231 to the Vicinity of CR 13, Crooked Hill Road, Towns of Huntington and Smithtown

	Total Est'd Cost	Current 2012 Capital Budget & Program	Revised 2012 Capital Budget & Program
5599	<u>\$925,000B</u>	<u>\$0B</u>	<u>\$925,000B</u>
	\$3,700,000F	\$0F	\$3,700,000F
TOTAL	\$4,625,000	\$0	\$4,625,000

6th RESOLVED, that the proceeds of \$925,000 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>
Ref-525-5599.311	50	FFY12 Resurfacing of LIE (I-495) North and South Service Roads from the Vicinity of NY 231 to the Vicinity of CR 13, Crooked Hill Road, Towns of Huntington and Smithtown	\$925,000

and be it further

7th RESOLVED, that Federal and/or State Aid in the amount of \$3,700,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-5599.311	50	FFY12 Resurfacing of LIE (I-495) North and South Service Roads from the Vicinity of NY 231 to the Vicinity of CR 13, Crooked Hill Road, Towns of Huntington and Smithtown	\$3,700,000

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal and/or State funding in the amount of \$3,700,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$3,700,000; and be it further

10th RESOLVED, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

11th RESOLVED, that 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:

1503

NEW
YORK
METROPOLITAN
TRANSPORTATION
COUNCIL

NASSAU/SUFFOLK TRANSPORTATION
COORDINATING COMMITTEE

State Office Building
250 Veterans Memorial Highway
Hauppauge, NY 11788-5518
Tel: (631)952-6115
Fax: (631)952-6420

To: Garry Lenberger, Suffolk County
Bob Brickman, Nassau County
Marc Albrecht, MTA Grants Management
Subimal Chakraborti, NYSDOT, Region 10

From: Howie Mann, N/S TCC Staff Director 

Subject: ADMINISTRATIVE MODIFICATION #NS12-O TO TIP 2011-2015

Date: March 16, 2012

At the request of the Suffolk County DPW, modification #NS12-O to the Transportation Improvement Program (TIP) FFY 2011-2015 has been prepared. This TIP action becomes effective with its transmittal to the voting members and Technical Committee.

This Action provides changes in programming for the following project. Please review the attached TIP STRIPS for more details.

- 075614: CR67 Bridge widening at LIE Exit 55. Added funding in ROW phase
- 0T2407: Resurfacing of service roads from CR231 to CR13.
- 0T2488: Resurfacing of CR46. Project split from 0T2407
- 0T2489: Resurfacing of CR97. Project split from 0T2407
- 0T2490: Resurfacing of CR111. Project split from 0T2407

All listed adjustments are consistent with the New York Metropolitan Transportation Council's (NYMTC) procedures. Additionally, this action has followed the Inter- Agency Consultation Group's (ICG) procedures that are in place to protect air quality standards.

Please contact Howie Mann at the N-S TCC with any questions regarding the aforementioned.

Attachments:

CC: Glenn Murrell, NYSDOT Acting RPPM,
Joel Ettinger, Executive Director, NYMTC
Technical Committee

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

(503)

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 THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH FFY12 RESURFACING OF LIE (I-495) NORTH AND SOUTH SERVICE ROADS FROM THE VICINITY OF NY 231 TO THE VICINITY OF CR 13, CROOKED HILL ROAD, TOWNS OF HUNTINGTON AND SMITHTOWN (CP 5599, PHASE 2, PIN OT2407)		
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		
2012		

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
DEBRA A. KOLYER CHIEF FINANCIAL ANALYST		

COUNTY OF SUFFOLK



1503

RECEIVED

APR 18 2012

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E. Commissioner

DATE: April 12, 2012

RE: **Amending the 2012 Capital Budget and Program and Appropriating Funds in Connection with FFY12 Resurfacing of LIE (I-495) North and South Service Roads from the Vicinity of NY 231 to the Vicinity of CR 13, Crooked Hill Road, Towns of Huntington and Smithtown (CP 5599, Phase 2, PIN OT2407)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$4,625,000 for construction in connection with the above referenced project. There are no funds included in the 2012 Capital Budget and Program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

This funding will provide for the repair and/or resurfacing of the above referenced roadway(s). This project will improve both the surface and the structural condition of the road and will significantly extend the life of this roadway.

The Suffolk County Council on Environmental Quality has reviewed projects of this nature under a previous version of the implementing rules and regulations of SEQRA and determined that the project constitutes a Type II action.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5599(Ph2-LIE SRs).doc".

GA/WH/td
attach.

- cc: Regina M. Calcaterra, Chief Deputy County Executive
- Ben Zwirn, Director of Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Nick Paglia, Assistant Executive Analyst
- William Hillman, P.E., Chief Engineer
- Laura Conway, CPA, Chief Accountant
- Kathy LaGuardia, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

RESOLUTION NO. - 2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH FFY12 RESURFACING OF CR 46, WILLIAM FLOYD PARKWAY FROM THE VICINITY OF MORICHES MIDDLE ISLAND ROAD TO THE VICINITY OF NY 25A, TOWN OF BROOKHAVEN (CP 5599, PHASE 3, PIN OT2488)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with FFY12 Resurfacing of CR 46, William Floyd Parkway from the Vicinity of Moriches Middle Island Road to the Vicinity of NY 25A; and

WHEREAS, there are Federal and/or State funds available from the Federal Highway Administration for this project, identified as PIN OT2490, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

WHEREAS, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said request under Capital Project 5599 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal and/or State Marchiselli portion; and

WHEREAS, the Department of Public Works will assign staff currently funded in the 2012 Suffolk County Operating Budget to perform a portion of the tasks as required for the engineering, planning and construction of this 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 County Legislature, by resolution of even date herewith, has authorized the issuance of \$5,356,250 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the strengthening and improving of County roads constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(4) and (27) since the action involves a legislative decision concerning the repaving of existing highways not involving the addition of new travel lanes; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of >> (>>) 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 FFY12 Resurfacing of CR 46, William Floyd Parkway from the Vicinity of Moriches Middle Island Road to the Vicinity of NY 25A; and be it further

4th RESOLVED, that the Department of Public Works keeps track of staff and costs associated with this project for chargeback purposes; and be it further

5th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5599
 Project Title: FFY12 Resurfacing of CR 46, William Floyd Parkway from the Vicinity of Moriches Middle Island Road to the Vicinity of NY 25A

	Total Est'd Cost	Current 2012 Capital Budget & Program	Revised 2012 Capital Budget & Program
5599	\$1,071,250B	\$0B	\$1,071,250B
	\$4,285,000F	\$0F	\$4,285,000F
TOTAL	\$5,356,250	\$0	\$5,356,250

6th RESOLVED, that the proceeds of \$1,071,250 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>
Ref-525-5599.312	50	FFY12 Resurfacing of CR 46, William Floyd Parkway from the Vicinity of Moriches Middle Island Road to the Vicinity of NY 25A	\$1,071,250

and be it further

7th RESOLVED, that Federal and/or State Aid in the amount of \$4,285,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-5599.312	50	FFY12 Resurfacing of CR 46, William Floyd Parkway from the Vicinity of Moriches Middle Island Road to the Vicinity of NY 25A	\$4,285,000

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal and/or State funding in the amount of \$4,285,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$4,285,000; and be it further

10th RESOLVED, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

11th RESOLVED, that 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:

1504

NEW
YORK
METROPOLITAN
TRANSPORTATION
COUNCIL

NASSAU/SUFFOLK TRANSPORTATION
COORDINATING COMMITTEE

State Office Building
250 Veterans Memorial Highway
Hauppauge, NY 11788-5518
Tel: (631)952-6115
Fax: (631)952-6420

To: Garry Lenberger, Suffolk County
Bob Brickman, Nassau County
Marc Albrecht, MTA Grants Management
Subimal Chakraborti, NYSDOT, Region 10

From: Howie Mann, N/S TCC Staff Director

Subject: ADMINISTRATIVE MODIFICATION #NS12-O TO TIP 2011-2015

Date: March 16, 2012

At the request of the Suffolk County DPW, modification #NS12-O to the Transportation Improvement Program (TIP) FFY 2011-2015 has been prepared. This TIP action becomes effective with its transmittal to the voting members and Technical Committee.

This Action provides changes in programming for the following project. Please review the attached TIP STRIPS for more details.

- 075614: CR67 Bridge widening at LIE Exit 55. Added funding in ROW phase
- 0T2407: Resurfacing of service roads from CR231 to CR13.
- 0T2488: Resurfacing of CR46. Project split from 0T2407
- 0T2489: Resurfacing of CR97. Project split from 0T2407
- 0T2490: Resurfacing of CR111. Project split from 0T2407

All listed adjustments are consistent with the New York Metropolitan Transportation Council's (NYMTC) procedures. Additionally, this action has followed the Inter- Agency Consultation Group's (ICG) procedures that are in place to protect air quality standards.

Please contact Howie Mann at the N-S TCC with any questions regarding the aforementioned.

Attachments:

CC: Glenn Murrell, NYSDOT Acting RPPM,
Joel Ettinger, Executive Director, NYMTC
Technical Committee

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1504

<p>1. Type of Legislation</p> <p>Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/></p>		
<p>2. Title of Proposed Legislation</p> <p>AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH FFY12 RESURFACING OF CR 46, WILLIAM FLOYD PARKWAY FROM THE VICINITY OF MORICHES MIDDLE ISLAND ROAD TO THE VICINITY OF NY 25A, TOWN OF BROOKHAVEN (CP 5599, PHASE 3, PIN OT2488)</p>		
<p>3. Purpose of Proposed Legislation</p> <p>SEE NO. 2 ABOVE</p>		
<p>4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>		
<p>5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)</p> <p><input checked="" type="checkbox"/> County Town Economic Impact</p> <p>Village School District Other (Specify):</p> <p>Library District Fire District</p>		
<p>6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact</p> <p>SERIAL BONDS WILL BE ISSUED TO FINANCE THE PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.</p>		
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p> <p>SEE ATTACHED DEBT SCHEDULE.</p>		
<p>8. Proposed Source of Funding</p> <p>SERIAL BONDS.</p>		
<p>9. Timing of Impact 2012</p>		
<p>10. Typed Name & Title of Preparer</p> <p>DEBRA A. KOLYER CHIEF FINANCIAL ANALYST</p>	<p>11. Signature of Preparer</p>	<p>12. Date</p>

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

1504
RECEIVED

APR 18 2012

OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E. Commissioner

DATE: April 12, 2012

RE: **Amending the 2012 Capital Budget and Program and Appropriating Funds in Connection with FFY12 Resurfacing of CR 46, William Floyd Parkway from the Vicinity of Moriches Middle Island Road to the Vicinity of NY 25A, Town of Brookhaven (CP 5599, Phase 3, PIN OT2488)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$5,356,250 for construction in connection with the above referenced project. There are no funds included in the 2012 Capital Budget and Program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

This funding will provide for the repair and/or resurfacing of the above referenced roadway(s). This project will improve both the surface and the structural condition of the road and will significantly extend the life of this roadway.

The Suffolk County Council on Environmental Quality has reviewed projects of this nature under a previous version of the implementing rules and regulations of SEQRA and determined that the project constitutes a Type II action.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5599(Ph3-CR46).doc".

GA/WH/td
attach.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Nick Paglia, Assistant Executive Analyst
William Hillman, P.E., Chief Engineer
Laura Conway, CPA, Chief Accountant
Kathy LaGuardia, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1505

Intro. Res. No. - 2012

Laid on the Table

5/8/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH FFY12 RESURFACING OF CR 97, NICOLLS ROAD FROM THE VICINITY OF THE LIRR TRACKS (FURROWS ROAD) TO THE VICINITY OF NY 27, SUNRISE HIGHWAY; AND CR 19, WAVERLY AVENUE/PATCHOGUE-HOLBROOK ROAD FROM THE VICINITY OF NY 27, SUNRISE HIGHWAY TO BROADWAY AVENUE, TOWNS OF BROOKHAVEN AND ISLIP (CP 5599, PHASE 4, PIN OT2489)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with FFY12 Resurfacing of CR 97, Nicolls Road from the Vicinity of the LIRR Tracks (Furrows Road) to the Vicinity of NY 27, Sunrise Highway; and CR 19, Waverly Avenue/Patchogue-Holbrook Road from the Vicinity of NY 27, Sunrise Highway to Broadway Avenue; and

WHEREAS, there are Federal and/or State funds available from the Federal Highway Administration for this project, identified as PIN OT2490, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

WHEREAS, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said request under Capital Project 5599 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal and/or State Marchiselli portion; and

WHEREAS, the Department of Public Works will assign staff currently funded in the 2012 Suffolk County Operating Budget to perform a portion of the tasks as required for the engineering, planning and construction of this 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 County Legislature, by resolution of even date herewith, has authorized the issuance of \$7,750,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the strengthening and improving of County roads constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(4) and (27) since the action involves a legislative decision concerning the repaving of existing highways not involving the addition of new travel lanes; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of >> (>>) 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 FFY12 Resurfacing of CR 97, Nicolls Road from the Vicinity of the LIRR Tracks (Furrows Road) to the Vicinity of NY 27, Sunrise Highway; and CR 19, Waverly Avenue/Patchogue-Holbrook Road from the Vicinity of NY 27, Sunrise Highway to Broadway Avenue; and be it further

4th RESOLVED, that the Department of Public Works keeps track of staff and costs associated with this project for chargeback purposes; and be it further

5th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5599
 Project Title: FFY12 Resurfacing of CR 97, Nicolls Road from the Vicinity of the LIRR Tracks (Furrows Road) to the Vicinity of NY 27, Sunrise Highway; and CR 19, Waverly Avenue/Patchogue-Holbrook Road from the Vicinity of NY 27, Sunrise Highway to Broadway Avenue

	Total Est'd Cost	Current 2012 Capital Budget & Program	Revised 2012 Capital Budget & Program
5599	\$1,550,000B	\$0B	\$1,550,000B
	\$6,200,000F	\$0F	\$6,200,000F
TOTAL	\$7,750,000	\$0	\$7,750,000

6th RESOLVED, that the proceeds of \$1,550,000 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>
Ref-525-5599.313	50	FFY12 Resurfacing of CR 97, Nicolls Road from the Vicinity of the LIRR Tracks (Furrows Road) to the Vicinity of NY 27, Sunrise Highway; and CR 19, Waverly Avenue/ Patchogue-Holbrook Road from the Vicinity of NY 27, Sunrise Highway to Broadway Avenue	\$1,550,000

and be it further

7th RESOLVED, that Federal and/or State Aid in the amount of \$6,200,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
--------------------	-------------	----------------------	---------------

Ref-525-5599.313

50 FFY12 Resurfacing of CR 97, \$6,200,000
Nicolls Road from the Vicinity of
the LIRR Tracks (Furrows Road) to
the Vicinity of NY 27, Sunrise
Highway; and CR 19, Waverly
Avenue/ Patchogue-Holbrook Road
from the Vicinity of NY 27, Sunrise
Highway to Broadway Avenue

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal and/or State funding in the amount of \$6,200,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$6,200,000; and be it further

10th RESOLVED, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

11th RESOLVED, that 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:

1505

NEW
YORK
METROPOLITAN
TRANSPORTATION
COUNCIL

NASSAU/SUFFOLK TRANSPORTATION
COORDINATING COMMITTEE

State Office Building
250 Veterans Memorial Highway
Hauppauge, NY 11788-5518
Tel: (631)952-6115
Fax: (631)952-6420

To: Garry Lenberger, Suffolk County
Bob Brickman, Nassau County
Marc Albrecht, MTA Grants Management
Subimal Chakraborti, NYSDOT, Region 10

From: Howie Mann, N/S TCC Staff Director



Subject: ADMINISTRATIVE MODIFICATION #NS12-O TO TIP 2011-2015

Date: March 16, 2012

At the request of the Suffolk County DPW, modification #NS12-O to the Transportation Improvement Program (TIP) FFY 2011-2015 has been prepared. This TIP action becomes effective with its transmittal to the voting members and Technical Committee.

This Action provides changes in programming for the following project. Please review the attached TIP STRIPS for more details.

- 075614: CR67 Bridge widening at LIE Exit 55. Added funding in ROW phase
- 0T2407: Resurfacing of service roads from CR231 to CR13.
- 0T2488: Resurfacing of CR46. Project split from 0T2407
- 0T2489: Resurfacing of CR97. Project split from 0T2407
- 0T2490: Resurfacing of CR111. Project split from 0T2407

All listed adjustments are consistent with the New York Metropolitan Transportation Council's (NYMTC) procedures. Additionally, this action has followed the Inter-Agency Consultation Group's (ICG) procedures that are in place to protect air quality standards.

Please contact Howie Mann at the N-S TCC with any questions regarding the aforementioned.

Attachments:

CC: Glenn Murrell, NYSDOT Acting RPPM,
Joel Ettinger, Executive Director, NYMTC
Technical Committee

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH FFY12 RESURFACING OF CR 97, NICOLLS ROAD FROM THE VICINITY OF THE LIRR TRACKS (FURROWS ROAD) TO THE VICINITY OF NY 27, SUNRISE HIGHWAY; AND CR 19, WAVERLY AVENUE/PATCHOGUE-HOLBROOK ROAD FROM THE VICINITY OF NY 27, SUNRISE HIGHWAY TO BROADWAY AVENUE, TOWNS OF BROOKHAVEN AND ISLIP (CP 5599, PHASE 4, PIN OT2489)		
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="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		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
DEBRA A. KOLYER CHIEF FINANCIAL ANALYST		

COUNTY OF SUFFOLK



1505

RECEIVED

APR 18 2012

OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

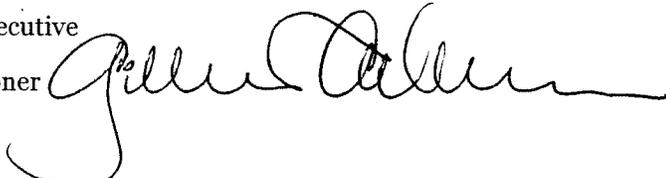
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E. Commissioner 

DATE: April 12, 2012

RE: **Amending the 2012 Capital Budget and Program and Appropriating Funds in Connection with FFY12 Resurfacing of CR 97, Nicolls Road from the Vicinity of the LIRR Tracks (Furrows Road) to the Vicinity of NY 27, Sunrise Highway; and CR 19, Waverly Avenue/Patchogue-Holbrook Road from the Vicinity of NY27, Sunrise Highway to Broadway Avenue, Towns of Brookhaven and Islip (CP 5599, Phase 4, PIN OT2489)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$7,750,000 for construction in connection with the above referenced project. There are no funds included in the 2012 Capital Budget and Program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

This funding will provide for the repair and/or resurfacing of the above referenced roadway(s). This project will improve both the surface and the structural condition of the road and will significantly extend the life of this roadway.

The Suffolk County Council on Environmental Quality has reviewed projects of this nature under a previous version of the implementing rules and regulations of SEQRA and determined that the project constitutes a Type II action.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5599(Ph4-CR97&CR19).doc".

GA/WH/td
attach.

- cc: Regina M. Calcaterra, Chief Deputy County Executive
- Ben Zwirn, Director of Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Nick Paglia, Assistant Executive Analyst
- William Hillman, P.E., Chief Engineer
- Laura Conway, CPA, Chief Accountant
- Kathy LaGuardia, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

RESOLUTION NO. - 2012, AUTHORIZING THE COUNTY EXECUTIVE TO REQUEST A PUBLIC HEARING FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND EXECUTE AN AGREEMENT WITH THE METROPOLITAN TRANSPORTATION AUTHORITY (MTA)/LONG ISLAND RAILROAD (LIRR) FOR ENTRY UPON LANDS OWNED BY RAILROADS, IN CONNECTION WITH THE RECONSTRUCTION OF CR 3, PINELAWN ROAD IN THE VICINITY OF THE WELLWOOD AVENUE CROSSING, TOWN OF BABYLON, SUFFOLK COUNTY, NEW YORK (CP 5510)

WHEREAS, pursuant to Section 91 of the Railroad Law, a petition for a Public Hearing must be requested by the County Executive and the County Legislature of any County having jurisdiction, for any project that seeks to alter at-grade crossings of the street or highway in question; and

WHEREAS, a resolution must be in place prior to this hearing; and

WHEREAS, it is necessary for the County of Suffolk and the MTA/LIRR to enter into an agreement allowing entry onto lands owned by the railroad, and to allow the railroad to perform work requested by the County to accomplish this project (Exhibit A); 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. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

3rd RESOLVED, that the County Legislature hereby authorizes the County Executive, to request a Public Hearing from the New York State Department of Transportation; and be it further

4th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, subject to the approval of the County Attorney, to execute an Entry Agreement with the Metropolitan Transportation Authority (MTA)/Long Island Railroad (LIRR) for said project, and to execute any and all contract documents related to this project, on behalf of the County of Suffolk providing for Suffolk County's participation in the above referenced project; and be it further

5th RESOLVED, that the Entry 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:

1506

**SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS
LONG ISLAND RAIL ROAD COMPANY WORK AGREEMENT
FOR REIMBURSABLE COSTS**

This Agreement made this >> day of >>, 2012 by and between **Suffolk County Department of Public Works (SCDPW)** (hereinafter called the "**County**"), whose office is at **335 Yaphank Avenue Yaphank, NY 11980** in the County of **Suffolk**, State of New York; and

The **Long Island Rail Road Company** (hereinafter called the "COMPANY," or "CONTRACTOR", or "MTA Agency"), a public benefit corporation organized under and existing by virtue of the laws of the State of New York and having an office at **93-59 183rd Street, Department 3146, Hollis, NY 11423**.

TERM OF AGREEMENT: The term of this Agreement shall commence on the date of full execution and shall expire upon completion of the Work unless sooner terminated as provided in the Agreement.

TOTAL COST OF AGREEMENT: Shall not exceed \$to be determined after Public Hearing is held (TBD).

TERMS AND CONDITIONS: Shall be as set forth in Articles I through II and accompanying Exhibit A.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the latest date written below.

THE LONG ISLAND RAIL ROAD COMPANY

COUNTY OF SUFFOLK

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Fed. Tax ID #: _____

Date: _____

Date: _____

Recommended by:
Department of Public Works

By: _____

Name: _____

Title: _____

Date: _____

Approved As To Legality:
Dennis Cohen, County Attorney

By: _____

Basia Deren Braddish
Assistant County Attorney

1506

Article I
Specific Terms and Conditions

WHEREAS, the County has prepared plans for a project described as follows: Intersection Realignment of CR 3, Pinelawn Road/Wellwood Avenue with Conklin Street and Long Island Avenue, Town of Babylon, PIN 075656, CP 5510 (the "Project"); and

WHEREAS, the Project plans and specification provide for the Project to be carried across a right-of way over which the COMPANY operates its railroad; and

WHEREAS, the County requires permission to access the COMPANY's right-of-way to progress the construction Project;

WHEREAS, the parties have agreed that the COMPANY shall perform certain work in connection with the Project which work relates to the operation of the railroad; and

WHEREAS, in accordance with the plans and specifications, the County has requested the COMPANY to consent to entry upon such lands so that the County may perform certain work which will be necessary for completion of the project; and

WHEREAS, the COMPANY and the County agree that the costs and expenses incurred in connection with this Project shall be paid in accordance with the terms of this Agreement, as outlined below.

NOW, THEREFORE, in consideration of the mutual obligations hereunder, the parties agree as follows:

1. Scope of Work to be Performed by the COMPANY

- A. Location of Work:
USDOT Crossing #338-159G, MP 32.46, Wellwood Avenue Crossing, Town of Babylon
- B. Description of Work:
To be determined after Public Hearing is held (hereinafter, the "Work"). The Work shall include, but not limited to, the following:
 - *To be determined after Public Hearing is held*
- C. County Project Manager's Name, Address, Telephone No., FAX No. and E-Mail Address:

Mr. Russell Mackey, P.E., Suffolk County Department of Public Works
335 Yaphank Avenue, Yaphank, New York 11980
Telephone (631) 852-4117, FAX (631) 852-4006,
e-mail: RussellMackey@suffolkcountyny.gov
- D. COMPANY Project Manager's Name, Address, Telephone No., Fax No. and E-mail Address:

**CR 3, Pinelawn Road/Wellwood Avenue Realignment
PIN 075656, CP 5510**

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Mr. Steven W. Diana, Long Island Rail Road Company
93-59 183rd Street (HSF #3144)
Hollis, New York 11423
Telephone (718) 558-3581, FAX (718) 558-3551, Cell: (516) 805-0803
e-mail: swdiana@lirr.org

2. Right of Entry

SCDPW and County employees, contractors, subcontractors or agents of the County shall be permitted to enter and exit the COMPANY's right-of-way, with all necessary equipment, to progress the Project. SCDPW hereby agrees to use reasonable efforts in connection with its access of the COMPANY's right-of-way to cause minimal amount of interference with the COMPANY's railroad operations. SCDPW will coordinate with the COMPANY the schedule of the dates and times when work on the Project requiring access to the right-of-way will be performed. SCDPW and/or its contractors, subcontractors and agents will sign all entry permits, and will obtain all necessary flag protection, required by the COMPANY prior to entering the COMPANY'S right-of-way.

3. Financial Responsibility

- A. The COMPANY is not participating in the project cost. The COMPANY is to be reimbursed by the County in the amount not to exceed *\$To Be Determined after Public Hearing is Held (TBD)* specified in the estimate submitted to SCDPW by the COMPANY and made a part hereof except as such sum may hereafter be increased pursuant to an amended agreement or agreements.
- B. The COMPANY shall submit to the County evidence of fair and reasonable costs of the work performed, less the value of materials recovered, as evidenced by detailed invoices. All costs so submitted by the COMPANY shall be subject to the approval of the County and shall be subject to audit. Reimbursement therefore by the County shall be made as follows:
1. Any and all costs and expenses of performing the Work shall be paid in the first instance by the COMPANY. Upon completion of the Work (or a portion thereof), the COMPANY shall prepare and submit a Suffolk County Payment Voucher for payment by the County, with supporting documentation sufficient to enable the County to reimburse the COMPANY for its expenditures less the value of materials recovered. Such documentation may include, but is not limited to, copies of approved invoices from the COMPANY's subcontractor, or any other documentation necessary to enable the County to process and approve payment to the COMPANY. The COMPANY shall list on the Suffolk County Payment Voucher all information regarding the Work and other items for which expenditures have been or will be made in accordance with this Agreement. Either upon execution of the Agreement or not more than thirty (30) days after the expenditures are made, and in no event after the 31st day of January following the end of each year of the Agreement, the COMPANY shall furnish the County with detailed documentation in support of the payment for the Work or expenditures under this Agreement. All Suffolk County

CR 3, Pinelawn Road/Wellwood Avenue Realignment

PIN 075656, CP 5510

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Payment Vouchers must bear a signature as that term is defined pursuant to New York State General Construction Law §46 by duly authorized persons, and certification of such authorization with certified specimen signatures thereon must be filed with the County by a COMPANY official empowered to sign the same.

2. All costs so submitted by the COMPANY shall be subject to the approval of the County and shall be subject to audit. Reimbursement therefore by the County to the COMPANY will be made for monthly periods as to the work performed or facilities provided by the COMPANY in accordance with approved Suffolk County Payment Vouchers showing the cost of the Work so performed or facilities provided up to and including the last day of the previous month. Payment by the County shall be made within thirty (30) days after approval of the Suffolk County Payment Voucher by the Comptroller.
 3. The charges payable to the COMPANY under this Agreement are exclusive of federal, state, and local taxes, the County being a municipality exempt from payment of such taxes.
 4. Upon the completion of all Work by the COMPANY pursuant to this Agreement, a final statement of costs shall be submitted to the County within one hundred eighty (180) days. Upon the receipt of the final statement of costs by the County, the County will conduct an audit of the COMPANY's project account records within one hundred (180) days to determine the resources applied or used by the COMPANY in fulfilling the terms of this Agreement. Upon completion of the audit and concurrence by the COMPANY, the final reimbursement payment will be made to the COMPANY.
 5. This Agreement shall be deemed executory only to the extent of money is available to the County for the performance of the terms of this Agreement and no liability on account thereof shall be incurred by the County or the COMPANY beyond moneys available for the purpose thereof.
- C. Whenever the Approved Cost Estimate together with any Supplemental Agreement(s) thereto has reached 75% of the total thereof as reflective of the costs being incurred by the COMPANY or at any point where the COMPANY reasonably anticipates that there will be a cost overrun, the COMPANY may request a Supplemental Agreement to cover such anticipated cost overrun.
4. Inspection of Work
 - A. Upon completion of all Work performed by the COMPANY, and prior to final reimbursement, the County and the NYS Department of Transportation shall have a reasonable opportunity to inspect the Work.
 - B. Within two (2) weeks after the inspection, a list of any deficiencies shall be presented the COMPANY. The Company shall advise the County of the time schedule for correction of the deficiencies.

**CR 3, Pinelawn Road/Wellwood Avenue Realignment
PIN 075656, CP 5510**

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- C. Final reimbursement will be delayed until such time as the COMPANY corrects the deficiencies revealed by the inspection.

5. Company Records.

The COMPANY will develop and keep a record of costs in accordance with COMPANY procedures. On projects financed in whole or in part with Federal funds, and in recognition of the participation by the Federal government in the costs to the County of this Project, the COMPANY shall keep and retain cost records and accounts so that they will be available for audit by authorized representatives of the Federal government and/or the State of New York. The COMPANY does further agree that on or before the date of final billing pursuant to this Agreement, it will notify the County in writing of the location where such cost records and accounts will be available for audit by the Federal government, all in accordance with the U.S. Department of Transportation Federal-Aid Policy Guide.

6. Work Method

The actual work will be performed by the following methods: (Check and answer each category that applies):

- A. ____ Contract let by County
- B. ____ Contract let by COMPANY
- C. X By the COMPANY's Forces

Description: _____

7. Division of Maintenance

Upon the completion and acceptance by the County of the Work as indicated on the plans, responsibility for maintenance, as between the County and the COMPANY shall be as follows:

In accordance with all applicable laws, rules and regulations.

- A. ____ Contract let by County
- B. ____ Contract let by COMPANY
- C. X By the COMPANY's Forces

8. Indemnification.

- A. To the greatest extent permitted by law, the County agrees to protect, indemnify and hold harmless (including for reasonable defense costs) the COMPANY and its parents, subsidiaries, affiliated entities, officers, officials, employees, contractors, and agents ("Company Indemnified Parties") from and against all liabilities, fines, penalties, actions, damages, claims (including claims for bodily

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and personal injury and property damage), demands, judgments, losses, costs, expenses, suits, or actions and reasonable attorneys' fees, arising out of the acts, omissions, or the negligence of the County, or its employees, contractors, agents, under this Agreement. The County shall defend the Company Indemnified Parties in any suit, including appeals, or at the Company's option, pay reasonable attorney's fees for defense of any such suit arising out of the acts or omissions or negligence of the County, its officers, officials, employees, contractors, subcontractors, or agents, if any, in connection with the services described or referred to in this Agreement. The County also agrees to indemnify the COMPANY for damage to its property resulting directly from the Work. This agreement to indemnify and hold harmless is intended to apply to any injury or damage caused by an act of omission of the County, or by an employee, contractor or agent of the County (an agent of the County includes an officer, employee or agent of the COMPANY while engaged in work directly related to the project and under the County's direct supervision or acting in accordance with the County's specific direction). Without diminishing the scope and meaning of the foregoing, the County shall not be responsible for the negligence or torts of the COMPANY, their officers, agents, employees, contractors, passengers or any other persons not acting as agent for or without the control of the County or its contractors.

- B. To the greatest extent permitted by law, the COMPANY agrees to protect, indemnify, and hold harmless the County and its officers, officials, employees, contractors, and agents ("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 COMPANY, or its employees, contractors, agents, or passengers in connections with the Work described or referred to in this Agreement. The COMPANY 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 COMPANY, its officers, officials, employees, contractors, subcontractors, agents, or passengers, if any, in connection with the services described or referred to in this Agreement.

9. Insurance. The COMPANY shall procure and maintain, until the work covered by this Agreement has been completed to the satisfaction of the County and the COMPANY, insurance for liability and damages imposed by law or otherwise of the kinds and in the amounts hereinafter provided, with insurance companies authorized to do such business in the State of New York, covering all work under this Agreement. Before commencing the work, the COMPANY shall furnish to the County a certificate or certificates of insurance in a form satisfactory to the County, showing that the COMPANY has complied with this Article, which certificates shall provide that the policies shall not be changed or cancelled until thirty (30) days written notice has been given to the County. The kinds and amounts of insurance, subject to agreement that different coverage or higher limits shall apply, are as follows:

- A. Force Account Insurance: The policy will provide a combined single limit of \$5,000,000 per occurrence covering the liability of the COMPANY under the Federal Employers Liability Act and similar statutes for the protection of

CR 3, Pinelawn Road/Wellwood Avenue Realignment

PIN 075656, CP 5510

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employers for injuries to or death of employees engaged in the work. The policy will include the following coverage:

1. Contractor Liability Insurance covering both bodily injury and property damage liability for damages imposed by the law on the COMPANY with respect to work performed under this Agreement.
 2. Contractor's Liability Insurance covering liability for damages imposed by law upon the COMPANY with respect to all work performed by the COMPANY under this Agreement, with an endorsement providing coverage for damages arising out of the Project or property owned by the COMPANY or in its care, custody and control;
 3. Protective Liability Insurance issued to and covering liability for damages imposed by law upon the COMPANY with respect to all work, performed for the COMPANY by any contractor(s) under this Agreement;
 4. Protective Liability Insurance issued to and covering liability for damages imposed by law upon the County and employees of the County both officially and personally, with respect to all Work performed under this Agreement by the COMPANY, or by its contractors, including omissions and supervisory acts of the County.
- B. In case the COMPANY shall, with the consent of the County, make contracts for any part of the work or facilities covered by this Agreement, it is hereby agreed that said contractor, at no cost to the County or the COMPANY shall procure and maintain until the work covered by said contract has been completed to the satisfaction of the County and COMPANY, the following insurance:
1. Worker's Compensation Insurance 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.
 2. Commercial General Liability providing limits of \$2,000,000 per occurrence and including coverage for bodily injury, property damage and independent contractor coverage. The County shall be named an additional insured.
 3. 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.

CR 3, Pinelawn Road/Wellwood Avenue Realignment

PIN 075656, CP 5510

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5. 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.
6. Protective Liability Policy, with limits of not less than \$2,000,000 per occurrence.

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 COMPANY 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 COMPANY 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 COMPANY to notify the County immediately of any cancellation, nonrenewal, or material change in any insurance policy.
- F. In the event the COMPANY 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 COMPANY under this Agreement or any other agreement between the County and the COMPANY.
- G. If the COMPANY 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.

END OF TEXT

**CR 3, Pinelawn Road/Wellwood Avenue Realignment
PIN 075656, CP 5510**

Law No >>-PW->>>

1500

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 Contractor and the County.

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

“**Contractor**” means the Long Island Rail-Road, MTA Agency, 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 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, or State law, rule, or regulation; 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;

“**Federal Government**” 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.

“**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.

“**Work**” means all that which the Contractor must do and any part thereof arising out of, or in connection with this Agreement .

3. Contractor Responsibilities

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

b. The Contractor shall promptly take all action as may be necessary to perform the Work.

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 perform the Work.

b. The Contractor shall continuously have during the Term all required authorizations, certificates, certifications, registrations, licenses, permits, and other approvals required by Federal, or State authorities necessary to qualify it to perform the Work.

5. Termination

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

**CR 3, Pinelawn Road/Wellwood Avenue Realignment
PIN 075656, CP 5510**

Law No >>-PW->>>

506

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 MTA Agency.

iv.) If the Contractor, before completion, discontinues the project, the County, by written notice to the Contractor, 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 Contractor 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 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

**CR 3, Pinelawn Road/Wellwood Avenue Realignment
PIN 075656, CP 5510**

1506

Law No >>-PW->>>

12. No Waiver

It shall not be construed that any failure or forbearance of the County or Contractor 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.

13. 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.

14. 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.

15. Confidentiality

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

16. 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.

17. 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.

18. 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 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 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.

19. Gratuities

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 this Agreement.

CR 3, Pinelawn Road/Wellwood Avenue Realignment
PIN 075656, CP 5510
Law No >>-PW->>>

1506

EXHIBIT A (ESTIMATE SUMMARY FROM LIRR)
TO BE DETERMINED AFTER HEARING IS HELD

1506

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 COUNTY EXECUTIVE TO REQUEST A PUBLIC HEARING FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND EXECUTE AN AGREEMENT WITH THE METROPOLITAN TRANSPORTATION AUTHORITY (MTA)/LONG ISLAND RAILROAD (LIRR) FOR ENTRY UPON LANDS OWNED BY RAILROADS, IN CONNECTION WITH THE RECONSTRUCTION OF CR 3, PINELAWN ROAD IN THE VICINITY OF THE WELLWOOD AVENUE CROSSING, TOWN OF BABYLON, SUFFOLK COUNTY, NEW YORK (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 <u> </u>		
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 2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
DEBRA A. KOLYER CHIEF FINANCIAL ANALYST		

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

1506
RECEIVED

APR 18 2012

OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E. Commissioner

DATE: April 13, 2012

RE: **Authorizing the County Executive to Request a Public Hearing from the New York State Department of Transportation and Execute an Agreement with the Metropolitan Transportation Authority (MTA)/Long Island Railroad (LIRR) for Entry Upon Lands owned by Railroads, in Connection with the Reconstruction of CR 3, Pinelawn Road in the Vicinity of the Wellwood Avenue Crossing, Town of Babylon (CP 5510)**

Attached is a draft resolution and duplicate copy authorizing the County Executive to request a Public Hearing from the New York State Department of Transportation and to enter into an agreement with the MTA/LIRR to allow entry and at-grade railroad crossing improvements in connection with the above referenced project.

An authorizing resolution must be in place prior to the public hearing being held.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5510-CR3 LIRR Hearing.doc".

GA/WH/td
attach.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Nick Paglia, Assistant Executive Analyst
William Hillman, P.E., Chief Engineer
Laura Conway, CPA, Chief Accountant
Kathy LaGuardia, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1507

Intro. Res. No. - 2012
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 5/8/12

RESOLUTION NO. - 2012, APPROPRIATING FUNDS IN CONNECTION WITH REHABILITATION OF VARIOUS BRIDGES AND EMBANKMENTS (CAPITAL PROGRAM NUMBER 5850)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Rehabilitation of Various Bridges and Embankments; and

WHEREAS, there are sufficient funds within the 2012 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$2,900,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the rehabilitation of bridges and embankments constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(1), (2), (20) and (27) since the action involves a legislative decision concerning maintenance or repair with no substantial changes in an existing structure as well as the replacement, rehabilitation or reconstruction of a structure in kind, on the same site; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-six (46) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of \$2,900,000 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-5850.324	50	Rehabilitation of Various Bridges and Embankments	\$2,900,000

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1507

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation APPROPRIATING FUNDS IN CONNECTION WITH REHABILITATION OF VARIOUS BRIDGES AND EMBANKMENTS (CAPITAL PROGRAM NUMBER 5850)		
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)		
<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 2012		

10. Typed Name & Title of Preparer DEBRA A. KOLYER CHIEF FINANCIAL ANALYST	11. Signature of Preparer	12. Date
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COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

1507
RECEIVED
APR 18 2012
OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

MEMORANDUM

TO: Jon Schneider, Deputy County Executive
FROM: Gilbert Anderson, P.E. Commissioner 
DATE: April 13, 2012
RE: **Appropriating Funds in Connection with the Rehabilitation of Various Bridges and Embankments (CP 5850)**

Attached is a draft resolution and duplicate copy to appropriate the sum of \$2,900,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2012 Capital Budget and Program for this project.

This funding is intended for the rehabilitation of Landing Avenue Bridge, Shore Drive Embankment, Brown's Creek Bridge and Quantuck Creek Bridge and Bulkhead. These projects will repair roadway approaches and asphalt wearing surface over the concrete bridge deck, spall and crack repair to steel girders and underside of the concrete deck, repairs to sidewalks, curbs and concrete railing members.

It may be necessary to add and/or substitute other bridge and/or embankment locations due to permits, changes in priorities or other requirements to be determined by this Department.

The Suffolk County Council on Environmental Quality has reviewed projects of this nature and determined that it constitutes a Type II action and no further review is required. The Suffolk County Legislature concurred with this finding pursuant to Resolution 1167-1995.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5850(Rehab Bridges).doc".

GA/WH/td
attach.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Nick Paglia, Assistant Executive Analyst
William Hillman, P.E., Chief Engineer
Laura Conway, CPA, Chief Accountant
Kathy LaGuardia, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1508

Intro. Res. No. - 2012

Laid on the Table 5/8/12

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2012, AMENDING THE 2012
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR
PARTICIPATION IN THE INSTALLATION OF A CLOSED LOOP
SIGNAL SYSTEM ON VARIOUS COUNTY ROADS (CAPITAL
PROGRAM NUMBER 3309, PIN 075993)**

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Installation of a Closed Loop Signal System on Various County Roads; and

WHEREAS, there are Federal and/or State funds available from the Federal Highway Administration for phase seven (7) of the project, identified as PIN 075993, under the Federal Highway Administration (CMAQ) funding, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

WHEREAS, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said request under Capital Project 3309 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal and/or State Marchiselli portion; and

WHEREAS, the Department of Public Works will assign staff currently funded in the 2012 Suffolk County Operating Budget to perform a portion of the tasks as required for the engineering, planning and construction of this 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 County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,375,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that Suffolk County, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(c)(16)(20)(27) as this legislative decision involves routine or continuing agency administration for the installation of traffic control devices on existing streets. As such, this 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. 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 Installation of a Closed Loop Signal System on Various County Roads; and be it further

4th RESOLVED, that the Department of Public Works keeps track of staff and costs associated with this project for chargeback purposes; and be it further

5th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 3309
 Project Title: Installation of Closed Loop Signal System

	<u>Total Est'd Cost</u>	<u>Current 2012 Capital Budget & Program</u>	<u>Revised 2012 Capital Budget & Program</u>
3309	<u>\$275,000B</u>	<u>\$250,000B</u>	<u>\$275,000B</u>
	\$1,100,000F	\$1,000,000F	\$1,100,000F
TOTAL	\$1,375,000	\$1,250,000	\$1,375,000

6th RESOLVED, that the proceeds of \$275,000 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>
Ref-525-3309.314	50	Installation of Closed Loop Signal System on Various County Roads	\$275,000

and be it further

7th RESOLVED, that Federal Aid in the amount of \$1,100,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-3309.314	50	Installation of Closed Loop Signal System on Various County Roads	\$1,100,000

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal and/or State funding in the amount of \$1,100,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$1,100,000; and be it further

10th RESOLVED, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

11th RESOLVED, that 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:

1508

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E. Commissioner *[Signature]*

DATE: April 5, 2012

RE: **Amending the 2012 Capital Budget and Program and Appropriating Funds in Connection with the Installation of a Closed Loop Signal System on Various County Roads (CP 3309, PIN 075993)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$1,375,000 for construction in connection with the above referenced project. There are insufficient funds included in the 2012 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 project proposes to replace the traffic controllers at 46 intersections along 6 corridors (9 systems), and to implement these controllers on the centralized traffic signal system at the County office in Yaphank. Traffic signals on these routes would be electronically interconnected and new traffic signal timing plans would be developed and installed to provide coordinated traffic movements, thus improving traffic flow. Additionally, this funding will allow for 15 signals along 2 corridors (3 systems) of recently completed construction projects to be connected to the centralized traffic signal system in Yaphank.

This is a Federally funded project. Mandated milestones must be met to insure that Federal funds are obtained. Recent changes to the procedures for obtaining final Federal authorization require that the County pass a resolution and have local and State contracts in place prior to final authorization.

This project constitutes a Type II Action as it involves routine or continuing agency administration for the installation of traffic control devices on existing streets.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP3309(CL Ph7 Constr).doc".

GA/WH/td
attach.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Nick Paglia, Assistant Executive Analyst
William Hillman, P.E., Chief Engineer
Laura Conway, CPA, Chief Accountant
Kathy LaGuardia, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

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"/> 1508
2. Title of Proposed Legislation		
AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE INSTALLATION OF A CLOSED LOOP SIGNAL SYSTEM ON VARIOUS COUNTY ROADS (CAPITAL PROGRAM NUMBER 3309, PIN 075993)		
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 2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
DEBRA A. KOLYER CHIEF FINANCIAL ANALYST		

1508

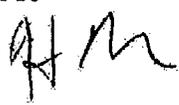
NEW
YORK
METROPOLITAN
TRANSPORTATION
COUNCIL

NASSAU/SUFFOLK TRANSPORTATION
COORDINATING COMMITTEE

State Office Building
250 Veterans Memorial Highway
Hauppauge, NY 11788-5518
Tel: (631)952-6115
Fax: (631)952-6420

To: Garry Lenberger, Suffolk County
Bob Brickman, Nassau County
Marc Albrecht, MTA Grants Management
Subimal Chakraborti, NYSDOT, Region 10

From: Howie Mann, N/S TCC Staff Director



Subject: ADMINISTRATIVE MODIFICATION #NS12-M TO TIP 2011-2015

Date: March 29, 2012

This action is being taken as part of an interim update of the TIP to adjust the program to meet new funding targets. The update will take the form of a series of TIP actions. The TIP will be fiscally constrained within the new funding targets at the conclusion of the interim update. This TIP action becomes effective with its transmittal to the voting members and Technical Committee.

This action is changing programming for the projects listed in the attached TIP strips.

All listed adjustments are consistent with the New York Metropolitan Transportation Council's (NYMTC) procedures. Additionally, this action has followed the Inter-Agency Consultation Group's (ICG) procedures that are in place to protect air quality standards.

Please contact Howie Mann at the N-S TCC with any questions regarding the aforementioned.

Attachments:

CC: Glenn Murrell, NYSDOT Acting RPPM,
Joel Ettinger, Executive Director, NYMTC
Technical Committee

1508

**** NEW YORK METROPOLITAN TRANSPORTATION COUNCIL ****
ADMINISTRATIVE MODIFICATION: NS12-M

Thursday, March 29, 2012

Page 15 of 18

AGENCY PIN WORKTYPE <AQ STATUS>	PROJECT DESCRIPTION	FUND SOURCES & OBLIGATION DATE	TOTAL 5-YEAR PROGRAM in millions of dollars	PHASE	CMAQ PROGRAM FISCAL YEAR 2011-2015							
					PRE FFY 2011						POST FFY 2015	
AQ CODE	COUNTY	TOTAL PROJECT COST										

From

SUFFOLK CO. 0T2253 TRAFFIC <Non-Exempt>	CLOSED LOOP SIGNAL SYSTEM, PH7. UPDATE AND INTERCONNECT THE TRAFFIC SIGNAL SYSTEM ON VARIOUS COUNTY ROADS SO THEY CAN BE CONTROLLED & OPTIMIZED BY THE COUNTYS COMPUTERIZED CONTROL SYSTEM ON CR004, CR013, CR058, CR67, CR083, CR096, CR97, CR057, CR111.	CMAQ 02/2012 LOCAL 02/2012	0.800 0.200	CONST CONST				0.800 0.200				
AQC:NON	SUFFOLK	TPC: \$1.2-\$2.5 M	TOTAL 5YR COST:	1.000		0.000	0.000	1.000	0.000	0.000	0.000	0.000

To

SUFFOLK CO. 0T2253 TRAFFIC <Non-Exempt>	CLOSED LOOP SIGNAL SYSTEM, PH7. UPDATE AND INTERCONNECT THE TRAFFIC SIGNAL SYSTEM ON VARIOUS COUNTY ROADS SO THEY CAN BE CONTROLLED & OPTIMIZED BY THE COUNTYS COMPUTERIZED CONTROL SYSTEM ON CR004, CR013, CR058, CR67, CR083, CR096, CR97, CR057, CR111.	CMAQ 02/2012 LOCAL 02/2012	1.100 0.275	CONST CONST				1.100 0.275				
AQC:NON	SUFFOLK	TPC: \$1.2-\$2.5 M	TOTAL 5YR COST >	1.375		0.000	0.000	1.375	0.000	0.000	0.000	0.000

Ballot Comment: OFFSET FROM PIN#080883

From

NYSDOT 0T2274 MISC <Exempt>	REPLACE IN-NEED OR DAMAGED CULVERTS (LOCATIONS TO BE DETERMINED) TO MAINTAIN STATE OF GOOD REPAIR ON VARIOUS STATE HIGHWAYS & PARKWAYS IN NASSAU & SUFFOLK COUNTIES.	SDF 01/2013 SDF 01/2013 SDF 04/2015 SDF 04/2015	1.346 1.139 0.853 8.528	DETLDES ROWACQU CONINSP CONST				1.346 1.139			0.853 8.528	
AQC:A6P	MULTI	TPC: \$9.5-15.5 M	TOTAL 5YR COST:	11.866		0.000	0.000	0.000	2.485	0.000	9.381	0.000

To

NYSDOT 0T2274 MISC <Exempt>	REPLACE IN-NEED OR DAMAGED CULVERTS (LOCATIONS TO BE DETERMINED) TO MAINTAIN STATE OF GOOD REPAIR ON VARIOUS STATE HIGHWAYS & PARKWAYS IN NASSAU & SUFFOLK COUNTIES.	SDF 01/2013 SDF 01/2013 SDF 07/2018 SDF 07/2018	1.346 1.139 0.000 0.000	DETLDES ROWACQU CONINSP CONST				1.346 1.139			0.853 8.528	
AQC:A6P	MULTI	TPC: \$9.5-15.5 M	TOTAL 5YR COST >	2.485		0.000	0.000	0.000	2.485	0.000	0.000	9.381

Ballot Comment: LOCALLY FUNDED PROJECT REMOVED FROM TIP AND DEFERRED TO FFY 2018 AS PART OF THE INTERIM UPDATE TO ADDRESS REDUCED PLANNING TARGETS

1509

Intro. Res. No. - 2012
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 5/8/12

**RESOLUTION NO. - 2012, APPROPRIATING FUNDS IN
CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR
97, NICOLLS ROAD, TOWN OF BROOKHAVEN (CP 5512)**

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Intersection Improvements on CR 97, Nicolls Road; and

WHEREAS, there are sufficient funds within the 2012 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,150,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that Suffolk County, as SEQRA Lead Agency hereby classifies the proposed project an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

2nd RESOLVED, that Suffolk County, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the proposed action does not meet or exceed the criteria set forth in Title 6 NYCRR Part 617.7 and will therefore not have a significant adverse impact on the environment for the following reasons:

- a. 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;
- b. All necessary permits and approvals will be obtained from the New York State Department of Environmental Conservation with respect to threatened species identified in the area;
- c. The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes);
- d. Traffic safety will be improved and traffic congestion mitigated;
- e. All work related to the proposed action will take place within the existing road right-of-way with all runoff being directed to existing or new leaching basins/recharge beds and will therefore not affect the natural

characteristics leading to area's designation as a Critical Environmental Area;

As such, the County of Suffolk hereby adopts a determination of non-significance (negative declaration) and the Council on Environmental Quality is hereby directed to circulate and file all necessary notices in accordance with this resolution; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete Intersection Improvements on CR 97, Nicolls Road, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the proceeds of \$1,150,000 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-5512.312	50	Intersection Improvements on CR 97, Nicolls Road	\$1,150,000

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1509

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 97, NICOLLS ROAD, TOWN OF BROOKHAVEN (CP 5512)		
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 2012		
10. Typed Name & Title of Preparer DEBRA A. KOLYER CHIEF FINANCIAL ANALYST	11. Signature of Preparer	12. Date

COUNTY OF SUFFOLK 1509



RECEIVED

APR 18 2012

OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E. Commissioner

DATE: March 23, 2012

RE: **Appropriating Funds in Connection with the Intersection Improvements on CR 97, Nicolls Road from the Vicinity of Hammond Road to the Vicinity of Pond Path, Town of Brookhaven (CP 5512)**

Attached is a draft resolution and duplicate copy to appropriate the sum of \$1,150,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2012 Capital Budget and Program for this project.

This funding will provide for the reconstruction of intersections along CR 97, Nicolls Road. These improvements will improve capacity and safety at these intersections and will include drainage improvements, sidewalk repair and installation (where necessary), and optimizing traffic signal operations within the corridor.

The Suffolk County Council on Environmental Quality has reviewed this project and has classified the proposed project as an Unlisted Action under provisions of Title 6 NYCRR Part 617 & Chapter 450 of the Suffolk County Code, determining that the actions will not have a significant adverse impact on the environment.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5512(CR97 Int).doc".

GA/WH/td
attach.

- cc: Regina M. Calcaterra, Chief Deputy County Executive
- Ben Zwirn, Director of Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Nick Paglia, Assistant Executive Analyst
- William Hillman, P.E., Chief Engineer
- Laura Conway, CPA, Chief Accountant
- Kathy LaGuardia, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**RESOLUTION NO. - 2012, APPROPRIATING FUNDS
IN CONNECTION WITH RIVERHEAD COUNTY CENTER
POWER PLANT UPGRADE (CAPITAL PROGRAM NUMBER
1715)**

WHEREAS, the Commissioner of Public Works has requested funds for Upgrades to the Riverhead Power Plant; and

WHEREAS, there are sufficient funds within the 2012 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 \$1,000,000 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. 497-2001 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 seventy (70) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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 \$1,000,000 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- 1715.116	20	Planning for Riverhead County Center Power Plant Upgrade	\$200,000
525-CAP- 1715.316	20	Construction for Riverhead County Center Power Plant Upgrade	\$800,000

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

**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		
APPROPRIATING FUNDS IN CONNECTION WITH RIVERHEAD COUNTY CENTER POWER PLANT UPGRADE (CAPITAL PROGRAM NUMBER 1715)		
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 the appropriate category)		
County <u> XX </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		
8. Proposed Source of Funding		
Serial Bonds		
9. Timing of Impact		
2012		
10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date

COUNTY OF SUFFOLK



1510

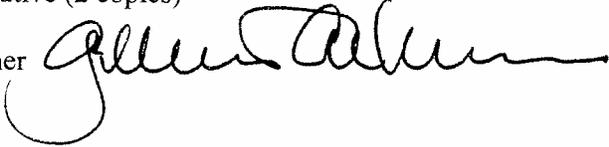
STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive (2 copies)
FROM: Gilbert Anderson, P. E. Commissioner 
DATE: April 2, 2012
RE: CP 1715 – Riverhead County Center Power Plant Upgrade

Attached for your review is a draft resolution appropriating the sum of \$1,000,000.00 (\$200,000.00 Planning and \$800,000.00 Construction). The funds will be used to augment existing funds for the underground utility tunnel repair, to continue the decommissioning of the three existing high temperature hot water boilers, and to install new high efficiency condensing type boilers at the Riverhead County Center. This is being done in conjunction with Capital Program No. 1664 funds, to ultimately save over an estimated \$1,000,000.00 per year in operating costs.

This action is considered a Type II Action under SEQRA in accordance with Resolution 497-2001.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1715-Resolution Riv PP Upgrade.doc.

GA/MJM/dk
attachments

cc: Regina M. Calcaterra, Chief Deputy County Executive
Michael J. Monaghan, P.E., Chief Engineer, Facilities Engineering
James J. Ingenito, R.A., Acting Division Head, Buildings Design & Construction
Kathy LaGuardia, Acting Director, DPW Administrative Services
CE RESO Review (e-mail)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**RESOLUTION NO. - 2012, APPROPRIATING FUNDS
IN CONNECTION WITH ENERGY CONSERVATION AT
VARIOUS COUNTY FACILITIES (CAPITAL PROGRAM
NUMBER 1664)**

WHEREAS, the Commissioner of Public Works has requested funds for energy conservation at various county facilities; and

WHEREAS, there are sufficient funds within the 2012 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 \$3,267,766 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, pursuant to the State Environmental Quality Review Act (SEQRA), Environmental Conservation Law Article 8, Resolution No. 506-1995 classified the action contemplated by this as Type II Action; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of 70 (Seventy) 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 \$3,267,766 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1664.117	20	Planning for Energy Conservation at Various County Facilities	\$300,000
525-CAP-1664.319	20	Construction for Energy Conservation at Various County Facilities	\$2,967,766

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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

511

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation		
APPROPRIATING FUNDS IN CONNECTION WITH ENERGY CONSERVATION AT VARIOUS COUNTY FACILITIES (CAPITAL PROGRAM NUMBER 1664)		
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 the 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 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		
8. Proposed Source of Funding		
Serial Bonds		
9. Timing of Impact		
2012		
10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date

2012 Tier 1-a Energy Efficiency Projects

Projects - Phase 1-a	Installed Costs (\$)	Annual Energy Savings (\$)	Annual Maintenance Savings (\$)	Total Annual Savings (\$)	Simple Payback (Years)	Life-cycle Cost Savings (\$)	Life of Equipment (\$)	Savings to Investment Ratio (SIR) without rebate	Return on Investment (ROI)
DRPV Building C-010 Boiler	\$ 240,000	\$ 37,518	\$ 10,000	\$ 47,518	5.05	\$ 318,177	25	3.45	25%
Chatham Center Office	\$ 471,150	\$ 116,505	\$ 25,000	\$ 141,505	3.34	\$ 318,177	20	3.17	25%
Medical Center Office	\$ 404,500	\$ 88,000	\$ 25,000	\$ 113,000	3.57	\$ 208,547	25	2.76	16%
Department of Labor C-015 Boiler Connection	\$ 138,000	\$ 12,505	\$ 3,000	\$ 15,505	7.88	\$ 159,887	25	2.21	13%
Utility Energy Efficiency and Building Software	\$ 60,000	\$ -	\$ -	\$ -	-	\$ -	-	-	-
Statewide Energy Efficiency Upgrade	\$ 180,000	\$ 27,037	\$ 2,500	\$ 29,537	6.09	\$ 159,817	10	1.42	11%
Old Road Station - Annual Court Blogs	\$ 20,000	\$ -	\$ -	\$ -	-	\$ -	-	-	-
Renewed Jail	\$ -	\$ -	\$ -	\$ -	-	\$ -	-	-	-
Metrol Gas Service (Essential)	\$ 20,000	\$ -	\$ -	\$ -	-	\$ -	-	-	-
Sarahita Boiler Installation	\$ 1,500,000	\$ 411,450	\$ 18,000	\$ 429,450	3.48	\$ 3,085,451	20	3.05	21%
Chatham County Building	\$ 800,000	\$ 184,140	\$ 18,000	\$ 202,140	3.92	\$ 1,705,891	20	2.98	18%
Power Plant - 2007 Boiler (Essential)	\$ 150,000	\$ 10,250	\$ 15,000	\$ 25,250	5.93	\$ 280,483	25	2.34	11%
Install Building Management System (BMS)	\$ 1,200,000	\$ 328,700	\$ -	\$ 328,700	3.67	\$ 1,595,817	10	2.32	21%
Chatham County Building	\$ 750,000	\$ 120,000	\$ -	\$ 120,000	6.25	\$ 759,824	10	1.36	16%
Total	\$ 5,713,650	\$ 1,025,816	\$ 391,296	\$ 1,421,112	4.02	\$ 14,642,073	19	3.56	25%

2012 Energy Efficiency Projects Funding

Capital Project	Existing	Funding Effective 2-22-12	Available	Cash Balance
1664	\$ 1,783,340	\$ 2,967,000	\$ 5,500,000	\$ 475,000
1737	\$ 353,000	\$ 600,000	\$ 1,000,000	\$ (6,250)
3074	\$ 1,400,000	\$ 1,500,000	\$ 1,000,000	\$ 1,100,000
Totals	\$ 3,536,340	\$ 5,067,000	\$ 7,500,000	\$ 1,568,800
Net Phase 1-a				\$ 1,785,350

2012 Tier 1-b Energy Efficiency Projects

Projects - Phase 1-b	Installed Costs (\$)	Annual Energy Savings (\$)	Annual Maintenance Savings (\$)	Total Annual Savings (\$)	Simple Payback (Years)	Life-cycle Cost Savings (\$)	Life of Equipment (\$)	Savings to Investment Ratio (SIR) without rebate	Return on Investment (ROI)
Solar Electric PV Systems (Side-by-Side demonstration of Mextek and LIPA profiles)	\$ 2,000,000	\$ 32,704	\$ -	\$ 32,704	61.15	\$ (1,513,447)	20	0.24	1.64%
Chiller Optimization	\$ 775,729	\$ 164,228	\$ 1,000	\$ 165,228	4.69	\$ 1,682,446	20	3.17	21.30%
Riverside Center Power Plant	\$ 365,000	\$ 56,682	\$ 800	\$ 57,482	6.35	\$ 490,187	20	2.34	15.75%
HL Derrison (Upgrade or replace)	\$ 777,549	\$ 113,655	\$ 1,000	\$ 114,655	6.73	\$ 934,228	20	2.21	14.85%
Boiler Replacements	\$ 150,000	\$ 39,447	\$ 2,500	\$ 41,947	3.58	\$ 580,429	25	4.87	28%
Total	\$ 4,062,278	\$ 406,716	\$ 5,500	\$ 412,016	9.86	\$ 4,116,027	21.43	2.86	10%

2012 Tier 1-c Essential Projects

Projects - Phase 1-c	Installed Costs (\$)	Annual Energy Savings (\$)	Annual Maintenance Savings (\$)	Total Annual Savings (\$)	Simple Payback (Years)	Life-cycle Cost Savings (\$)	Life of Equipment (\$)	Savings to Investment Ratio (SIR) without rebate	Return on Investment (ROI)
Riverside County Center Relief & Critical Projects Maximum security jail (near planning) Carter Plant Works Utilities Tunnel Upgrade Switchgear Upgrade Total	\$ 1,020,000 \$ 1,000,000 \$ 500,000 \$ 3,320,000	\$ - \$ - \$ - \$ -	\$ - \$ - \$ - \$ -	\$ - \$ - \$ - \$ -	(1) (1) (1) (1)	\$ - \$ - \$ - \$ -	50 20 20	- - -	- - -

Countywide BMS Systems Monitoring

Half Year Salary	Full Year Salary	Prof. Cost	Annual Savings	Simple Payback	ROI
Salary	Salary & Benefits	Salary	Salary & Benefits	(1)	(5) = (3)/(4)
\$ 31,635	\$ 41,996	\$ 62,592	\$ 95,519	(2)	(6) = (6) * 12
\$ 46,356	\$ 57,823	\$ 91,637	\$ 132,546	(3)	(7) = 1/(6)
\$ 50,427	\$ 62,204	\$ 99,728	\$ 142,853	(4)	(8) = #REF!

151

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

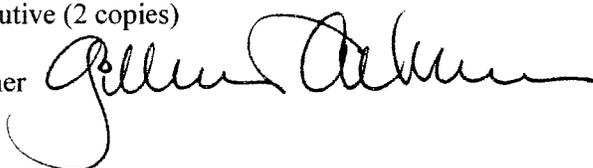
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive (2 copies)

FROM: Gilbert Anderson, P. E. Commissioner 

DATE: April 2, 2012

RE: CP 1664 – Energy Conservation at Various County Facilities

Attached for your review is a draft resolution appropriating the sum of \$300,000.00 Planning and \$2,967,766.00 Construction, for a total of \$3,267,766.00. These funds will be used to continue with our aggressive energy conservation program. I have attached a listing of current proposed projects for your reference. While this list is not exhaustive, it does provide a general overview of proposed expenditures. Please note that the work of this project complements that of equipment replacement work within Capital Program No. 1715 – Riverhead County Center Power Plant Upgrade.

We have worked extensively with the Office of Legislative Budget Review to enable these projects to be conducted this calendar year to exploit the maximum operating savings up front. These much needed improvements to our mechanical and electrical infrastructure will save an estimated \$1,000,000 per year in operating costs.

This action is considered a Type II Action under SEQRA in accordance with Resolution No. 506-1995.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1664 Energy Cons.doc.

GA/MJM/dk
attachments

cc: Regina M. Calcaterra, Chief Deputy County Executive
Michael J. Monaghan, P.E., Chief Engineer
James J. Ingenito, R.A., Acting Division Head, BDC
Kathy LaGuardia, Executive Assistant for Finance & Administration
CE RESO Review (e-mail)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**RESOLUTION NO. - 2012, APPROPRIATING FUNDS
IN CONNECTION WITH THE ELEVATOR CONTROLS &
SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES
(CAPITAL PROGRAM NUMBER 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 2012 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 \$225,000 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-four (54) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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 (K) of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of \$225,000 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-1760.317	20	Elevator Controls & Safety Upgrading at Various County Facilities	\$225,000

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1512

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		
APPROPRIATING FUNDS IN CONNECTION WITH ELEVATOR CONTROLS AND SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES (CAPITAL PROGRAM NUMBER 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 the appropriate category)		
County <u> XX </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		
8. Proposed Source of Funding		
Serial Bonds		
9. Timing of Impact		
2012		
10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date

COUNTY OF SUFFOLK



1512

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive (2 copies)

FROM: Gilbert Anderson, P. E. Commissioner 

DATE: April 3, 2012

RE: **CP 1760 – Elevator Controls and Safety Upgrading at Various County Facilities**

Attached for your review is a draft resolution appropriating the sum of \$225,000.00 Construction funds for elevator and elevator system upgrades including but not necessarily limited to the Westinghouse elevators at the Criminal Courts Building (C0338) and the Old Judge's Car at the H. Lee Dennison Building (C0140).

This action is considered a Type II Action under SEQRA in accordance with Resolution 996-1997.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP1760-Elevator Safety.doc.

GA/MJM/dk
attachments

cc: Regina M. Calcaterra, Chief Deputy County Executive
Michael J. Monaghan, P.E., Chief Engineer, Facilities Engineering
James J. Ingenito, R.A., Acting Division Head, Buildings Design & Construction
Kathy LaGuardia, Acting Director, DPW Administrative Services
CE RESO Review (e-mail)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Intro. Res. No 1513-12 - 2012
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 5/8/12

**RESOLUTION NO. - 2012, APPROPRIATING FUNDS
IN CONNECTION WITH REPLACEMENT/CLEANUP OF FOSSIL
FUEL, TOXIC AND HAZARDOUS MATERIAL STORAGE
TANKS (CAPITAL PROGRAM NUMBER 1706)**

WHEREAS, the Commissioner of Public Works has requested funds for the Replacement/Cleanup of Fossil Fuel, Toxic and Hazardous Material Storage Tanks; and

WHEREAS, there are sufficient funds within the 2012 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**, that as the upgrading and replacement of tanks are mandated by Article 12 of the Suffolk County Sanitary Code and Title 40 of the Code of Federal Regulations that the Legislature being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby determines that this action constitutes a Type II action pursuant to Volume 6 of the 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-eight (68) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (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-1706.331	20	Replacement/Cleanup of Fossil Fuel, Toxic and Hazardous Material Storage Tanks	\$200,000

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1513

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation		
APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT/CLEAN UP OF FOSSIL FUEL, TOXIC & HAZARDOUS MATERIAL STORAGE TANKS (CAPITAL PROGRAM NUMBER 1706)		
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 the 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.		
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		
8. Proposed Source of Funding		
Serial Bonds		
9. Timing of Impact		
2012		
10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date

COUNTY OF SUFFOLK



1513

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

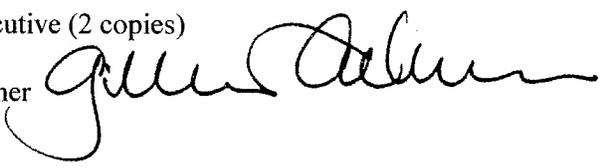
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive (2 copies)

FROM: Gilbert Anderson, P. E. Commissioner 

DATE: April 2, 2012

RE: **CP 1706 – Replacement/Clean-up of Fossil Fuel, Toxic and Hazardous Material Storage Tanks**

Attached for your review is a draft resolution appropriating the sum of \$200,000 in Construction funds to our program to bring all of our storage tanks and facilities in compliance with Article 12 of the Suffolk County Health Code. With a few exceptions, which will be addressed as part of larger building renovation projects, we have completed the original program as outlined by the Suffolk County Tank Committee. Nevertheless, we continue to have various Departments identify tanks that were not included on the original list, and need to be upgraded or replaced.

As the upgrading and replacement of tanks are mandated by Article 12 of the Suffolk County Sanitary Code and Title 40 of the Code of Federal Regulations, the Legislature has determined that under the State Environmental Quality Review Act (SEQRA), Environmental Conservation Law Article 8, that this action constitutes a Type II action pursuant to Volume 6 of the New York Code of Rules and Regulations (NYCRR).

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1706-Tank Removal.doc.

GA/MJM/dk
attachments

cc: Regina M. Calcaterra, Chief Deputy County Executive
Michael J. Monaghan, P.E., Chief Engineer, Facilities Engineering
James J. Ingenito, R.A., Acting Division Head, Buildings Design & Construction
Kathy LaGuardia, Acting Director, DPW Administrative Services
CE RESO Review (e-mail)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**RESOLUTION NO. - 2012, APPROPRIATING FUNDS
IN CONNECTION WITH CIVIL COURT RENOVATIONS &
ADDITION - COURTROOMS, RIVERHEAD (CAPITAL
PROGRAM NUMBER 1130)**

WHEREAS, the Commissioner of Public Works has requested funds for the Civil Court Renovations and Addition at the Griffing Avenue Courts in Riverhead; and

WHEREAS, there are sufficient funds within the 2012 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 \$1,100,000 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 constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (2) 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; 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 55 (fifty-five) 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 \$1,100,000 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-1130.311	20	Construction of Civil Court Renovations and Addition, Riverhead	\$1,100,000

Date:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

COUNTY OF SUFFOLK



1514

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive (2 copies)
FROM: Gilbert Anderson, P. E. Commissioner 
DATE: March 26, 2012
RE: CP 1130 – Civil Court Renovations and Addition – Courtrooms, Riverhead

Attached for your review is a draft resolution appropriating the sum of \$1,100,000.00 in Construction funding. The funding will be used to continue interior and exterior restoration of the older courts buildings on Griffing Avenue in Riverhead. In particular, we will continue with the exterior structural repairs which began in 2011 and may include but not necessarily be limited to the first and second floor of the Old Supreme Court (C0002). Please note that this project facilitates several other Courts' projects to relocate and redistribute operations and personnel.

This action is considered a Type II Action under SEQRA in accordance with NYCRR, Part 617.5(c) (1) and (2) 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.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1130 Civil Ct Renov.doc.

GA/JJI/dk
attachments

cc: Regina M. Calcaterra, Chief Deputy County Executive
Michael J. Monaghan, P.E., Chief Engineer
James J. Ingenito, R.A., Acting Division Head, BDC
Kathy LaGuardia, Executive Assistant for Finance & Administration
CE RESO Review (e-mail)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1515

Intro. Res. No. -2012

Laid on Table

5/8/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2012, APPROPRIATING FUNDS IN CONNECTION WITH FIBER CABLING NETWORK AND WAN TECHNOLOGY UPGRADES (CP 1726)

WHEREAS, the Commissioner of Information Technology has requested funds in connection with Fiber Cabling Network and WAN Technology Upgrades; and

WHEREAS, there are sufficient funds within the 2012 Capital Budget and Program to cover the cost of said request; 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) (25) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of computer applications and hardware, other than land, radioactive material, pesticides, herbicides or other hazardous materials 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-two (62), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of the \$100,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1726.514 (Fund 016 Debt Service)	17	Fiber Cabling and WAN Technology Upgrades	\$100,000

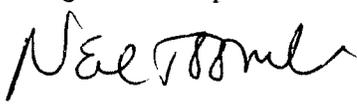
DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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 – APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION OF FIBER CABLING NETWORK and WAN TECHNOLOGY UPGRADE (CP1726)		
3. Purpose of Proposed Legislation : Appropriation of funds for Fiber Cabling Network and WAN technology		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> County </div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Reduces available dollars from Capital Project 1726 by \$100,000.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding: Serial Bonds		
9. Timing of Impact - 2013		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer 	12. Date: 5/1/12

Suffolk County
 General Obligation Serial Bonds
 Level Debt

1515

Term of Bonds: 5
 Amount to Bond: \$100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2012					
11/1/2013	2.000%	\$18,910.92	\$2,800.00	\$21,710.92	\$21,710.92
			\$1,135.25	\$1,135.25	
11/1/2014	3.000%	\$19,440.42	\$1,135.25	\$20,575.67	\$21,710.92
			\$863.08	\$863.08	
11/1/2015	3.000%	\$19,984.76	\$863.08	\$20,847.84	\$21,710.92
			\$583.29	\$583.29	
11/1/2016	3.000%	\$20,544.33	\$583.29	\$21,127.62	\$21,710.92
			\$295.67	\$295.67	
11/1/2017	3.000%	\$21,119.57	\$295.67	\$21,415.24	\$21,710.92
11/1/2018		\$100,000.00	\$8,554.59	\$108,554.59	\$108,554.59
11/1/2019					
11/1/2020					
11/1/2021					
11/1/2022					
11/1/2023					
11/1/2024					
11/1/2025					
11/1/2026					
11/1/2027					
11/1/2028					
11/1/2029					
11/1/2030					

**FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1515

GENERAL FUND

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$21,711	\$0.04		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$21,711	\$0.04		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Spend Plan For:

Capital Project 1726.5xx

1515

2012

Amount-Description

\$8,091	(8) 2960 8-port Cisco switches to replace hubs
\$42,050	(5) 3750's for tech refresh
\$6,955	DWDM SFP for Yaphank to riverhead
\$6,955	DWDM SFP for Haup to Riverhead
\$6,955	DWDM SFP for Haup to Yaphank
\$6,955	DWDM SFP for Dennison to Riverhead
\$15,588	Long Haul single mode SFP's for assorted campus work in Yaphank
<hr/>	
\$93,549	Total Expenses we need in the first half of 2012

NOTES:



One Penn Plaza, Suite 1614, New York, NY 10119
 110 Parkway Drive South, Suite A, Hauppauge, NY 11788
 111 Wood Avenue South, 1st Floor, Iselin, NJ 08830

BlueWater Support Services Hotline:
 866-971-9700 - 24x7
 supportservices@blueh2ogroup.com

ADVANCED TECHNOLOGY EXPERTS

QUOTATION

Sales contacts:

Vincent Trama, Account Manager
 vincent.trama@blueh2ogroup.com
 Direct # 212-324-4322

Jodi Masciopinto, Inside Account Manager
 jodi.masciopinto@blueh2ogroup.com
 Direct # 631-656-7611
 Fax # 631.382.8323

January 12, 2012

Suffolk County

Cisco Contract # PT64525

Quote: SUFF1121229060G8.xls

Part #	Description	Qty	List Price	Unit Price	Extended Price
WS-C2960G-8TC-L	Catalyst 2960 7 10/100/1000 + 1 T/SFP LAN Base	10	\$ 1,395.00	\$ 809.10	\$ 8,091.00
CAB-AC-RA	Power Cord,110V, Right Angle	10	\$ -	\$ -	\$ -

- Ask about our BLUE remote management offering.
- Interested in leasing? Please contact your Account Team for more details.
- Professional services pricing is estimated only.
- Project pricing is based on the terms of the Statement of Work (SOW) provided.

Product	\$ 8,091.00
Maintenance Support	\$ -
Professional Services	\$ -
Total*	\$ 8,091.00

1. By signing this quotation you are agreeing to BlueWater's terms & conditions.
2. For any T&M services, the amount of hours invoiced is actual hours worked. Hours quoted are estimated only.
3. This price quote is valid for thirty (30) days from date of issuance.

*Total does NOT include Tax, Freight, VAT or Duties, where applicable, unless otherwise stated.

Authorized by



One Penn Plaza, Suite 1614, New York, NY 10119
 110 Parkway Drive South, Suite A, Hauppauge, NY 11788
 111 Wood Avenue South, 1st Floor, Iselin, NJ 08830

BlueWater Support Services Hotline:
 866-971-9200 - 24x7
 supportservices@blueh2ogroup.com

ADVANCED TECHNOLOGY EXPERTS

QUOTATION

Sales contacts:

Vincent Trama, Account Manager
 vincent.trama@BlueH2Ogroup.com
 Direct # 212-324-4322

Jodi Masciopinto, Inside Account Manager
 jodi.masciopinto@blueh2ogroup.com
 Direct # 631-656-7611
 Fax # 631.382.8323

January 12, 2012

Suffolk County

Cisco Contract # PT64525

Quote: SUFF112123750X48IPBSAE.xls

Part #	Description	Qty	List Price	Unit Price	Extended Price
WS-C3750X-48P-S	Catalyst 3750X 48 Port PoE IP Base	5	\$ 13,000.00	\$ 7,540.00	\$ 37,700.00
S375XVK9T-122585E	CAT 3750X IOS UNIVERSAL WITH WEB BASE DEV MGR	5	\$ -	\$ -	\$ -
C3KX-NM-1G	Catalyst 3K-X 1G Network Module option PID	5	\$ 500.00	\$ 290.00	\$ 1,450.00
CAB-STACK-50CM	Cisco StackWise 50CM Stacking Cable	5	\$ -	\$ -	\$ -
CAB-SPWR-30CM	Catalyst 3750X Stack Power Cable 30 CM	5	\$ -	\$ -	\$ -
CAB-3KX-AC	AC Power Cord for Catalyst 3K-X (North America)	5	\$ -	\$ -	\$ -
C3KX-PWR-715WAC	Catalyst 3K-X 715W AC Power Supply	5	\$ -	\$ -	\$ -
GLC-SX-MM	GE SFP, LC connector SX transceiver	10	\$ 500.00	\$ 290.00	\$ 2,900.00

- Ask about our BLUE remote management offering.
- Interested in leasing? Please contact your Account Team for more details.
- Professional services pricing is estimated only.
- Project pricing is based on the terms of the Statement of Work (SOW) provided.

Product	\$ 42,050.00
Maintenance Support	\$ -
Professional Services	\$ -
Total*	\$ 42,050.00

1. By signing this quotation you are agreeing to BlueWater's terms & conditions.
2. For any T&M services, the amount of hours invoiced is actual hours worked. Hours quoted are estimated only.
3. This price quote is valid for thirty (30) days from date of issuance.

*Total does NOT include Tax, Freight, VAT or Duties, where applicable, unless otherwise stated.

Authorized by



1575

One Penn Plaza, Suite 1614, New York, NY 10119
 110 Parkway Drive South, Suite A, Hauppauge, NY 11788
 111 Wood Avenue South, 1st Floor, Iselin, NJ 08830

BlueWater Support Services Hotline:
 866-971-9200 - 24x7
 supportservices@blueh2ogroup.com

ADVANCED TECHNOLOGY EXPERTS

QUOTATION

Sales contacts:

January 11, 2012

Vincent Trama, Account Manager
 vincent.trama@BlueH2Ogroup.com
 Direct # 212-324-4322

Suffolk County

Jodi Masciopinto, Inside Account Manager
 jodi.masciopinto@blueh2ogroup.com
 Direct # 631-556-7611
 Fax # 631.382.8323

Cisco Contract # PT64525

Quote: SUFF11112DWDMSFP.xls

Part #	Description	Qty	List Price	Unit Price	Extended Price
DWDM-SFP-3977=	DWDM SFP 1539.77 nm SFP (100 GHz ITU grid)	2	\$ 5,995.00	\$ 3,477.10	\$ 6,954.20

- Ask about our BLUE remote management offering.
- Interested in leasing? Please contact your Account Team for more details.
- Professional services pricing is estimated only.
- Project pricing is based on the terms of the Statement of Work (SOW) provided.

Product	\$ 6,954.20
Maintenance Support	\$ -
Professional Services	\$ -
Total*	\$ 6,954.20

1. By signing this quotation you are agreeing to BlueWater's terms & conditions.
2. For any T&M services, the amount of hours invoiced is actual hours worked. Hours quoted are estimated only.
3. This price quote is valid for thirty (30) days from date of issuance.

*Total does NOT include Tax, Freight, VAT or Duties, where applicable, unless otherwise stated.

Authorized by _____



One Penn Plaza, Suite 1614, New York, NY 10119
110 Parkway Drive South, Suite A, Hauppauge, NY 11788
111 Wood Avenue South, 1st Floor, Iselin, NJ 08830

BlueWater Support Services Hotline:
866-971-9200 - 24X7
supportservices@blueh2ogroup.com

ADVANCED TECHNOLOGY EXPERTS

QUOTATION

Sales contacts:

Vincent Trama, Account Manager
vincent.trama@BlueH2Ogroup.com
Direct # 212-324-4322

Jodi Masciopinto, Inside Account Manager
jodi.masciopinto@blueH2Ogroup.com
Direct # 631-656-7611
Fax # 631.382.8323

January 12, 2012

Suffolk County

Cisco Contract # PT64525

Quote: SUFF11212GLCLHSMHWIX1GE.xls

Part #	Description	Qty	List Price	Unit Price	Extended Price
GLC-LH-SM=	GE SFP, LC connector LX/LH transceiver	25	\$ 995.00	\$ 577.10	\$ 14,427.50
HWIC-1GE-SFP=	GigE high speed WIC with one SFP slot	1	\$ 2,000.00	\$ 1,160.00	\$ 1,160.00

- Ask about our BLUE remote management offering.
- Interested in leasing? Please contact your Account Team for more details.
- Professional services pricing is estimated only.
- Project pricing is based on the terms of the Statement of Work (SOW) provided.

Product	\$ 15,587.50
Maintenance Support	\$
Professional Services	\$
Total*	\$ 15,587.50

1. By signing this quotation you are agreeing to BlueWater's terms & conditions.
2. For any T&M services, the amount of hours invoiced is actual hours worked. Hours quoted are estimated only.
3. This price quote is valid for thirty (30) days from date of issuance.

*Total does NOT include Tax, Freight, VAT or Duties, where applicable, unless otherwise stated.

Authorized by

COUNTY OF SUFFOLK



1515

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF INFORMATION TECHNOLOGY
NORTH COUNTY COMPLEX BLDG. 50
P.O. Box 6100
HAUPPAUGE, NY 11788-0099
FAX (631) 853-4979

GARY QUINN
Commissioner
(631) 853-6363

DOUGLAS A. MILLER
DIRECTOR OF MANAGEMENT INFORMATION
(631) 853-4758

TO: Jon Schneider, Deputy County Executive

FROM: Gary Quinn, Commissioner of Information Technology 

DATE: January 17, 2012

SUBJECT: Capital Project # 1726 – FIBER CABLING NETWORK and WAN
TECHNOLOGY UPGRADE

We are forwarding a draft resolution requesting appropriation of \$ 100,000 for the year 2012. The resolution amount represents the monies that will be provided by CP-1726 for Capital Project # 1726. An email version of the resolution was sent to CE RESO saved under the title "Reso-ITS-CP-1726."

Program Description: The current County WAN infrastructure is nearing the end of its useful life. There are significant numbers of county switches and routers that are already at the end of their useful life and over the course of the next three years; all of the equipment will be either be at the end of its lease or at the end of its useful life. A phased approach to equipment replacement and refresh is required in order to ensure the integrity of the County's WAN network. WAN equipment will be replaced with current technology and equipment that will provide the County with the ability to have a managed approach to growth and improve existing county services. The majority of the equipment is located in the Hauppauge, Riverhead and Yaphank datacenters. However; all the equipment in every county site will need to be replaced in the next three years.

Operating Budget Impact: This program will have a positive operating budget impact as it will proactively upgrade the county WAN allowing us to add sites/users in managed approach rather than an ad-hoc fashion.

GQ/ dmc

Attachments: Draft Resolution
Statement of Financial Impact
Request for Introduction of Suffolk Legislation

cc: Ben Zwirn
Neil Toomb

1516

Intro. Res. No. -2012

Laid on Table

5/8/12

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2012 AMENDING THE ADOPTED 2012 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER REMEDIATION TO WATCHOGUE CREEK (CP 8240)

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 funds; and

WHEREAS, the Suffolk County Department of Planning has requested funding for a project that will remediate stormwater runoff into the Great Cove portion of the Great South Bay as recommended in the South Shore Estuary Reserve (SSER) Management Plan in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, this project will divert stormwater flow from Watchogue Creek to a retention and filtering system to remove pollutants contained in runoff; and

WHEREAS, the Town of Islip has committed by Town Resolution 18, adopted at the Town Board meeting on October 4, 2011, to accept the grant from the County of Suffolk for a stormwater remediation project and to enter into an inter-municipal agreement with the County of Suffolk for this project; and

WHEREAS, the Town of Islip will commit by Town Resolution 18 to provide matching project funds to be no less that either \$125,000 or one half the cost of the project, whichever is less; and

WHEREAS, funding is requested for this project through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2012 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 2012 Capital Budget and Program; now, therefore be it

1st RESOLVED, that the Town of Islip, having conducted a coordinated review and being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines in Town Resolution 18

that this proposed action will not have a significant adverse impact on the environment and constitutes an unlisted action for which a Negative Declaration was issued, in accordance with the provisions of 6 NYCRR §617.7. Therefore the SEQRA review is complete and no further action needs to be taken by Suffolk County; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-one (61) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

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 2012 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	\$125,000

and be it further

5th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT (Ref. 525 -CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$125,000

and be it further

6th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240
Project Title: Stormwater Remediation to Watchogue Creek

	<u>Total Est. Cost</u>	<u>Current 2012 Capital Budget & Program</u>	<u>Revised 2012 Capital Budget & Program</u>
1. Planning	\$ 15,000	\$0	\$ 15,000W
3. Construction	<u>\$110,000</u>	<u>\$0</u>	<u>\$110,000W</u>
TOTAL	\$125,000	\$0	\$125,000

and be it further

7th RESOLVED, that the interfund revenues in the amount of \$125,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.110	50	Stormwater Remediation to Watchogue Creek-Planning	\$15,000
525-CAP-8240.328	50	Stormwater Remediation to Watchogue Creek-Construction	\$110,000

and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project; and be it further

9th RESOLVED, that the County Executive is hereby authorized to execute an intermunicipal agreement with the Town of Islip under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW which shall include, but not be limited to, a provision authorizing the Town of Islip to conduct stormwater remediation to Watchogue Creek.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

(516)

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. -2012 AMENDING THE ADOPTED 2012 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER REMEDIATION TO WATCHOGUE CREEK (CP 8240)</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: inline-block; margin: 5px;"></div> <p>County</p>	<p>Town</p>	<p>Economic Impact</p>
<p>Village</p>	<p>School District</p>	<p>Other (Specify):</p>
<p>Library District</p>	<p>Fire District</p>	
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		February 17th, 2012

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

1516

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.

1516

TOWN OF ISLIP



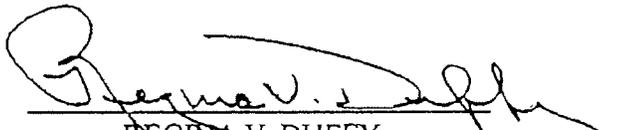
OFFICE OF THE TOWN CLERK

REGINA V. DUFFY
TOWN CLERK & REGISTRAR

STATE OF NEW YORK)
)SS:
COUNTY OF SUFFOLK)

I, Regina V. Duffy, Town Clerk of the Town of Islip, Suffolk County, New York
DO HEREBY CERTIFY, that I have compared the foregoing with the original preamble and
resolution adopted by the Town Board of the Town of Islip at a meeting of said Board held on
the 4th day of October 2011, and that the foregoing is a true transcript from said
original resolution and the whole thereof and that the resolution adopted by said Board is on
file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of
Islip this 26th day of October 2011.


REGINA V. DUFFY
ISLIP TOWN CLERK

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1516

October 4, 2011
Resolution #18

WHEREAS, on April 5, 2011 the Town Board adopted a resolution authorizing the Supervisor to apply for and accept grant funding through the Suffolk County Division of Water Quality Improvement's Water Quality Protection and Restoration Program and Land Stewardship Initiative for the Watchogue Creek Stormwater Mitigation Project; and

WHEREAS, this project as proposed in the application would entail re-routing the existing drainage structures on Smith Street and in the nearby parking fields to an existing natural biofiltration area in order to reduce non-point source pollution entering Watchogue Creek and the Great South Bay; and

WHEREAS, said application was subsequently made by the Supervisor; and

WHEREAS, The Town received notification on August 2, 2011 that the Water Quality Review Committee voted in favor of recommending \$125,000 in funding for this project; and

WHEREAS, the Department of Planning and Development has completed a Full Environmental Assessment Form (FEAF) for the Town Board's use and review, and

WHEREAS, a Lead Agency coordination letter has been circulated among the involved agencies along with the Full Environmental Assessment Form.

NOW, THEREFORE, on a motion by Councilman Edwards, seconded by Supervisor Nolan, be it

RESOLVED, that the Town Board hereby assumes Lead Agency status in connection with the State Environmental Quality Review of this project; and, be it further

RESOLVED, that the Town Board of the Town of Islip, as Lead Agency for the action contemplated herein, after due deliberation, and after review and analysis of Parts 2 and 3 of the EAF, and 6 NYCRR §617.7, hereby determines that the proposed action will not have a significant adverse impact on the environment and that an environmental impact statement (EIS) is not required; and accordingly, hereby adopts a Negative Declaration of Significance; and, be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an inter-municipal agreement with the County of Suffolk in order for the Town to serve as the funding conduit for grant funding awarded through the Suffolk County Division of Water Quality Improvement's Water Quality Protection and Restoration Program and Land Stewardship Initiative for the Watchogue Creek Stormwater Mitigation Project; and, be it further

RESOLVED, that the Town of Islip agrees to provide the required minimum of 30% matching funds, which can be in the form of "in-kind" services performed by the Town; and, be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries necessary to amend the budget in accordance with the terms of the grant.

Upon a vote being taken, the result was: **unanimously carried 5-0**

COUNTY OF SUFFOLK



1516

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SARAH LANSDALE, A.I.C.P.
DIRECTOR

DEPARTMENT OF PLANNING
DIVISION OF WATER QUALITY IMPROVEMENT

FRANK CASTELLI
DIVISION DIRECTOR

January 23, 2012

Mr. Jon Schneider
Deputy County Executive
H Lee Dennison Bldg. Fl. 12
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

Enclosed for your consideration and submission is the proposed resolution pursuant to:

AMENDING THE ADOPTED 2012 OPERATING BUDGET TO
TRANSFER FUNDS FROM FUND 477 WATER QUALITY
PROTECTION, AMENDING THE 2012 CAPITAL BUDGET AND
PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH
STORMWATER REMEDIATION TO WATCHOGUE CREEK

This resolution is being resubmitted in 2012 due to the fact that it was not laid on the table by the end of 2011.

There are sufficient funds included in the 2012 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its June 16, 2011 meeting, approved "Stormwater Remediation to Watchogue Creek", submitted by the Town of Islip, as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of \$125,000.

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,

Sarah Lansdale, A.I.C.P.
Director, Suffolk County Department of Planning

SL:gkr
Enc.

cc: Tom Vaughn, County Executive Assistant
Ben Zwirn, Intergovernmental Relations
Eric Kopp, Legislative Liaison

Intro. Reso. No. 1517-12
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 5/8/12

**RESOLUTION NO. -2012, APPROPRIATING FUNDS
IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY
VEHICLES FOR THE POLICE DEPARTMENT (C. P. 3135)**

WHEREAS, the Acting Police Commissioner has requested funds for the purchase of a replacement Emergency Services truck; and

WHEREAS, there are sufficient funds within the 2012 Capital Budget and Program to cover the cost of said vehicle under Capital Project No. 3135; and

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

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2012 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, Resolution No. 321-2003 requires that no vehicles shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted by the Suffolk County Legislature"; now, therefore, be it

1st RESOLVED, that it is determined that this program 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

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Env. Con. Law Art. 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5(c)(20)(25) and (27), in that the resolution concerns purchase 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 same; as a Type II action, the Legislature has no further responsibilities under SEQRA; 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>Proj. No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3135.526 (Fund 115-Debt Service)	28	Purchase of Heavy Duty Vehicle (Emergency Services Truck)	\$200,000

and be it further

4th RESOLVED, as per Resolution No. 321-2003, the purchase of this vehicle is a replacement vehicle and shall not increase the County fleet, and is hereby approved by this legislature.

DATED:

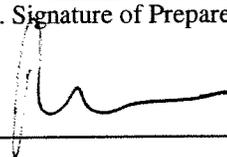
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1517

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2012, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY VEHICLES FOR THE POLICE DEPARTMENT (C. P. 3135)		
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		
2013		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Patricia Saunders Senior Research Analyst		5-1-12

SCIN FORM 175b (10/95)

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

1517

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, SEPTEMBER 2011.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

1517

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

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2012					
11/1/2013	2.000%	\$37,821.84	\$5,600.00	\$43,421.84	\$43,421.84
			\$2,270.49	\$2,270.49	
11/1/2014	3.000%	\$38,880.85	\$2,270.49	\$41,151.34	\$43,421.84
			\$1,726.16	\$1,726.16	
11/1/2015	3.000%	\$39,969.51	\$1,726.16	\$41,695.68	\$43,421.84
			\$1,166.59	\$1,166.59	
11/1/2016	3.000%	\$41,088.66	\$1,166.59	\$42,255.25	\$43,421.84
			\$591.35	\$591.35	
11/1/2017	3.000%	\$42,239.14	\$591.35	\$42,830.49	\$43,421.84
11/1/2018		\$200,000.00	\$17,109.19	\$217,109.19	\$217,109.19
11/1/2019					
11/1/2020					
11/1/2021					
11/1/2022					
11/1/2023					
11/1/2024					
11/1/2025					
11/1/2026					
11/1/2027					
11/1/2028					
11/1/2029					
11/1/2030					

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1517

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY VEHICLES FOR THE POLICE DEPARTMENT (C.P. 3135).		
3. Purpose of Proposed Legislation		
This resolution provides funds for the replacement of an Emergency Services truck for the Police Department for 2012.		
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): Serial Bonds
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.		
2012-2014---\$200,000 in Serial Bonds + Interest		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Marianne Scheschowitz, Budget Analyst Police Department---Budget Section		2/17/12

COUNTY OF SUFFOLK

1517

STEVEN BELLONE
COUNTY EXECUTIVE



EDWARD WEBBER
ACTING POLICE COMMISSIONER

POLICE DEPARTMENT
MEMORANDUM

**TO: Jon Schneider, Deputy County Executive
Suffolk County Executive's Office**

FROM: Edward Webber, Acting Police Commissioner *EW*

DATE: February 17, 2012

SUBJECT: INTRODUCTORY RESOLUTION REQUEST

Per the 2012 Adopted Capital Budget, the Police Department requests the introduction of a resolution to appropriate funds in connection with the replacement of a heavy duty vehicle (Emergency Services truck) under Capital Project No. 3135.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-CP3135-2012"; "Backup-POL-CP3135-SCIN 175A"; "Backup-POL-CP3135-SCIN 175B"; and "Backup-POL-CP3135-cover letter-2012.

If you have any questions, please contact Lieutenant Robert Scharf, Staff Services Bureau, at 852-6537 or Marianne Scheschowitz, Budget Analyst, at 852-6550.

/ms
Att.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
James Burke, Chief of Department
Mark White, Deputy Chief, Office of Homeland Security
Cornelius McKenna, Inspector, Office of Support Services
Kevin Burke, Lieutenant, C.O., Emergency Services Section
Robert Scharf, Lieutenant, C.O., Staff Services Bureau
John Kirshey, Fleet Service Manager, Transportation Section
Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau

ACCREDITED LAW ENFORCEMENT AGENCY

Visit Us Online at www.suffolkpd.org

Crime Stoppers Confidential Tip Hotline 1-800-220-TIPS

Non-Emergencies Requiring Police Response, Dial (631) 852-COPS

30 Yaphank Avenue, Yaphank, New York 11980 – (631) 852-6000



1578

Intro. Res. No. -2012

Laid on Table 5/18/2012

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2012, AMENDING THE 2012
ADOPTED OPERATING BUDGET AND THE 2012
CAPITAL BUDGET AND PROGRAM AND
ACCEPTING AND APPROPRIATING FUNDS IN
CONNECTION WITH THE SEWER DISTRICT NO. 21
SUNY – IMPROVEMENT PROJECT (CP 8121)**

WHEREAS, the Commissioner of Public Works has requested additional funds for the planning, design and supervision of Sewer District No. 21 – SUNY Improvement Project; and

WHEREAS, these funds are required for additional work involved with project alternatives; and

WHEREAS, there are insufficient funds within the 2012 Capital Budget and Program to cover the cost of said planning, design and supervision under Capital Project 8121; and

WHEREAS, there are available funds within the Fund 221 Unreserved Fund Balance to cover the cost of said Improvement Project; and

WHEREAS, the Commissioner of Public Works requests that a portion of these funds be transferred from 221-IFT-E527 and be allocated for the implementation of the improvements; and

WHEREAS, the NYS Department of Environmental Conservation has approved grant funding in the amount of \$12,070,000 from the Clean Water/Clean Air Bond Act for this 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 2012 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; 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)(20) and (21) in that the resolution concerns agency administration in connection with conducting environmental, engineering, economic, feasibility and other studies and planning and budgetary processes necessary to the formulation of a proposal which does not commit the agency to commence, engage in or approve such action; and be it further

2nd RESOLVED, that is hereby determined that this project, with a priority ranking of seventy-seven (77), 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 Adopted 2012 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 221 Unreserved Fund Balance as follows:

<u>From</u>	<u>To</u>	<u>Amount</u>
Public Works	Interfund Transfer	\$250,000
Fund 221-SD #21 SUNY	Transfer to Capital Sewer Fund	
Unreserved Fund Balance	527	
	221-IFT-E527-9600	

and be it further

4th RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept interfund revenues as follows:

Revenue:

<u>Fund /Agency/Source</u>	<u>Description</u>	<u>Activity</u>	<u>Amount</u>
527- IFT -R221	Transfer from Fund 221 –	D	\$250,000
(Ref. 527-CAP-IFTR- R221	Sewer District # 21 - SUNY		

and be it further

5th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8121
Project Title: Improvements to SCSD No. 21 –SUNY at Stony Brook

	Total Est'd. <u>Cost</u>	Current 2012 Capital Budget & <u>Program</u>	Revised 2012 Capital Budget & <u>Program</u>
1. Planning & Design	\$1,838,000	\$0	\$250,000 T
TOTAL	\$1,838,000	\$0	\$250,000

and be it further

6th RESOLVED, that the transferred funds in the amount of \$250,000 from Fund 221 be and are hereby appropriated as follows:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1518

1. Type of Legislation		
Resolution <u> X </u>	Local Law <u> </u>	Charter Law <u> </u>
2. Title of Proposed Legislation		
Amending the 2012 Adopted Operating Budget and the 2012 Capital Budget and Program and Accepting and Appropriating Funds in Connection with the Sewer District No. 21 – SUNY Improvement Project		
3. Purpose of Proposed Legislation		
To transfer funds to the capital project. Additional consultant assistance funds are needed.		
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		
NA		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
\$250,000 transferred from operating to capital project 8121.		
8. Proposed Source of Funding		
A transfer from the operating to capital project		
9. Timing of Impact		
2012-2014		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Ben Wright, P.E. Principal Civil Engineer		4/5/12

 5/1/12
Dan Kehn, Financial Analyst

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1518

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



1518

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gil Anderson, P.E., Commissioner 

SUBJECT: **A Draft Resolution Amending the 2012 Adopted Operating Budget and the 2012 Capital Budget and Program and Accepting and Appropriating Funds in connection with the Sewer District No. 21 – SUNY, Improvement Project - CP 8121**

DATE: April 5, 2012 (Revised from February 6, 2012)

Attached is a draft resolution and appropriate forms with backup for the transfer of funds for the SD 21 – SUNY Improvement Project filed as Reso DPW sd21 CP 8121 improvement project 4-5-12 and backup filed as Reso Backup DPW sd21 CP 8121 improvement project 4-5-12. The project had been included in the prior capital budget years, however, changes in scope due to regulations, the need to evaluate additional alternatives, and increased consultant assistance has led to the need for additional funds. The 2012 operating budget contains over \$1.8 million in the CP 8121 operating fund balance. This resolution is to request that \$250,000 be transferred into the capital project (CP 8121) that is specific for improvements to the sewer district.

We would request that this resolution be laid on the table as soon as possible.

GA:BW:ni
Encl.

cc: Regina Calcaterra, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Ben Zwirn, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Chief Deputy County Attorney
Kathy LaGuardia, Acting Director of DPW Administrative Services
Nick Paglia, Assistant Executive Analyst
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation
CE RESO REVIEW
ga-bw4-5-12 Reso Backup DPW sd21 CP 8121 improvement project memo to JSchneider (Revised from 2-6-12)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Intro Res. No. 1519-12

Laid on Table 5/8/12

Introduced by the Presiding Officer at Request of the County Executive

RESOLUTION NO. -2012, AUTHORIZING THE FILING OF A GRANT APPLICATION FOR FEDERAL FISCAL YEARS 2010 AND 2011 SECTION 5307 FORMULA FUNDS FOR MASS TRANSPORTATION PROJECTS FOR SUFFOLK COUNTY TRANSIT

WHEREAS, the Administrator of the Federal Transit Administration (FTA) has been delegated authority to award financial capital assistance for mass transportation projects; and

WHEREAS, in Federal Fiscal Year 2010 Suffolk County was allocated \$7,040,197 in capital assistance funds, and in Federal Fiscal Year 2011 was allocated \$7,051,092 in capital assistance funds, under Section 5307 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 projects costs and that the County will provide the remaining 10% local share of 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 Federal assistance on behalf of the County of Suffolk with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration; and be it further

3rd **RESOLVED**, that the County proposes to utilize allocated Federal Fiscal Years 2010 and 2011 funds to aid in the financing of capital mass transportation projects pursuant to Section 5307 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 of Replacement Dual Mode Transit Buses (including related equipment)	\$10,450,000
5658	Purchase Replacement Paratransit Vans (including related equipment)	\$780,000
5651	Purchase and Install Bus Passenger Shelters	\$400,000
5648	Acquire Electronic Fare Collection System	\$2,700,000
--	Contingencies	\$384,111
--	Project Administration	\$600,000
--	Preventive Maintenance	\$1,800,000
--	Complimentary Service ADA	\$500,000
	Total Estimated Cost of the Program of Projects	\$17,614,111
	Estimated Federal Share: 80%	\$14,091,289
	Estimated State Share: 10%	\$1,761,411
	Estimated County Share: 10%	\$1,761,411

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 assistance Program of Projects and Budget herein described.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1519

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2012, AUTHORIZING THE FILING OF A GRANT APPLICATION FOR FEDERAL FISCAL YEARS 2010 and 2011 SECTION 5307 FORMULA FUNDS FOR MASS TRANSPORTATION PROJECTS FOR SUFFOLK COUNTY TRANSIT		
3. Purpose of Proposed Legislation		
Permits the County to apply for a grant for federal funds for various mass transportation projects for Suffolk County Transit.		
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 the 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 5 is "yes", Provide Detailed Explanation of Impact.		
County will contribute 10% share of cost of the projects.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision		
\$1,761,411		
8. Proposed Source of Funding		
Federal: \$14,091,289; State: \$1,761,411; County: \$1,761,411		
9. Timing of Impact		
CFY 2012		
10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
Garry Lenberger, Acting Director Transportation Operations		4/13/12

Deh John
Principal Financial Analyst

5/1/12

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1519

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



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

1519
RECEIVED

APR 20 2012

EXECUTIVE
HALL PAUPE

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner
Department of Public Works 

DATE: April 13, 2012

RE: CP 5658–Public Transit Vehicles
Proposed resolution authorizing the filing of an application for Federal Fiscal Years 2010 and 2011 Section 5307 formula funds for various mass transportation projects for Suffolk County Transit

Suffolk County has been allocated \$7,040,197 in federal Section 5307 formula funds for mass transportation capital assistance in FFY 2010 and \$7,051,092 in 5307 funds for FFY 2011. The proposed resolution will permit the County to apply for a grant for these federal funds and matching NYS funds for various mass transportation projects, mainly to: purchase hybrid diesel-electric transit buses, paratransit vans for SCAT, bus shelters, and an electronic fare collection system for fixed route buses, as well as funds for preventive maintenance of SCT transit buses and paratransit vans and funds for the ADA complimentary service for Suffolk County Transit.

The total cost of all projects in the application translates to \$17,614,111 with the federal, state and county shares being 80%, 10% and 10%, respectively, of the total project costs.

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

This proposed resolution, with backup, will be forwarded electronically titled: "RESO-DPW-Applic for FFY 2010-2011 FTA Section 5307 Grant"

Please initiate the process to have this resolution introduced at the meeting of the Suffolk County Legislature on April 24, 2012. If you have any questions, please do not hesitate to contact Garry Lenberger, Acting Director of Transportation Operations, at 2-4880, or Chris Chatterton, Senior Transportation Planner at 2-4058.

GA:GL:cc
Enclosures

cc: Regina Calcaterra, 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, 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 at Request of the County Executive

RESOLUTION NO. -2012, AUTHORIZING THE FILING OF A GRANT APPLICATION FOR FEDERAL FISCAL YEAR 2012 SECTION 5309 BUS AND BUS FACILITIES PROGRAM FUNDS ON BEHALF OF THE TOWN OF SOUTHAMPTON

WHEREAS, the Town of Southampton desires to file a grant application under the FFY 2012 Federal Transit Administration (FTA) Section 5309 Bus and Bus Facilities Program; and

WHEREAS, eligible proposers and eventual grant applicants under this initiative are Direct Recipients under the Section 5307 Urbanized Area Formula program; and

WHEREAS, eligible subrecipients under this initiative include public agencies, private non-profit organization, and private providers engaged in public transportation; 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 County desires to file an application for grant funds on behalf of the Town of Southampton; 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 FFY 2012 FTA Section 5309 grant funds on behalf of the Town of Southampton with the Federal Transit Administration; and be it further

3rd **RESOLVED**, that the County recognizes that the Town proposes to utilize allocated Federal Fiscal Year 2012 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>Program of Projects</u>	<u>Estimated Total Cost</u>
Purchase Route Management System (including related equipment)	\$62,000
Purchase Fuel Management System (including related equipment)	\$70,810.50
Purchase Engine Diagnostic Tools	\$2,000
Total Estimated Cost of the Program of Projects	\$134,810.5
	Estimated Federal Share: 80% \$107,848.40
	Estimated State Share: 10% \$13,481.05
	Estimated Town Share: 10% \$13,481.05

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 assistance Program of Projects and Budget herein described.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1520

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2012, AUTHORIZING THE FILING OF A GRANT APPLICATION FOR FEDERAL FISCAL YEAR 2012 SECTION 5309 BUS AND BUS FACILITIES PROGRAM FUNDS ON BEHALF OF THE TOWN OF SOUTHAMPTON		
3. Purpose of Proposed Legislation		
Permits the County to apply for a grant for federal funds for under the Section 5309 Bus and Bus Facilities Program on behalf of the Town of Southampton.		
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 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.		
The Town of Southampton will contribute 20% share of cost of the projects.		
No Cost to County.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision		
\$37,210.50		
8. Proposed Source of Funding		
Federal: \$97,600; Town: \$37,210.50		
9. Timing of Impact		
CFY 2012		
10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
Garry Lenberger, Acting Director Transportation Operations		4/13/12


Principal Financial Analyst 5/1/12

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1520

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



1520 RECEIVED
APR 20 2012

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

PHILIP A. BERDOLT
DEPUTY COUNTY EXECUTIVE
HAUPPAUGE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner
Department of Public Works 

DATE: April 13, 2012

RE: Proposed resolution authorizing the filing of an application for FFY 2012 Section 5309 Bus and Bus Facilities Program grant funding on behalf of the Town of Southampton

The Town of Southampton is applying for Federal Transit Administration (FTA) grant funds to under the FFY 2012 Section 5309 Bus and Bus Facilities Program. Grant funds will be used to purchase route management software, a fuel management system, and an engine diagnostic tool for the Town's Essential Services/Handicapped Transportation Program. Applications for such grants need to be applied for and administered by designated recipients of FTA 5307 formula funds. As the County is the local designated recipient for 5307 transit funds, and the Transportation Division is responsible for preparing and filing for Federal and State transit capital and operating grant funding, as well as implementing the grants, we wish to facilitate the Town's application for these grant funds. In order for the County to apply for these Federal funds (80% share) on behalf of the Town of Southampton, a resolution authorizing the County to apply for the funds is needed. The Town of Southampton and the New York State Department of Transportation will provide the required 20% local share. There will be no cost to the County to apply for these funds on behalf of the Town, nor will there be any cost to the County to execute the grant, if approved by the FTA.

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

This proposed resolution, with backup, will be forwarded electronically titled: "RESO-DPW-Applic for Southampton Grant 2012".

Please initiate the process to have this resolution introduced at the meeting of the Suffolk County Legislature on April 24, 2012. If you have any questions, please do not hesitate to contact Garry Lenberger, Acting Director of Transportation Operations, at 2-4880, or Chris Chatterton, Senior Transportation Planner at 2-4058.

GA:GL:cc
Enclosures

- cc: Regina Calcaterra, 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, 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

1521

Intro. Res. No. -2012
Introduced by Legislator Spencer

Laid on Table 5/8/12

**RESOLUTION NO. -2012, ADOPTING LOCAL LAW NO.
-2012, A LOCAL LAW TO PROHIBIT SMOKING IN COUNTY
PARKS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2012, a proposed local law entitled, "**A LOCAL LAW TO PROHIBIT SMOKING IN COUNTY PARKS**" now, therefore, be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO PROHIBIT SMOKING IN COUNTY PARKS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk was one of the first municipalities in the nation to prohibit smoking in certain indoor areas open to the public.

This Legislature also finds and determines that the County has placed restrictions on smoking because the effects of secondhand smoke pose a serious threat to the health, safety and welfare of citizens who do not smoke.

This Legislature further finds and determines that the dangers of secondhand smoke are not limited to indoor smoking.

This Legislature finds that the County owns a number of parks which provide residents with easy access to the beauty of nature and recreational opportunities.

This Legislature determines that many smokers discard their cigarettes on the ground when smoking outside, leaving unsightly litter which detracts from other residents' enjoyment of County parks and beaches.

This Legislature further finds that in 2011, New York City banned smoking at all City-owned parks and beaches.

This Legislature also determines that the County of Suffolk should ban smoking at all County owned and/or operated parks and beaches in order to provide County residents with the highest levels of protection from secondhand smoke and to preserve the cleanliness of County parklands.

Therefore, the purpose of this law is to prohibit smoking in any park or beach owned and/or operated by the County of Suffolk.

Section 2. Amendments.

Chapter 754 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 754. SMOKING

§ 754-3. Limitations and restrictions.

T. Smoking is prohibited in all parks and beaches owned and/or operated by the County of Suffolk.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall take effect on the ninetieth (90th) day immediately subsequent to filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-prohibit smoking county parks

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

1521

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: May 2, 2012

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. -2012; A LOCAL LAW TO PROHIBIT SMOKING IN COUNTY PARKS

SPONSOR: LEGISLATOR SPENCER

DATE OF RECEIPT BY COUNSEL: 5/2/12 PUBLIC HEARING: 6/5/12

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

Chapter 754 of the SUFFOLK COUNTY CODE restricts smoking in many locations throughout the County. This proposed local law would amend Chapter 754 to prohibit smoking in all parks and beaches owned and/or operated by the County of Suffolk.

This local law would take effect ninety days following its filing in the Office of the Secretary of State.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-ban smoking parks

Amended Copy 5-3-2012

Intro. Res. No. 1522 -2012 Laid on Table 5/8/2012
Introduced by the Presiding Officer, on Request of the County Executive

**RESOLUTION NO. -2012, ADOPTING LOCAL LAW
NO. - 2012, A LOCAL LAW TO ENHANCE
PROVISIONS FOR ENFORCEMENT OF CERTAIN
CONSUMER PROTECTION LAWS**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2012, a proposed local law entitled, "**A LOCAL LAW TO ENHANCE PROVISIONS FOR ENFORCEMENT OF CERTAIN CONSUMER PROTECTION LAWS,**" 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. -2012, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO ENHANCE PROVISIONS FOR ENFORCEMENT OF
CERTAIN CONSUMER PROTECTION LAWS**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the Laws of Suffolk County contain various provisions aimed at protecting Suffolk County consumers from, among other things, unfair trade practices and deceptive item pricing.

This Legislature further finds that Chapters 387 (Consumer Protection) and 542 (Item Pricing) of the Suffolk County Laws establish civil penalties to be imposed upon those persons that violate the County's laws regarding unfair trade practices and item pricing.

This Legislature further finds and determines that in order to better protect the consumers of Suffolk County during these difficult financial times and in light of the time and administrative costs to the County in overseeing compliance with the County's laws regarding unfair trade practices and item pricing, it is appropriate to authorize more stringent penalties on those persons that violate these County laws.

Therefore, the purpose of this law is to strengthen and harmonize the penalty and waiver provisions of Chapters 387 and 542 of the Laws of Suffolk County.

Section 2. Amendments.

I.) Chapter 387 of the LAWS OF SUFFOLK COUNTY is hereby amended to read as follows:

**Chapter 387
CONSUMER PROTECTION**

§ 387-4. Penalties for offenses; injunctive relief.

- A. A violation of any provision of this chapter or of any rule or regulation promulgated hereunder shall be punishable, upon proof thereof, by the payment of a civil penalty of [not to exceed \$750] not less than \$1000 and no greater than \$5000 for a first violation and [\$1,500] of not less than \$2500 and no greater than \$10,000 for any subsequent violation, to be recovered in a civil action or through a settlement entered into pursuant to Section 387-5 of this chapter.

§ 387-5. Settlements.

- A. In lieu of instituting or continuing action pursuant to this chapter, the Commissioner may accept written assurance of discontinuance of any act or practice in violation of this chapter. Such assurance may include a stipulation for the voluntary payment by the alleged violator of the costs of investigation for the restitution by the alleged violator to consumers of money, property and/or other things received from such consumers in connection with a violation of this chapter and/or for voluntary payment of a civil penalty.

- C. A violation of an assurance entered into pursuant to this section shall be treated as a violation of this chapter and shall be subject to all the penalties provided [thereof] herein and/or revocation of the licenses and/or permits of the violator(s) as set forth Chapter 563 of the Suffolk County Laws.

II.) Chapter 542 of the LAWS OF SUFFOLK COUNTY hereby amended to read as follows:

**Chapter 542
ITEM PRICING
Article I Requirements**

§ 542-9. Waiver of requirements; fees

Every retail store which uses a computer-assisted checkout system and which would otherwise be required to item price as provided in § 542-2 of this article may make an application, in writing, to the Director for a waiver of said item pricing requirement. A separate application shall be required for each store. Each application shall be subject to a nonrefundable waiver fee based upon the gross square footage of each store as set according to the following schedule:

Gross Store Size (square feet)	Waiver Fee
Under 3,000	\$500
Between 3,001 and 10,000	[\$1,000] <u>\$2500</u>
Between 10,001 and [30,000] <u>20,000</u>	[\$3,000] <u>\$5,000</u>
Between [30,001] <u>20,001</u> and [90,000] <u>50,000</u>	[\$5,000] <u>\$7500</u>
[Over 90,000] <u>Between 50,001 and 100,000</u>	[\$15,000] <u>\$20,000</u>
<u>Over 100,000</u>	<u>\$35,000</u>

§ 542-10. Penalties for offenses.

- A. Any person who fails to comply with the provisions of this article or any regulation or order promulgated hereunder, with the exception of § 542-6C, shall be subject to civil penalties of not more than \$50 per violation, not to exceed [\$1,000] \$30,000 per inspection.

- B. A person who fails to comply with the provisions of § 542-6C shall be subject to a civil penalty of not more than \$150 per violation, not to exceed [\$1,000] \$30,000 per inspection.

§ 542-11. Settlement or compromise of violations.

- A. In lieu of instituting or continuing a hearing to recover a civil penalty or penalties, the Director may release, settle or compromise any alleged violation by accepting written assurance of discontinuance of any act or practice in violation of this article. In no event shall a settlement or compromise entered into pursuant to this section result in the payment of a penalty of less than 25% of the maximum possible penalty allowable under this chapter after a hearing.

Article II
Display of Item Prices

§ 542-16. Penalties for offenses.

- A. Any person who fails to comply with the provisions of § 542-15 of this article shall be subject to a civil penalty of not more than \$150 per violation, not to exceed [\$1,000] \$30,000 per inspection.

§ 542-17. Settlement or compromise of violation.

- A. In lieu of instituting or continuing a hearing to recover a civil penalty or penalties, the Director may release, settle or compromise any alleged violation by accepting written assurance of discontinuance of any act or practice in violation of this article. In no event shall a settlement or compromise entered into pursuant to this section result in the payment of a penalty of less than 25% of the maximum possible penalty allowable under this chapter after a hearing.

- C. Violation of an assurance entered into pursuant to this article shall be treated as a violation and shall be subject to all the penalties provided [thereof] herein and/or revocation of the licenses and/or permits of the violator(s) as set forth Chapter 563 of the Suffolk County Laws.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1522

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.

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
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DATE: May 3, 2012

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. -2012; A LOCAL LAW TO ENHANCE PROVISIONS FOR ENFORCEMENT OF CERTAIN CONSUMER PROTECTION LAWS

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 5/3/12 **PUBLIC HEARING:** 6/5/12

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

Chapters 387 and 542 of the SUFFOLK COUNTY CODE establish civil penalties for unfair trade practices and item pricing violations to protect consumers purchasing goods and services in the County. This proposed local law would amend Chapters 387 and 542 to increase civil penalties for violations of these consumer protection laws.

Currently, civil penalties for violations of laws against unfair trade practices, as established in Chapter 387, are no more than \$750 for a first violation and no more than \$1,500 for subsequent violations. This law would increase those penalties to no less than \$1,000 and no more than \$5,000 for initial violations, with subsequent violations set at no less than \$2,500 and no greater than \$10,000. This law will also allow penalties to be recovered through a settlement agreement. Failure to adhere to settlement agreements will be punishable by penalties and/or revocation of County licenses and/or permits of the violator.

Chapter 542 governs the County's item pricing laws and waiver process. Civil penalties for noncompliance with item pricing laws are currently capped at \$1,000 per inspection. This local law would increase this cap to \$30,000. This law will also set a floor for settlement agreements associated with violations of item pricing laws by requiring payment of no less than 25% of the maximum possible penalty allowed following a hearing. Failure to adhere to settlement agreements will be punishable by penalties and/or revocation of County licenses and/or permits of the violator.

This law would also increase the item pricing waiver fees for most retail stores. The fee structure is currently set as follows:

Gross Sq. Footage	Waiver Fee
Under 3,000	\$500
3,001 – 10,000	\$1,000
10,001 – 30,000	\$3,000
30,001 – 90,000	\$5,000
Over 90,000	\$15,000

This law would change the fee structure to the following:

Gross Sq. Footage	Waiver Fee
Under 3,000	\$500
3,001 – 10,000	\$2,500
10,001 – 20,000	\$5,000
20,001 – 50,000	\$7,500
50,001 – 100,000	\$20,000
Over 100,000	\$35,000

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



GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-consumer protection penalties

Introduced by Presiding Officer Lindsay

Laid on Table 5/8/2012

**MOTION NO. 9 -2012, PROCEDURAL RESOLUTION
APPORTIONING MORTGAGE TAX BY: COUNTY TREASURER**

1st **RESOLVED**, that the joint reports of the Recording Officer and the County Treasurer as filed with this Legislature on May 3, 2012 relative to the distribution of mortgage taxes for the three month period ending March 31, 2012, be accepted and that the amounts specified therein as Exhibit "A" be fixed and determined as the amounts due the Towns and Villages respectively; and be it further

2nd **RESOLVED**, that the Presiding Officer and Clerk of this Legislature be authorized to execute and deliver to the County Treasurer a warrant of this Legislature directing her to make the payments therein specified in the report in accordance with the provisions of Section 261 of the Tax Law.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §C2-15(A) OF THE SUFFOLK COUNTY
CHARTER AND CHAPTER 86 OF THE SUFFOLK COUNTY CODE

EXHIBIT A

OFFICE OF THE COUNTY LEGISLATURE
Riverhead, New York

TO THE TREASURER OF SUFFOLK COUNTY:

Pursuant to the authority conferred by Section 261 of the New York State Tax Law and a resolution adopted this day relative to the distribution of the mortgage taxes to the several tax districts of this County of the three month period ending March 31, 2012, the County Legislature of this County this day assembled hereby directs you to pay the Supervisors of the several Towns and to the Treasurers of the several villages, as herein after specified, such sums as are listed in the schedule following:

To the Supervisors of the Towns of:	
Babylon	\$790,450.53
Brookhaven	2,224,491.22
East Hampton	689,545.81
Huntington	1,673,726.07
Islip	1,495,710.61
Riverhead	237,511.25
Shelter Island	35,074.30
Smithtown	926,064.17
Southampton	1,075,281.30
Southold	217,862.34
TOTAL TOWNS	\$9,365,717.60

To the Treasurers of the Village of:	
Amityville	\$25,932.77
Babylon	32,549.29
Lindenhurst	51,886.27
Belle Terre	6,189.75
Bellport	10,594.55
Lake Grove	34,631.42
Mastic Beach	23,612.22
Old Field	9,299.02
Patchogue	24,581.47
Poquott	4,572.74
Port Jefferson	58,680.29
Shoreham	2,475.90
East Hampton	85,199.71
Sag Harbor	9,017.19
Asharoken	7,282.52
Huntington Bay	11,359.26
Lloyd Harbor	38,012.00
Northport	29,108.98
Brightwaters	10,664.21
Islandia	22,525.70
Ocean Beach	7,588.39
Saltaire	8,377.81
Dering Harbor	722.6
Head of the Harbor	11,507.27
Nissequogue	14,926.93
Village of the Branch	9,970.21
North Haven	18,259.57
Quogue	39,701.79
Sagaponack	51,691.14
Sag Harbor	14,977.73
Southampton	136,023.01
Westhampton Beach	35,215.78
Westhampton Dunes	6,618.80
Greenport	5,111.45
TOTAL VILLAGES	\$858,867.74
GRAND TOTAL	\$10,224,585.34

Presiding Officer, County Legislature

Clerk, County Legislature

DATED: