

L A I D O N T H E T A B L E O C T O B E R 9 , 2 0 1 2

LADS REPORT PREPARED BY:

Michele Gerardi

1937. Directing the Department of Public Works to comply with County reporting standards for sewage discharge. (Romaine) PUBLIC WORKS AND TRANSPORTATION
1938. Adopting Local Law No. -2012, A Local Law to clarify escrow requirements for licensed home furnishings sellers. (Barraga) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1939. Prohibiting the use of hydraulic fracturing brine on County property or roadways. (Calarco) PUBLIC WORKS AND TRANSPORTATION
1940. Authorizing the use of a portion of County premises located at 150 West Main Street, Patchogue, New York, for use by Blue Sand NY Inc. for outdoor dining. (Calarco) WAYS & MEANS
1941. Approving the appointment of Douglas King to the Suffolk County Disabilities Advisory Board – Group D. (Gregory) HEALTH
1942. Authorizing certain technical corrections to Adopted Resolution No. 728-2012. (Co. Exec.) WAYS & MEANS
1943. Directing the Suffolk County Police Department to offer drug treatment referrals to individuals receiving Narcan. (Hahn) PUBLIC SAFETY
1944. Approving the reappointment of Clifford Hymowitz to the Suffolk County Disabilities Advisory Board - Group D. (Muratore) HEALTH
1945. Authorizing transfer of surplus blackberries, accessories and other telephone devices to AHRC. (Stern) EDUCATION AND INFORMATION TECHNOLOGY
1946. Authorizing transfer of surplus blackberries, accessories and other telephone devices to Victims Information Bureau of Suffolk. (Gregory) EDUCATION AND INFORMATION TECHNOLOGY
1947. Adopting Local Law No. -2012, A Charter Law to establish multi-year budget plan. (Cilmi) BUDGET AND FINANCE
1948. Making a SEQRA determination in connection with the proposed Sewer District No. 3 – Southwest Bergen Point Wastewater Treatment Plant Outfall Replacement Project, Town of Babylon. (Pres. Off.) ENVIRONMENT, PLANNING AND AGRICULTURE
1949. To modify golf fees for Veterans. (Schneiderman) PARKS & RECREATION
1950. Adopting Climate Smart Community goals in the County of Suffolk. (Horsley) ECONOMIC DEVELOPMENT AND ENERGY
1951. Directing a claim for MTA tax refund. (Romaine) WAYS & MEANS

1952. Approving the reappointment of David K. Parkinson as a member of the Suffolk County Board of Health. (Pres. Off.) HEALTH
1953. Improving oversight of the County's Tourism Promotion Program. (Pres. Off.) ECONOMIC DEVELOPMENT AND ENERGY
1954. Amending the 2012 Capital Budget and Program and appropriating funds in connection with the reconstruction of CR 97, Nicolls Road from the vicinity of Long Island Expressway to the vicinity of NYS Route 25A, Town of Brookhaven (CP 5512). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1955. Amending the 2012 Capital Budget and Program and appropriating funds in connection with the construction of sidewalks, road resurfacing and drainage improvements on various County roads (CP 5497). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1956. Amending the 2012 Capital Budget and Program and appropriating funds in connection with Shoreline protection at Hashamomuck Cove, Town of Southold (CP 5330). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1957. Amending the 2012 Adopted Operating Budget to accept and appropriate 100% Federal grant funds from the Department of Health and Human Services Food and Drug Administration to Suffolk County Department of Health Services for advancing Suffolk County's conformance with the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS). (Co. Exec.) HEALTH
1958. Accepting and appropriating a grant in the amount of \$50,000 in Federal pass-through funds from the New York State Division of Homeland Security and Emergency Services for the Explosive Detection Canine Team FY 2011 Grant Program with 100% support. (Co. Exec.) PUBLIC SAFETY
1959. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 11 - Selden (sewer system improvements) (CP 8117). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1960. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 5 - Strathmore Huntington (CP 8115). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1961. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 10 - Stony Brook (CP 8175). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1962. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 3 - Southwest (infrastructure improvements) (CP 8170). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1963. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 7 - Medford (CP 8150). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

1964. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 7 - Medford (Woodside) (CP 8119). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1965. A Resolution making certain Findings and Determinations in relation to the increase, improvement and extension of facilities for Sewer District No. 18 - Hauppauge Industrial (CP 8126). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1966. A Resolution making certain Findings and Determinations in relation to the increase and improvement to the wastewater treatment facilities for Sewer District No. 14 - Parkland (CP 8128). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1967. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 20 - William Floyd (CP 8148). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1968. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 23 - Coventry Manor (infrastructure improvements) (CP 8149). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1969. Authorizing the use of County premises located at Cohalan Court Complex, by Ultimate Games Indoor/Outdoor Sports Complex, LLC for periodic use of parking lots. (Co. Exec.) WAYS & MEANS
1970. VOID
1971. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Southampton for Affordable Housing Purposes (SCTM No. 0900-260.00-04.00-005.001). (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1972. Sale of County-owned real estate pursuant to Local Law No. 13-1976 United Properties Corp. (SCTM No. 0200-894.00-03.00-089.000). (Co. Exec.) WAYS & MEANS
1973. Amending the 2012 Operating Budget, transferring Stabilization Reserve Funds to the Capital Fund, amending the 2012 Capital Budget and Program and appropriating funds for improvements to the Suffolk County Sewer District No. 21 SUNY – (CP 8121). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1974. Calling a public hearing for the purpose of considering the proposed establishment of Suffolk County Sewer District No. 16 - Yaphank Municipal (CP 8158). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1975. Calling a public hearing for the purpose of considering the proposed establishment of Suffolk County Sewer District No. 24 - Gabreski Municipal (CP 8177). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

1976. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Babylon (SCTM No. 0100-012.00-02.00-005.005). (Co. Exec.) WAYS & MEANS
1977. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Babylon (SCTM No. 0100-197.00-03.00-001.000). (Co. Exec.) WAYS & MEANS
1978. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Open Space component - for the Estate of Jack Weinstein, Lillian Weinstein and Robert A. Weinstein property - Manorville Pine Barrens Core - Town of Brookhaven - (SCTM No. 0200-562.00-03.00-001.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1979. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Open Space component - for the Long Island Realty Company property - Manorville County Greenbelt addition - Pine Barrens Core - Town of Brookhaven (SCTM No. 0200-461.00-03.00-038.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1980. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Open Space component - for the New Hope Revival Church, Inc. property - Town of Brookhaven (SCTM No. 0200-876.00-03.00-001.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1981. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Open Space component - for the Alvarado property - Beaverdam Creek - Town of Brookhaven (SCTM No. 0200-932.00-01.00-034.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1982. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 904-2012). (Co. Exec.) BUDGET AND FINANCE
1983. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Holly Lyons (SCTM No. 0208-020.00-07.00-004.002). (Co. Exec.) WAYS & MEANS
1984. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Kathleen Seiter and Mark N. Christiano, joint tenants (SCTM No. 0200-255.00-03.00-054.000). (Co. Exec.) WAYS & MEANS
1985. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Cherry Tree Properties, Inc. (SCTM No. 0206-019.00-02.00-002.000). (Co. Exec.) WAYS & MEANS
1986. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Eric Golden and Sandra Lopez (SCTM No. 0100-090.00-01.00-008.002). (Co. Exec.) WAYS & MEANS

1987. Accepting and appropriating Federal funding in the amount of \$17,202 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the FBI Joint Terrorism Task Force with 78.89% support. (Co. Exec.) PUBLIC SAFETY
1988. Accepting and appropriating Federal funding in the amount of \$17,202 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Long Island Cyber Crime Task Force (LICCTF) with 78.89% support. (Co. Exec.) PUBLIC SAFETY
1989. Accepting and appropriating a grant in the amount of \$20,500 in Federal pass-through funding from the State of New York Governor's Traffic Safety Committee, for the Suffolk County Police Department's Motorcycle Safety Enforcement and Education Program with 79.30% support. (Co. Exec.) PUBLIC SAFETY
1990. Accepting and appropriating Federal pass-through funding in the amount of \$160,639 from the New York City Police Department in conjunction with the Federally sponsored Securing the Cities Program with 78.90% support. (Co. Exec.) PUBLIC SAFETY
1991. Appropriating funds for the purchase of equipment for groundwater monitoring and well drilling (CP 8226) and approving the purchase of a vehicle in accordance with Section 186-2(B)(6) of the Suffolk County Code and in accordance with the County Vehicle Standard. (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1992. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 376-2012. (Co. Exec.) BUDGET AND FINANCE
1993. Permitting Cornell Cooperative Extension to purchase fuel from the County. (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1994. Accepting and appropriating a 100% reimbursed grant from the U.S. Department of Housing and Urban Development for the Emergency Solutions Grant Program and authorizing the County Executive to execute agreements. (Co. Exec.) ECONOMIC DEVELOPMENT AND ENERGY
1995. Accepting funds from the State University Construction Fund; amending the 2012 Capital Budget and Program and appropriating funds in connection with Suffolk County Sewer District No. 21 SUNY - Improvement Project (CP 8121). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1996. Requiring tracking of long-term care service inquiries. (Browning) HEALTH
1997. Directing the Department of Public Works to make common sense changes to Bus Routes 1A and 1B. (Gregory) PUBLIC WORKS AND TRANSPORTATION
1998. Directing the Department of Public Works to conduct a traffic study on a portion of County Road 28. (Gregory) PUBLIC WORKS AND TRANSPORTATION

1937

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

Laid on Table 10/9/12

RESOLUTION NO. -2012, DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO COMPLY WITH COUNTY REPORTING STANDARDS FOR SEWAGE DISCHARGE

WHEREAS, beginning in 2013, New York State will require municipally-owned sewage treatment plants to publicly report the discharge of untreated or partially treated sewage; and

WHEREAS, Resolution No. 820-2012 requires private sewage treatment plants in the County of Suffolk to report the discharge of untreated or partially treated sewage to the Department of Health Services ("the Department") and requires the Department to notify elected officials of such discharges and post reports of same online; and

WHEREAS, the reporting requirements set forth under Resolution No. 820-2012 are more stringent than the State's standards for municipalities; and

WHEREAS, the County should require its sewage treatment plants to meet the high standards it has set for private sewage treatment plants; now, therefore be it

1st RESOLVED, that the Department of Public Works is hereby authorized, empowered and directed to adhere to the standards set forth in Section 2 of Resolution No. 820-2012 for reporting the discharge of untreated or partially treated sewage at any County-owned or operated sewage treatment plant; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-DPW sewage reporting

1938

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

Laid on Table 10/9/12

**RESOLUTION NO. - 2012, ADOPTING LOCAL LAW NO.
-2012, A LOCAL LAW TO CLARIFY ESCROW
REQUIREMENTS FOR LICENSED HOME FURNISHINGS
SELLERS**

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 CLARIFY ESCROW REQUIREMENTS FOR LICENSED HOME FURNISHINGS SELLERS**" 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 CLARIFY ESCROW REQUIREMENTS FOR
LICENSED HOME FURNISHINGS SELLERS**

**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 licenses and regulates home furnishings dealers in the interest of consumer protection.

This Legislature also finds and determines that the County of Suffolk enacted Local Law No. 15-2008, which requires home furnishing sellers to place all monies provided by a consumer as a deposit for a purchase into an escrow account within five business days of receipt.

This Legislature further finds and determines that a ten day window for home furnishings sellers to place consumer monies in escrow is a reasonable time frame that businesses can comply with.

This Legislature determines that the County law should also be clarified to exempt those transactions where furniture is delivered to a consumer within ten days or when a deposit is made by credit card and to permit the use of escrow monies when a consumer delays final delivery of purchased home furnishings.

Therefore, the purpose of this law is to amend Chapter 563 of the SUFFOLK COUNTY CODE to clarify the requirements applicable to home furnishings escrow accounts.

Section 2. Amendments.

Chapter 563 of the SUFFOLK COUNTY CODE is hereby amended as follows:

CHAPTER 563. Licensed Occupations.

Article IX. HOME FURNISHINGS.

§ 563-111. Escrow requirement.

- A. All monies paid by a consumer to a seller as a deposit for the purchase of home furnishings shall continue to be the money of the person making such deposit, and shall be a trust fund in the possession of the seller and shall be deposited by the seller within ~~[five]~~ ten business days thereafter by the recipient in an escrow account in a bank, trust company, savings bank or state or federal savings and loan association. The seller shall notify the consumer within ~~[10]~~ fifteen business days, in writing, of the name and address of the bank, trust company, savings bank or state or federal savings and loan association and the amount deposited.
- B. All monies so deposited shall not be mingled with other funds or become an asset of the seller, excepting, however, that such trust funds may be deposited with other funds that have been paid to the seller as a deposit for the purchase of home furnishings.
- C. All monies shall be held in trust until they are repaid to the consumer or until they are fully applied to the purchase price at the time the subject home furnishings are delivered to the consumer except that in the event purchased home furnishings are offered for delivery by the seller but the consumer delays final delivery of same, the seller may use the monies held in escrow to pay the manufacturer of the subject home furnishings and other appropriate expenses relating to the pending sale.
- D. The escrow requirements set forth in this section shall not apply to transactions in which the seller delivers the purchased home furnishings within ten business days of the receipt of deposit or where a consumer uses a credit card to place a deposit for the purchase of home furnishings.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-home furnishings escrow amendments

1938

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: October 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. 1938-2012; A LOCAL LAW TO CLARIFY ESCROW REQUIREMENTS FOR LICENSED HOME FURNISHINGS SELLERS

SPONSOR: LEGISLATOR BARRAGA

DATE OF RECEIPT BY COUNSEL: 10/2/12 **PUBLIC HEARING:** 11/20/12
DATE ADOPTED/NOT ADOPTED: _____ **CERTIFIED COPY RECEIVED:** _____

Chapter 563 of the SUFFOLK COUNTY CODE requires licensed home furnishings sellers to place consumer deposits on home furnishings purchases in escrow accounts within five business days of receiving the deposit and to notify the consumer of such deposit within 10 business days. This proposed local law would give sellers five additional days to place deposits in escrow and provide notification to consumers.

This local law also provides that, in the event purchased home furnishings are offered for delivery by the seller but the consumer delays final delivery, the seller may use monies held in the escrow to pay the manufacturer and other appropriate expenses related to the pending sale.

This proposed law will also add exemptions to the law's escrow requirement for transactions where the seller delivers the home furnishings within ten business days of receiving the deposit or when the deposit is made by a consumer using a credit card.

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:

1939

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

Laid on Table 10/9/12

**RESOLUTION NO. -2012, PROHIBITING THE USE OF
HYDRAULIC FRACTURING BRINE ON COUNTY PROPERTY
OR ROADWAYS**

WHEREAS, hydraulic fracturing is a highly controversial form of mining which uses pressurized fluid to break rock formations and release natural gas that is then collected; and

WHEREAS, the fluids used in hydraulic fracturing contain a variety of chemicals, the exact contents of which are unknown; and

WHEREAS, hydraulic fracturing produces a liquid waste product with high levels of salinity, commonly known in the industry as fracking brine; and

WHEREAS, some businesses which perform hydraulic fracturing would like to dispose of such brine by providing it to local governments as a road de-icing agent for use in the winter; and

WHEREAS, the ingredients in fracking brine are vastly different from the brine commonly applied to roadways by municipalities prior to a winter storm, which is composed primarily of water and salt; and

WHEREAS, some of the chemicals found in fracking brine have been linked to health problems associated with the respiratory system and other organs; and

WHEREAS, the County of Suffolk is situated atop a sole-source aquifer, which provides drinking water for County residents; and

WHEREAS, when applied to roadways, fracking brine has the potential to pollute surface and groundwater; and

WHEREAS, to protect the health and safety of County residents and local drinking water, Suffolk County should prohibit the use of hydraulic fracturing brine on County roadways and properties; now, therefore be it

1st RESOLVED, that the Department of Public Works shall not utilize brine created in the hydraulic fracturing process on County roadways or property; and be it further

2nd RESOLVED, that the Department of Public Works is hereby authorized, empowered and directed to enforce this policy with all subcontractors it engages for road work; 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-fracking brine

1940

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

Laid on Table

10/9/12

**RESOLUTION NO. -2012, AUTHORIZING THE USE
OF A PORTION OF COUNTY PREMISES LOCATED AT
150 WEST MAIN STREET, PATCHOGUE, NEW YORK,
FOR USE BY BLUE SAND NY INC. FOR OUTDOOR
DINING**

WHEREAS, downtown revitalization is a key to success in bringing businesses to downtown areas, supporting existing businesses in downtown areas, and in helping to revive a sluggish economy; and

WHEREAS, the Village of Patchogue is on the road to becoming a booming downtown area comprised of multiple restaurants, affordable housing, retail stores, and other attractive businesses that are bringing and attracting patrons to help revitalize the local economy; and

WHEREAS, the County is the owner in fee simple absolute of and controls property located at 150 West Main Street, Patchogue, New York 11722, designated on the Suffolk County Tax Map as No. 204-09-06-043.001 (the "Property"); and

WHEREAS, there is a portion of that land owned by the County in the Village of Patchogue that is completely underutilized which the adjacent owner wishes to use to provide needed space to afford outdoor seating and dining for the community; and

WHEREAS, such use of a portion of the land owned by the County will not interfere with the current use of the Property as a District Court, nor will it be detrimental to the health, safety, or welfare of the public; and

WHEREAS, the principals of Blue Sand NY Inc. ("Blue Sand") are the owners and operators of the restaurant known as "The Tap Room" which is located directly adjacent to the Property; and

WHEREAS, Blue Sand and the County are desirous of Blue Sand securing a commitment from the County to permit the use of a portion of the Property to provide such eating and dining accommodations to the public; now, therefore be it

1ST RESOLVED, that the 700 square foot portion of the Property set forth on Exhibit A annexed hereto is declared surplus to the County's needs under section 215 of NEW YORK COUNTY LAW; and be it further

2ND RESOLVED, that the use of a portion of the Property for the aforementioned use is hereby approved pursuant to Section 215(1) of NEW YORK COUNTY LAW; and be it further

3RD RESOLVED, that the County Executive is hereby authorized to enter into a License Agreement, for a term of four (4) years with one (1) optional term of an

additional five (5) years in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed hereto; and be it further

4TH RESOLVED, the Legislature, being the lead agency under the State Environmental Quality Review Act (SEQRA), hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(15),(20), and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-0109 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 is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: , 2012

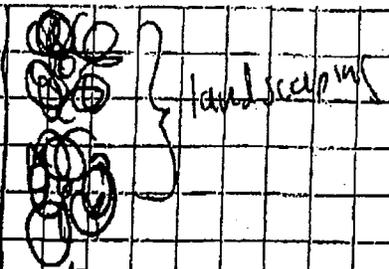
APPROVED BY:

County Executive of Suffolk County

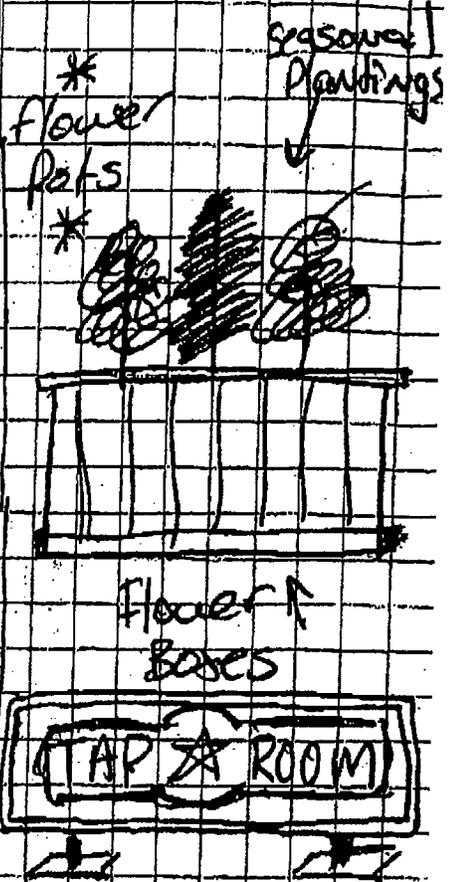
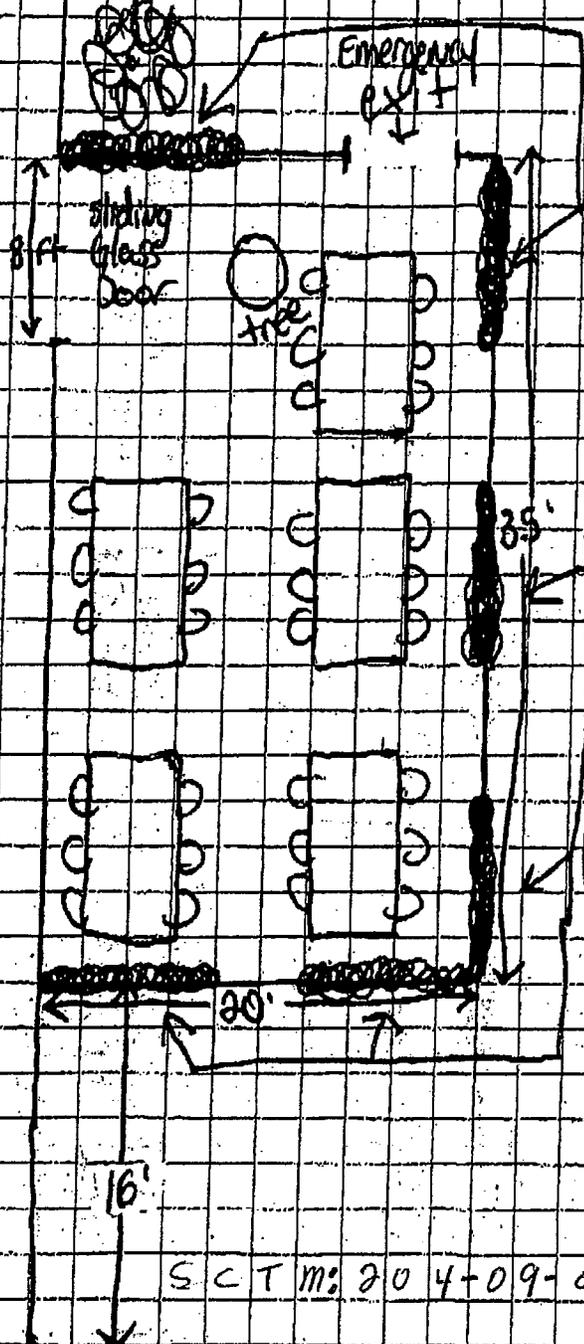
Date:

Exhibit A

The TAP ROOM
114 West Main St
Parchogue NY 11772
631-569-5577



exit into
Patio
will be
same level
As floor
So will be
Handicap
Accessable.



SCT M: 204-09-06-043.001

TAP ROOM
Entrance

SIDE WALK

West Main Street

License Agreement

This license agreement ("License Agreement") is between the County of Suffolk ("County"), a municipal corporation of the State of New York, acting through its duly constituted Department of Public Works ("Department"), located at 335 Yaphank Avenue, Yaphank, New York 11980; and Blue Sand NY Inc. ("Licensee"), having its principal place of business at 114 West Main Street, Patchogue, New York 11772.

The parties hereto desire to establish a license agreement between the County and the Licensee for the use of space in connection with an outdoor seating area to attract patrons to the downtown area in the Village of Patchogue.

Term of Agreement: _____, 2012 ("Commencement Date") through October 31, 2016, with the option to renew this License Agreement for an additional term of five (5) years through October 31, 2021, at the option of the Commissioner of the Department, unless sooner terminated as described in Article I.

Total Cost of Agreement: Monthly license fee of Two Hundred (\$200.00) Dollars.

Terms and Conditions: Shall be as set forth in Articles I and II, attached hereto and incorporated herein by reference.

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

Blue Sand NY Inc.

By: _____

Date: _____

Fed. Tax ID #: _____

County of Suffolk

By: _____

Name: Regina M. Calcaterra

Title: Chief Deputy County Executive

Date: _____

**Approved:
Department of Public Works**

By: _____

Name: Gilbert Anderson

Title: Commissioner

Date: _____

Approved As To Legality:

By: _____

Name: Lynne A. Bizzarro

Title: Deputy County Attorney

Date: _____

Table of Contents

Article I: General Terms and Conditions

1. Description of Licensed Space
2. Termination/Expiration
3. License Fees and Security Fee
4. Taxes and Utilities
5. Purpose
6. Authorization
7. Hours of Operation
8. Licensee's Duties and Obligations
9. No Warranties by County
10. Licensee's Work
11. Licensee's Care of the Premises
12. Alterations
13. No Assignment
14. Indemnification
15. Risk of Loss
16. Insurance
17. Negative Covenants
18. Hazardous Substances and Waste
19. Conduct of Licensee's Employees
20. Pest Control
21. County's Right of Access to the Licensed Space
22. Security
23. Signage
24. Non-discrimination
25. No County Liability for Licensee's Failure
26. Capacity to Contract
27. Liquor License
28. Arrears to County
29. Liens
30. Status of Employees
31. No Representations
32. Future Acts of Legislature
33. Governing Law
34. No Implied Waiver
35. Conflict of Interest
36. Cooperation on Claims
37. Suffolk County Legislative Requirements
38. Severability
39. Certification as to Relationships
40. Notices
41. Merger; No Oral Changes

Article II: Suffolk County Legislative Requirements

Article I
General Terms and Conditions

WHEREAS, downtown revitalization is a key to success in bringing businesses to downtown areas, supporting existing businesses in downtown areas, and in helping to revive a sluggish economy; and

WHEREAS, the Village of Patchogue is on the road to becoming a booming downtown area comprised of multiple restaurants, affordable housing, retail stores, and other attractive businesses that are bringing and attracting patrons to help revitalize the local economy; and

WHEREAS, the County is the owner in fee simple absolute of and controls property located at 150 West Main Street, Patchogue, New York 11772, designated on the Suffolk County Tax Map as No. 204-09-06-043.001 (the "Property"); and

WHEREAS, there is a portion of that land owned by the County in the Village of Patchogue that is completely underutilized which the adjacent owner wishes to use to provide needed space to afford outdoor seating and dining for the community; and

WHEREAS, such use of a portion of the land owned by the County will not interfere with the current use of the Property as a District Court, nor will it be detrimental to the health, safety, or welfare of the public; and

WHEREAS, the principals of the Licensee are the owners and operators of the restaurant known as "The Tap Room" which is located directly adjacent to the County's Property; and

WHEREAS, Licensee and the County are desirous of Licensee securing a commitment from the County to permit the use of a portion of the Property to provide such eating and dining accommodations to the public;

Now, Therefore, in consideration of the mutual covenants and conditions herein contained, the parties hereto agree as follows:

Section 1. Description of Licensed Space: The County shall license to Licensee approximately 700 square feet of the most northeast corner of property located at 150 West Main Street, Patchogue, New York 11772, known as Suffolk County Tax Map No. 204-09-06-043.001 and as further depicted on the map attached hereto as Exhibit "A," directly adjacent to The Tap Room, to be used for excess seating and dining for The Tap Room (the "**Licensed Space**").

Section 2. Termination/Expiration:

- a. Either party may terminate this License Agreement without cause at any time prior to the expiration of the term of this License Agreement (including any extensions thereof) (i) by giving thirty (30) days written, advance notice sent by regular first class mail and certified mail to the other party, or (ii) upon the mutual consent of the parties.
- b. *Termination by County in the Public Interest:* Notwithstanding anything herein to the contrary, in the event that the Commissioner of the Department determines in his/her sole discretion, that termination is in the best interest of the County, the County may terminate this License Agreement. Such termination shall occur upon

fifteen (15) days written notice to terminate the License Agreement. Upon such termination, Licensee shall vacate and surrender the Licensed Space to the Commissioner of the Department immediately.

c. Termination for Cause:

The County may terminate this License Agreement based upon the following events

- (i) A failure on the part of Licensee to pay any installment of the License Fee or other sums, charges, fees, expenses or other amounts to be paid by Licensee pursuant to the provisions of this License Agreement when due. Upon the expiration of five (5) days from the date a written notice to cure and notice of intent to terminate is given to Licensee and the default has not been cured, the County may terminate this License Agreement upon five (5) days written notice.
- (ii) A failure to maintain the amounts and types of insurance required by this License Agreement. In such event, the County may terminate this License Agreement upon five (5) days written notice, in the sole discretion of the Commissioner of the Department and no notice to cure or notice of intent to terminate shall be required.
- (iii) An emergency or other condition involving possible loss of life, threat to health and safety, destruction of property or other condition deemed to be dangerous, in the sole discretion of the Commissioner of the Department. In such event, the County may immediately terminate this License Agreement upon one (1) day written notice, in the sole discretion of the Commissioner of the Department, and no notice to cure or notice of intent to terminate shall be required. Failure to comply with health and fire safety standards shall also be governed by this subparagraph.
- (iv) Failure to comply with any of the provisions of this License Agreement. In such event, the County may terminate this License Agreement upon five (5) days written notice, at the sole discretion of the Commissioner of the Department, and no notice to cure or notice of intent to terminate shall be required.

On the expiration of the License Agreement, or upon the sooner termination of this License Agreement, Licensee shall at its sole expense, quit, surrender, vacate, and deliver the Licensed Space to the County to its same condition immediately prior to the Commencement Date, vacant and broom clean, in good order, condition and repair. Licensee shall, at its own expense, remove from the Licensed Space all alterations, improvements, and fixtures made by Licensee to the Licensed Space, all of Licensee's personal property and any personal property of persons claiming by, through or under Licensee and shall repair or pay the cost of repairing all damage to the Licensed Space occasioned by such removal.

- e.** Any of Licensee's personal property or improvements/alterations/fixtures remaining on the Licensed Space after the expiration or termination of this Agreement shall be deemed to have been abandoned and either may be retained by the County as its property or may be stored or disposed of as County may see fit, without insurance or liability for any damage which may occur. If any such property so removed is sold, the County may receive and retain the proceeds of such sale. The Licensee shall have no recourse against the County or the Department, or any of the County's

officials, employees, officers, agents or servants in any action in law or equity regarding such property.

- f. If the term of this License Agreement shall expire or be terminated as provided herein, or if the Licensee shall abandon the Licensed Space, then and in such event, the Commissioner of the Department may, without further notice, reenter the Licensed Space by force, summary dispossession proceedings, or otherwise, and Licensee waives the service of any notice of the Commissioner's intention to reenter or repossess the Licensed Space or to institute legal proceedings to that end. The Licensee waives the right of due process.
- g. Upon the termination or expiration of this License Agreement, Licensee shall remain liable to the Commissioner of the Department and the County:
- (i) For all fees and other sums due and owing from Licensee including but not limited to the License Fees; and
 - (ii) For the reasonable costs expended by the Commissioner of the Department and the County to place the Licensed Space in the physical condition in which Licensee is obligated to leave it upon the expiration of the term; and
 - (iii) For the costs incurred by the Commissioner of the Department and the County to remove Licensee, and with or without legal process, the cost to expel, oust and remove all parties who may be present upon or occupy any part of the Licensed Space, and all personal property that may be thereon and therein contained, without being liable to prosecution, damage, or damages therefore, or for any damage or damages to, or loss of any personal property belonging to any party upon or occupying said Licensed Space or any part thereof from any causes whatsoever by reason of such removal. Licensee expressly waives any and all claims for damages and loss against the County and its officials, officers, employees, servants and agents for or on account of any act done or caused to be done in exercising this right; and the County shall have the right to sell any personal property so seized or remove and recover by such sale or legal process any and all sums due to the County under the terms of this License Agreement, and if there is a deficiency, may resort to any remedy available.

In addition to those remedies set forth in this License Agreement, the County has the right to resort to any other remedies available at law or in equity.

In no event shall the County be liable in any way, regardless of the form in which any legal or equitable action may be brought (whether in tort, contract, strict liability or otherwise), for any loss of use, interruption of business, lost profits, sales, data or goodwill, or any indirect, punitive or consequential damages whatsoever, however caused, even if the County has been advised of the possibility of such loss or damage and regardless of whether these limitations cause any remedy to fail its essential purpose. The limitations of liability herein are material conditions to the County entering into this License Agreement and shall survive the termination or expiration of this License Agreement.

Section 3. License Fees and Security Fee:

- a. Beginning on the Commencement Date, the monthly license fee shall be Two Hundred (\$200.00) Dollars (the "License Fee"), such fee to be paid by the Licensee in monthly installments to the County, with the first installment due on or before the 1st day of each month of the term of this License Agreement.
- b. The License Fee shall automatically increase annually on the anniversary of the Commencement Date by two and one half percent (2.5%) over the annual amount charged and in effect as of January 1 of that year, or the increase in the Consumer Price Index (CPI) for the New York-Northern New Jersey-Long Island Region published by the Bureau of Labor Statistics of the United States Department of Labor over the period of the prior 12 months measured from April 1 to March 31, whichever is greater.
- c. In the event the term of this License Agreement does not commence on the first day of a month, a partial monthly installment shall be due (in an amount equal to the full monthly installment divided by thirty (30), the quotient of which shall be multiplied by the actual number of days remaining in the first month of occupancy) on the date that access, use and occupancy is accepted and the obligations of this License Agreement are assumed by the Licensee.
- d. In the event the License Fee is not paid within fifteen (15) days of the day when same is due, Licensee shall pay a late charge equal to ten percent (10%) of the past due payment. Notwithstanding the aforementioned provision, in the event any installment payment is not received on or before the scheduled due date(s), this License Agreement may be terminated at the County's sole discretion.
- e. In the event Licensee fails to pay any fee including, but not limited to, late fees and costs to repair the Licensed Space, when same becomes due and payable, then the amount of such fee or charge shall forthwith be added to, and become part of, the License Fee and shall be paid and collectable as such.
- f. Unless otherwise expressly provided herein, all payments to the County shall be in the form of a certified business check made payable to the Suffolk County Treasurer and mailed by regular first class mail to the Department.

g. Licensee shall provide the County the sum of Two Thousand Five Hundred (\$2,500.00) Dollars, payable upon the signing of this License Agreement, as a security fee for any removal by the County of any alterations/improvements made or fixtures attached to the Licensed Space, or any other work necessary to render the Licensed Space in good order, condition and repair, upon the expiration or termination of this License Agreement. Should it be necessary for the County to remove such alterations/ improvements or fixtures, the security fee shall be retained by the County and Licensee shall have no claim to same. In the event it is not necessary for the County to remove any alterations/improvements or fixtures at the expiration or termination of this License Agreement, or perform other work necessary to render the Licensed Space in good order, condition and repair, the security fee shall be returned to Licensee upon a determination by the Department that the Licensed Space has been restored to its same condition immediately prior to the Commencement Date. The security fee shall be paid to the County in the form of a certified business check, made payable to the Suffolk County Department of Public Works.

Section 4. Taxes and Utilities:

- a. Licensee shall pay, when due, each and every one of the following taxes levied against the Licensed Space for the term of this License Agreement:
- (i) any real property taxes or payment in lieu thereof which may become due with respect to the Licensed Space;
 - (ii) any taxes due or which may become due upon or with respect to the Licensed Space including any business, occupation or leasehold excise taxes;
 - (iii) all taxes imposed on or with respect to personal property and intangibles located in or used in connection with the Licensed Space;
 - (iv) all assessments and similar charges with respect to the Licensed Space for public improvement or benefits, such as fire protection, which are assessed during the term of this License Agreement; and
 - (v) all other rents, rates, and charges, excises, levies, license fees, permit fees, inspection fees, and other authorization fees and other charges, in each case whether general or special, ordinary or extraordinary, foreseen or unforeseen, of every character (including interest and penalties thereon), which at any time during or in respect of the term of this License Agreement may be assessed, levied, confirmed or imposed on or in respect of or be a lien upon the Licensed Space or any part thereof, or any estate, right or interest therein, or any occupancy, use or possession of or activity conducted on the Licensed Space or any part thereof.
- b. Licensee may provide electrical lighting on the Licensed Space. Such utility connection required to be made for Licensee's purposes shall be a Licensee charge and shall be borne by the Licensee. All costs, fees, and charges for utility services and any other services for the Licensed Space during the term of this License Agreement, together with any taxes thereon, shall be paid by the Licensee directly to the applicable utility company. In no event shall the Licensee connect to County utility services.
- c. The County shall have no liability to Licensee for any loss, damage or expense sustained or incurred by reason of any change, failure, inadequacy, unsuitability or defect in the supply or character of the utility furnished to the Licensed Space or if the quantity or character of the utility is no longer available or suitable for Licensee's requirements. The provisions of this paragraph shall survive the expiration of this License Agreement.

Section 5. Purpose: It is expressly understood and agreed that this License Agreement is a limited license to use the Licensed Space for seating and dining in connection with Licensee's already existing business. It is not a lease; no interest in real estate or personalty is granted herewith to the Licensee. It is expressly understood that the Licensed Space is and shall be the sole property of the County at all times during the period of this License Agreement. Licensee's right to occupy the Licensed Space shall continue only so long as the Licensee shall comply strictly and promptly with each and all of the undertakings, provisions, covenants, agreements, stipulations, and conditions contained

herein. Licensee shall not carry on, within, or upon the Licensed Space any operation other than as described herein.

Section 6. Authorization: The parties hereto acknowledge that the County is a municipal corporation and is entering into and executing this License Agreement by virtue of the authority of Resolution No. ____-2012 of the Suffolk County Legislature, for the purpose and intent expressed in that resolution, that the same is incorporated herein by reference, and further that the Licensee has examined the same, is fully aware of the intended purpose thereof, and that the Licensee's occupancy shall be for the sole purpose set forth therein and for no other purpose.

Section 7. Hours of Operation: In exchange for its use of the Licensed Space, Licensee agrees that the Licensed Space shall be available for use by Licensee and approved personnel, 7 days per week, between the hours of ____ and 11:00 p.m., subject to applicable laws, ordinances, rules and regulations. In no event shall Licensee be permitted to use the Licensed Space for any times other than as authorized by the Village of Patchogue.

Section 8. Licensee's Duties and Obligations:

- a. Licensee shall maintain the Licensed Space in a clean and sanitary condition.
- b. Licensee shall further be responsible for any damage or theft of County property caused by Licensee, its officers, employees, agents, guests and invitees.
- c. Licensee agrees to accept the Licensed Space in "as is" condition, and acknowledges that this License Agreement is for use of the Licensed Space in its present physical condition, without any representation or warranty by the County as to the condition thereof.
- d. Licensee shall strictly comply with all applicable Federal, State, County and local laws, rules, regulations, codes, requirements, including but not limited to health laws, health department regulations, New York State Liquor Authority license and permit requirements, and Suffolk County policies in effect on the date of execution of this License Agreement, and as may be adopted or amended from time to time thereafter.
- e. Licensee shall not use or permit the storage of any illumination oils, candles, oil lamps, turpentine, benzene, naphtha or other similar substances or explosives of any kind, or any substance or thing prohibited in the standard policies of fire insurance companies licensed to do business in the State of New York, in the Licensed Space.
- f. Licensee hereby waives any and all claims for compensation for any and all loss or damage sustained by reason of interference by any public agency or official in the operation of this License Agreement; any such interference shall not relieve the Licensee from any obligations hereunder.
- g. Licensee shall procure at the Licensee's own cost and expense all permits, licenses or certificates necessary for the legal operation of this License Agreement.

- h. Licensee shall have the obligation to prevent encroachment onto any space not covered by this License Agreement.
- i. Licensee shall ensure that no alcohol is sold or consumed outside the Licensed Space.
- j. Licensee shall not provide live entertainment on or at the Licensed Space.

Section 9. No Warranties by County:

- a. The County shall not be required to perform any work or furnish any materials in connection with the use of the Licensed Space or the Licensee's Work.
- b. Except as otherwise set forth in this License Agreement, (i) County makes no warranty of any kind or nature, express, implied or otherwise, or any representations or covenants of any kind or nature in connection with the conditions of the Licensed Space or any part thereof, and (ii) County shall not be liable for any latent or patent defects therein or be obliged in any way whatsoever to correct or repair any such latent or patent defects.
- c. The County shall not be obligated to provide any services to Licensee.

Section 10. Licensee's Work:

- a. Licensee intends to perform certain work on the Licensed Space in accordance with the plan described in Exhibit B ("Licensee's Work") attached hereto and made a part hereof, which is subject to final approval by the Department and the Village of Patchogue. Licensee represents that any construction, reconstruction, renovation, and any preparation or work required to prepare the Licensed Space for its occupancy in accordance with the terms of this License Agreement will be in a good and workmanlike manner.
- b. Licensee agrees that the Licensed Space and any construction, reconstruction, or renovation of the Licensed Space shall comply with the Americans with Disability Act, and any applicable local and state codes.
- c. Any modification of Licensee's Work must first be approved in writing by the Department.
- d. Licensee shall cooperate with the Department to insure that the Licensee's Work is inspected and that a Certificate of Occupancy is issued for the Licensed Space by the Village of Patchogue.
- e. Licensee shall bear all costs and expenses related to the construction of Licensee's Work and other amenities relative to this License Agreement and operation of the Licensed Space.

Section 11. Licensee's Care of the Premises:

- a. It shall be Licensee's sole obligation to take good care of the Licensed Space and make and be responsible for any and all repairs, replacements, or renovations required. Licensee shall perform all work required to accommodate the needs of Licensee. All work is to be conducted in a good and workmanlike manner, at Licensee's sole cost and expense, and shall be subject to prior approval by, and inspection by the Department. All repairs and replacements shall be of good workmanship and of quality and class at least equal to the original work or equal to the subsequently renovated and improved work.
- b. On default of Licensee in making such repairs, replacements or renovations in accordance with Licensee's Work, upon ten (10) days written notice to Licensee, the County may, but shall not be required, to make such repairs and replacements or renovations. The expenses thereof shall be a cost to Licensee and shall be payable to the County in accordance with Section 3 above.
- c. Licensee agrees to perform maintenance and make repairs and replacements in any case where the County, in its reasonable judgment, determines that it is necessary to do so in order to preserve the safety of the Licensed Space, or to correct any condition which reasonably could cause injuries or damages to persons or property.

Section 12. Alterations: Licensee shall not make any alterations, installations, improvements, additions, renovations or physical changes to the Licensed Space or any part or portion thereof, without the prior written consent and approval of the Department and the Village of Patchogue.

Section 13. No Assignment: The License Agreement hereby granted may not be transferred, assigned, or otherwise given 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 deemed a material default of this License Agreement by Licensee. An assignment shall be deemed to include any change in the corporate structure of Licensee including, but not limited to, consolidation, merger, or transfer of a controlling interest of Licensee's corporate entity.

Section 14. Indemnification

a. The Licensee shall protect, indemnify and hold harmless the County and its officers, officials, members, employees, servants, contractors, agents and other persons 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 Licensee, its officers, officials, patrons, invitees, employees, subcontractors, agents, servants, or other persons arising out of or in connection with this License Agreement or the use and occupancy of the Licensed Space. The Licensee shall defend the County, and its officers, officials, members, employees, servants, contractors, agents, and other persons in any suit, including appeals, arising out of, or in connection with this License Agreement or the use and occupancy of the Licensed Space, or at the County's option, pay reasonable attorneys' fees for defense of any such suit arising out of the acts or omissions or negligence of the Licensee, its officers, officials, patrons, invitees, employees, subcontractors, agents, servants, or other persons, if any, arising out of or in connection with this License Agreement or the use and occupancy of the Licensed Space.

- b. The Licensee hereby represents and warrants that Licensee will not infringe upon any copyrighted work or material in accordance with the Federal Copyright Act during this License Agreement. Furthermore, the Licensee shall protect, indemnify and hold harmless the County, its officers, officials, employees, contractors, agents, servants, and other persons 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 copyright infringement. The Licensee shall defend the County, and its officers, officials, employees, contractors, servants, agents and other persons in any suit, including appeals, or, at their option, pay reasonable attorneys' fees for defense of any such suit arising out of copyright infringement.
- c. Licensee shall not use, suffer or permit any person to use in any manner whatsoever the Licensed Space or any part thereof for any illegal purpose, or for any purpose in violation of any Federal, State, County law, ordinance, rule, order or regulation or of any rule or regulation of the County now in effect or hereinafter enacted, amended or adopted, and will protect, defend, indemnify and forever save and keep harmless the County, its officers, members, contractors, agents, servants, officials, and employees from and against any damage, penalty, fine, judgment, expense or charge suffered, imposed, assessed or incurred for any violation or breach of any law, ordinance, rule, order or regulation occasioned by any act, neglect or omission of the Licensee, its officers, officials, subcontractors, employees, servants, or agents in connection with the Licensed Space or the use and occupancy of the Licensed Space.

In the event of any such violation or in case the County or its representatives shall deem any conduct on the part of Licensee, its officers, officials, subcontractors, employees, servants or agents to be objectionable or improper, the County shall have the right and power, and is hereby authorized by the Licensee to at once declare this License Agreement terminated without notice to Licensee.

Section 15. Risk of Loss:

- a. The risk of loss or destruction from any peril to furniture, fixtures, equipment, or other personal property of the Licensee for the term of this License Agreement shall be borne entirely by the Licensee. It is further understood that the Licensee waives any right to subrogation against the County for loss or destruction to the furniture, fixtures, equipment, or other personal property of the Licensee
- b. The County shall not be obligated to maintain insurance for loss from fire or other peril causing damage or destruction to the Licensed Space or to rebuild in the event of a partial or complete loss at the Licensed Space. In the event of such a loss, this License Agreement shall terminate immediately, subject to Licensee's obligation to surrender the Licensed Space in accordance with Section 2 above.
- c. The Licensee hereby waives any and all claims for compensation for any and all loss or damage sustained by reason of interference by any public agency or official in the operation of this License Agreement; any such interference shall not relieve the Licensee from any obligations hereunder.

Section 16. Insurance:

a. Licensee shall continuously maintain, during the term of this License Agreement, insurance in amounts and types as follows:

- (i) **COMMERCIAL GENERAL LIABILITY INSURANCE**, including contractual liability coverage, in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and Two Million Dollars (\$2,000,000.00) per occurrence for property damage. The County of Suffolk shall be named an additional insured.
- (ii) **WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY INSURANCE** in compliance with all applicable New York State laws and regulations and **DISABILITY BENEFITS INSURANCE**, if required by law. Licensee shall furnish to the County, prior to execution of this License Agreement, the documentation required by the State of New York Worker's Compensation Board of coverage or exemption from coverage pursuant to §§57 and 220 of the Worker's Compensation Law. In accordance with General Municipal Law §108, this License Agreement shall be void and of no effect unless Licensee shall provide and maintain coverage during the term of this License Agreement for the benefit of such employees required to be covered by the provisions of the Workers' Compensation Law.
- (iii) **TENANT'S LEGAL LIABILITY INSURANCE**, in an amount not less than Five Hundred Thousand Dollars (\$500,000.00) per occurrence.
- (iv) **PRODUCT LIABILITY/ERRORS AND OMISSIONS INSURANCE**, in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence.
- (v) **DRAM SHOP INSURANCE**, in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence providing coverage for claims arising out of the acts of patrons who may be served alcoholic beverages.

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

c. All policies required under this section shall be issued by insurance companies authorized to do business in New York with an A.M. Best rating of A- or better.

d. Licensee shall furnish to the County, prior to the execution of this License 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 of each such policy evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, Licensee shall furnish to the County, prior to execution of this License Agreement, a declaration page and certificate of insurance, insuring agreement and endorsement page evidencing the County of Suffolk 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 policy to which such evidence relates. It shall be the duty of Licensee to notify the County

immediately of any cancellation, nonrenewal, or material change in any insurance policy.

- f. Licensee's insurers shall waive subrogation against the County, its officers, officials, members, employees, servants, contractors, and agents, and Licensee shall provide the County with endorsement pages or applicable portions of the policies evidencing such waivers of subrogation.

Section 17. Negative Covenants:

- a. Licensee shall not use, occupy, maintain or operate the Licensed Space, nor suffer or permit the Licensed Space or any part thereof to be used, occupied, maintained or operated, nor bring into or keep at the Licensed Space, nor suffer or permit anything to be brought into or kept therein, which would in any way (i) violate any term, covenant or condition of this License Agreement, (ii) knowingly violate any restrictive covenant, operating covenant, encumbrance or easement affecting the Licensed Space, (iii) violate any Legislative Requirements set forth at Article II herein, (iv) make void or voidable any insurance policy then in force with respect to the Licensed Space or make any such insurance unobtainable or increase the rate of any insurance with respect to the Licensed Space, (v) cause physical damage to the Licensed Space or any part thereof, (vi) permit the excess accumulation of waste or refuse matter on the Licensed Space, (vii) constitute a public or private nuisance, or (viii) permit the creation or imposition of any liens or encumbrances upon the Licensed Space. The County represents that the use of the Licensed Space as described in this License Agreement does not violate (ii) and (iii) above.
- b. Licensee shall commit no act of waste and shall take good care of the Licensed Space and the fixtures and appurtenances therein.

Section 18. Hazardous Substances and Waste: Licensee shall not generate, treat, release, store, discharge, dispose of, transport, recycle, use, reuse, or handle hazardous substances or waste on the Licensed Space. As used herein, "hazardous substances or waste" shall include, but not be limited to, any flammable explosives, gasoline, petroleum products, polychlorinated biphenyl, radioactive materials, hazardous wastes, hazardous or toxic substances, or related or similar materials, asbestos or any material containing asbestos, or any other substance or material as defined by any federal, state or local environmental law, ordinance, rule, or regulation including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. Section 9601, et. seq.), the Hazardous Materials Transportation Act, as amended (49 U.S.C. Section 5101, et. seq.), Solid Waste Disposal Act, as amended (42 U.S.C. Section 6901, et. seq.), and the regulations adopted and publications promulgated pursuant thereto.

Licensee will protect, defend, indemnify and forever save and keep harmless the County and its officers, officials, members, employees, agents, and servants from and against any damage, penalty, fine, judgment, expense or charge suffered, imposed, assessed or incurred as a result of such violation or breach of the limitation set for in this Section 18.

Section 19. Conduct of Licensee's Employees: The Commissioner of the Department or his/her authorized representative shall inform Licensee, in writing or if orally, a written confirmation shall be sent immediately, of any employee of Licensee whose conduct the Commissioner or his/her representative deems detrimental to the best interest of the County or public. Licensee shall immediately take any and all action necessary and appropriate to remedy the conduct.

Section 20. Pest Control:

- a. The Licensee shall be responsible for all pest and vermin control on the Licensed Space.
- b. The Licensee shall comply with Suffolk County Code Chapter 647 and any other County laws, regulations or policies now, or hereafter existing, as to pesticide use at the Premises. The Licensee shall apply for any necessary exemptions from Suffolk County Code Chapter 647. All notices and reporting requirements shall be adhered to by the Licensee.

Section 21. County's Right of Access to the Licensed Space:

- a. The County may, but shall not be obligated to, enter the Licensed Space at any reasonable time for the purposes of inspection or the making of repairs, replacements, or additions in to or about the Licensed Space, as necessary or desirable, provided, however, that the County shall use reasonable efforts to provide advance notice of its access to the Licensed Space and to cause a minimal amount of interference with Licensee's use thereof.
- b. Notwithstanding the foregoing, the County may access the Licensed Space at any time to gain access to catch basins, drainage systems, and/or any other underground systems located at the Property that require servicing during the term of this License Agreement. In the event the County damages any fixtures or improvements located on the Licensed Space while gaining such access, the County shall be responsible to replace/repair such fixtures and/or improvements to their same condition immediately prior to the County gaining such access. During the time period the Licensed Space is rendered completely unusable by the County, the Licensee will only be responsible for a pro-rated share of its monthly License Fee based upon a 30 day month. The determination as to whether the Licensed Space is rendered completely unusable shall be made solely by the Commissioner of the Department.
- c. The County may access the Licensed Space at any time in the event of an emergency or other condition involving loss of life, threat to health and safety, destruction of property or other condition deemed to be dangerous, in the sole discretion of the Commissioner of the Department.

Section 22. Security: Licensee, at Licensee's sole cost and expense, shall provide all security and safeguarding of the Licensed Space during the term of this License Agreement.

Section 23. Signage: Any signage to be erected by Licensee at the Licensed Space shall be subject to the prior written approval of the Department and the Village of Patchogue.

Section 24. Non-discrimination in Services: During the term of this License Agreement:

- a. Licensee shall not, on the grounds of race, creed, color, national origin, sex, age, disability, sexual orientation, military status or marital status:
 - (i) deny any individual any services or other benefits provided pursuant to this License Agreement; or
 - (ii) provide any services or other benefits to an individual that are different, or are provided in a different manner, from those provided to others pursuant to this License Agreement; or
 - (iii) subject an individual to segregation or separate treatment in any matter related to the individual's receipt of any service(s) or other benefits provided pursuant to this License Agreement; or
 - (iv) restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any services or other benefits provided pursuant to this License Agreement; or
 - (v) treat any individual differently from others in determining whether or not the individual satisfies any eligibility or other requirements or condition which individuals must meet in order to receive any aid, care, service(s) or other benefits provided pursuant to this License Agreement.
- b. Licensee shall not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, creed, color, national origin, sex, age, disability, sexual orientation, military status or marital status, or have the effect of defeating or substantially impairing accomplishment of the objectives of this License Agreement in respect to individuals of a particular race, creed, color, national origin, sex, age, disability, sexual orientation, military status or marital status in determining:
 - (i) the types of service(s) or other benefits to be provided; or
 - (ii) the class of individuals to whom, or the situations in which, such service(s) or other benefits will be provided; or
 - (iii) the class of individuals to be afforded an opportunity to receive services.

Section 25. No County Liability for Licensee's Failure: Failure of Licensee to perform any or all of its obligations hereunder shall not give rise to any liability on the part of the County nor any of the County's departments, bureaus, agencies, employees, agents or representatives.

Section 26. Capacity to Contract: Licensee warrants that its entry into this License Agreement was duly considered and authorized by its organizational body and pursuant to its by-laws and/or internal procedures.

Section 27. Liquor License: Licensee represents that it has a valid New York State Liquor License to serve alcohol at the Licensed Space. Licensee further represents that a permit to offer food and beverages on the Licensed Space is not required by the Village of Patchogue or the Town of Brookhaven.

Section 28. Arrears to County: Licensee warrants that, except as may otherwise be authorized by agreement, it is not in arrears to the County upon debt or contract and, to the best of its knowledge, is not in default as surety, contractor or otherwise on any obligation to, or contract with the County.

Section 29. Liens: Licensee shall not allow any liens to be claimed, assessed and/or filed against the County with reference to any maintenance or improvements which the Licensee may make upon the Licensed Space, or by reason of Licensee's acts or omissions or because of any claim against Licensee. Should any of the same be filed, Licensee shall cause them to be cancelled or discharged of record by bond or otherwise within sixty (60) days of said filing. If Licensee shall fail to cancel or discharge said lien or liens within the 60-day period, the County may cancel or discharge same and upon the County's demand, Licensee shall reimburse the County for all costs incurred in canceling or discharging such liens together with an administrative fee equal to 5% of such costs.

Section 30. Status of Employees:

- a. It is expressly agreed that the status of Licensee hereunder is that of a licensee. Neither the Licensee nor any person hired by Licensee shall be considered an employee of the County for any purpose whatsoever. Notwithstanding anything herein, this License Agreement shall not be construed as creating a principal-agent relationship between the County and Licensee or Licensee and the County, as the case may be.
- b. Any private citizens participating in activities directed by the Licensee or performing work on behalf of Licensee are aware of the nature of work which is to be performed and shall follow prescribed safety guidelines and procedures. Any of said private citizens shall hold the County harmless from any liability whatsoever for any injuries that they may suffer or damages that they may cause or suffer as a result of their participation in the work performed at the Licensed Space.

Section 31. No Representations. Neither party has made any representations or promises in some further writing signed by the parties, except as contained herein.

Section 32. Future Acts of Legislature: During the term of this License Agreement, Licensee agrees to be bound by any and all future recommendations, policies, local laws, resolutions, and requirements as demanded, passed and promulgated by the Suffolk County Legislature, provided any such acts do not require the Licensee to do any restoration or repair work to the Licensed Space other than restoration or repair work required as a result of Licensee's use of the Licensed Space under this License Agreement.

Section 33. Governing Law: This License Agreement shall be construed and interpreted in accordance with the laws of the State of New York, and without regard to its conflict of laws provisions. Venues shall be designated as Suffolk County, New York or the United States District Court for the Eastern District of New York.

Section 34. No Implied Waiver: No waiver shall be inferred from any failure or forbearance of the County to enforce any provision of this License Agreement in any particular instance or instances, but the same shall otherwise remain in full force and effect notwithstanding any such failure or forbearance.

Section 35. Conflicts of Interest:

- a. Licensee agrees that it will not during the term of this License Agreement knowingly engage in any activity that is contrary to and/or in conflict with the goals and purposes of the County.
- b. Licensee 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 throughout the term of this License Agreement. The determination as to whether or when a conflict exists or may potentially exist shall ultimately be made by the County Attorney after full disclosure is obtained.

Section 36. Cooperation on Claims: Each of the parties hereto agrees to render diligently to the other party, without additional 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 in connection with this License Agreement.

Section 37. Suffolk County Legislative Requirements: The parties agree to be bound by the terms of the Suffolk County Legislative Requirements annexed hereto as Article II, and made a part hereof.

Section 38. Severability: It is expressly agreed that if any term or provision of this License Agreement or any amendment hereto, or the application hereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this License Agreement and any amendment hereto for the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this License Agreement and any amendment hereto shall be valid and shall be enforced to the fullest extent permitted by law.

Section 39. Certification as to Relationships: The parties to this Agreement hereby certify that, other than the consideration provided in this Licensed Agreement, there is no known personal, business, commercial, professional, economic, or financial relationship between the parties, the signatories to this License Agreement, and any partners, members, directors, or shareholders of more than five per cent (5%) of any party to this License Agreement.

Section 40. Notices: 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 Licensee at the address on page 1 of the License Agreement and 2.) to the Department at the address on page 1 of the License Agreement, 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 Licensee 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.

Section 41. Merger; No Oral Changes: It is expressly agreed that this License Agreement represents the entire agreement of the parties, that all previous understandings are merged in this License Agreement. No modification of this License Agreement shall be valid unless written in the form of an amendment and executed by both parties.

End of Text for Article I



Article II Suffolk County Legislative Requirements

For purposes of this Article II only, Licensee shall be known as the "Contractor."

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

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

Unless certified by an officer of the Contractor as being exempt from the requirements of section A5-7 of Article V of the Suffolk County Code, the Contractor represents and warrants that it has filed with the County Comptroller the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the Comptroller on or before the 31st day of January in each year of the License Agreement's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of the License Agreement, for which the County shall be entitled upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the License Agreement.

Required Form:

Suffolk County Form SCBX-22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. Living Wage Law

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 575 of the Suffolk County Code.

This License Agreement is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply, all employers (as defined) under service contracts and recipients of County financial assistance (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate the License Agreement and to seek other remedies as set forth therein, for violations of this Law.

Required Forms:

Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor - Living Wage Unit Notice of Application for County Compensation (Contract)".

Suffolk County Living Wage Form LW-38; entitled "Suffolk County Department of Labor - Living Wage Unit Living Wage Certification/Declaration - Subject To Audit"

3. Use of County Resources to Interfere with Collective Bargaining Activities

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 803, Article I, of the Suffolk County Code.

County Contractors (as defined by section 803-2) shall comply with all requirements of Chapter 803, Article I, of the Suffolk County Code, including the following prohibitions:

- a. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.
- c. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- d. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If the services are performed on County property, the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, non-intimidation agreement, and a majority authorization card agreement.

If the services are for the provision of human services and are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Chapter 803, Article I, the County shall have the authority, under appropriate circumstances, to terminate the License Agreement and to seek other remedies as set forth therein, for violations of this law.

Required Form:

Suffolk County Labor Law Form DOL-LO1; entitled "Suffolk County Department of Labor - Labor Mediation Unit Union Organizing Certification/Declaration - Subject to Audit."

4. Lawful Hiring of Employees Law

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 353, Article II, of the Suffolk County Code.

This License Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk. It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than January 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of the License Agreement.

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

The documentation mandated to be kept by this law shall at all times be kept on site. Employee sign-in sheets and register/log books shall be kept on site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign-in sheets/register/log books to indicate their presence on the site during such working hours.

Required Forms:

Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled, "Suffolk County, Department of Labor - Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees."

"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a, With Respect To Lawful Hiring Of Employees" Form LHE-2.

5. Gratuities

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 404 of the Suffolk County Code.

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of the County or the State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement.

6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

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

The Contractor represents that it is in compliance with sections A4-13 and A4-14 of Article IV of the Suffolk County Code. Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

7. Child Sexual Abuse Reporting Policy

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article II of Chapter 880 of the Suffolk County Code.

The Contractor shall comply with Article II of Chapter 880, of the Suffolk County Code, entitled "Child Sexual Abuse

Reporting Policy," as now in effect or amended hereafter or of any other Suffolk County local law that may become applicable during the term of the Contract with regard to child sexual abuse reporting policy.

8. Non Responsible Bidder

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article II of Chapter 189 of the Suffolk County Code.

Upon signing the License Agreement, the Contractor certifies that it has not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of section 189-5 of the Suffolk County Code under "Nonresponsible Bidder."

9. Use of Funds in Prosecution of Civil Actions Prohibited

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section 893-3 of Article III of Chapter 893 of the Suffolk County Code.

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

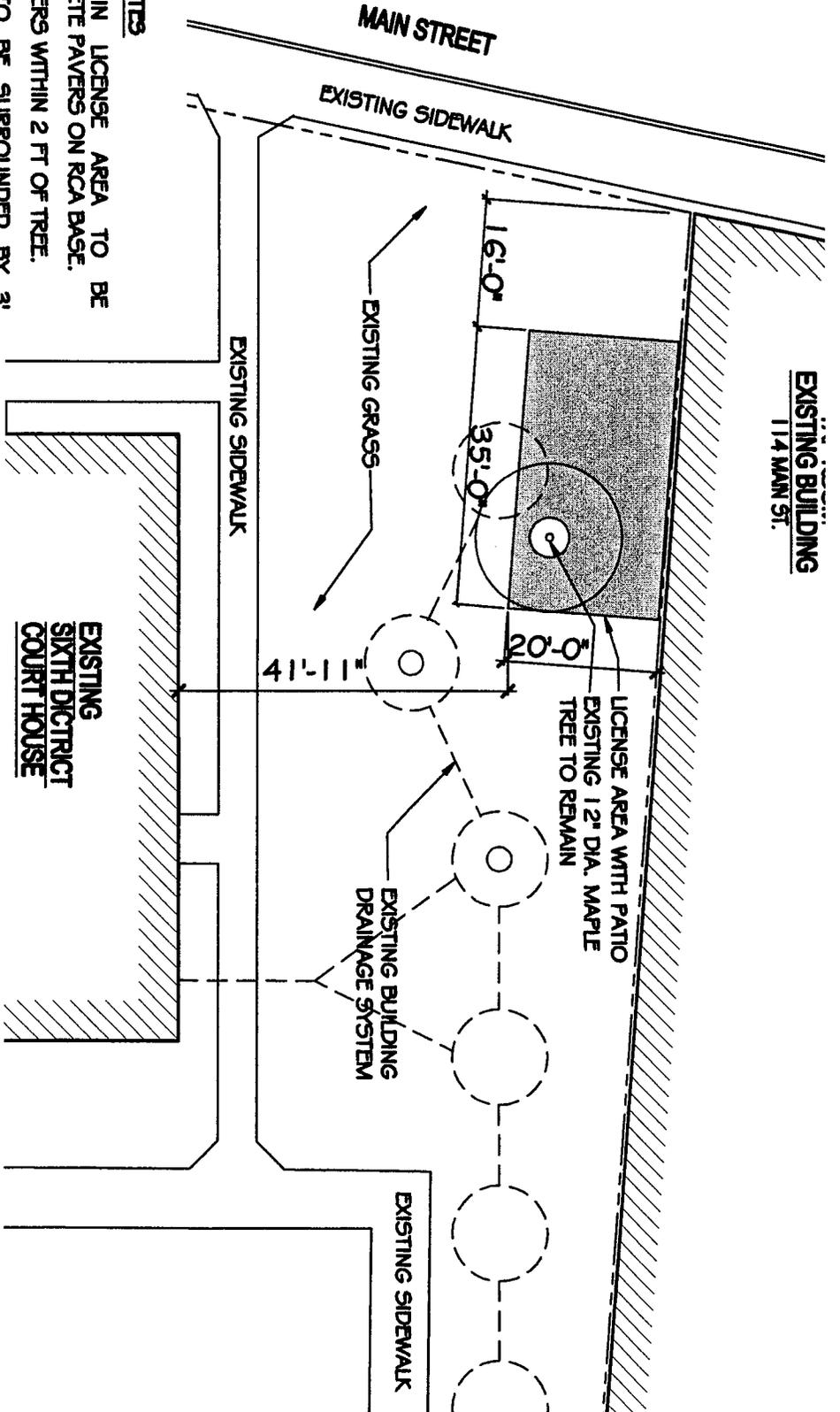
10. Suffolk County Local Laws Website Address

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

End of Text for Article II

1940

EXISTING BUILDING
114 MAIN ST.



- GENERAL NOTES**
1. PATIO IN LICENSE AREA TO BE CONCRETE PAVERS ON RCA BASE.
 2. NO PAVERS WITHIN 2 FT OF TREE.
 3. PATIO TO BE SURROUNDED BY 3' (MAX. HT.) FENCE WITH BALUSTERS
 4. NO ROOF OR STRUCTURES TO BE PLACED ON OR OVER THE LICENSED AREA.
 5. NO LIGHTING OR ELECTRICAL WORK ON THE LICENSED AREA.

1 SITE LAYOUT PLAN
SCALE: 1"=20'-0"



EXISTING SIXTH DISTRICT COURT HOUSE



SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS
YAPHANK

WALTER ANDERSON, P.E.
COMMISSIONER

JAMES J. PANDOLFO, P.A.
ADMIN. COUNTY ARCHITECT

REVISIONS:

PROJECT TITLE:
TAP ROOM LICENSE AGREEMENT LOCATION

TITLE SHEET:
LICENSE EXHIBIT

DRAWN BY: [Signature]

DESIGNED BY: [Signature]

DATE: 09.11.12

SCALE: 1"=20'-0"

DWG. NO.:

A-2

DP NO. 0000

BLDG NO. C0000

1941

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

Laid on Table

10/9/12

**RESOLUTION NO. -2012, APPROVING THE APPOINTMENT
OF DOUGLAS KING TO THE SUFFOLK COUNTY
DISABILITIES ADVISORY BOARD - GROUP D**

WHEREAS, Local Law No. 42-2011 authorized the County Legislature to appoint six (6) members to the Disabilities Advisory Board - Group D; now, therefore, be it

1st RESOLVED, that **Douglas King** residing in Amityville, NY, be and hereby is appointed to the Suffolk County Disabilities Advisory Board - Group D, for a term of office expiring two-years from the effective date of this resolution, pursuant to the provisions of Chapter 50 of the SUFFOLK COUNTY CODE.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND
CHAPTER 50 OF THE SUFFOLK COUNTY CODE

s:\res\r-appt-king-disabilities-advisory-board

Douglas King

Amityville, New York 11701-1396

Date of Birth:
Phone number:
E-mail:

Education:

H. Frank Carey High School 1987-1991: High School Diploma

Wright State University 1991-1994: B.A. in a Business
Administration/Management

Working history:

Wheels In Motion Consulting 2006-2012: President – Owner – CEO

Disability Awareness:

We will teach the best way to greet someone in a wheelchair, and how to respond to challenging behaviors. We will also teach how much accommodations to disabilities are appropriate. The presentation is structured to inspire empathy and give practical tips.

Understanding Quality of Life:

The foundation of quality care is rooted in the days and understanding of provider responsibilities and modeling and teaching respect, disability awareness, and how to overcome social barriers. This presentation is designed to educate and motivate service providers.

Special Education & The Law:

This presentation brings together disability lawyers such as responsible accommodation of the disabilities act, legal aid is related to special education and disability awareness training. The program is customized to meet the needs of individual school districts and answers to difficult questions they face.

Wheels In Motion Consulting, Inc. will provide medium to large size companies with training programs and seminars covering a wide variety of subjects. The Americans with Disabilities

Act and similar state laws prohibit employers from discriminating against qualified individuals with disabilities. These laws also require employers to make reasonable accommodations to qualified individuals with disabilities as long as doing so would not create an undue hardship on the employer. Wheels In Motion Consulting, Inc. teaches supervisors and managers the practical skills they need to confidently and effectively handle reasonable accommodation issues (reasonable accommodations of the disability act - federal law - June 26, 1990). Throughout Wheels In Motion Consulting, Inc. training seminars, we will educate your employees and help your company avoid costly lawsuits or other embarrassing situation. Additionally, Douglas will offer seminars to the public. This will not be a targeted segment, but will be used to increase awareness of Wheels In Motion Consulting, Inc. to drum up future business.

Languages:

American Sign Language

Skills/Awards:

Motivational Speaker, Organizational skills

2011 Oneicmus Rollerson Volunteer of the Year – S.O.N.I.A.Y. Inc.

Live it up TV – Donna Drake – TV spot

Strategies for Success – Brian Cohen – Radio Spot

Suffolk County Citizens Police Academy Alumni Association – First Physically Challenged resident to complete program. Director of Public Relations since 2011.

Suffolk County Community Emergency Response Team – First Physically Challenged resident to complete program.

Personal:

March of Dimes - Poster Child 1978 - We help moms have full-term pregnancies and research the problems that threaten the health of babies. Disability Advocate for Children of Spina Bifida.

Angela's House - Disability Advocate – To identify families caring for their children who may have a severe disability or medical conditions so that we may help them obtain supportive services to improve the quality of life for the children and their family.

1942

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

Laid on Table 10/9/2012

**RESOLUTION NO. -2012, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.
728-2012**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 728-2012; and

WHEREAS, this resolution when adopted contained technical errors; and

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

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

Resolution No. 728-2012

In the 4th RESOLVED and 5th RESOLVED paragraph change the Fund Number:

FROM:

525

TO:

529

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1943

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

Laid on Table 10/9/12

**RESOLUTION NO. -2012, DIRECTING THE SUFFOLK
COUNTY POLICE DEPARTMENT TO OFFER DRUG
TREATMENT REFERRALS TO INDIVIDUALS RECEIVING
NARCAN**

WHEREAS, Resolution No. 299-2012 expanded the Department of Health Services' Narcan pilot program for EMS workers to include qualified officers in the Suffolk County Police Department; and

WHEREAS, since the expansion of this program in May, administration of Narcan to individuals overdosing on opiates by Suffolk County police officers has saved at least nine lives; and

WHEREAS, individuals that overdose on opiates are usually addicted and need professional help to get clean, but may not know where to find such assistance; and

WHEREAS, Suffolk County police officers administering Narcan should offer such individuals a referral to a substance abuse program, which will provide them with information and assistance in overcoming their addiction; and

WHEREAS, such referrals may help individuals find a better, drug-free life; now, therefore be it

1st RESOLVED, that the Suffolk County Police Department ("SCPD") is hereby authorized, empowered and directed to establish a protocol whereby police officers administering Narcan to persons who have overdosed on opiates, shall offer such individuals, or any family member, friend or companion with the individual at the time of treatment, a referral to a local substance abuse program; and be it further

2nd RESOLVED, that under this protocol, an SCPD officer shall provide the contact information to the treated individual, or their family member, friend or companion and provide the contact information of the recipient of same to said program within 24 hours of administering the Narcan; 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:

1944

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

Laid on Table 10/9/12

RESOLUTION NO. -2012, APPROVING THE REAPPOINTMENT OF CLIFFORD HYMOWITZ TO THE SUFFOLK COUNTY DISABILITIES ADVISORY BOARD – GROUP D

WHEREAS, the term of office of Clifford Hymowitz as a member of the Suffolk County Disabilities Advisory Board – Group D, expired on September 16, 2012; and

WHEREAS, it is the desire of the Suffolk County Legislature to reappoint Clifford Hymowitz as a member of the Suffolk County Disabilities Advisory Board – Group D; now, therefore be it

1st RESOLVED, that **Clifford Hymowitz** residing in Medford, NY, be and hereby is reappointed to the Suffolk County Disabilities Advisory Board – Group D, for a term of office expiring September 16, 2014, pursuant to the provisions of Chapter 50 of the SUFFOLK COUNTY CODE.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND CHAPTER 50 OF THE SUFFOLK COUNTY CODE

s:\res\r-reappt-hymowitz-disabilities-advisory-bd

1944

Clifford Hymowitz

Medford, NY 11763

Phone:

E-Mail:

ADVOCACY

- Network with a wide variety of communities and
- Gather information from contacts made on all governmental levels regarding issues identified and disseminating information for review and action, and educating and organizing interested parties at relevant public hearings to contact their legislators on a regular basis.
- Promote coordination among the local town non-emergency medical transportation services to increase accessibility to medical care outside of the town of residence. Educate Town Supervisors on the benefits of coordination, as well as identifying funding streams.
- Created and utilized a "Mobility Needs Assessment" to identify the barriers that prevent riders from accessing services in the existing Public Transportation system, which includes Paratransit services. Increased access to quality of life activities after hours when public transportation is not available by utilizing ride sharing and van pools.
- Organize and utilize a grass roots network of individuals who vote to bring these issues to the network of contacts developed. This network is comprised of self-advocacy organizations, not-for-profits, and the private sector, as well as both elected officials and government employees on a local, county, state and federal level.
- Educate parents of the rights of students with disabilities to travel training. Encourage parents to administer mobility assessments for each student moving up to high school, insuring that travel training, if required, would be part of the student's IEP. The student, when ready to transition, will then be equipped with the proper skills to reach their highest potential.
- Develop and provide testimony before the full legislature as well as the Public Works and Transportation Committee of the Suffolk County Legislature.

Education

- Associates degree in Liberal Arts Social Studies, Westchester Community College
 - Student Government
- B.S. Political Science, SUNY College at Oneonta
 - Semester intern working for Pennsylvania State Representative David Richardson

BOARDS:

- Suffolk County Disabilities Advisory Board, Chairperson of Transportation Committee
- National Steering Committee Member - Easter Seals Project Action - Sole Member with Cognitive Disability TBI
- NYSDOT Region #1 (CPTHS) Coordinated Public Transit Human Services Transportation Planning Group - Member
- NYSDOT Region #1 Metropolitan Mobility Network - Member
- National Alliance of Public Transportation Advocates - Member

STRENGTHS:

- Addressor of "hidden barriers"
- Strong passionate advocate for the disabled
- User of public transportation
- Excellent researcher

HONORS

- Newsday "Every Day Hero" November 2003
- News 12 "12 Making A Difference" August 2005

EMPLOYMENT

- Executive Director (and founder) Long Island Concerned Citizens for Public Transportation January 2001 - May 2006
- Mobility & Disability Specialist - Town of Brookhaven, Suffolk County NY June: 2006 - Present

1945

Intro. Res. No. 2012
Introduced by Legislator Stern

Laid on Table 10/9/12

RESOLUTION NO. -2012, AUTHORIZING TRANSFER OF SURPLUS BLACKBERRIES, ACCESSORIES AND OTHER TELEPHONE DEVICES TO AHRC

WHEREAS, the Suffolk County Department of Information Technology has submitted to the Purchasing Department a list of surplus blackberries, accessories and other telephone devices; and

WHEREAS, AHRC has requested the donation of blackberries and telephone accessories from the County; and

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

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

<u>TO::</u>	<u>ITEMS REQUESTED:</u>	<u>SERIAL NUMBER:</u>
AHRC	BlackBerry w/ charger - 8830	076 053 978 62
2900 Veterans Memorial Hwy.	BlackBerry w/ charger - 8830	076 029 460 39
Bohemia, NY 11716	BlackBerry w/ charger - 8830	076 000 643 45
Contact Person: J. Andreassi	BlackBerry w/ charger - 8530	A000001C7247C7
631-585-0100 ext. 597	BlackBerry w/ charger - 8530	A000002504716D
	BlackBerry w/ charger - 8530	A000002524247E
	BlackBerry w/ charger - 8530	A000002502EF29
	BlackBerry w/ charger - 8530	A000001CEFA0F7

and be it further

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

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-donate blackberries-AHRC-Stern

1946

Intro. Res. No. 2012
Introduced by Legislators Gregory, Kennedy and Calarco

Laid on Table 10/9/12

RESOLUTION NO. -2012, AUTHORIZING TRANSFER OF SURPLUS BLACKBERRIES, ACCESSORIES AND OTHER TELEPHONE DEVICES TO VICTIMS INFORMATION BUREAU OF SUFFOLK

WHEREAS, the Suffolk County Department of Information Technology has submitted to the Purchasing Department a list of surplus blackberries, accessories and other telephone devices; and

WHEREAS, Victims Information Bureau of Suffolk ("VIBS") has requested the donation of blackberries, accessories and other telephone devices from the County; and

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

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

TO::	ITEMS REQUESTED:	SERIAL NUMBER:
VIBS	BlackBerry w/ charger - 9650	A0000025 93CB77
P.O. Box 346	BlackBerry w/ charger - 9650	A000001 CD88D52
Central Islip, NY 11722	BlackBerry w/ charger - 8530i	010000975219820
	BlackBerry w/ charger - 8350	A000001CB87A1B
Contact Person: Pamela Johnston	BlackBerry w/ charger - 8530	A000001CCC60B7
(631) 360-3730	BlackBerry w/ charger - 9650	A0000025 525F88
	BlackBerry w/ charger - 9650	A0000025 8E1AC9
	BlackBerry w/ charger - 9650	A0000025 93C60E
	BlackBerry w/ charger - 9650	A0000025 93D4BC
	BlackBerry w/ charger - 9650	A0000025 9CEFC8
	BlackBerry w/ charger - 9650	A0000025 9CF0D3
	BlackBerry w/ charger - 9650	A0000025 9DC6C5
	BlackBerry w/ charger - 9650	A0000025 9EDF21
	BlackBerry w/ charger - 8350	A000002524C833
	BlackBerry w/ charger - 9650	A0000025 397230
	BlackBerry w/ charger - 9650	A0000025 93C1EA
	BlackBerry w/ charger - 9650	A0000025 93C39C
	BlackBerry w/ charger - 9650	A0000025 93C5DA
	BlackBerry w/ charger - 9650	A0000025 B26736
	BlackBerry w/ charger - 8830	076 164 583 12
	BlackBerry w/ charger - 8830	076 138 775 58
	BlackBerry w/ charger - 8830	076 094 709 48
	BlackBerry w/ charger - 8830	076 029 503 84
	BlackBerry w/ charger - 8830	076 138 185 06

and be it further

2nd RESOLVED, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal

consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-donate blackberries-VIBS

1947

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

Laid on Table 10/9/12

**RESOLUTION NO. - 2012, ADOPTING LOCAL LAW
NO. -2012, A CHARTER LAW TO ESTABLISH MULTI-
YEAR BUDGET PLAN**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2012 a proposed local law entitled, "**A CHARTER LAW TO ESTABLISH MULTI-YEAR BUDGET PLAN**"; now, therefore, be it

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

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

A CHARTER LAW TO ESTABLISH MULTI-YEAR BUDGET PLAN

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Suffolk County's operating budget is under pressure as never before.

This Legislature determines that diminished sales and property tax revenues, rising pension and health insurance costs, shrinking federal and state aid and increasing demands for county services have combined to create a chronic, structural budget imbalance in Suffolk County.

This Legislature further determines that since the national economic meltdown in 2008, Suffolk County has drawn down reserves and utilized one-shot revenues to close annual operating budget deficits. These actions have only exacerbated the County's structural deficit.

This Legislature finds that despite reductions in the County workforce and services provided, additional measures are needed to meet ever-increasing mandated expenses.

This Legislature also finds that strategic long-term budget planning is essential to solving the County's current fiscal problems.

This Legislature finds and determines that multi-year budget planning can help policymakers assess the long-term financial implications of current policies, identify structural budget deficits and develop long-term solutions to achieve fiscal stability.

This Legislature also finds that many municipal finance experts, including the New York State Comptroller and the Government Financial Officers Association ("GFOA"), recommend that local governments adopt a multi-year budget plan that extends at least three years beyond the current budget period.

This Legislature also determines that embracing multi-year budget planning is consistent with the current Charter provision that requires the County Executive's Budget Office and the Legislature Office of Budget Review ("BRO") to develop and maintain a multi-year budget model.

Therefore, the purpose of this law is to require that the County Executive, in addition to submitting a proposed operating budget each year, submit to the County Legislature a multi-year budget plan that identifies future expenditures, revenues and budget deficit mitigation measures.

Section 2. Amendments.

Section C4-6 of the SUFFOLK COUNTY CHARTER is hereby amended by the addition of a new paragraph D to read as follows:

C4-6. Submission of proposed budget by County Executive.

* * * *

- D. At the same time the County Executive submits his proposed operating budget, he or she shall also submit a separate budget planning document which outlines revenue and expenditure estimates for the three fiscal years subsequent to the ensuing fiscal year.
1. This budget planning document shall:
 - a. Provide a reasonable baseline estimate of expenditures and revenues for each of the major funds for each year of the plan in the event that no further actions are undertaken by the county affecting the major funds.
 - b. Identify and describe in reasonable detail all actions necessary and appropriate to ensure, with respect to each of the major funds for each fiscal year of the plan, that any projected baseline deficit is closed and that annual aggregate operating expenses for such fiscal year shall not exceed annual aggregate operating revenues.
 - c. Provide that each of the major funds of the county will be balanced in each year of the plan in accordance with generally accepted accounting principles.
 - d. Identify and describe all reserve and unreserved fund balances that are available to make one-time payments and to offset unforeseen or unusual expenditure increases or reductions in revenue.
 - e. Identify and describe anticipated threats to the success of the financial plan.
 - f. Identify and describe contingencies and opportunities which may be available or which may occur during the plan period to enhance the probability of the success of the financial plan.
 2. Revenue estimates categories for the following three fiscal years shall include, but not be limited to, revenue from sales taxes, property taxes, miscellaneous revenues, anticipated federal and state aid, and anticipated asset sales. The impact of any tax

increases or reductions and anticipated changes in federal or state aid based on new legislation shall be included in revenue estimates.

3. Expenditure estimates categories for the following three fiscal years shall include, but not be limited to, personal service appropriations, debt service appropriations, the out-year costs of labor contracts, changes in the capital program which will impact debt service, planned reductions or increases to departmental budgets and other miscellaneous appropriations.
4. The budget plan for the following three fiscal years shall contain a description and an explanation of all the revenue and expense assumptions as well as a section on each department or agency which explains the impact of any increases or decreases in department spending.
5. The budget plan shall also include specific budget programs or plans to eliminate any identified budget deficit.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is

filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the office of the Secretary of State.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\cl-multi-year budget

1947

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: OCTOBER 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; CHARTER LAW TO ESTABLISH MULTI-YEAR BUDGET PLAN
SPONSOR: LEGISLATOR CILMI

DATE OF RECEIPT BY COUNSEL: 9/20/12 **PUBLIC HEARING:** 11/20/12
DATE ADOPTED/NOT ADOPTED: _____ **CERTIFIED COPY RECEIVED:** _____

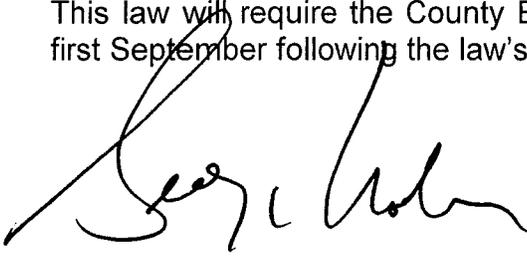
This proposed law would amend Article 4 of the Suffolk County Charter to require the County Executive to submit, at the same time he submits his proposed operating budget to the County Legislature each year, a separate budget planning document which outlines revenue and expenditure estimates for the three fiscal years subsequent to the ensuing fiscal year.

The three-year budget planning document must provide reasonable baseline estimates of expenditures and revenues for each of the major funds for each year of the plan; identify and describe in reasonable detail all actions necessary and appropriate to ensure that any projected deficit is closed and that annual aggregate operating expenses for each fiscal year shall not exceed annual aggregate operating revenues; provide that each of the major funds of the County will be balanced in each year of the plan in accordance with generally accepted accounting principles; identify and describe all reserve fund balances that are available to make one-time payments to offset unforeseen expenditure increases or revenue reductions; identify and describe anticipated threats to the success of the financial plan; identify and describe contingencies and opportunities which may be available or which may occur during the plan period to enhance the probability of the success of the plan.

The proposed law also contains a provision that the three-year budget plan must contain a description and explanation of all the revenue and expense assumptions within the plan and also describe specific budget programs and plans that will be used to eliminate any identified budget deficit.

This law is made subject to a permissive referendum.

This law will require the County Executive to submit his three year budget plan in the first September following the law's effective date.

A handwritten signature in black ink, appearing to read "George Nolan", written over the text of the first paragraph.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-mult-year budget plan

1948

Intro. Res. No. -2012
Introduced by the Presiding Officer

Laid on Table

10/9/12

RESOLUTION NO. -2012, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SEWER DISTRICT #3 – SOUTHWEST BERGEN POINT WASTEWATER TREATMENT PLANT OUTFALL REPLACEMENT PROJECT, TOWN OF BABYLON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Sewer District #3 – Southwest Bergen Point Wastewater Treatment Plant Outfall Replacement Project, Town of Babylon", pursuant to Section 6 of Local Law No. 22-1985 which project involves the replacement of the deteriorated section of the existing Bergen Point Wastewater Treatment Plant outfall pipe with a newly constructed lined tunnel to be installed below the bottom of the Great South Bay; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and a presentation was made by a representative from CDM Smith and subsequently sent out to all concerned parties; and

WHEREAS, at its September 19, 2012 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b)(10) and Chapter 450 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated September 24, 2012 of said recommendations; and

WHEREAS, Section 450-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Sewer District #3 – Southwest Bergen Point Wastewater Treatment Plant Outfall Replacement Project constitutes a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b)(10) and Chapter 450 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1) The proposed action will not exceed any of the criteria set forth in Title 6 NYCRR, Part 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form, the Engineering Design Report dated May 2011, additional supporting documentation submitted and the discussions and deliberations contained within the meeting records of the CEQ;

- 2) After review of an economic and environmental alternatives analysis contained within the May 2011 Engineering Design Report, the proposed alternative appears to be the least environmentally damaging practicable alternative;
- 3) Most of the construction associated with the proposed action would occur underground to avoid impacts to the Great South Bay and surrounding environments;
- 4) Access shaft construction will use ground freezing technology to further reduce impacts on the surrounding area;
- 5) The proposed alternative does not include the installation of carrier pipes and, therefore, the tunnel size could be reduced further mitigating impacts;
- 6) Impacts resulting from project implementation will be limited to short-term construction-related impacts in the previously disturbed, invasive-species dominated shaft construction areas which will be subject to an approved site restoration plan;
- 7) All work conducted will be done so in accordance with all applicable Federal, State and local permitting requirements; and
- 8) If not addressed, it is likely that the existing outfall pipe will fail and result in the discharge of treated effluent directly into the Great South Bay;

and be it further

2nd **RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd **RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 450-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1949
Intro. Res. No. -2012
Introduced by Legislator Schneiderman

Laid on Table 10/9/12

RESOLUTION NO. -2012, TO MODIFY GOLF FEES FOR VETERANS

WHEREAS, Chapter 948 of the Suffolk County Code sets forth the County's parks and recreation fees; and

WHEREAS, Res. 50-2006 extended senior citizens' park fee rates to veterans who are Suffolk County residents, exclusive of golf fees; and

WHEREAS, this Legislature wishes to charge veterans fees for golfing that are equivalent to those paid by seniors, so as to recognize their service to our nation; now, therefore be it

1st RESOLVED, that §948-26 of the Suffolk County Code is hereby amended as follows:

Section 948-26. Fee Schedule.

.....

Golf

Residents

Weekday, excluding holidays \$28

Weekend and holidays \$30

Discount rate weekday, excluding holidays for:

Senior citizen; handicapped; and veterans \$17

Junior (under 18) discount rate \$10

Discount rate weekend and holidays for:

Junior (under 18) accompanied by a paying golf patron 18 or older after 11:00 a.m. (limited to three Juniors per 18 or older paying golf patron) \$10

Nonresident

Weekday (excluding holidays) \$38

Weekend and holidays \$45

Twilight discount rates 7 days per week

Residents	\$18
Nonresidents	\$30
Twilight discount rates weekday, excluding holidays	
Senior citizen; <u>veterans</u>	\$11
Handicapped	\$11
Junior (under 18)	\$9
9 holes weekday, excluding holidays	
Residents	\$15
Nonresident	\$24
Senior citizen; <u>veterans</u>	\$9
Handicapped	\$9
Junior	\$8
9 holes, weekend and holidays	
Residents	\$18
Nonresident	\$30
Senior citizen; <u>veterans</u>	\$18
Handicapped	\$18
Junior	\$18
9 holes, weekdays, annual pass for senior citizen veterans and senior citizens who served in World War II for a nation that was an ally of the United States and who is now a United States citizen	\$400
Tournament application fee	\$62
Tournament greens fee (all players)	\$33
Same-day replay fee	\$15
Reservation fee (per player/round)	\$3
Reservation no-show fee (per player)	\$5

.....

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-park-fees-veterans

1950

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

Laid on Table 10/9/12

**RESOLUTION NO. -2012, ADOPTING CLIMATE SMART
COMMUNITY GOALS IN THE COUNTY OF SUFFOLK**

WHEREAS, climate change poses a real and increasing threat to the environments of Suffolk County, New York State and the world, and is primarily caused by the burning of fossil fuels; and

WHEREAS, the effects of climate change will have a major impact in all communities: endangering infrastructure, economies and livelihoods; harming local agriculture and ecology, including native fish and wildlife populations; encouraging the spread of invasive species and exotic diseases; reducing drinking water supplies and recreational opportunities; and posing health threats to our citizens; and

WHEREAS, even if emissions are drastically reduced today, communities throughout the world will have to adapt to the effects of climate change for decades to come; and

WHEREAS, the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, the State of New York has established a Climate Smart Communities program to encourage local governments to develop successful, sustainable local climate initiatives; and

WHEREAS, local governments can respond to the challenge of climate change by creating livable, energy-independent and secure communities, developing vibrant innovative economies, promoting healthy and safe schools and build resilient infrastructure; and

WHEREAS, the County of Suffolk should establish itself as a Climate Smart Community (CSC) and take the necessary steps to become a more efficient, successful and sustainable County government; now, therefore be it

1st RESOLVED, that the County of Suffolk, in the interest of reducing greenhouse gas emissions and adapting to a changing climate, shall engage in the following activities:

1. Pledge to Combat Climate Change by Becoming a Climate Smart Community (CSC): Set goals to reduce GHG emissions and adapt to predicted climate change, work with other local CSCs to develop complementary and compounding climate based policies, and sign on to a widespread climate campaign to show commitment and obtain technical resources to aid in accomplishing these goals.
2. Set Goals, Inventory Emissions, Move to Action: Gather data, inventory County GHG gas emissions, and establish baselines for County government operations; develop interim GHG targets consistent with emission reduction goals and propose a schedule and financing strategy to meet same; develop an emissions action plan; report emissions to The Climate Registry and use related tools to track and evaluate the County's progress.

3. Decrease Energy Demand for County Government Operations: Adopt a goal of reducing electricity use by 15% from projected levels by 2015; inventory electricity usage at existing County facilities and consider opportunities to increase energy efficiency and conservation; achieve LEED standards for new facility construction; incorporate energy efficient technology, operations and maintenance practices for County infrastructure; and improve fuel efficiency and sustainability of County fleet vehicles.
4. Encourage Renewable Energy for County Government Operations: Supply as much of the County government's power requirements as possible through renewable energy sources, either by purchase or direct generation.
5. Realize the Benefits of Recycling and Other Climate Smart Solid Waste Management Practices at the County Level: Reduce solid waste generation by County government; promote the reuse of items when possible; provide recycling containers in County government buildings; and promote expanded "Reduce, Reuse, and Recycle" initiatives to the public.
6. Promote Climate Protection Through County Planning: Combat climate change through County planning, when possible, and preserve and protect open space, biodiversity and water supplies.
7. Plan for Adaptation to Unavoidable Climate Change: Evaluate risks for unavoidable climate change and set adaptation goals and a plan for adaptation; identify climate change impacts that could affect Suffolk County, including critical impact areas such as water supply or sewer infrastructure that may at risk due to rising sea-levels or other changes; factor climate risks into long-term investments and decision making; execute adaptation plan and preparedness measures through County planning, development and operations, prioritizing the highest risk areas.
8. Support a Green Innovation Economy in Suffolk County: Identify opportunities to incorporate climate protection, sustainability and environmental goods and services industries to the County's economic development plans; encourage workforce development training and school curricular that support the green collar job sector, including renewable energy, energy efficiency and climate smart solid waste management practices; obtain climate smart goods and services for County government operations and support modernization of local and national electricity grids.
9. Inform and Inspire the Public on Climate Smart Communities: Lead by example; highlight County commitments to reducing energy use, saving tax dollars and adapting to changing conditions; demonstrate the benefits of energy savings, energy efficiency and renewable energy projects increasing community awareness, working with school districts, colleges and universities to develop climate change curricula and programs, and regularly communicate County climate protection goals and progress to constituents.
10. Commit to an Evolving Process: Acknowledge that research and policy on climate protection are constantly improving and evolving; be willing to

consider new ideas and commit to update plans and policies as needed; compare successes, cooperate and collaborate with neighboring communities to redirect less-effective actions and amplify positive results.;

and be it further

2nd **RESOLVED**, that, in the furtherance of the activities set forth in this Resolution, the County shall establish a Climate Smart Community Standing Committee ("Committee") comprised of County officials and community members to examine climate change issues and propose a plan of action; and be it further

3rd **RESOLVED**, that the Committee shall be comprised of the following nine (9) members:

- 1) The Chairperson of the County Legislature's Committee on Economic Development and Energy, or his or her designee, who shall serve as chair of the committee;
- 2) The Presiding Officer of the County Legislature, or his or her designee;
- 3) The Minority Leader of the County Legislature, or his or her designee;
- 4) The Chairperson of the County Legislature's Environment, Planning and Agriculture Committee, or his or her designee;
- 5) The Commissioner of the County Department of Public Works, or his or her designee;
- 6) The Director of the Division of Planning in the Department of Economic Development and Planning, or his or her designee;
- 7) The Director of the Office of Legislative Budget Review, or his or her designee;
- 8) A community member, to be selected by the County Legislature; and
- 9) A community member, to be selected by the County Executive;

and be it further

4th **RESOLVED**, that the Committee shall be charged with examining the issues of climate change and greenhouse gas emissions as they relate to County government, propose a plan of action and update same as necessary; and be it further

5th **RESOLVED**, that the members of this Committee shall serve without compensation and shall serve at the pleasure of their appointing authority; and be it further

6th **RESOLVED**, that the Committee shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the chairman of the Committee, for the purpose of organization and the appointment of a vice chairperson and a secretary; and be it further

7th **RESOLVED**, that the Committee shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least three (3) members of the Committee. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

8th **RESOLVED**, that five (5) members of the Committee shall constitute a quorum to transact the business of the Committee at both regular and special meetings; and be it further

9th **RESOLVED**, that clerical services involving the month-to-month operation of this Committee, as well as supplies and postage as necessary, will be provided by the staff of the County Legislature; and be it further

10th **RESOLVED**, that the Committee may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

11th **RESOLVED**, that the Committee may delegate to any member of the Committee the power and authority to conduct such hearings and meetings; and be it further

12th **RESOLVED**, that the Committee shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

13th **RESOLVED**, that the Committee shall submit a written report annually to the County Executive, each member of the County Legislature and the Clerk of the County Legislature which will detail the Committee's work over the previous year and the Committee's findings and recommendations to implement climate smart initiatives in County government; and be it further

14th **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-climate smart communities

1951

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

Laid on Table 10/9/12

**RESOLUTION NO. -2012, DIRECTING A CLAIM FOR MTA
TAX REFUND**

WHEREAS, the State of New York enacted the Metropolitan Transportation Authority's Payroll Mobility Tax ("MTA Payroll Tax") in 2009; and

WHEREAS, the MTA Payroll Tax was imposed on certain employers and self-employed individuals in the 12-county New York metropolitan area, including Suffolk County, as part of a bailout of the MTA; and

WHEREAS, the County of Suffolk has paid millions of dollars in MTA taxes since its inception; and

WHEREAS, in August of this year, a State Supreme Court Justice declared the MTA tax unconstitutional; and

WHEREAS, because there is a three year statute of limitations in New York to file an amended tax return, employers have until November 2, 2012 to formally claim a refund for monies they paid in MTA tax during 2009; and

WHEREAS, the New York State Department of Taxation and Finance announced that it is developing a process for employers to file a protective claim for a MTA tax refund; and

WHEREAS, the County of Suffolk should take all steps necessary to claim a MTA tax refund and thereby protect its taxpayers; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Law is hereby directed to file with the New York State Department of Taxation and Finance a claim for refund of MTA tax monies paid by the County of Suffolk during 2009; and be it further

2nd RESOLVED, that the Department of Law is further authorized, empowered and directed to take all other actions necessary and appropriate to claim a refund for MTA tax monies paid by the County of Suffolk during 2009; 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:

1952

Intro. Res. No. -2012
Introduced by Presiding Officer Lindsay

Laid on Table 10/9/12

**RESOLUTION NO. - 2012, APPROVING THE
REAPPOINTMENT OF DAVID K. PARKINSON AS A MEMBER
OF THE SUFFOLK COUNTY BOARD OF HEALTH**

WHEREAS, appointments to the Suffolk County Board of Health are within the purview of the County Legislature under §C9-4 of the SUFFOLK COUNTY CHARTER; and

WHEREAS, David K. Parkinson has served as a board member in a holdover capacity since his term of office expired on September 25, 2010; now, therefore be it

RESOLVED, that **David K. Parkinson**, who resides in Port Jefferson, NY, 11777, be and he is hereby reappointed as a member of the Suffolk County Board of Health, pursuant to §C9-4 of the SUFFOLK COUNTY CHARTER, for a term of office to expire on September 25, 2016.

DATED:

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 9-4 OF THE SUFFOLK COUNTY CHARTER

s:\res\r-reappt-boh-parkinson

**RESOLUTION NO. -2012, IMPROVING OVERSIGHT OF
THE COUNTY'S TOURISM PROMOTION PROGRAM**

WHEREAS, Twenty-four percent (24%) of the County's hotel/motel tax revenue, up to \$2 million, is used to contract with an agency to promote tourism in Suffolk County; and

WHEREAS, the Long Island Convention and Visitor's Bureau ("LICVB") has been the County's tourism promotion agency for many years; and

WHEREAS, legislative oversight of the County's tourism promotion agency is necessary to ensure that public resources are utilized effectively to attract tourists, boost the local economy and increase sales tax revenue; and

WHEREAS, Resolution No. 1238-2004 established a requirement that the Commissioner of the former Department of Economic Development report to the County Legislature semi-annually on the effectiveness of the LICVB, or any successor tourism promotion agency; and

WHEREAS, accommodating tourism reports at regular meetings of the County Legislature has proven to be difficult and ineffective; and

WHEREAS, a committee of the County Legislature is a more appropriate venue for tourism promotion updates; and

WHEREAS, a legislative committee can provide strong and effective oversight of the County's tourism promotion program; now, therefore be it

1st RESOLVED, that Resolution No. 1238-2004 is hereby repealed; and be it further

2nd RESOLVED, the Commissioner of the Department of Economic Development and Planning, or his or her designee, is hereby directed to appear at a June and December meeting of the County Legislature's Economic Development and Energy Committee each year, to report on the effectiveness of the efforts of the County's tourism promotion agency in increasing tourism in Suffolk County; and be it further

3rd RESOLVED, that a representative of the County's tourism promotion agency may appear at these committee meetings to make the report required by this resolution; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

**RESOLUTION NO. -2012, IMPROVING OVERSIGHT OF
THE COUNTY'S TOURISM PROMOTION PROGRAM**

WHEREAS, Twenty-four percent (24%) of the County's hotel/motel tax revenue, up to \$2 million, is used to contract with an agency to promote tourism in Suffolk County; and

WHEREAS, the Long Island Convention and Visitor's Bureau ("LICVB") has been the County's tourism promotion agency for many years; and

WHEREAS, legislative oversight of the County's tourism promotion agency is necessary to ensure that public resources are utilized effectively to attract tourists, boost the local economy and increase sales tax revenue; and

WHEREAS, Resolution No. 1238-2004 established a requirement that the Commissioner of the former Department of Economic Development report to the County Legislature semi-annually on the effectiveness of the LICVB, or any successor tourism promotion agency; and

WHEREAS, accommodating tourism reports at regular meetings of the County Legislature has proven to be difficult and ineffective; and

WHEREAS, a committee of the County Legislature is a more appropriate venue for tourism promotion updates; and

WHEREAS, a legislative committee can provide strong and effective oversight of the County's tourism promotion program; now, therefore be it

1st RESOLVED, that Resolution No. 1238-2004 is hereby repealed; and be it further

2nd RESOLVED, the Commissioner of the Department of Economic Development and Planning, or his or her designee, is hereby directed to appear at a June and December meeting of the County Legislature's Economic Development and Energy Committee each year, to report on the effectiveness of the efforts of the County's tourism promotion agency in increasing tourism in Suffolk County; and be it further

3rd RESOLVED, that a representative of the County's tourism promotion agency may appear at these committee meetings to make the report required by this resolution; and be it further

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

RESOLUTION NO. -2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 97, NICOLLS ROAD FROM THE VICINITY OF THE LONG ISLAND EXPRESSWAY TO THE VICINITY OF NYS ROUTE 25A, TOWN OF BROOKHAVEN (CP 5512)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the reconstruction of CR 97, Nicolls Road from the vicinity of the Long Island Expressway to the vicinity of NYS Route 25A; and

WHEREAS, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

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

WHEREAS, the 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 this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (18), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action, since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete engineering services for the reconstruction of CR 97, Nicolls Road from the vicinity of the Long Island Expressway to the vicinity of NYS Route 25A, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 7433
 Project Title: Restoration of Driveways, Gutters and Catch Basins at Suffolk County Vanderbilt Museum

	<u>Total Est'd Cost</u>	Current 2012 Capital Budget & <u>Program</u>	Revised 2012 Capital Budget & <u>Program</u>
3. Construction	\$0	\$1,000,000B	\$800,000B
TOTAL	\$0	\$800,000	\$800,000

Project No.: 5512
 Project Title: Reconstruction of CR 97, Nicolls Road from the Vicinity of the Long Island Expressway to the Vicinity of NYS Route 25A

	<u>Total Est'd Cost</u>	Current 2012 Capital Budget & <u>Program</u>	Revised 2012 Capital Budget & <u>Program</u>
1. Planning and Design	\$4,240,000	\$0	\$200,000B
TOTAL	\$9,490,000	\$0	\$200,000

and be it further

5th 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-5512.113 (Fund 001 Debt Service)	50	Reconstruction of CR 97, Nicolls Road from the Vicinity of the Long Island Expressway to the Vicinity of NYS Route 25A	\$200,000

Date:

APPROVED BY:

 County Executive of Suffolk County

Date of Approval:

1954

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 97, NICOLLS ROAD FROM THE VICINITY OF THE LONG ISLAND EXPRESSWAY TO THE VICINITY OF NYS ROUTE 25A, TOWN OF BROOKHAVEN (CP 5512)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>X</u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2013		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		October 1st, 2012

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

1954

GENERAL FUND

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$43,422	\$0.08		\$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	\$43,422	\$0.08		\$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

1954

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					

COUNTY OF SUFFOLK



1954

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: September 7, 2012

RE: **Amending the 2012 Capital Budget and Program and Appropriating Funds in Connection with Reconstruction of CR 97, Nicolls Road from the Vicinity of the Long Island Expressway to the Vicinity of NYS Route 25A (CP 5512)**

Attached is a draft resolution and duplicate copy to appropriate the sum of \$200,000 for planning in connection with the above referenced project. These funds are required to further study the feasibility of a grade separation at the intersections of Suffolk County Community College and South Coleman Road, and for the construction of a third lane from the vicinity of the Long Island Expressway to NYS Route 25.

There are no funds included in the 2012 Capital budget and program for this project and, as such, an offset must be provided. It is our intent to utilize CP 7433 – Restoration of Driveways, Gutters and Catch Basins at Suffolk County Vanderbilt Museum (\$200,000) – the Department is not ready to proceed with the construction of this project at this time.

The Suffolk County Council on Environmental Quality has reviewed these types of projects and has determined they constitute a Type II action, as SEQRA laws authorize information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action, and no further review is required.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5512(CR97 LIE to 25A Planning).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
Charles Jaquin, Acting Head of Finance Division

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

RESOLUTION SUBMITTAL SHEET

Capital Project 5512
Operating Fund
Other

Legislative Districts 5, 12, 4, 7
Federal Aid %
State Aid %

1954

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

Funding for planning for the reconstruction of CR 97, Nicolls Road from the LIE to NY 25A. in particular, study for grade separation at the intersections of SCCC and S Coleman Road and for addition of 3rd lane from LIE to NY25.

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>1063-2008</u>	<u>Reconstruction of CR 97, Nicolls Road</u>	<u>\$250,000</u>

<u>Amounts being requested</u>		<u>Current Unencum Bal w/Quotes</u>	
Planning	<u>\$200,000</u>	Planning	<u>\$224,080</u>
Site		Site	
Construction		Construction	
Land		Land	
F&E		F&E	

Project Status

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

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

<u>Offset</u>	<u>Legis District</u>	<u>Comments</u>
<u>7433</u>	<u>18</u>	<u>department is not ready to proceed with construction at this time</u>

1955

Intro. Res. No. - 2012

Laid on the Table 10/9/12

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 CONSTRUCTION OF SIDEWALKS, ROAD RESURFACING AND DRAINAGE IMPROVEMENTS ON VARIOUS COUNTY ROADS (CP 5497)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Construction of Sidewalks, Road Resurfacing and Drainage Improvements on Various County Roads; and

WHEREAS, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$265,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (18), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action, since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-one (51) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete engineering services for the construction of sidewalks, road resurfacing and drainage improvements on various county roads, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5196
Project Title: County-Wide Highway Sign Management Program

	Total Est'd Cost	Current 2012 Capital Budget & Program	Revised 2012 Capital Budget & Program
1. Planning	\$935,000	\$500,000B	\$235,000B
TOTAL	\$12,935,000	\$500,000	\$235,000

Project No.: 5497
 Project Title: Construction of Sidewalks, Road Resurfacing and Drainage Improvements on Various County Roads

	<u>Total Est'd Cost</u>	<u>Current 2012 Capital Budget & Program</u>	<u>Revised 2012 Capital Budget & Program</u>
1. Planning & Design	\$1,815,000	\$500,000B	\$765,000B
TOTAL	\$8,656,000	\$500,000	\$765,000

and be it further

5th RESOLVED, that the proceeds of \$265,000 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-5497.114 (Fund 001 Debt Service)	50	Construction of Sidewalks, Road Resurfacing and Drainage Improvements on Various County Roads	\$265,000

Date:

APPROVED BY:

 County Executive of Suffolk County

Date of Approval:

1955

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE CONSTRUCTION OF SIDEWALKS, ROAD RESURFACING AND DRAINAGE IMPROVEMENTS ON VARIOUS COUNTY ROADS (CP 5497)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2013		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		October 1st, 2012

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

1955

GENERAL FUND

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$57,534	\$0.11		\$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	\$57,534	\$0.11		\$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

1955

Term of Bonds	5
Amount to Bond:	\$265,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2012					
11/1/2013	2.000%	\$50,113.93	\$7,420.00	\$57,533.93	\$57,533.93
			\$3,008.40	\$3,008.40	
11/1/2014	3.000%	\$51,517.12	\$3,008.40	\$54,525.53	\$57,533.93
			\$2,287.17	\$2,287.17	
11/1/2015	3.000%	\$52,959.60	\$2,287.17	\$55,246.77	\$57,533.93
			\$1,545.73	\$1,545.73	
11/1/2016	3.000%	\$54,442.47	\$1,545.73	\$55,988.20	\$57,533.93
			\$783.54	\$783.54	
11/1/2017	3.000%	\$55,966.86	\$783.54	\$56,750.40	\$57,533.93
11/1/2018		\$265,000.00	\$22,669.67	\$287,669.67	\$287,669.67
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					

1955

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE CONSTRUCTION OF SIDEWALKS, ROAD RESURFACING AND DRAINAGE IMPROVEMENTS ON VARIOUS COUNTY ROADS (CP 5497)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

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

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

SEE ATTACHED DEBT SCHEDULE.

8. Proposed Source of Funding

SERIAL BONDS.

9. Timing of Impact 2012

10. Typed Name & Title of Preparer

DEBRA A. KOLYER
CHIEF FINANCIAL ANALYST

11. Signature of Preparer

12. Date

1956

Intro. Res. No. - 2012

Laid on the Table

10/9/12

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 SHORELINE PROTECTION AT
HASHAMOMUCK COVE, TOWN OF SOUTHDOLD (CP 5330)**

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Shoreline Protection at Hashamomuck Cove; and

WHEREAS, Resolution 761-2009 authorized the County to enter into and execute an agreement with the U.S. Army Corps of Engineers and New York State Department of Environmental Protection to participate in the study of shoreline protection at Hashamomuck Cove; and

WHEREAS, the federal sponsor of the Hashamomuck Cove Shore Protection/Storm Damage Reduction Feasibility Study is the U.S. Army Corps of Engineers; the non-federal sponsors include the New York State Department of Environmental Protection and the County of Suffolk; and

WHEREAS, the total estimated cost for the study is \$2,600,000, of which \$1,300,000 (50%) is provided by the federal sponsor and \$1,300,000 (50%) provided by the non-federal sponsors; and

WHEREAS, of the 50% non-federal sponsor portion, seventy (70%) will be the State portion (\$910,000) and thirty (30%) will be the County portion (\$390,000); and

WHEREAS, New York State will first instance fund the County's share of the project and will subsequently be reimbursed by the County; and

WHEREAS, the County may reduce their share contributions by providing in-kind services up to \$231,000; and

WHEREAS, portions of the professional engineering services associated with the planning, design and construction of this project will be performed by the staff of the Department of Public Works; and

WHEREAS, there are no funds included in the 2012 Capital Budget and Program to cover the cost of said request and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$390,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (21) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the

law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action, since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5330
 Project Title: Shoreline Protection at Hashamomuck Cove

	<u>Total Est'd Cost</u>	<u>Current 2012 Capital Budget & Program</u>	<u>Revised 2010 Capital Budget & Program</u>
1. Planning & Design	\$890,000	\$0	\$390,000B
TOTAL	\$890,000	\$0	\$390,000

5th RESOLVED, that the proceeds of \$390,000 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-5330.111 (Fund 001 Debt Service)	50	Shoreline Protection at Hashamomuck Cove, Town of Southold	\$390,000

6th RESOLVED, the County may reduce their share contributions by providing in-kind services up to \$231,000; and be it further

7th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to reimburse New York State Department of Environmental Conservation under executed Contract # C008760; and be it further

8th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Environmental Conservation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1956

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. - 2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH SHORELINE PROTECTION AT HASHAMOMUCK COVE, TOWN OF SOUTHOLD (CP 5330)		
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 THE COUNTY PORTION OF 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 Federal Sponsor (50%) \$1,300,000 Non-Federal Sponsor (50%) New York State (70%) \$910,000 Suffolk County Serial Bonds (30%) \$390,000		
9. Timing of Impact 2013		
10. Typed Name & Title of Preparer Nicholas Paglia Asst Executive Analyst	11. Signature of Preparer 	12. Date October 1st, 2012

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

1956

GENERAL FUND

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$84,673	\$0.16		\$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	\$84,673	\$0.16		\$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

1956

Term of Bonds	5
Amount to Bond:	\$390,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2012					
11/1/2013	2.000%	\$73,752.58	\$10,920.00	\$84,672.58	\$84,672.58
			\$4,427.46	\$4,427.46	
11/1/2014	3.000%	\$75,817.66	\$4,427.46	\$80,245.12	\$84,672.58
			\$3,366.02	\$3,366.02	
11/1/2015	3.000%	\$77,940.55	\$3,366.02	\$81,306.57	\$84,672.58
			\$2,274.85	\$2,274.85	
11/1/2016	3.000%	\$80,122.89	\$2,274.85	\$82,397.73	\$84,672.58
			\$1,153.13	\$1,153.13	
11/1/2017	3.000%	\$82,366.33	\$1,153.13	\$83,519.45	\$84,672.58
11/1/2018		\$390,000.00	\$33,362.92	\$423,362.92	\$423,362.92
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					

1956

AGREEMENT BETWEEN
THE STATE OF NEW YORK
AND
THE COUNTY OF SUFFOLK, NEW YORK,
FOR THE
HASHAMOMUCK COVE, SHORE PROTECTION/
STORM DAMAGE REDUCTION FEASIBILITY STUDY
Contract #C008760

This Agreement is entered into by and between the Department of Environmental Conservation of the State of New York having its principal offices located at 625 Broadway, Albany, New York 12233-1500 (hereinafter referred to as the "State") and the County of Suffolk ("County"), a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted Department of Public Works ("Department") located at 335 Yaphank Avenue, Yaphank, New York 11980. The County and the State are jointly referred to as the "non-federal sponsors."

WITNESSETH, THAT

WHEREAS, Section 105(a) of Water Resources Development Act of 1986 (Public Law 99-662) provides that all costs of study of a water resources project shall be cost shared in the same percentage as the purposes of the project; and

WHEREAS, the County has asked the State to represent its interests concerning preparation and development of the Hashamomuck Cove Shore Protection and Storm Damage Reduction Feasibility Study (hereinafter the "Study"); and

WHEREAS, the State has the authority pursuant to Section 1536 of Chapter 7 of Title 4 of the Unconsolidated Laws of the State of New York to represent the County in matters concerning the Study; and

WHEREAS, the County hereby represents that it has the authority and capability to furnish the non-federal cooperation as described in this Agreement pursuant to Suffolk County Resolution No. 761-2009; and

WHEREAS, the State and the County understand that entering into this Agreement in no way obligates the U.S. Army Corps of Engineers or the federal government (hereinafter the "Government") or either of the non-federal sponsors to implement a project, and that whether any of those sponsors budgets for implementation funding depends upon the outcome of the Study and whether the proposed solution is consistent with New York State's Coastal Management Program;

NOW, THEREFORE, the State and the County do hereby agree to the following terms and conditions of non-federal cooperation in the conduct of the Study.

ARTICLE I – DEFINITIONS

For the purposes of this Agreement:

1956

- A. As used herein, the terms and conditions established in the separate agreement between the Government and the State for the Study, unless specifically altered by this Agreement, shall have the same meaning as established in that separate agreement which is attached hereto and incorporated herein, and the County agrees to the terms and conditions in that agreement applicable to non-federal concerns or responsibilities to the extent said terms and conditions are applicable to the County's obligations hereunder.
- B. The term "Study Costs" shall mean all disbursements by the Government, pursuant to the separate agreement between the Government and the State, from federal appropriations or from funds made available to the Government by the non-federal sponsors, and all costs of work performed by the non-federal sponsors pursuant to this Agreement. Study costs shall include, but not be limited to: labor charges; direct costs; overhead expenses; supervision and administration costs; the costs of participation on the Study Management and Coordination Team in accordance with Article IV of this Agreement; the costs of contracts with third parties, including termination or suspension charges; and any termination or suspension costs (ordinarily defined as those costs necessary to terminate ongoing contracts or obligations and to properly safeguard the work already accomplished) associated with this Agreement.
- C. The term "estimated Study Costs" shall mean the estimated cost of performing the Study as of the effective date of this Agreement.
- D. The term "Study period" shall mean the time period for conducting the Study, commencing with the execution of this Agreement by the New York State Comptroller and ending when the Government's District Engineer releases the Public Notice of the completion of the Feasibility Study.
- E. The term "PMP" shall mean the Project Management Plan, which is attached to this Agreement and which shall not be considered binding on any of the sponsors and is subject to change by the Government, in consultation with the non-federal sponsors.
- F. The term "negotiated costs" shall mean the costs of any in-kind services to be provided by the non-federal sponsors in accordance with the PMP and credited to their respective shares.
- G. The term "fiscal year" shall mean one fiscal year of the Government. The Government fiscal year begins on October 1 and ends on September 30.

ARTICLE II - OBLIGATIONS OF SPONSORS

- A. The non-federal sponsors are required to contribute a total of fifty (50) percent of all Study Costs in cash or credit for costs incurred as part of the Study as discussed in Article III of this Agreement. The negotiated costs incurred shall be subject to audit by the Government to determine reasonableness, allocability, and allowability. The estimated Study Costs are \$2,600,000. The non-federal portion of the estimated Study Costs (\$1,300,000) is further cost-shared between the State and the County on a 70%/30% basis, respectively. The State portion of the estimated Study Costs is \$910,000 and the County portion is \$390,000. The State/Federal Feasibility Cost Share Agreement allows the non-federal sponsors the opportunity to reduce their cash contributions by providing in-kind service. The State/Federal Agreement allows the non-federal sponsors to provide up to \$231,000 of in-kind services.

1956

Credits shall be applied to the party providing the service. The County share will be paid by the State in the first instance and subsequently reimbursed to the State by the County.

- B. No federal funds may be used to meet either the County's or the State's share of Study Costs under this Agreement unless the expenditure of such funds is expressly authorized by statute as verified by the granting agency.
- C. The award of any contract with a third party for services in furtherance of this Agreement which obligates state appropriations shall be exclusively within the control of the State. The award of any contract by the County with a third party for services in furtherance of this Agreement which obligates funds of the County and does not obligate state appropriations shall be exclusively within the control of the County, but shall be subject to applicable federal and state statutes and regulations. It is the understanding of the nonfederal sponsors that federal procurement laws will not apply to such contracts with third parties awarded by the County. However, if it is determined by the Government that they do apply, the County shall comply with them.
- D. The State and the County shall endeavor to assign the necessary resources to provide for the prompt and proper execution of the Study and shall, within the limits of law and regulations, conduct their respective Study-related efforts as directed by the Study Management and Coordination Team established by Article IV herein.
- E. If the sponsors to this Agreement determine that there is no solution in which they have an interest or which is not in accord with their current policies and budget priorities, the State will proceed according to Article II. J. of the State/Federal Agreement.

ARTICLE III - METHOD OF PAYMENT

- A. The State will pay the County's share in the first instance.
- B. The County agrees to reimburse the State for all monies expended on its behalf at the completion of the Study ,subject to Article XI below. .
- C. The actual cash contribution of the County may be reduced by the costs of the services provided by the County that fall within the categories of services specified in the PMP to be provided by the non-federal sponsors and approved as eligible by the Government as specified in Article II.A.
- D. Within ninety (90) days of completion of the Study period, the Study Management and Coordination Team shall conduct a final accounting of Study Costs, which shall include disbursements by the Government of federal funds, cash contributions by the non-federal sponsors, and credits for the costs of the non-federal sponsors. If such final accounting shows that the non-federal sponsors have provided more than fifty (50%) percent of the Study Costs in cash and allowable credits, the Government shall reimburse the State for any excess of cash contributions and credits within thirty (30) days, subject to the availability of funds, and the State will credit the County for its appropriate share of any such reimbursement. If such final accounting shows that the non-federal sponsors' cash contributions and allowable credits are less than fifty (50%) percent of the total Study Costs, the State shall provide the Government any additional cash contribution required to bring the non-federal share to fifty

1956

(50 %) percent of total Study Costs within thirty (30) days of such notification by the Government. The County is responsible for thirty percent (30%) of any such additional costs and agrees to reimburse the State for such within sixty (60) days after receipt of an invoice from the State, for those funds expended on the Project and representing the County's share of costs.

ARTICLE IV - STUDY MANAGEMENT AND COORDINATION TEAM

- A. To provide for consistent and effective communication, the County, the State and the Government shall appoint named senior representatives to the Executive Committee. Thereafter, the Executive Committee shall meet regularly until the end of the Study period.
- B. Until the completion of the Study period, the Executive Committee shall generally oversee the Study consistency with the PMP.
- C. The Executive Committee may make recommendations to the District Engineer on matters that it oversees, including suggestions to avoid potential sources of dispute. The Government in good faith shall consider such recommendations. The Government has the option to accept, reject, or modify the Executive Committee's recommendations.
- D. The costs of participation on the Executive Committee (including the cost to serve on the Study Management and Coordination Team) shall be included in Study Costs and cost shared in accordance with the provisions of this Agreement.
- E. The Executive Committee shall appoint representatives to serve on a Study Management and Coordination Team. The Study Management and Coordination Team shall keep the Executive Committee informed of the progress of the Study and of significant pending issues and actions, and shall prepare periodic reports on the progress of all work items identified in the PMP.

ARTICLE V - MAINTENANCE OF RECORDS

The State and the County each shall keep books, records, documents and other evidence pertaining to their expenses incurred pursuant to this Agreement to the extent and in such detail as will properly reflect their respective expenditures. The State and the County shall maintain such books, records, documents and other evidence for inspection and audit by authorized representatives of the Government and the sponsors to this Agreement. Such material shall remain available for review for a period of six (6) years following termination of this Agreement.

ARTICLE VI - RELATIONSHIP OF SPONSORS

- A. The sponsors to this Agreement shall act in an independent capacity in the performance of their respective functions under this Agreement, and no party is to be considered the officer, agent, or employee of the other.
- B. To the extent permitted by applicable law, any reports, documents, data findings, conclusions, or recommendations pertaining to the Study shall not be released outside the Study Management and Coordination Team, nor shall they be presented as representing the view of any party, unless all sponsors shall indicate agreement thereto in writing.

ARTICLE VII - OFFICIALS NOT TO BENEFIT

1956

No member of or delegate to the Congress, or other elected official, shall be admitted to any share or part of this Agreement, or to any benefit that may arise there from.

ARTICLE VIII - FEDERAL AND STATE LAWS

In acting under their rights and obligations hereunder, all sponsors agree to comply with all applicable federal and state laws and regulations, including section 601 of Title VI of the Civil Rights Act of 1964 (Public Law 88-352), Department of Defense Directive 5500.11 issued pursuant thereto and published in Part 300 of Title 32, Code of Federal Regulations, and Army Regulation 600-7, entitled "Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of the Army."

ARTICLE IX - TERMINATION OR SUSPENSION

A. This Agreement shall terminate at the completion of the Study period or as earlier provided in the agreement between the Government and the State for the Study.

ARTICLE X – NOTICES

Any notices to be provided hereunder shall be sent as follows:

If to the State:

New York State Department of Environmental Conservation
Division of Water
Bureau of Flood Protection and Dam Safety
625 Broadway, 4th Floor
Albany, New York 12233-3504
Attn: Alan Fuchs. P.E.

If to the County:

Department of Public Works
335 Yaphank Avenue
Yaphank, New York 11980-9744
Attn: William Hillman, P.E., Chief Engineer

ARTICLE XI – OBLIGATION OF FUTURE APPROPRIATIONS

Nothing herein shall constitute, or be deemed to constitute, an obligation of future appropriations by the County of Suffolk.

The County intends to satisfy its obligations under this Agreement. The County shall include in its budget request, or otherwise propose, for each fiscal period, appropriations sufficient to cover the County's obligations under this Agreement for each year, and will use all reasonable and lawful means to secure those appropriations. The County reasonably believes that funds in

1956

amounts sufficient to fulfill these obligations lawfully can and will be appropriated, and made available for this purpose. In the event the budget or other means of appropriations does not provide funds in sufficient amounts to discharge these obligations, the County shall use its best efforts to satisfy any requirements for payments under this Agreement from any other sources of funds legally available for this purpose. Further, if the County is unable to satisfy its obligations hereunder, the State may exercise any legal rights it has to protect the State's interest related to this Agreement.

**ARTICLE XII - FEDERAL AGREEMENT, PMP and STANDARD CLAUSES
(APPENDIX A AND B)**

- A. Attached is the Feasibility Cost Sharing Agreement between the Government and the State of New York for the Hashamomuck Cove Shore Protection and Storm Damage Reduction Feasibility Study, as identified in Article I.A. and, incorporated herein.
- B. Attached is the PMP dated July 20, 2012 prepared by the Government for the Hashamomuck Cove Shore Protection and Storm Damage Reduction Feasibility Study as identified in Article I.E. and incorporated herein.
- C. Standard clauses for all New York State (Appendix A) and New York State Department of Environmental Conservation (Appendix B) contracts are attached. Appendix A, dated December 2011 is attached hereto. Appendix B, dated April 2000 is attached hereto. The County shall comply with all applicable provisions contained therein.

IN WITNESS WHEREOF, the sponsors hereto have executed this Agreement as of the day and year appearing below their respective signatures.

The State of New York

In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract.

By: _____ Date: _____
NANCY W. LUSSIER
Director of Management and Budget

Suffolk County

By: _____ Date: _____
Regina M. Calcaterra
Chief Deputy County Executive

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

1956

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: September 14, 2012

RE: **Amending the 2012 Capital Budget and Program and Appropriating Funds in Connection with Shoreline Protection at Hashamomuck Cove, Town of Southold (CP 5330)**

Attached is a draft resolution and duplicate copy to appropriate the sum of \$390,000 for engineering 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.

These funds are requested for the County's participation in the study for Shoreline Protection of Hashamomuck Cove, as authorized pursuant to Suffolk County Resolution No. 761-2009. Should erosion continue along the shoreline in the vicinity of Hashamomuck Cove, the stability of CR 48, Middle Road may be impacted. The County will receive up to \$231,000 in reimbursement through in-kind services in connection with this project.

This is a Federally funded project. Mandated milestones must be met to insure that funds are obtained and reimbursement secured. 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.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5330(Hash Cove Study).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
Charles Jaquin, Acting Head of Finance Division

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1957

Intro. Res. No. - 2012

Laid on the Table 10/9/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2012, AMENDING THE 2012 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% FEDERAL GRANT FUNDS FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOOD AND DRUG ADMINISTRATION TO SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR ADVANCING SUFFOLK COUNTY'S CONFORMANCE WITH THE VOLUNTARY NATIONAL RETAIL FOOD REGULATORY PROGRAM STANDARDS (VNRFRPS)

WHEREAS, these 100% federal grant funds from the Department of Health and Human Services Food and Drug Administration to the Suffolk County Department of Health Services for advancing Suffolk County's conformance with the VNRFRPS and the award amount is \$70,000 for the period 9/10/2012-6/30/2013; and

WHEREAS, the objective of the project is to advance Suffolk County's conformance with the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS); and

WHEREAS, these funds were not included in the 2012 Suffolk County Adopted Operating Budget and need to be appropriated; and

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

1ST RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$70,000 in grant funds as follows:

REVENUES

001-4401 Public Health \$70,000

APPROPRIATIONS

Department of Health Services (HSV)
Division of Public Health
Advancing Suffolk County's conformance with the VNRFRPS
001-HSV-4018

Personal Services \$6,076
1100 Permanent Salaries \$6,076

Contractual Expenses \$60,979
4340 Travel: Other \$1,200
4560 Fees for Services: Non-employee \$59,779

Employee Benefits
Retirement

001-EMP-9010

<u>Employee Benefits</u>	<u>\$1,210</u>
8280 Retirement	\$1,210

Employee Benefits
Social Security
001-EMP-9030

<u>Employee Benefits</u>	<u>\$525</u>
8330 Social Security	\$525

Interfund Transfer
Transfer to Employee Medical Health Plan
001-IFT-E039

<u>Employee Benefits</u>	<u>\$1,210</u>
9600 Transfer of Funds	\$1,210

and be it further

2nd RESOLVED, that the following interfund revenues for Employee Medical Health Plan be accepted and appropriated as follows:

REVENUES

039-IFT-R001 Transfer from General Fund	\$1,210
---	---------

ORGANIZATION

Employee Benefits (EMP)
Major Medical Claim
039-EMP-9060

<u>Employee Benefits</u>	<u>\$1,210</u>
8360 Health Insurance	\$1,210

and be it further

3rd RESOLVED, that any unexpended appropriations will be re-appropriated to the subsequent fiscal year, until grant termination; and be it further

4th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

HSV #34-2012

1957

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

1. Type of Legislation		
Resolution	<u>X</u>	Local Law
Charter Law		
Title of Proposed Legislation Amending the 2012 Adopted Operating Budget to accept and appropriate 100% Federal grant funds from the Department of Health and Human Services Food and Drug Administration to Suffolk County Department of Health Services for Advancing Suffolk County's Conformance with the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS).		
3. Purpose of Proposed Legislation This legislation is needed to accept and appropriate 100% Federal grant funds from the Food and Drug Administration for advancing Suffolk County's conformance with the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS).		
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: Not applicable		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. None		
8. Proposed Source of Funding 100% Federal grant funds from the Department of Health and Human Services Food and Drug Administration		
9. Timing of Impact 2012		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst Theresa Lollo Budget Office	11. Signature of Preparer  Theresa Lollo	Date 10/1/12 10/2/12

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

1957

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.

1957



COOPERATIVE AGREEMENTS
Department of Health and Human Services
Food and Drug Administration

Notice of Grant Award

Issue Date: 09/10/2012



Grant Number: 1U18FD004860-01

Principal Investigator(s):
CHRISTOPHER SORTINO, BS

Project Title: Advancing Suffolk County's Conformance with the VNRFRPS

Mr. Sortino, Christopher
Bureau Chief
360 Yaphank Avenue
Yaphank, NY 119809653

Budget Period: 09/10/2012 – 06/30/2013

Project Period: 09/10/2012 – 06/30/2017

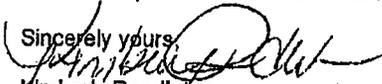
Dear Business Official:

The Food and Drug Administration hereby awards a grant in the amount of \$70,000 (see "Award Calculation" in Section I and "Terms and Conditions" in Section III) to SUFFOLK COUNTY DEPT/HEALTH SERVICES in support of the above referenced project. This award is pursuant to the authority of PHS Act, Sec 1706, 42 USC 300u-5, as amended; Sec 2(d), PL 98-551 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact the Grants Management Specialist and the Project Officer listed in the terms and conditions.

Sincerely yours,


Kimberly Pendleton
Grants Management Officer
Office of Acquisitions & Grants Services
Division of Acquisition Support and Grants
Grants & Assistance Team
FOOD AND DRUG ADMINISTRATION

See additional information below

1957

COORDINATION OF GRANT APPLICATION OR CONTRACT		DATE:
County of Suffolk		7/11/2012
Submitting Department / Agency: Health Services	Location: 3500 Sunrise Hwy., Great River, NY 11739	
Contact Person in Department / Agency Christopher Sortino	Telephone Number 852-5839	Grant Application Due Date 7/16/2012

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. Background Information

1. Grant Title
 Limited Competition: Advancing Conformance with the Voluntary National Retail Food Regulatory Program Standard

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)

3. Grant / Contract Status (Check One Box)

A. New Program Application
 B. Renewal Application
 C. Supplemental (Specify)
 D. Extension of Funding Period
 E. Contract

4. General Purpose of Grant / Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)

The objective of the grant is to advance Suffolk County's Conformance with the Voluntary National Retail Food Regulatory Program Standards. Increased conformance with the standards will result in an increase in active managerial control, a decrease in the occurrence of risk factors that contribute to foodborne illness, reduced rates of foodborne illness and contribute to an integrated national food safety system.

5. County Departments / Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

NONE

II. BUDGET INFORMATION

6. Term of Contract From: 9/1/2012 To: 9/1/2017

7. Financial Assistance Requested

Source	First Funding Cycle		Second Funding Cycle		Third Funding Cycle	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$ 70,000	100.0%	\$ 70,000	100.0%	\$ 70,000	100.0%
State		0.0%				
Private						

1957

County	\$0.00	0.0%	\$ -		\$ -	
Total	\$ 70,000.00	100.0%	\$ 70,000	100.0%	\$ 70,000	100.0%

3. Explanation of Requested County Financial Assistance

Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE	none	none	none
A. Cash Contribution	none		
B. In-Kind Contribution	none	none	none

4. Total Number of New Positions Requested	5. Can This program be Refunded by the Proposed Non-County Sources?
NONE	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)
 NONE

7. What do you anticipate happening when the Federal, State and/or Private Financial Assistance is discontinued (That is, program termination, reduced services, financial implications, layoffs, etc.)?
 The Food Control Program will continue to operate with the benefit of the Improved infrastructure developed during the grant.

8. Attach as list of potential subcontractors, if any, outlining the purpose of each subcontract (that is, 456 and 490 account items; use an additional 8 1/2" by 11" sheet).
 see attached

III. COUNTY EXECUTIVE'S OFFICE REVIEW

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

Comments

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

Comments

COUNTY OF SUFFOLK

1957



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

To: Liza Wright, Budget, Purchasing and Grants Unit
From: Gary Amato, Budget, Purchasing and Grants Unit
Date: October 1, 2012
Subject: Request for Resolution

Advancing Conformance with the Voluntary National Retail Food Regulatory Program Standard
Budget Period: 9/1/12 – 9/1/13
Approp: 001-4018
Revenue Code: 4401

Please write a resolution to accept and appropriate 100% federal grant funds for the above mentioned program. The total grant award for this period is \$70,000 and needs to be appropriated as follows:

Grand Total	<u>\$ 70,000</u>
PERSONAL SERVICES	<u>\$ 6,076</u>
1100 Permanent Salaries	\$ 6,076
TRAVEL	<u>\$ 1,200</u>
4340 Travel: Other	\$ 1,200
CONTRACTUAL EXPENSES	<u>\$ 59,779</u>
4560 Fee for Service	\$ 59,779
EMPLOYEE BENEFITS	<u>\$ 2,945</u>
8082 Retirement	\$ 1,210
8330 Social Security	\$ 525
8360 Health Insurance	\$ 1,210



COUNTY OF SUFFOLK



1957

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

October 1, 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 to amend the 2012 Adopted Operating Budget to accept and appropriate 100% Federal grant funds from the Department of Health and Human Services Food and Drug Administration to Suffolk County Department of Health Services for Advancing Suffolk County's Conformance with the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS). The objective of the project is to advance Suffolk County's conformance with the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS).

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Gary Amato at 4-0143. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-PH Food Program Standards.doc".

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 S. Paul, Deputy Commissioner
Dr. Gregson Pigott, Medical Program Administrator
Christopher Sortino, Chief Public Health Sanitarian
Diane E. Weyer, Principal Financial Analyst



OFFICE OF THE COMMISSIONER
3500 Sunrise Highway, Suite 124, P. O. Box 9006, NY 11739-9006
Phone (631) 854-0000 Fax (631) 854-0108

Intro. Reso. No. **1958-12**
Introduced by the Presiding Officer at the request of the County Executive

Laid on Table **10/9/12**

RESOLUTION NO. -2012, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$50,000 IN FEDERAL PASS-THROUGH FUNDS FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE EXPLOSIVE DETECTION CANINE TEAM FY2011 GRANT PROGRAM WITH 100% SUPPORT.

WHEREAS, The New York State Division of Homeland Security and Emergency Services has awarded \$50,000 in Federal pass-through funds from the Explosive Detection Canine Team FY2011 Grant Program to the Suffolk County Police Department to purchase a specialized explosives detection canine; and

WHEREAS, said project is designed to enhance the Suffolk County Police Department Canine Section's capabilities in the areas of prevention, deterrence, and response to Improvised Explosive Device (IED) incidents; and

WHEREAS, the operational period of the Project will be from July 6, 2012 through August 31, 2014; and

WHEREAS, said grant funds totaling \$50,000 have not been included in the 2012 Suffolk County Operating Budget; and

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

<u>REVENUE:</u>	<u>AMOUNT</u>
115-4395-Federal Aid: Explosive Detection Canine Team FY2011	\$50,000

ORGANIZATIONS:

**Police Department (POL)
Explosive Detection Canine Team FY2011
115-POL-3694**

<u>2000-Equipment</u>	<u>\$32,000</u>
2500-Other Equipment Not Otherwise	32,000
<u>4300-Travel:</u>	<u>\$11,428</u>
4340-Travel Other Contracts	11,428

4500-Fees for Services
4560-Fees for Services, Non-Employees

\$ 6,572
6,572

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute the grant contract between Suffolk County and the New York State Division of Homeland Security and Emergency Services.

DATED:

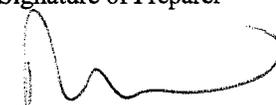
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1958

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$50,000 IN FEDERAL PASS-THROUGH FUNDS FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE EXPLOSIVE DETECTION CANINE TEAM FY2011 GRANT PROGRAM WITH 100% SUPPORT.		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes XX No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution provides \$50,000 for a dog and training for the owner and dog. Additional K-9 stipend will be paid to a police officer and the cost of a kennel will be funded with forfeiture funds.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
This grant must be expended between January 1, 2012 and September 30, 2012. 5 year cost for stipend and kennel assuming the 2010 contract is approximately \$40k.		
8. Proposed Source of Funding		
United States Dept. of Justice.		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		9-27-2012

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

1958

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.

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 8/16/2012
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank 1958	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION	
1. Grant Title: Explosive Detection Canine Team FY2011	
2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Continuing Appropriations Act, 2011, Public Law 111-242, administered by the New York State Division of Homeland Security and Emergency Services.	
3. Grant/Contract Status (Check One Box) A. <input type="checkbox"/> New Program Application B. <input checked="" type="checkbox"/> Renewal Application C. <input type="checkbox"/> Supplemental (Specify) _____ D. <input type="checkbox"/> Extension of Funding Period E. <input type="checkbox"/> Contract	
4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.) Grant funding will allow for the purchase of a specialized explosives detection Canine and Officer training in the use of the Canine.	
5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) Police Department	

II. BUDGET INFORMATION						
1. Term of Contract		From: 7/6/2012		To: 8/31/2014		
2. Financial Assistance Requested						
SOURCE	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$50,000	100%	\$50,000	100%	\$	%
State	\$	%	\$	%	\$	%
Private	\$	%	\$	%	\$	%
County	\$	%	\$	%	\$	%
Total	\$50,000	100%	\$50,000	100%	\$	%

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2012

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries				
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Purchase of Automobiles 855 2040 Trucks, Trailers, and Jeeps 55 2090 Radio and Communication 2500 Other Equip Not Otherwise	32,000			
3000 SUPPLIES MATERIALS & OTHERS: 3160 Computer Software 3500 Other Unclassified 3520 Rent: Automobiles				
4000 UTILITIES: 4010 Telephone & Telegraph 4210 Computer Services				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts	11,428			
	11,428			

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2012

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4750 Law Enforcement Expenditures 4770 Special Services	6,572 6,572			1958
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance				
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants

DETAIL LISTING OF 1000 ACCOUNT

PERSONAL SERVICES

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY	IN-KIND	
NONE							
1958							

1958

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

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Resolution

Accepting & appropriating a grant in the amount of \$50,000 in Federal pass-through funds from the New York State Division of Homeland Security and Emergency Services for the Explosive Detection Canine Team FY2011 Grant Program with 100% support.

3. Purpose of Proposed Legislation

To accept \$50,000 from the New York State Division of Homeland Security and Emergency Services. Funding will provide for the purchase of a specialized explosives detection Canine to enhance SCPD's ability to detect, to prevent, and to respond to IED incidents.

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

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

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

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

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

The current project is 100% funded by the grantor.

8. Proposed Source of Funding

New York State Division of Homeland Security and Emergency Services,
Office of Counter Terrorism

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date

Susan C. Krause
Grants Technician



8/16/2012

COUNTY OF SUFFOLK

1958



STEVEN BELLONE
COUNTY EXECUTIVE

EDWARD WEBBER
ACTING POLICE COMMISSIONER

POLICE DEPARTMENT

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

FROM: Mark White, Chief of Support Services
Suffolk County Police Department *M White*

DATE: August 16, 2012

SUBJECT: Resolution Packet for the Explosive Detection Canine Team FY2011 Grant Program,
NYS Division of Homeland Security and Emergency Services

Attached please find the following for the New York State Division of Homeland Security and Emergency Services sponsored Explosive Detection Canine Team FY2011 grant program:

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of Award Letter and Proposed Contract

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted to your office upon approval of the resolution.

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

Thank you for your assistance with this project.

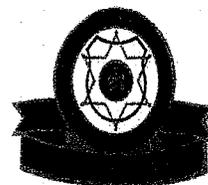
MW/sk

Att. Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Evelyn Creen, Senior Federal & State Aid Claims Examiner



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





1958

NEW YORK STATE
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

Andrew M. Cuomo, Governor

Jerome M. Hauer, Commissioner

July 6, 2012

The Honorable Steven Bellone
Suffolk County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway, P.O. Box 6100
Hauppauge, NY 11788

Dear Mr. Bellone

I am pleased to announce that Suffolk County has been awarded \$50,000 in federal funding under the FY2011 Explosive Detection Canine Team Grant Program. Funding for this initiative is provided by the U.S. Department of Homeland Security's (DHS) State Homeland Security Grant Program (SHSP).

As outlined in your application, this funding is provided for the development of an explosive detection canine team to support terrorism prevention activities in your jurisdiction, which includes equipment, training, exercise, and planning costs associated with creating a team. All funding is subject to both New York State and federal guidelines and regulations.

A representative from DHSES's Federal Grant Program Administration Unit will be reaching out to your grant point of contact shortly. If you have any questions about this program, please contact Tony Pesce at (518) 242-5108.

Congratulations on your award and I look forward to working with you to administer this program.

Sincerely,

Jerome M. Hauer
Commissioner

cc: Acting Commissioner Edward Webber, Suffolk County Police Department
Inspector William Silva, Suffolk County Police Department

1958

<p>STATE AGENCY New York State Office of Homeland Security 1220 Washington Avenue Building 7A Suite 710 Albany, NY 12242</p>	<p>NYS COMPTROLLER'S NUMBER: T152819 (Contract Number)</p> <p>ORIGINATING AGENCY CODE: 01077</p>
<p>GRANTEE/CONTRACTOR: (Name & Address) Suffolk County H Lee Dennison Building 100 Veterans Memorial Highway Hauppauge, NY 11788</p>	<p>TYPE OF PROGRAMS: SHSP OHS NUMBERS: WM11152819</p>
<p>FEDERAL TAX IDENTIFICATION NO: 11-6000464 MUNICIPALITY NO: (if applicable) 470100000 000</p>	<p>INITIAL CONTRACT PERIOD: FROM 07/06/2012 TO 08/31/2014 FUNDING AMOUNT FROM INITIAL PERIOD: \$50,000.00</p>
<p>STATUS: Contractor is not a sectarian entry. Contractor is not a not-for-profit organization.</p>	<p>MULTI-YEAR TERM: (if applicable)</p>
<p>CHARITIES REGISTRATION NUMBER:</p> <div style="border: 1px solid black; padding: 2px; width: fit-content;">N/A</div> <p>(Enter number of Exempt) if "Exempt" is entered above, reason for exemption.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Contractor has _____ has not _____ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports. </div>	<p>APPENDIX ATTACHED AND PART OF THIS AGREEMENT</p> <p><input checked="" type="checkbox"/> APPENDIX A Standard Clauses required by the Attorney General for all State contacts</p> <p><input checked="" type="checkbox"/> APPENDIX A1 Agency-specific Clauses</p> <p><input checked="" type="checkbox"/> APPENDIX B Budget</p> <p><input checked="" type="checkbox"/> APPENDIX C Payment and Reporting Schedule</p> <p><input checked="" type="checkbox"/> APPENDIX D Program Workplan</p> <p><input type="checkbox"/> APPENDIX F Guidelines for the Control and Use of Confidential Funds</p> <p><input type="checkbox"/> APPENDIX G Procedural Guidelines for the Control of Surveillance Equipment</p> <p><input type="checkbox"/> APPENDIX X Modification Agreement Form (to accompany modified appendices for changes in terms or considerations on an existing period or for renewal periods)</p> <p><input type="checkbox"/> OHS-55 Budget Amendment/Grant Extension Request</p> <p><input type="checkbox"/> Other (Identify) _____</p>
<p>IN WITNESS THEREOF, the parties hereto have electronically executed or approved this AGREEMENT on the dates of their signatures.</p>	
<p>NYS Office of Homeland Security BY: _____ Date: _____ Office of Homeland Security</p> <p>State Agency Certification: "In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract".</p> <p>GRANTEE: BY: Regina Calcaterra , Chief Deputy County Executive Date: _____</p>	
<p>ATTORNEY GENERAL'S SIGNATURE</p> <p>_____ Title: _____ Date: _____</p>	<p>COMPTROLLER'S SIGNATURE</p> <p>_____ Title: _____ Date: _____</p>

Award Contract**Project No.**

CP11-1008-E00

Grantee Name

Suffolk County

SHSP

1958

07/31/2012

STATE OF NEW YORK
AGREEMENT

This AGREEMENT is hereby made by and between the State of New York agency (STATE) and the public or private agency (CONTRACTOR) identified on the face page hereof.

WITNESSETH:

WHEREAS, the STATE has the authority to regulate and provide funding for the establishment and operation of program services and desires to contract with skilled parties possessing the necessary resources to provide such services; and

WHEREAS, the CONTRACTOR is ready, willing and able to provide such program services and possesses or can make available all necessary qualified personnel, licenses, facilities and expertise to perform or have performed the services required pursuant to the terms of this AGREEMENT;

NOW THEREFORE, in consideration of the promises, responsibilities and covenants herein, the STATE and the CONTRACTOR agree as follows:

I. Conditions of Agreement

A. This AGREEMENT may consist of successive periods (PERIOD), as specified within the AGREEMENT or within a subsequent Modification Agreement(s) (Appendix X). Each additional or superseding PERIOD shall be on the forms specified by the particular State agency, and shall be incorporated into this AGREEMENT.

B. Funding for the first PERIOD shall not exceed the funding amount specified on the face page hereof. Funding for each subsequent PERIOD, if any, shall not exceed the amount specified in the appropriate appendix amendment for that PERIOD.

C. This AGREEMENT incorporates the face page attached as presented in the E-Grants AWARD online printable report, and all of the marked appendices identified on the face page hereof.

D. For each succeeding PERIOD of this AGREEMENT, the parties shall prepare new appendices, to the extent that any require modification, and a Modification Agreement (the attached Appendix X is the blank form to be used). Any terms of this AGREEMENT not modified shall remain in effect for each PERIOD of the AGREEMENT.

To modify the AGREEMENT within an existing PERIOD, the parties shall revise or complete the appropriate appendix form(s). Any change in the amount of consideration to be paid, or change in the term, is subject to the approval of the Office of the State Comptroller. Any other modifications shall be processed in accordance with agency guidelines as stated in Appendix A-1.

E. The CONTRACTOR shall perform all services to the satisfaction of the STATE. The CONTRACTOR shall provide services and meet the program objectives summarized in the Program Workplan (Appendix D) in accordance with: provisions of the AGREEMENT; relevant laws, rules and regulations, administrative and fiscal guidelines; and where applicable, operating certificates for facilities or licenses for an activity or program.

F. If the CONTRACTOR enters into subcontracts for the performance of work pursuant to this AGREEMENT, the CONTRACTOR shall take full responsibility for the acts and omissions of its subcontractors. Nothing in the subcontract shall impair the rights of the STATE under this AGREEMENT. No contractual relationship shall be deemed to exist between the subcontractor and the STATE.

G. Appendix A (Standard Clauses as required by the Attorney General for all State contracts) takes precedence over all other parts of the AGREEMENT.

II. Payment and Reporting

A. The CONTRACTOR, to be eligible for payment, shall submit to the STATE's designated payment office (identified in Appendix C) any appropriate documentation as required by the Payment and Reporting Schedule (Appendix C) and by agency fiscal guidelines, in a manner acceptable to the STATE.

1958

B. The STATE shall make payments and any reconciliations in accordance with the Payment and Reporting Schedule (Appendix C). The STATE shall pay the CONTRACTOR, in consideration of contract services for a given PERIOD, a sum not to exceed the amount noted on the face page hereof or in the respective Appendix designating the payment amount for that given PERIOD. This sum shall not duplicate reimbursement from other sources for CONTRACTOR costs and services provided pursuant to this AGREEMENT.

C. The CONTRACTOR shall meet the audit requirements specified by the STATE.

III. Terminations

A. This AGREEMENT may be terminated at any time upon mutual written consent of the STATE and the CONTRACTOR.

B. The STATE may terminate the AGREEMENT immediately, upon written notice of termination to the CONTRACTOR, if the CONTRACTOR fails to comply with the terms and conditions of this AGREEMENT and/or with any laws, rules, regulations, policies or procedures affecting this AGREEMENT.

C. The STATE may also terminate this AGREEMENT for any reason in accordance with provisions set forth in Appendix A-1.

D. Written notice of termination, where required, shall be sent by personal messenger service or by certified mail, return receipt requested. The termination shall be effective in accordance with the terms of the notice.

E. Upon receipt of notice of termination, the CONTRACTOR agrees to cancel, prior to the effective date of any prospective termination, as many outstanding obligations as possible, and agrees not to incur any new obligations after receipt of the notice without approval by the STATE.

F. The STATE shall be responsible for payment on claims pursuant to services provided and costs incurred pursuant to terms of the AGREEMENT. In no event shall the STATE be liable for expenses and obligations arising from the program(s) in this AGREEMENT after the termination date.

IV. Indemnification

A. The CONTRACTOR shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the CONTRACTOR or its subcontractors pursuant to this AGREEMENT. The CONTRACTOR shall indemnify and hold harmless the STATE and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this AGREEMENT.

B. The CONTRACTOR is an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of the STATE nor make any claim, demand or application to or for any right based upon any different status.

V. Property

Any equipment, furniture, supplies or other property purchased pursuant to this AGREEMENT is deemed to be the property of the STATE except as may otherwise be governed by Federal or State laws, rules or regulations, or as stated in Appendix A-1.

VI. Safeguards for Services and Confidentiality

A. Services performed pursuant to this AGREEMENT are secular in nature and shall be performed in a manner that does not discriminate on the basis of religious belief, or promote or discourage adherence to religion in general or particular religious beliefs.

B. Funds provided pursuant to this AGREEMENT shall not be used for any partisan political activity, or for activities that may influence legislation or the election or defeat of any candidate for public office.

C. Information relating to individuals who may receive services pursuant to this AGREEMENT shall be maintained and used only for the purposes intended under the contract and in conformity with applicable provisions of the laws and regulations, or specified in Appendix A-1.

Certified by - on

1958

Award Contract**Project No.**

CP11-1008-E00

Grantee Name

Suffolk County

SHSP

07/31/2012

APPENDIX A

STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, 'the contract' or 'this contract') agree to be bound by the following clauses which are hereby made a part of the contract (the word 'Contractor' herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

1. **EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.
2. **NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of the State and any attempts to assign the contract without the State's written consent are null and void. The Contractor may, however, assign its right to receive payment without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.
3. **COMPTROLLER'S APPROVAL.** In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 State Finance Law Section 163.6.a).
4. **WORKERS' COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
5. **NON-DISCRIMINATION REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.
3. **WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.
7. **NON-COLLUSIVE BIDDING CERTIFICATION.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor

1958

submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of setoff any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, 'the Records'). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the 'Statute') provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) **FEDERAL EMPLOYER IDENTIFICATION NUMBER and/or FEDERAL SOCIAL SECURITY NUMBER.** All invoices or New York State standard vouchers submitted for payment for the sale of goods or services or the lease of real or personal property to a New York State agency must include the payee's identification number, i.e., the seller's or lessor's identification number. The number is either the payee's Federal employer identification number or Federal social security number, or both such numbers when the payee has both such numbers. Failure to include this number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or New York State standard voucher, must give the reason or reasons why the payee does not have such number or numbers.

(b) **PRIVACY NOTIFICATION.** (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law.

(2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in New York State's Central Accounting System by the Director of Accounting Operations, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does

1958

expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of 'a', 'b', and 'c' above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the 'Work') except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State; or (iii) banking services, insurance policies or the sale of securities. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Governor's Office of Minority and Women's Business Development pertaining hereto.

13. **CONFLICTING TERMS.** In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. **GOVERNING LAW.** This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. **LATE PAYMENT.** Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. **NO ARBITRATION.** Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. **SERVICE OF PROCESS.** In addition to the methods of service allowed by the State Civil Practice Law & Rules ('CPLR'), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. **PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS.** The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of State Finance Law §165. (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State

1958

Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. **MACBRIDE FAIR EMPLOYMENT PRINCIPLES.** In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. **OMNIBUS PROCUREMENT ACT OF 1992.** It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
30 South Pearl St -- 7th Floor
Albany, New York 12245
Telephone: 518-292-5220
Fax: 518-292-5884
<http://www.empire.state.ny.us>

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development
Division of Minority and Women's Business Development
30 South Pearl St -- 2nd Floor
Albany, New York 12245
Telephone: 518-292-5250
Fax: 518-292-5803
<http://www.empire.state.ny.us>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. **RECIPROCITY AND SANCTIONS PROVISIONS.** Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. **PURCHASES OF APPAREL.** In accordance with State Finance Law 162 (4-a), the State shall not purchase any apparel from any vendor unable or unwilling to certify that: (i) such apparel was manufactured in compliance with all applicable labor and

1958

occupational safety laws, including, but not limited to, child labor laws, wage and hours laws and workplace safety laws, and (ii) vendor will supply, with its bid (or, if not a bid situation, prior to or at the time of signing a contract with the State), if known, the names and addresses of each subcontractor and a list of all manufacturing plants to be utilized by the bidder.

June, 2006

Certified by - on

Award Contract

1956

SHSP

Project No.**Grantee Name**

CP11-1008-E00

Suffolk County

07/31/2012

APPENDIX A-1

AGENCY-SPECIFIC CLAUSES

General Terms and Conditions:

1. If this Agreement exceeds \$50,000, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If this Agreement is \$15,000 or less, it shall not take effect until it is executed by both parties.

If this Agreement ranges in dollar amount from \$15,000.01 to \$50,000, execution is contingent upon the appropriation. If the Agreement utilizes funds appropriated prior to April 1, 2006, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If the Agreement utilizes funds appropriated on or after April 1, 2006, it shall not take effect until it is executed by both parties.

2. The failure of a party to enforce a contractual obligation shall not eliminate the other party's obligation to perform such contractual obligation.

3. In the event that any provision of this Agreement is determined to be null and void, all remaining provisions shall continue to be in full force and effect.

4. If applicable, the Grantee agrees to obtain not-for-profit status, a federal identification number, and a charitable registration number (or a declaration of exemption) and to furnish OHS with this information as soon as it is available.

5. The Grantee agrees, as a material condition of the Agreement, to comply with all applicable provisions of the Hatch Act (5 U.S.C. 1501 et seq.) as amended.

6. The Grantee shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 889-aa; State Technology Law Section 208). The Grantee shall be liable for the costs associated with such breach if caused by the Grantee's negligent or willful acts or omissions, or the negligent or willful actions or omissions of Grantee's agents, officers, employees or sub-grantees.

7. Consistent with the NYS Office of the State Comptroller's Bulletin No. G-221, all non-governmental (non-profit and commercial) organizations scheduled to receive grant funding from OHS must comply with Vendor Responsibility requirements.

Budget Requirements:

8. The Grantee is not permitted to make any changes to the contract budget without the written approval of OHS.

9. Space rental provided by this Agreement must be supported by a written lease, maintained on file and made available by the Grantee upon request.

10. The Grantee's request for travel, meals or lodging reimbursement shall be in accordance with Appendix B, Budget, and, unless written authorization has been received from OHS, shall not exceed rates authorized by the NYS Office of the State Comptroller (Audit and Control). Rates may be viewed online at: <http://www.osc.state.ny.us/agencies/travel/travel.htm>

11. The Grantee's employment of a consultant must be supported by a written agreement executed by the Grantee and the consultant. A consultant is defined as an individual or organization hired by the Grantee for the stated purpose of accomplishing a specific task relative to the funded project. All consultant services must be obtained in a manner that provides for fair and open competition. The Grantee shall retain copies of all solicitations seeking a consultant, written agreements and documentation justifying the cost and selection of the consultant, and make them available to OHS upon request. The Grantee further agrees that it shall assume sole and complete responsibility for fulfilling all the obligations set forth in the Agreement and the Grantee must guarantee the work of the consultant as if it were its own.

A. Unless a special condition applies to this contract, the rate for consultant services shall be reasonable and consistent with the amount paid for similar services in the marketplace. Time and effort reports are required for consultants.

1958

B. In addition to the above requirements, a Grantee that is a local government or a not-for-profit must adhere to the following guidelines at a minimum when obtaining consultant services.

i. Consultant services that cost up to \$15,000 may be obtained by proving reasonableness of price. One method of proving reasonableness of price is to obtain three quotations from responsible vendors, on the vendor's letterhead. A description of the selection process must be maintained, as well as a record of the quotations.

ii. Consultant services that cost over \$15,000 up to \$50,000 may be obtained by advertising the opportunity in a reasonable manner and in an appropriate venue for a reasonable period of time. Reasonableness of price must be proven; obtaining three quotations as in (i.) above may be used. A record must be maintained of the advertisement, the quotations, and the selection process.

iii. Consultant services that cost over \$50,000 must use a formal competitive bidding process. Guidance may be obtained from OHS. At a minimum, the competitive bidding process must incorporate the following: open, fair advertisement of the opportunity to provide services; equal provision of information to all interested parties; reasonable deadlines; establishment of the methodology of evaluating bids before the bids are opened; sealed bids opened at one time before a committee who will certify the process; and maintenance of a record of the competitive procurement process.

C. A Grantee who proposes to obtain consultant services from a particular vendor without competitive bidding must obtain the prior written approval of OHS. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and the basis upon which the price was determined to be reasonable. Further, such consultant services must be in accordance with the guidelines, bulletins and regulations of the NYS Office of the State Comptroller, State Procurement Council, and the U.S. Department of Homeland Security. A copy of OHS' approval must also be submitted with the voucher for payment.

12. Equipment means tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. A grantee may use its own definition of equipment provided that such definition would at least include all equipment defined above. A copy of the property record(s) or equipment inventory report(s) with relevant purchasing and supporting documentation must be made available to OHS upon request. Property records or equipment inventory reports must be maintained, by award, that include a description of the property, a serial number or other identification number, the source of property, who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the cost of the property, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property. The grantee must document receipt of all applicable equipment purchased with grant funds. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.

Upon completion of all contractual requirements by the Grantee, OHS will consider a request for continued use and possession of the equipment purchased with grant funds provided the equipment continues to be used in connection with a public security program. When disposing of equipment purchased with homeland security grant funding a state agency must dispose of equipment in accordance with State Laws and procedures. All other grantees shall dispose of equipment as follows:

A. Items of equipment with a current per unit market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.

B. Items of equipment with a current per unit fair market value of \$5,000 or more may be retained or sold. If sold, the awarding agency shall have a right to an amount calculated by multiplying the proceeds from the sale by the awarding agency's share of the equipment. If retained, the current market value is to be used in the calculation. To remit payments, award recipients should contact OHS at 1-866-837-9133 for guidance.

The Grantee further agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows:

"Purchased with funds provided by the U.S. Department of Homeland Security."

13. Written justification and documentation for all procurements must be maintained on file, and made available to OHS upon request. All procurements must be made in a fair and open manner and in accordance with the pre-determined methodology established for evaluating bids (e.g., lowest responsible bidder or best value).

A. A Grantee that is a state entity must make all procurements in accordance with State Finance Law Article 11, and any other applicable regulations.

B. A Grantee that is a local government must make procurements in accordance with General Municipal Law Article 5-A and any other applicable regulations.

1958

C. A Grantee that is a not-for-profit must also make all procurements as noted below:

- i. If the Grantee is eligible to purchase an item or service from a government contract or is able to purchase such item or service elsewhere at a lower than or equal price, then such purchase may be made immediately.
- ii. A Grantee purchasing any single piece of equipment, single service or multiples of each that cost up to \$15,000 may do so by proving reasonableness of price. One method of proving reasonableness of price is to obtain three quotations from responsible vendors, on the vendor's letterhead. A description of the selection process must be maintained, as well as a record of the quotations.
- iii. Goods or services or multiples of each that have an aggregate cost between \$15,000 up to \$50,000 may be obtained by advertising the opportunity in a reasonable manner and in an appropriate venue for a reasonable period of time. Reasonableness of price must be proven; obtaining three quotations as in (ii) above may be used. A record must be maintained of the advertisement, the quotations, and the selection process.
- iv. A Grantee expending over \$50,000 must use a formal competitive bidding process. Guidance may be obtained from OHS. At a minimum, the competitive bidding process must incorporate the following: open, fair advertisement of the opportunity to provide the goods or services; equal provision of the information to all interested parties; reasonable deadlines; establishment of the methodology for evaluating bids before the bids are opened; sealed bids opened at one time before a committee who will certify the process; and maintenance of a record of the competitive procurement process.
- v. A Grantee who proposes to purchase from a particular vendor without competitive bidding must obtain the prior written approval of OHS. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and the basis upon which the price was determined to be reasonable. Further, such procurement must be in accordance with the guidelines, bulletins and regulations of the NYS Office of the State Comptroller, State Procurement Council, and the U.S. Department of Homeland Security. A copy of OHS' approval must also be submitted with the voucher for payment.

Reimbursement and Reporting Requirements – Fiscal and Programmatic (See Appendix C for additional details):

14. The Grantee shall submit detailed itemization forms or a form deemed acceptable to OHS for personal service, fringe benefit and non-personal service expenditures with any voucher and fiscal cost report requesting reimbursement. Grant-related expenditures shall be reported on Fiscal Cost Reports approved by OHS. These reports must be prepared periodically and as defined in Appendix C of this Agreement. All reported expenditures must reconcile to the program accounting records and the approved budget. Prior period adjustments shall be reported in the same accounting period that the correction is made.
15. The Grantee shall submit program progress reports and final reports as specified in Appendix C.
16. Where advance payments are approved by OHS, the Grantee agrees to expend the advance payments in accordance with the purposes set forth in Appendix D and consistent with Appendix B. The advanced funds must be placed in an interest-bearing account and are subject to the rules outlined in 44 CFR Part 13, (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) and 2 CFR 215 (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations), which require grantees to promptly remit back to the federal government, through New York State, any interest earned on these advanced funds. The grantee may keep interest earned up to \$100 per federal fiscal year if a local unit of government and \$250 per federal fiscal year if a not-for-profit for administrative expenses. This maximum limit is not per award; it is inclusive of all interest earned as the result of all federal grant program funds received per year.

Interest must be reported on Fiscal Cost Reports and remitted quarterly.

Accounting for Grant Expenditures:

17. Grant funds may be expended only for purposes and activities set forth in this Agreement. Accordingly, the most important single requirement of accounting for this grant is the complete and accurate documentation of grant expenditures. If the Grantee receives funding from two or more sources, all necessary steps must be taken to ensure that grant-related transactions are not commingled. This includes, but is not limited to, the establishment of unique budget codes, a separate cost center, or a separate chart of accounts. Expenditures must be cross-referenced to supporting source documents (purchase orders, contracts, real estate leases, invoices, vouchers, timesheets, mileage logs, etc.). Grantee agrees it shall maintain adequate internal controls and adhere to Generally Accepted Accounting Principles for Government or Generally Accepted Accounting Principles for Not-for-Profit Organizations.

1958

This Agreement may be subject to fiscal audits by OHS, the State Comptroller's Office, pertinent federal agencies, and other designated entities to ascertain financial compliance with Federal and/or State laws, regulations, and guidelines applicable to this Agreement. Such audits may include review of the Grantee's accounting, financial, and reporting practices to determine compliance with the Agreement and reporting requirements; maintenance of accurate and reliable original accounting records in accordance with governmental accounting standards as well as generally accepted accounting principles; and specific compliance with allowable cost and expenditure documentation standards prescribed by applicable Federal, State, and OHS guidelines.

18. None of the goals, objectives or tasks set forth in Appendix D shall be subawarded to another organization without specific prior written approval by OHS. Where the intention to make subawards is clearly indicated in the application, OHS approval is deemed given, if these activities are funded as proposed.

If this Agreement makes provisions for the Grantee to subgrant funds to other recipients, the Grantee agrees that all subgrantees shall be held accountable by the Grantee for all terms and conditions set forth in this Agreement. The Grantee further agrees that it shall assume sole and complete responsibility for fulfilling all the obligations set forth in the Agreement and the Grantee must guarantee the work of any subgrantee as if it were its own.

The Grantee agrees that all subgrantee arrangements shall be formalized in writing between the parties involved. The writing must, at a minimum, include the following information:

- Activities to be performed;
- Time schedule;
- Project policies;
- Other policies and procedures to be followed;
- Dollar limitation of the Agreement;
- Appendix A, Appendix A-1, Appendix C, Certified Assurances for Federally Supported Projects, Certification Regarding Lobbying, Debarment and Suspension and any special conditions set forth in the Agreement;
- Applicable Federal and/or State cost principles to be used in determining allowable costs; and
- Property Records or Equipment Inventory Reports.

The Grantee will not be reimbursed for subgranted funds unless all expenditures by a subgrantee are listed on detailed itemization forms or a form deemed acceptable to OHS. Backup documentation for such expenditures must be made available to OHS upon request. All expenditures must be programmatically consistent with the goals and objectives of this Agreement and with the Budget set forth in Appendix B.

Federal Requirements:

19. A non- exclusive list of regulations commonly applicable to DHS grants are listed below, including the guidance:

A. Administrative Requirements

1. 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
2. 2 CFR Part 215, Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)

B. Cost Principles

1. 2 CFR Part 225, State and Local Governments (OMB Circular A-87)
2. 2 CFR Part 220, Educational Institutions (OMB Circular A-21)
3. 2 CFR Part 230, Non-Profit Organizations (OMB Circular A-122)
4. Federal Acquisition Regulation Sub-part 31.2, Contracts with Commercial Organizations

C. Audit Requirements

1. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations

The grantee must comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit requirements.

The grantee shall further comply with all applicable laws, regulations and program guidance. It is incumbent upon the Grantee to become familiar with and comply with all terms and conditions associated with acceptance of funds.

20. The Grantee must ensure full compliance with all cost documentation requirements, including specific personal service documentation, as applicable directly to the grantee, sub-recipient or collaborative agency/organization. The Grantee must

1958

maintain specific documentation as support for project related personal service expenditures as this contract is supported by federal funds. Depending upon the nature or extent of personal service provided under this Agreement, the Grantee shall maintain semi-annual (or more frequent) personal service certifications and/or an after-the-fact personnel activity reporting system (or equivalent) which complies with all applicable laws, regulations and program guidance. Failure to do so may result in disallowance of costs.

In accordance with federal requirements, a Grantee which receives during its fiscal year \$500,000 or more of Federal funds from all sources, including this Agreement, must agree to have an independent audit of such Federal funds conducted in accordance with the Federal Office of Management and Budget (OMB) Circular A-133. OMB Circular A-133 further requires that the final report for such audit be completed within nine months of the end of the Grantee's fiscal year. The Grantee further agrees to provide one copy of such audit report(s) to OHS within nine months of the end of its fiscal year(s).

21. Program income earned by the Grantee during the grant funding period must be reported in writing to OHS, in addition to any other statutory reporting requirements. Program income consists of income earned by the grant recipient that is directly generated by a supported activity or earned as a result of the grant program. Program income includes, but is not limited to, income from fees for services performed, the use of rental or real or personal property acquired under Federal funded projects, the sale of commodities or items fabricated under an award, license fees and royalties on patents and copyrights and interest on loans made with Federal award funds. For example, if the purpose of a grant is to conduct conferences, any training fees that are generated would be considered program income. Interest earned on grant funds is not considered program income unless specified in Appendix D. The Grantee agrees to report the receipt and expenditures of grant program income to OHS. Program income (not to include interest earned), generated by the use of these grant funds will be used to enhance the grant project.

22. Any creative or literary work developed or commissioned by the Grantee with grant support provided by OHS shall become the property of OHS, entitling OHS to assert a copyright therein, unless the parties have expressly agreed otherwise in a written instrument signed by them.

A. If OHS shares its right to copyright such work with the Grantee, OHS reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: (a) the copyright in any work developed under a grant, subgrant, or contract under a grant or subgrant; and (b) any rights of copyright to which a Grantee, Subgrantee, or a Contractor purchases ownership with grant support.

B. If the grant support provided by OHS is federally sponsored, the federal awarding agency also reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: (a) the copyright in any work developed under a grant, subgrant or contract under a grant or subgrant; and (b) any rights of copyright to which a Grantee, Subgrantee, or a Contractor purchases ownership with such grant support.

C. The Grantee shall submit one copy of all reports and publications resulting from this Agreement to OHS. Any document generated pursuant to this grant must contain the following language:

"This project was supported by a grant administered by the New York State Office of Homeland Security and the U.S. Department of Homeland Security. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the New York State Office of Homeland Security or the U.S. Department of Homeland Security."

Amendment, Suspension, Termination of Contract:

23. The Grantee agrees that if the project is not operational within 60 days of the execution date of the contract, it will report by letter to OHS the steps taken to initiate the project, the reasons for delay, and the expected starting date. If the project is not operational within 90 days of the execution date of the contract, the grantee will submit a second statement to OHS explaining the delay. The State may either cancel the project and redistribute the funds or extend the implementation date of the project beyond the 90-day period when warranted by extenuating circumstances.

24. OHS will be allowed to extend, renew, increase, amend, decrease or terminate this contract, upon appropriate approval of the Attorney General and the Office of the State Comptroller as follows:

A. The term of this contract may be automatically renewed or extended in conjunction with the renewal or extension of the federal grant award from which this contract is funded, not to exceed a term of five years from the initial start date.

B. The amount of this contract may be increased provided the funds are used in accordance with the guidelines associated with this contract grant application kit, as outlined in Appendix D, and the scope of work has not substantially changed.

C. This contract may be terminated for convenience upon thirty (30) days' notice to the Grantee. OHS may terminate this contract

1958

for cause or decrease its funded amounts, pursuant to the provisions in Section 25 or 26 of this Appendix.

25. OHS reserves the right to suspend program funds if the Grantee is found to be in noncompliance with the provisions of this Agreement or other grant agreements between the Grantee and OHS or, if the Grantee or principals of the Grantee are under investigation by a New York State or local law enforcement agency for noncompliance with State or Federal laws or regulatory provisions or, if in OHS' judgment, the services provided by the Grantee under the Agreement are unsatisfactory or untimely. OHS shall provide the Grantee with written notice of noncompliance. Upon the Grantee's failure to correct or comply with the written notice by OHS, OHS reserves the right to terminate this Agreement, recoup funds and recover any assets purchased with the proceeds of this Agreement. OHS reserves the right to use approved grant related expenditures to offset disallowed expenditures from any grant funded through its offices upon appropriate notification to the Grantee, or upon reasonable assurance that the Grantee is not in compliance with Agreement terms.

Availability of Funds:

26. If for any reason the State of New York or the federal government terminates its appropriation through OHS or fails to pay the full amount of the allocation for the operation of this program, this Agreement may be terminated or reduced at the discretion of OHS, provided that no such reduction or termination shall apply to allowable costs already incurred by the Grantee where funds are available to OHS for payment of such costs. Upon termination or reduction of the Agreement, all remaining funds paid to the Grantee that are not subject to allowable costs already incurred by the Grantee shall be returned to OHS. In any event, no liability shall be incurred by OHS or by the State of New York beyond monies available for the purposes of this Agreement. The Grantee acknowledges that any funds due to OHS because of disallowed expenditures after audit shall be its responsibility.

27. Unless otherwise specified, in accordance with the State Finance Law, the availability of Federal and State funds budgeted as local assistance shall cease on September 15th of the year following the fiscal year in which the funds were appropriated, unless such funds are reappropriated in the State Budget by the New York State Legislature. When local assistance funds are not reappropriated, vouchers must be received by OHS by August 1st of the year following the fiscal year in which the funds were appropriated to ensure reimbursement.

Retention of Records:

28. Original records must be retained for six years following the submission of the final claim against this Agreement or the end of the contract period, if later. In cases where litigation, a claim, or an audit is ongoing, the records must be retained until formal completion of the action and resolution of issues or the end of the six year period, whichever is later. In the event of an audit, the project manager or a designated responsible party must be prepared to produce source documents that substantiate claimed expenditures. OHS requires that all documentation materials be organized, readily accessible, and cross-referenced to the Fiscal Cost Reports previously submitted. If fiscal records, such as purchase orders, vouchers, payroll registers, payroll tax records, property records or equipment inventory records, etc., are to be kept in a fiscal office which is separate and apart from the program office, the project manager must have access to these original records. Such fiscal records must readily identify the associated project.

Revised 08/11/2008

Certified by - on

1958

Award Contract

SHSP

Project No.
CP11-1008-E00Grantee Name
Suffolk County

07/31/2012

Budget Summary by Participant

Suffolk County - Version 1

#	Equipment	AEL	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Purchase trained Explosive Detection Canine	07ED-01-DOGS	1	\$32,000.00	\$32,000.00	\$32,000.00	\$0.00
Total					\$32,000.00	\$32,000.00	\$0.00

#	Travel and Subsistence	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Travel and lodging costs for Auburn evaluators	1	\$6,572.00	\$6,572.00	\$6,572.00	\$0.00
2	Lodging, meals, gas and tolls for SCPD handler for training	1	\$11,428.00	\$11,428.00	\$11,428.00	\$0.00
Total				\$18,000.00	\$18,000.00	\$0.00

Total Project Costs	Total Cost	Grant Funds	Matching Funds
	\$50,000.00	\$50,000.00	\$0.00

Suffolk County Police Department

Total Contract Costs	Total Cost	Grant Funds	Matching Funds
	\$50,000.00	\$50,000.00	\$0.00

Award Contract

1958

SHSP

Project No.**Grantee Name**

CP11-1008-E00

Suffolk County

07/31/2012

APPENDIX C

PAYMENT AND REPORTING SCHEDULE

For All Grantees:

1. The Grantee agrees that this is a reimbursement-based contract; an advance may be provided as specified in Appendix D. All requests for reimbursement must reflect actual costs that have been disbursed by the Grantee. Items or services not received are not eligible for reimbursement.

Reimbursement requests need to include the following documents:

- Signed Voucher and Fiscal Cost Report
- Detailed Itemization Forms or other forms deemed acceptable by OHS of any budgeted category for which reimbursement is requested
- Written documentation of all required OHS approvals, as appropriate

2. Grantees must submit all required fiscal reports, supporting documentation and program progress reports. Failure to meet these requirements will result in the rejection of associated vouchers. Final vouchers, reimbursement requests and reports must be submitted within 30 days of the end of the grant contract period. Failure to voucher within this period may result in the loss of grant funds. The Grantee must also refund all unexpended advances and any interest earned on the advanced funds. Property Records or Equipment Inventory Reports as defined in Appendix A-1, Paragraph 12, must be available at the conclusion of the grant contract period and submitted to OHS upon request.

3. If at the end of this contract there remain any monies (advanced or interest earned on the advanced funds) associated with this contract in the possession of the Grantee, the Grantee shall submit a check or money order for that amount payable to the order of the New York State Office of Homeland Security. Remit the check along with the final fiscal cost report within 30 days of termination of this grant contract to:

NYS Office of Homeland Security
Federal Fiscal Unit – 7th Floor
State Campus - Building 7A
1220 Washington Avenue
Albany, NY 12242

4. Vouchers shall be submitted in a format acceptable to OHS and the Office of the State Comptroller. Vouchers submitted for payment shall be deemed to be a certification that the payments requested are for project expenditures made in accordance with the items as contained in the Project Budget (Appendix B) and during the contract period. Such voucher shall also be deemed to certify that: a) the payments requested do not duplicate reimbursement from other sources of funding; and b) the funds provided herein do not replace funds that, in the absence of this grant, would have been made available by the Grantee for this program.

5. Fiscal cost reports must be submitted showing grant expenditures. They must also show the amount of interest earned to date on any advanced funds.

All submitted vouchers will reflect the Grantee's actual expenditures and will be accompanied by supporting detailed itemization forms or a form deemed acceptable to OHS for personal service, fringe benefit and non-personal service expenditures or other documentation as required, and by a fiscal cost report for the reporting period. In the event that any expenditure for which the Grantee has been reimbursed by grant funds is subsequently disallowed, OHS, in its sole discretion, may reduce the voucher payment by the amount disallowed. If necessary, the Grantee may be required to submit a final budget reallocation.

OHS reserves the right not to release subsequent grant awards pending Grantee compliance with this Agreement.

6. For purposes of prompt payment provisions, the Designated Payment Office for the processing of all vouchers is the Contract Unit of OHS. Payment of grant vouchers shall be made in accordance with the provisions of Article XI-A of the State Finance Law. Payment shall be preceded by an inspection period of 15 business days which shall be excluded from calculations of the

1958

payment due date for purposes of determining eligibility for interest payments. The Grantee must notify the Federal Fiscal Unit in writing of a change of address in order to benefit from the prompt payment provision of the State Finance Law. When progress reports are overdue, vouchers will not be eligible for prompt payment.

The New York State Office of the State Comptroller offers an electronic payment option for Grantees which allows for more convenient and efficient payments. Grantees may visit the OSC website (www.osc.state.ny.us) to learn more about Electronic Payments and obtain an authorization form, program guidelines and frequently asked questions.

7. Timely and properly completed New York State vouchers, with supporting documentation when required, shall be submitted to:

NYS Office of Homeland Security
Attention: Contracts Unit
State Office Building Campus – Bldg. 7A
1220 Washington Avenue, Suite 610
Albany, NY 12242

8. The Grantee will submit program progress reports and one final report to OHS on a prescribed form provided by OHS as well as any additional information or amended data as required.

Progress reports will be due within 30 days of the last day of each calendar quarter or on an alternate schedule as prescribed in Appendix D. Progress reports will be due within 30 days of the last day of the calendar quarter from the start date of the program and the final report will be due upon completion of the project or termination of this Agreement. Calendar quarters, for the purposes of making program progress reports, shall be as follows:

Calendar Quarter: January 1 - March 31 -- Report Due: April 30
Calendar Quarter: April 1 - June 30 -- Report Due: July 30
Calendar Quarter: July 1 - September 30 -- Report Due: October 30
Calendar Quarter: October 1 - December 31 -- Report Due: January 30

The final report, or where applicable interim progress reports, will summarize the project's achievements as well as describe activities for that quarter.

Revised 08/11/2008

Certified by - on

Award Contract**Project No.**

CP11-1008-E00

Grantee Name

Suffolk County

1958

SHSP

07/31/2012

Work Plan**Goal**

To protect NYS residents and infrastructure from terrorist attacks involving explosive devices.

Objective #1

G & T Workplan Code - 46. Develop capabilities to prevent, detect and respond to improvised explosive device IED attacks.

Investment Justification - Counter-Terrorism and Law Enforcement

Target Capability

Primary - CBRNE Detection

To enhance capabilities to prevent, detect and respond to improvised explosive device (IED) attacks by acquiring and utilizing explosive detection canine teams.

Task #1 for Objective #1

Purchase an explosive detection canine, related equipment and supplies.

Performance Measure

1 Identify equipment ordered and received. Provide a brief narrative reporting status of equipment and describe how the project enhanced the region's capabilities to detect, prevent and respond to IED attacks. Equipment accountability records are properly maintained.

Task #2 for Objective #1

Provide training for explosive detection canine and assistant/handler.

Performance Measure

1 Provide brief narrative reporting the status of training. Describe how the project enhanced the region's capabilities to prevent, detect and respond to IED attacks.

Award Contract**Project No.**

CP11-1008-E00

Grantee Name

Suffolk County

SHSP

07/31/2012

Award Conditions**General Conditions****Special Conditions**

Funds must be used in accordance with the guidelines set forth in the FY 2007 Homeland Security Grant Program (HSGP) application kit. All planning, training and CBRNE exercises and/or equipment purchased with FY 2007 HSGP funds must support the prevention, response and/or recovery goals set forth in New York State's Homeland Security Strategy represented by the list of priorities included in the grant applications and approved investment justifications.

An agenda and meeting minutes will be kept on file for all meetings conducted regarding HSGP-funded activities. Any documents produced as a result of these meetings, such as plans, schedules, or procedures, will also be kept on file and be made available to the NYS Office of Homeland Security (OHS) upon request.

Equipment purchased with grant funds must fall within the allowable equipment categories for the FY 2007 HSGP as listed on the web-based Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB) (<http://www.rkb.mipt.org>). It is the responsibility of the grantee to request a determination of eligibility from the U.S. Department of Homeland Security (DHS), through the NYS Office of Homeland Security (OHS), for any item in question. Unless otherwise stated in the program guidance, equipment must meet all mandatory regulatory and/or DHS-adopted standards to be eligible for purchase using FY 2007 HSGP funds. Any communications equipment purchased with FY 2007 HSGP funds should be Project 25 (P25) compliant (<http://www.safecomprogram.gov/SAFECOM/grant/default.htm>). In addition, the grantee is required to complete a Communications Plan consistent with the DHS standards, and all communications equipment purchases must support implementation of the plan.

Any non-DHS approved training courses to be supported by this award must be submitted to DHS, through the NYS Office of Homeland Security (OHS), for certification. Any exercises conducted must be managed and executed in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP). An After-Action Report/Improvement Plan (AAR/IP) will be prepared and submitted to OHS following every exercise, regardless of type or scope. AAR/IPs must conform to the HSEEP format and must be submitted within 60 days of completion of the exercise.

Law enforcement agencies that receive grant funding from OHS must agree to participate in the New York State Intelligence Center (NYSIC) or the New York/New Jersey Regional Intelligence Center (NY/NJ RIC), as appropriate.

Recipient shall comply with all applicable Federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Failure of the recipient to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding. Recipient shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office.

1959

Intro. Res. No. -2012

Laid on Table

10/9/12

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

RESOLUTION NO. , 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 11 – SELDEN (SEWER SYSTEM IMPROVEMENTS) (CP 8117)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on October 9, 2012 in relation to the increase and improvement of facilities for said district which includes improvements to such things as sewer, force main, and manhole replacement and repair at the Suffolk County Sewer District No. 11 – Selden sewer system, in relation to; and

WHEREAS, pursuant to Introductory Resolution No. 1792-12, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on October 9, 2012 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement to the sewer, force main, and manhole replacement and repair of the Suffolk County Sewer District No. 11 – Selden submitted and evidence given at the public hearing held on October 9, 2012; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to the sewer system which includes such things as sewer, force main, and manhole replacement and repair at Suffolk County Sewer District No. 11 – Selden, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$2.5 million on the increase and improvement to the sewer system which includes sewer, force main, and manhole replacement and repair at Suffolk County Sewer District No. 11 – Selden.

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improvement to the sewer system which includes sewer, force main, and manhole replacement and repair at Suffolk County Sewer District No. 11

– Selden at a cost of \$2.5 million which represents the aforementioned project which will be attributable to the increase and improvement to the sewer system which includes sewer, force main, and manhole replacement and repair. The project elements are more fully described and defined in the aforementioned maps, plans, report and recommendations, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that the total cost for the increase and improvement to Suffolk County Sewer District No. 11 – Selden project is approximately \$2.5 million. The existing district is billed on ad valorem basis. It is proposed that the project will be implemented during 2012 and performed over a three year period. It is indicated in the map, plan, and report that the financial impact has been prepared considering the financial impact with and without the ASRF subsidy. That result in the cost to the typical property for the property owners of Sewer District No. 11 – Selden without the ASRF is approximately \$80 per year. There will, however, be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Reserve Fund, all residents of Sewer District No. 11 experience a 3% annual increase regardless of any improvements performed with the annual typical property increase being implemented for this district will result in an increase to the typical property of less than \$12 in the 2015 and 2016 billing period;

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 11 – Selden will be benefited by such increase and improvement of facilities and that no benefited property has been excluded; and be it further

2nd RESOLVED, this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA, and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1959

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO., 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 11 – SELDEN (SEWER SYSTEM IMPROVEMENTS) (CP 8117)		
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		
Impact will be included on future appropriating resolution.		
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		
2013- Impact will be included on future appropriating resolution.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		September 28th, 2012

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

1959

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1959

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
2. Title of Proposed Legislation A resolution making certain findings and determinations in relation to the increase and improvement of facilities for the Sewer District No. 11 – Selden (Sewer System Improvements) (CP 8117).											
3. Purpose of Proposed Legislation To make certain findings and determinations for the improvement to the sewer system which includes sewer, force main, and manhole replacement and repair.											
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) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact The \$2.5 million project will be funded by the district residents and contractees.											
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 2012-2034											
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 8/16/12									

COUNTY OF SUFFOLK

1959



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 

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 11 – Selden (Sewer System Improvements) (CP 8117)**

DATE: August 16, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8117 SD 11-Selden (Sewer System Improvements) 8-16-12 and backup filed as Backup-DPW CP 8117 SD 11-Selden (Sewer System Improvements) 8-16-12 for the findings resolution of the increase and improvement of Sewer District No. 11 – Selden. The public hearing is to be held October 9, 2012. The project is to provide funds for the improvements to the sewer system which includes such things as sewer, force main, and manhole replacement and repair. The total cost associated with the project is approximately \$2.5 million of which is contained in the Adopted 2012 Capital Program and Budget.

We appreciate the resolution being laid on the table.

GA:BW:ni
Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Chief Deputy County Attorney
Charles Jaquin, General Services Manager
Nick Paglia, Assistant Executive Analyst
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation
CE Reso Review
ga-bw8-16-12 Backup-DPW sd11-Selden Findings CP 8117 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1960
Intro. Res. No. -2012

Laid on Table

10/9/12

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

RESOLUTION NO. , 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 5 – STRATHMORE HUNTINGTON (CP 8115)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on October 9, 2012 in relation to the increase and improvement of facilities for said district which includes improvements to such things as replacement or rehabilitation of sewer/force main and manholes at the Suffolk County Sewer District No. 5 – Strathmore Huntington sewer system, in relation to; and

WHEREAS, pursuant to Introductory Resolution No. 1788-12, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on October 9, 2012 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement to the force mains, gravity sewers and manholes of the Suffolk County Sewer District No. 5 – Strathmore Huntington submitted and evidence given at the public hearing held on October 9, 2012; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to the sewer system which includes such things as replacement or rehabilitation of sewer/force main and manholes at Suffolk County Sewer District No. 5 – Strathmore Huntington, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$1.75 million on the increase and improvement to the sewer system which includes replacement or rehabilitation of sewer/force main and manholes at Suffolk County Sewer District No. 5 – Strathmore Huntington.

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to

provide for the increase and improvement to the sewer system at Suffolk County Sewer District No. 5 – Strathmore Huntington at a cost of \$1.75 million which represents the aforementioned project which will be attributable to the increase and improvement to the sewer system which includes replacement or rehabilitation of sewer/force main and manholes. The project elements are more fully described and defined in the aforementioned maps, plans, report and recommendations, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that the total cost for the increase and improvement to Suffolk County Sewer District No. 5 – Strathmore Huntington project is approximately \$1.75 million. The existing district is billed on ad valorem basis. It is proposed that the project will be implemented during 2013. It is indicated in the map, plan, and report that the financial impact has been prepared considering the financial impact with and without the ASRF subsidy. That result in the cost to the typical property for the property owners of Sewer District No. 5 – Strathmore Huntington without ASRF is approximately \$164.64 per year. There will, however, be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Reserve Fund, all residents of Sewer District No. 5 experience a 3% annual increase regardless of any improvements performed with the annual typical property increase being implemented for this district will result in an increase to the typical property of approximately \$28.35 per year;

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 5 – Strathmore Huntington will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

2nd RESOLVED, this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA, and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1960

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>RESOLUTION NO., 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 5 – STRATHMORE HUNTINGTON (CP 8115)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> <p>County</p> </div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Impact will be included on future appropriating resolution.		
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		
2013- Impact will be included on future appropriating resolution.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		September 28th, 2012

SCIN FORM 175b (10/95)

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

1960

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1960

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
2. Title of Proposed Legislation A resolution making certain findings and determinations in relation to the increase and improvement of facilities for the Sewer District No. 5 – Strathmore Huntington (CP 8115).											
3. Purpose of Proposed Legislation To make certain findings and determinations for the improvement to the sewer system which includes replacement or rehabilitation of sewer/force main and manholes.											
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) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact The \$1.75 million project will be funded by the district residents and contractees.											
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 2013-2032											
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 8/16/12									

COUNTY OF SUFFOLK



1960

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

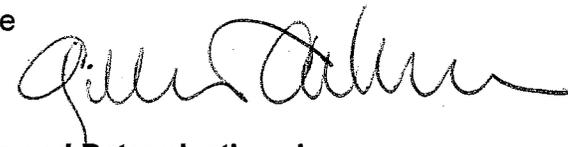
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner 

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 5 – Strathmore Huntington (CP 8115)**

DATE: August 16, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW SD 5-Strathmore Huntington CP 8115 Improvements 8-16-12 and backup filed as Backup-DPW SD 5-Strathmore Huntington CP 8115 Improvements 8-16-12 for the findings resolution of the increase and improvement of Sewer District No. 5 – Strathmore Huntington. The public hearing is to be held October 9, 2012. The project is to provide funds for the improvements to the sewer system which includes such things as replacement or rehabilitation of sewer/force main and manholes. The total cost associated with the project is approximately \$1.75 million of which is contained in the Adopted 2012 Capital Program and Budget.

We appreciate the resolution being laid on the table.

GA:BW:ni
Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Chief Deputy County Attorney
Charles Jaquin, General Services Manager
Nick Paglia, Assistant Executive Analyst
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation
CE Reso Review

ga-bw8-16-12 Backup-DPW sd5-Strathmore Huntington Findings CP 8115 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1961
Intro. Res. No. -2012

Laid on Table

10/9/12

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

RESOLUTION NO. _____, 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 10 – STONY BROOK (CP 8175)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on October 9, 2012 in relation to the increase and improvement of facilities for said district which includes improvements to such things as sewer and force main, sewer rehabilitation and replacement, and manhole repair at the Suffolk County Sewer District No. 10 – Stony Brook sewer system, in relation to; and

WHEREAS, pursuant to Introductory Resolution No. 1791-2012, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on October 9, 2012 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement to the sewer and force main, sewer rehabilitation and replacement, and manhole repair of the Suffolk County Sewer District No. 10 – Stony Brook submitted and evidence given at the public hearing held on October 9, 2012; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to the sewer system which includes such things as sewer and force main, sewer rehabilitation and replacement, and manhole repair at Suffolk County Sewer District No. 10 – Stony Brook, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$500,000 on the increase and improvement to the sewer system which includes sewer and force main, sewer rehabilitation and replacement, and manhole repair at Suffolk County Sewer District No. 10 – Stony Brook.

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to

provide for the increase and improvement to the sewer system which includes sewer and force main, sewer rehabilitation and replacement, and manhole repair at Suffolk County Sewer District No. 10 – Stony Brook at a cost of \$500,000 which represents the aforementioned project which will be attributable to the increase and improvement to the sewer system which includes sewer and force main, sewer rehabilitation and replacement, and manhole repair. The project elements are more fully described and defined in the aforementioned maps, plans, report and recommendations, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that the total cost for the increase and improvement to Suffolk County Sewer District No. 10 – Stony Brook project is approximately \$500,000. The existing district is billed on assessed value. It is proposed that the project will be implemented during 2012. Based on the project schedule, the maximum debt payment will be during 2014 at a value of \$39,600. Financing is at 4% over 20 years for serial bonds. This unsubsidized increased rate amounts to a value per typical property of approximately \$7.48 per year. This figure was developed using the assessed value of the mode value as the typical property within the district resulting in an increase of \$5.74 per \$1,000 of full value for Capital Project 8175, Infrastructure Improvement Project. There will be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Reserve Fund, all residents of sewer districts experience a 3% annual increase regardless of any improvements performed with the annual typical property increase being \$6.28.

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 10 – Stony Brook will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

2nd RESOLVED, this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA, and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1961

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO., 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 10 – STONY BROOK (CP 8175)		
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		
Impact will be included on future appropriating resolution.		
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		
2013- Impact will be included on future appropriating resolution.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		September 28th, 2012

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

GENERAL FUND

1961

	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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1961

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>											
2. Title of Proposed Legislation A resolution making certain findings and determinations in relation to the increase and improvement of facilities for the Sewer District No. 10 – Stony Brook (CP 8175).											
3. Purpose of Proposed Legislation To make certain findings and determinations for the improvement to the sewer system which includes sewer and force main, sewer rehabilitation and replacement, and manhole repair.											
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) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact The \$500,000 project will be funded by the district residents and contractees.											
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 2013-2032											
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 8/16/12									

COUNTY OF SUFFOLK



1961

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 

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 10 – Stony Brook (CP 8175)**

DATE: August 16, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW SD 10-Stony Brook CP 8175 Improvements 8-16-12 and backup filed as Backup-DPW SD 10-Stony Brook CP 8175 Improvements 8-16-12 for the findings resolution of the increase and improvement of Sewer District No. 10 – Stony Brook. The public hearing is to be held October 9, 2012. The project is to provide funds for the improvements to the sewer system which includes such things as sewer and force main, sewer rehabilitation and replacement, and manhole repair. The total cost associated with the project is approximately \$500,000 of which is contained in the Adopted 2012 Capital Program and Budget.

We appreciate the resolution being laid on the table.

GA:BW:ni
Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
 Ben Zwirn, Director of Intergovernmental Relations
 Lynne Bizzarro, Esq., Chief Deputy County Attorney
 Charles Jaquin, General Services Manager
 Nick Paglia, Assistant Executive Analyst
 John Donovan, P.E., Chief Engineer, Sanitation
 Ben Wright, P.E., Principal Civil Engineer, Sanitation
 CE Reso Review
 ga-bw8-16-12 Backup-DPW sd10-Stony Brook Findings CP 8175 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1962

Intro. Res. No. -2012

Laid on Table

10/9/12

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

RESOLUTION NO. _____, 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (INFRASTRUCTURE IMPROVEMENTS) (CP 8170)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on October 9, 2012 in relation to the increase and improvement of facilities for said district which includes improvement to such things as process tanks at the Suffolk County Sewer District No. 3 – Southwest Wastewater Treatment Plant, in relation to; and

WHEREAS, pursuant to Introductory Resolution No. 1795-2012, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on October 9, 2012 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement of the process tanks for Suffolk County Sewer District No. 3 – Southwest submitted and evidence given at the public hearing held on October 9, 2012; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to the process tanks at Suffolk County Sewer District No. 3 – Southwest, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$20 million on the increase and improvement to the process tanks at Suffolk County Sewer District No. 3 – Southwest.

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improvement to the process tanks at Suffolk County Sewer District No. 3 – Southwest at a cost of \$20 million which represents the aforementioned project which will be attributable to the increase and improvement to the process tanks at the wastewater treatment plant. The project elements are more fully described and

defined in the aforementioned maps, plans, report and recommendations, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that the total cost for the increase and improvement to Suffolk County Sewer District No. 3 – Southwest project is approximately \$20 million. The existing district is billed on assessed value, a per parcel charge, and a user fee. It is proposed that the project will be implemented during 2012. Based on the project schedule, the maximum debt payment will be during 2014 at a value of \$1,584,000. Financing is at 4% over 20 years for serial bonds. This unsubsidized increased rate amounts to a value per typical property of approximately \$16.56 per year. This figure was developed using the full value of the Towns of Babylon and Islip and which sewer district rates are assessed along with the mode full value of a typical property within the towns resulting in an increase of \$0.05229 per \$1,000 of full value for Capital Project 8170, Infrastructure Improvement Project. There will be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Reserve Fund, all residents of sewer districts experience a 3% annual increase regardless of any improvements performed with the annual typical property increase being \$19.69.

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 3 – Southwest will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

2nd RESOLVED, this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA, and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1962

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO., 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (INFRASTRUCTURE IMPROVEMENTS) (CP 8170)		
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 Impact will be included on future appropriating resolution.		
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 2013- Impact will be included on future appropriating resolution.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		September 28th, 2012

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

1962

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1962

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
2. Title of Proposed Legislation A resolution making certain findings and determinations in relation to the increase and improvement of facilities for the Sewer District No. 3 – Southwest (CP 8170).											
3. Purpose of Proposed Legislation To make certain findings and determinations for the improvement to the process tanks.											
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) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; padding: 5px;">County</td> <td style="width: 33%; padding: 5px;">Town</td> <td style="width: 33%; padding: 5px;">Economic Impact</td> </tr> <tr> <td style="padding: 5px;">Village</td> <td style="padding: 5px;">School District</td> <td style="padding: 5px;">Other (Specify):</td> </tr> <tr> <td style="padding: 5px;">Library District</td> <td style="padding: 5px;">Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact The \$20 million project will be funded by the district residents and contractees.											
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 2013-2032											
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 8/16/12									

COUNTY OF SUFFOLK



1962

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 

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 3 – Southwest (Infrastructure Improvements) (CP 8170)**

DATE: August 16, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW SD 3-Southwest CP 8170 Improvements 8-16-12 and backup filed as Backup-DPW SD 3-Southwest CP 8170 Improvements 8-16-12 for the findings resolution of the increase and improvement of Sewer District No. 3 – Southwest. The public hearing is to be held October 9, 2012. The project is to provide funds for the improvements of the wastewater treatment facility. Improvements include such things as process tanks. The total cost associated with the project is approximately \$20 million of which is contained in the Adopted 2012 Capital Program and Budget.

We appreciate the resolution being laid on the table.

GA:BW:ni

Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Chief Deputy County Attorney
Charles Jaquin, General Services Manager
Nick Paglia, Assistant Executive Analyst
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation
CE Reso Review
ga-bw8-16-12 Backup-DPW sd3-Southwest Findings CP 8170 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1963
Intro. Res. No. -2012

Laid on Table

10/9/12

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

RESOLUTION NO. , 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 7 – MEDFORD (CP 8150)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on October 9, 2012 in relation to the increase and improvement of facilities for said district which includes improvements to such things as force mains, gravity sewers, and manholes at the Suffolk County Sewer District No. 7 – Medford sewer system, in relation to; and

WHEREAS, pursuant to Introductory Resolution No. 1790-2012, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on October 9, 2012 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement to the force mains, gravity sewers and manholes of the Suffolk County Sewer District No. 7 – Medford submitted and evidence given at the public hearing held on October 9, 2012; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to the force mains, gravity sewers and manholes at Suffolk County Sewer District No. 7 – Medford, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$1.5 million on the increase and improvement to the force mains, gravity sewers and manholes at Suffolk County Sewer District No. 7 – Medford.

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improvement to the force mains, gravity sewers and manholes at Suffolk County Sewer District No. 7 – Medford at a cost of \$1.5 million which represents the aforementioned project which will be attributable to the increase and improvement to the sewer system which includes force mains, gravity sewers, and

manholes. The project elements are more fully described and defined in the aforementioned maps, plans, report and recommendations, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that the total cost for the increase and improvement to Suffolk County Sewer District No. 7 – Medford project is approximately \$1.5 million. The project is to provide improvements to the sewer system including pumping stations, gravity sewers and force mains. The cost opinion associated with the project is \$500,000 in 2012 and \$1 million in 2013. The project elements are more fully described and defined in the aforementioned maps, plans, report and recommendations. The existing district is billed on assessed value. It is proposed that the project will be initiated during 2012. Based on the project schedule, the maximum payment will be during 2015 at a value of \$118,000. Financing is at 4% over 20 years for serial bonds. The increased rate amounts to a value per typical property of approximately \$40. This figure was developed using the full value of the district along with the mode value of the typical property within the district resulting in an increase stated above. In addition to the sewer system improvements, there is also a concurrent project within Sewer District No. 7- Medford at the Woodside Wastewater Treatment Plant. This project is financed during 2012 and 2013 and when both projects are combined, the maximum payment year is 2015 in an amount of \$367,480. The composite increase without subsidy would be \$124.60. There will be no fiscal impact to the benefited properties since pursuant to the Suffolk County Assessment Stabilization Reserve Fund, all residents of sewer districts experience a 3% annual increase regardless of any improvements performed. The rate will increase by 3% per year with the maximum increase in conjunction with these projects between 2014 and 2015 being \$15.19.

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 7 – Medford will be benefited by such increase and improvement of facilities and that no benefited property has been excluded; and be it further

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

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1963

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO., 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 7 – MEDFORD (CP 8150)		
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		
Impact will be included on future appropriating resolution.		
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		
2013- Impact will be included on future appropriating resolution.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		September 28th, 2012

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

1963

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1963

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
2. Title of Proposed Legislation A resolution making certain findings and determinations in relation to the increase and improvement of facilities for the Sewer District No. 7 – Medford (CP 8150).											
3. Purpose of Proposed Legislation To make certain findings and determinations for the improvement of the force mains, gravity sewers and manholes.											
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) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact The \$1.5 million project will be funded by the district residents and contractees.											
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 2013-2032											
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 8/16/12									

COUNTY OF SUFFOLK



1963

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 

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 7 – Medford (CP 8150)**

DATE: August 16, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW SD 7-Medford CP 8150 Improvements 8-16-12 and backup filed as Backup-DPW SD 7-Medford CP 8150 Improvements 8-16-12 for the findings resolution of the increase and improvement of Sewer District No. 7 – Medford. The public hearing is to be held October 9, 2012. The project is to provide funds for the improvements to the sewer system which includes such things as force mains, gravity sewers, and manholes. The total cost associated with the project is approximately \$1.5 million of which is contained in the Adopted 2012 Capital Program and Budget.

We appreciate the resolution being laid on the table.

GA:BW:ni
Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Chief Deputy County Attorney
Charles Jaquin, General Services Manager
Nick Paglia, Assistant Executive Analyst
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation
CE Reso Review
ga-bw8-16-12 Backup-DPW sd7-Medford Findings CP 8150 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1964

Intro. Res. No. -2012

Laid on Table

10/9/12

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

RESOLUTION NO. , 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 7 – MEDFORD (WOODSIDE) (CP 8119)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on October 9, 2012 in relation to the increase and improvement of facilities for said district which includes improvements to such things as process tanks and mechanical/electric systems the at the Suffolk County Sewer District No. 7 – Medford (Woodside) Wastewater Treatment Plant; and

WHEREAS, pursuant to Introductory Resolution No. 1789-2012, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on October 9, 2012 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement to the process tanks and mechanical/electric systems of the Suffolk County Sewer District No. 7 – Medford submitted and evidence given at the public hearing held on October 9, 2012; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to the process tanks and mechanical/electric systems at Suffolk County Sewer District No. 7 – Medford (Woodside Treatment Plant), that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$3.15 million on the increase and improvement to the process tanks and mechanical/electric systems at Suffolk County Sewer District No. 7 – Medford (Woodside Treatment Plant).

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improvement to the process tanks and mechanical/electric

systems at Suffolk County Sewer District No. 7 – Medford (Woodside Treatment Plant) at a cost of \$3.15 million which represents the aforementioned project which will be attributable to the increase and improvement to the process tanks and mechanical/electric systems for the Woodside Wastewater Treatment Plant. The project elements are more fully described and defined in the aforementioned maps, plans, report and recommendations, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that the total cost for the increase and improvement to Suffolk County Sewer District No. 7 – Medford (Woodside Wastewater Treatment Plant) project is approximately \$3.15 million. The existing district is billed on ad valorem basis. It is proposed that the project will be implemented during 2013. It is indicated in the map, plan, and report that the financial impact has been prepared considering the financial impact with and without the ASRF subsidy. That result in the cost to the typical property for the property owners of Sewer District No. 7 – Medford (Woodside Treatment Plant) without the ASRF is approximately \$124.60 per year. There will, however, be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Reserve Fund, all residents of Sewer District No. 7 experience a 3% annual increase regardless of any improvements performed with the annual typical property increase being implemented for this district will result in an increase to the typical property of approximately \$15.59 in the maximum repayment year of 2015;

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 7 – Medford (Woodside Treatment Plant) will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

2nd RESOLVED, this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA, and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1964

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO., 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 7 - MEDFORD (WOODSIDE) (CP 8119)		
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		
Impact will be included on future appropriating resolution.		
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		
2013- Impact will be included on future appropriating resolution.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		September 28th, 2012

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

1964

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1964

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
2. Title of Proposed Legislation A resolution making certain findings and determinations in relation to the increase and improvement of facilities for the Sewer District No. 7 – Medford (Woodside WWTP) (CP 8119).											
3. Purpose of Proposed Legislation To make certain findings and determinations for the improvement of the Woodside WWTP process tanks and mechanical/electric systems.											
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) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact The \$3.15 million project will be funded by the district residents and contractees.											
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 2013-2033											
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 8/16/12									

COUNTY OF SUFFOLK



1964

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

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 7 – Medford (Woodside) (CP 8119)**

DATE: August 16, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW SD 7-Medford (Woodside) CP 8119 Improvements 8-16-12 and backup filed as Backup-DPW SD 7-Medford (Woodside) CP 8119 Improvements 8-16-12 for the findings resolution of the increase and improvement of Sewer District No. 7 – Medford. The public hearing is to be held October 9, 2012. The project is to provide funds for the improvements to the wastewater treatment plant which includes such things as process tanks and mechanical/electric systems. The total cost associated with the project is approximately \$3.15 million of which is contained in the Adopted 2012 and 2013 Capital Program and Budget.

We appreciate the resolution being laid on the table.

GA:BW:ni
Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Chief Deputy County Attorney
Charles Jaquin, General Services Manager
Nick Paglia, Assistant Executive Analyst
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation
CE Reso Review

ga-bw8-16-12 Backup-DPW sd7-Medford (Woodside) Findings CP 8119 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1965
Intro. Res. No. -2012

Laid on Table

10/9/12

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

RESOLUTION NO. _____, 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE, IMPROVEMENT AND EXTENSION OF FACILITIES FOR SEWER DISTRICT NO. 18 – HAUPPAUGE INDUSTRIAL (CP 8126)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on October 9, 2012 in relation to the increase, improvement and expansion of facilities for said district. The district had been extended as of August 6, 2008. The project includes improvements to such things as sewers, treatment plant and pumping stations for the Suffolk County Sewer District No. 18 – Hauppauge Industrial; and

WHEREAS, pursuant to Introductory Resolution No. 1794-2012, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on October 9, 2012 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase, improvement and expansion to the wastewater treatment facility, sewers and pumping stations of the Suffolk County Sewer District No. 18 – Hauppauge Industrial submitted and evidence given at the public hearing held on October 9, 2012; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase, improvement and expansion to the wastewater treatment facility, sewers and pumping stations at Suffolk County Sewer District No. 18 – Hauppauge Industrial, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend an additional \$8.7 million bringing the total project cost to \$79 million on the increase, improvement and expansion to the sewers, treatment and pumping stations at Suffolk County Sewer District No. 18 – Hauppauge Industrial;

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to

provide for the increase, improvement and expansion to the sewers, treatment and pumping stations at Suffolk County Sewer District No. 18 – Hauppauge Industrial at an additional cost of \$8.7 million bringing the total cost to \$79 million which represents the aforementioned project which will be attributable to the increase, improvement and expansion to the wastewater treatment facility which includes sewers and pumping stations. The project elements are more fully described and defined in the aforementioned maps, plans, report and recommendations, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that the total cost for the increase, improvement and expansion to Suffolk County Sewer District No. 18 – Hauppauge Industrial project is approximately \$79 million. The public hearing report incorporates a map indicating the boundaries of the sewer district. The existing district is billed based on water consumption, \$14.75 per 1,000 gallons during 2012 (for example, a consumption of 1,000 gallons per day is a base bill of \$5,384 per year). This bill includes debt service and operation and maintenance costs. Pursuant to the requirements of participation in the Suffolk County Assessment Stabilization Reserve Fund, which was established by Suffolk County Charter, bills are increased by 3% per year in order for the participating districts to be eligible to access the Reserve Fund. Funding from the Suffolk County Assessment Stabilization Reserve Fund then permits these participating districts to stabilize annual costs. The existing district parcels have experienced the 3% increase for approximately the last thirteen (13) years with the typical parcels bill being \$9,482 during 2012. The cost to the typical parcel is reached by determining the mode annual parcel cost. The 2013 rate would be \$15.19 per 1,000 gallons and would result in an increase from 2012 to approximately \$9,766 for the typical parcel, as described above. The project schedule provides that construction is underway and will be completed by 2014. All parcels in the district will pay on a benefit (water consumption) basis.

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 18 – Hauppauge Industrial will be benefited by such increase, improvement and expansion of facilities and that no benefited property has been excluded and as certified by the Board of Elections, there are no registered voters within the district boundaries; and be it further

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

3rd **RESOLVED**, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1965

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO., 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE, IMPROVEMENT AND EXTENSION OF FACILITIES FOR SEWER DISTRICT NO. 18 – HAUPPAUGE INDUSTRIAL (CP 8126)		
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 Impact will be included on future appropriating resolution.		
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 2013- Impact will be included on future appropriating resolution.		
10. Typed Name & Title of Preparer Nicholas Paglia Asst Executive Analyst	11. Signature of Preparer 	12. Date September 28th, 2012

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

1965

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1965

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation A resolution making certain findings and determinations in relation to the increase, improvement and expansion of facilities for the Sewer District No. 18 – Hauppauge Industrial (CP 8126).		
3. Purpose of Proposed Legislation To make certain findings and determinations for the improvement and expansion of the wastewater treatment facility and district sewers and pumping stations.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
5. If the answer to Item 4 is "yes," on what will it impact? (circle appropriate category)		
County	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 \$79 million project will be funded by the district residents and contractees.		
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 2013-2032		
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 8/16/12

COUNTY OF SUFFOLK



1965

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 

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase, Improvement and Extension of Facilities for Sewer District No. 18 – Hauppauge Industrial (CP 8126)**

DATE: August 16, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW SD 18-Hauppauge Industrial CP 8126 Improvements 8-16-12 and backup filed as Backup-DPW SD 18-Hauppauge Industrial CP 8126 Improvements 8-16-12 for the findings resolution of the increase, improvement and expansion of Sewer District No. 18 – Hauppauge Industrial. The public hearing is to be held October 9, 2012. The project is to provide funds for the improvements and expansion of the wastewater treatment facility and district which includes sewers and pumping stations. The project is to eliminate current problems with the aging infrastructure of two sewage treatment plants which comprises the existing sewer district and details the proposed expansion. The total cost associated with the project is approximately \$79 million. This hearing identified the last funding requirements of \$8.7 million which is included in the 2012 and 2013 Capital Program and Budget.

We appreciate the resolution being laid on the table.

GA:BW:ni
Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
 Ben Zwirn, Director of Intergovernmental Relations
 Lynne Bizzarro, Esq., Chief Deputy County Attorney
 Charles Jaquin, General Services Manager
 Nick Paglia, Assistant Executive Analyst
 John Donovan, P.E., Chief Engineer, Sanitation
 Ben Wright, P.E., Principal Civil Engineer, Sanitation
 CE Reso Review
 ga-bw8-16-12 Backup-DPW sd18-Hauppauge Industrial Findings CP 8126 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1966
Intro. Res. No. -2012

Laid on Table

10/9/12

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

RESOLUTION NO. , 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT TO THE WASTEWATER TREATMENT FACILITIES FOR SEWER DISTRICT NO. 14 – PARKLAND (CP 8128)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on October 9, 2012 in relation to the increase and improvement of facilities for said district such as sludge thickening at the Suffolk County Sewer District No. 14 – Parkland wastewater treatment facility, in relation to; and

WHEREAS, pursuant to Introductory Resolution No. 1793-2012, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on October 9, 2012 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement to the wastewater treatment facility sludge thickening at the Suffolk County Sewer District No. 14 – Parkland wastewater treatment facility submitted and evidence given at the public hearing held on October 9, 2012; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to the wastewater treatment facility sludge thickening at Suffolk County Sewer District No. 14 – Parkland, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$1.0 million on the increase and improvement to the wastewater treatment facility sludge thickening at Suffolk County Sewer District No. 14 – Parkland.

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improvement to the wastewater treatment facility sludge thickening at Suffolk County Sewer District No. 14 – Parkland at a cost of \$1.0 million

which represents the aforementioned project which will be attributable to the increase and improvement to the wastewater treatment facility such as sludge thickening. The project elements are more fully described and defined in the aforementioned maps, plans, report and recommendations, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that the total cost for the increase and improvement to the Suffolk County Sewer District No. 14 – Parkland project is approximately \$1.0 million. The existing district is billed based on the classification of unit, either home, condominium or water consumption for commercial use. During 2012, homes were billed at \$332/unit and condominium at \$269/unit. This bill includes debt service and operation and maintenance costs. Pursuant to the requirements of participation in the Suffolk County Assessment Stabilization Reserve Fund, which was established by the Suffolk County Charter, bills are increased by 3% per year in order for the participating districts to be eligible to access the Reserve Fund. Funding from the Suffolk County Assessment Stabilization Reserve Fund then permits these participating districts to stabilize annual costs. The existing district parcels have experienced the 3% increase with the typical property being billed \$332 during 2012. The cost to the typical parcel is reached by determining the mode annual parcel cost when each individual residential parcel cost is listed in increasing value. The maximum payment year is 2014 and the rate would be \$342/unit and \$277/unit for the homes and condominium, respectively, and would result in an increase from 2012 of approximately \$10.00 and \$8.10 respectively for the typical parcel, as described above. The project schedule provides that construction will be initiated during 2012 and all parcels in the existing district will continue to pay on a benefit basis. The estimated expense of said increase and improvements will be approximately \$1,000,000. All property and property owners are benefited and are included in the district and the project is in the public interest.

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 14 – Parkland will be benefited by such increase and improvement of facilities and that no benefited property has been excluded; and be it further

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

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED

County Executive of Suffolk County

Date of Approval:

1966

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO., 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT TO THE WASTEWATER TREATMENT FACILITIES FOR SEWER DISTRICT NO. 14 - PARKLAND (CP 8128)		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>X</u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact Impact will be included on future appropriating resolution.		
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 2013- Impact will be included on future appropriating resolution.		
10. Typed Name & Title of Preparer Nicholas Paglia Asst Executive Analyst	11. Signature of Preparer 	12. Date September 28th, 2012

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

1966

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1966

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation A resolution making certain findings and determinations in relation to the increase and improvement to the wastewater treatment facilities for the Sewer District No. 14 – Parkland (CP 8128).		
3. Purpose of Proposed Legislation To make certain findings and determinations for the increase and improvement to the wastewater treatment facilities such as sludge thickening.		
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	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 \$1.0 million project will be funded by the district residents and contractees.		
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 2013-2032 R		
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 8/16/12

COUNTY OF SUFFOLK



1966

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 

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement to the Wastewater Treatment Facilities for Sewer District No. 14 – Parkland (Sludge Thickening) (CP 8128)**

DATE: August 16, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW SD 14-Parkland CP 8128 Improvements 8-16-12 and backup filed as Backup-DPW SD 14-Parkland CP 8128 Improvements 8-16-12 for the findings resolution of the increase and improvement of Sewer District No. 14 – Parkland. The public hearing is to be held October 9, 2012. The project is to provide funds to improve the wastewater treatment facilities such as sludge thickening. The total cost associated with the project is approximately \$1.0 million of which is contained in the Adopted 2012 Capital Program and Budget.

We appreciate the resolution being laid on the table.

GA:BW:ni
Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Chief Deputy County Attorney
Charles Jaquin, General Services Manager
Nick Paglia, Assistant Executive Analyst
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation
CE Reso Review
ga-bw8-16-12 Backup-DPW sd14-Parkland Findings CP 8128 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1967

Intro. Res. No. -2012

Laid on Table

10/9/12

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

RESOLUTION NO. _____, 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 20 – WILLIAM FLOYD (CP 8148)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on October 9, 2012 in relation to the increase and improvement of facilities for said district which includes the replacement of the Leisure Village influent pump station at the Suffolk County Sewer District No. 20 – William Floyd Wastewater Treatment Plant, in relation to; and

WHEREAS, pursuant to Introductory Resolution No. 1796-2012, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on October 9, 2012 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement of the Leisure Village influent pump station for Suffolk County Sewer District No. 20 – William Floyd submitted and evidence given at the public hearing held on October 9, 2012; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to the Leisure Village influent pump station at Suffolk County Sewer District No. 20 – William Floyd, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$1.0 million on the increase and improvement to the Leisure Village influent pump station at Suffolk County Sewer District No. 20 – William Floyd.

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improvement to replacing the Leisure Village influent pump station at Suffolk County Sewer District No. 20 – William Floyd at a cost of \$1.0 million which represents the aforementioned project which will be attributable to the increase and improvement for the replacement of the Leisure Village influent pump station. The project

elements are more fully described and defined in the aforementioned maps, plans, report and recommendations, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that the total cost for the increase and improvement to Suffolk County Sewer District No. 20 – William Floyd project is approximately \$1.0 million. The existing district is billed on a per unit user fee. It is proposed that the project will be implemented during 2013. Based on the project schedule, the maximum debt payment will be during 2014 at a value of \$79,200. Financing is at 4% over 20 years for serial bonds. This unsubsidized increased rate amounts to a value per typical property of approximately \$27.78 per year in the Leisure Village zone. This figure was developed using the maximum payment year along with the mode value of a typical property within the district. There will be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Reserve Fund, all residents of sewer districts experience a 3% annual increase regardless of any improvements performed with the annual typical property increase being \$9.00.

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 20 – William Floyd will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

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

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1167

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO., 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 20 - WILLIAM FLOYD (CP 8148)		
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		
Impact will be included on future appropriating resolution.		
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		
2013- Impact will be included on future appropriating resolution.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		September 28th, 2012

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

1967

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1967

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
2. Title of Proposed Legislation A resolution making certain findings and determinations in relation to the increase and improvement of facilities for the Sewer District No. 20 – William Floyd (CP 8148).											
3. Purpose of Proposed Legislation To make certain findings and determinations for the replacement of the Leisure Village pump station.											
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) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact The \$1.0 million project will be funded by the district residents and contractees.											
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 2013-2032											
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 8/16/12									

COUNTY OF SUFFOLK



1967

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

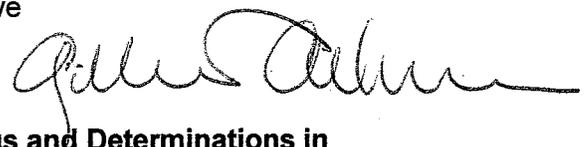
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner 

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 20 – William Floyd (Leisure Village) (CP 8148)**

DATE: August 16, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW SD 20-William Floyd CP 8148 Improvements 8-16-12 and backup filed as Backup-DPW SD 20-William Floyd CP 8148 Improvements 8-16-12 for the findings resolution of the increase and improvement of Sewer District No. 20 – William Floyd. The public hearing is to be held October 9, 2012. The project is to provide funds for the replacement of the Leisure Village influent pump station. The total cost associated with the project is approximately \$1.0 million of which is contained in the Adopted 2012 Capital Program and Budget.

We appreciate the resolution being laid on the table.

GA:BW:ni
Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Chief Deputy County Attorney
Charles Jaquin, General Services Manager
Nick Paglia, Assistant Executive Analyst
John Donovan, P.E., Chief Engineer, Sanitation
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CE Reso Review
ga-bw8-16-12 Backup-DPW sd20-William Floyd Findings CP 8148 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1968

Intro. Res. No. -2012

Laid on Table

10/9/12

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

RESOLUTION NO. _____, 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 23 – COVENTRY MANOR (INFRASTRUCTURE IMPROVEMENTS) (CP 8149)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on October 9, 2012 in relation to the increase and improvement of facilities for said district which includes improvements to such things as process replacement in new concrete tank at the Suffolk County Sewer District No. 23 – Coventry Manor wastewater treatment facility, in relation to; and

WHEREAS, pursuant to Introductory Resolution No. 1787-2012, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on October 9, 2012 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement to such things as process replacement in new concrete tanks at the Suffolk County Sewer District No. 23 – Coventry Manor submitted and evidence given at the public hearing held on October 9, 2012; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to the wastewater treatment facility which includes such things as process replacement in new concrete tanks at Suffolk County Sewer District No. 23 – Coventry Manor, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$2.0 million on the increase and improvement to the wastewater treatment facility which includes such things as process replacement in new concrete tanks at Suffolk County Sewer District No. 23 – Coventry Manor.

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to

provide for the increase and improvement to the wastewater treatment facility which includes such things as process replacement of new concrete tanks at Suffolk County Sewer District No. 23 – Coventry Manor at a cost of \$2.0 million which represents the aforementioned project which will be attributable to the increase and improvement to the wastewater treatment facility which includes such things as process replacement of new concrete tanks. The project elements are more fully described and defined in the aforementioned maps, plans, report and recommendations, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that the total cost for the increase and improvement to Suffolk County Sewer District No. 23 – Coventry Manor project is approximately \$2.0 million. The existing district is billed on as a benefit district. It is proposed that the project will be implemented during 2012. Based on the project schedule, the maximum debt payment will be during 2014 at a value of \$158,400. Financing is at 4% over 20 years for serial bonds. This unsubsidized increased rate amounts to a value per typical property of approximately \$594 per year. This figure was developed using the adopted 2012 rate projected to 2014 along with the mode value of a typical property within the district. There will be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Reserve Fund, all residents of sewer districts experience a 3% annual increase regardless of any improvement performed with the annual typical property increase averaging \$13.98 per year for 2013 and 2014.

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 23 – Coventry Manor will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

2nd RESOLVED, this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA, and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1968

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO., 2012 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 23 COVENTRY MANOR (INFRASTRUCTURE IMPROVEMENTS)(CP 8149)		
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		
Impact will be included on future appropriating resolution.		
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		
2013- Impact will be included on future appropriating resolution.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		September 28th, 2012

SCIN FORM 175b (10/95)

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

1968

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1968

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
2. Title of Proposed Legislation A resolution making certain findings and determinations in relation to the increase and improvement of facilities for the Sewer District No. 23 – Coventry Manor (Infrastructure Improvements) (CP 8149).											
3. Purpose of Proposed Legislation To make certain findings and determinations for the improvement to the wastewater treatment facility which includes such things as process replacement in new concrete tanks.											
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) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact The \$2.0 million project will be funded by the district residents and contractees.											
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 2013-2032											
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 8/16/12									

COUNTY OF SUFFOLK



1968

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 

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 23 – Coventry Manor (Infrastructure Improvements) (CP 8149)**

DATE: August 16, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8149 SD 23-Coventry Manor (Infrastructure Improvements) 8-16-12 and backup filed as Backup-DPW CP 8149 SD 23-Coventry Manor (Infrastructure Improvements) 8-16-12 for the findings resolution of the increase and improvement of Sewer District No. 23 – Coventry Manor. The public hearing is to be held October 9, 2012. The project is to provide funds for the improvements to the wastewater treatment facility which includes such things as process replacement in new concrete tanks. The total cost associated with the project is approximately \$2.0 million of which is contained in the Adopted 2012 Capital Program and Budget.

We appreciate the resolution being laid on the table.

GA:BW:ni

Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Chief Deputy County Attorney
Charles Jaquin, General Services Manager
Nick Paglia, Assistant Executive Analyst
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation
CE Reso Review
ga-bw8-16-12 Backup-DPW sd23-Coventry Manor Findings CP 8149 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1969

10/9/12

Intro. Res. No. - 2012

Laid on Table

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2012, AUTHORIZING THE USE OF COUNTY PREMISES LOCATED AT COHALAN COURT COMPLEX, BY ULTIMATE GAMES INDOOR/OUTDOOR SPORTS COMPLEX, LLC FOR PERIODIC USE OF PARKING LOTS

WHEREAS, the County is the owner in fee simple absolute of property known as Cohalan Courts Complex, 400 Carleton Avenue, Islip, New York, designated on the Suffolk County Tax Map as Nos. 0500-229.10-01.00-003.000 and 0500-229-10-01.00-005.000; and

WHEREAS, the Cohalan Court Complex parking lots in Central Islip, New York provide parking for visitors and staff at the Complex; and

WHEREAS, pursuant to a License, Management and Operations Agreement, the County of Suffolk also provides use of the Cohalan Court Complex parking lots for events held at the Bethpage Ball Park; and

WHEREAS, Ultimate Games Indoor/Outdoor Sports Complex, LLC, is a limited liability corporation whose offices are located at 14 Summerset Drive, Yaphank, New York 11980, has proposed construction of various sporting facilities at a site located in the vicinity of the Cohalan Court Complex, which facilities will include onsite parking; and

WHEREAS, such facilities contribute to the recreational options in Suffolk County which are in great demand; and

WHEREAS, Ultimate Games Indoor/Outdoor Sports Complex, LLC is desirous of securing a commitment from the County to permit the use of the Cohalan Court Complex parking lots to provide overflow parking when scheduling indicates a potential need for such additional parking; and

WHEREAS, the County is willing to provide use of the Cohalan Court Complex parking lots to meet the periodic, overflow parking requirements of Ultimate Games Indoor/Outdoor Sports Complex, LLC when said spaces are not otherwise needed to accommodate the parking needs of either the Court or events being held at the Bethpage Ball Park; now, therefore, be it

1ST RESOLVED, that the County Executive be and hereby is authorized to execute a Memorandum of Understanding with Ultimate Games Indoor/Outdoor Sports Complex, LLC for the temporary use of a portion of the Property, in accordance with the terms and conditions of this resolution and in substantial conformance with the Memorandum of Understanding annexed; and be it further

2ND RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (SEQRA), hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.59(c)(15) and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-0109 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 action concerns a minor temporary use of land having negligible or no impact on the environment. The Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: , 2012

APPROVED BY:

County Executive of Suffolk County

Date:

Attachment:

Memorandum of Understanding-Parking at Cohalan Court Complex

1969

Memorandum of Understanding
Parking At Cohalan Court Complex

This Memorandum of Understanding (MOU) is between the County of Suffolk ("County"), a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted Department of Public Works ("Department") located at 335 Yaphank Avenue, Yaphank, New York 11980; and

Ultimate Game Indoor/Outdoor Sports Complex, LLC ("UGSC"), a duly constituted limited liability corporation created under the laws of New York, having its offices at 14 Summerset Drive, Yaphank, New York 11980.

The parties hereto desire to establish an understanding between the County and UGSC for the periodic use of the parking lot located at the Cohalan Court Complex in Suffolk County New York.

Term of Agreement: Ten (10) years, with the option to renew for one (1) additional ten (10) year period, in accordance with Section 2 of this MOU.

Total Cost of Agreement: \$500.00 per event, as defined in Section 3 of this MOU.

Terms and Conditions: Shall be as set forth in Articles I and II of this MOU.

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

**ULTIMATE GAMES INDOOR/OUTDOOR
SPORTS COMPLEX, LLC**

COUNTY OF SUFFOLK

By: _____
Name:
Title:

By: _____
Regina M. Calcaterra
Chief Deputy County Executive

Date: _____

Date: _____

Fed. Tax ID #: _____

REVIEWED AS TO LEGALITY:
DENNIS M. COHEN
Suffolk County Attorney

REVIEWED AND RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS

By: _____
Basia Deren Braddish
Asst. County Attorney

By: _____
Gilbert Anderson
Commissioner

Date: _____

Date: _____

TABLE OF CONTENTS

1969

**Article I:
General Terms and Conditions**

1. Description of Licensed Space
2. Term
3. Fee
4. Security
5. Purpose
6. Authorization
7. Licensee's Duties and Obligations
8. Alterations
9. No Assignment
10. Indemnification
11. Insurance
12. Negative Covenants
13. Signage
14. Non-discrimination
15. No County Liability for Licensee's Failure
16. Arrears to County
17. Liens
18. Status of Employees
19. No Representations
20. Future Acts of Legislature
21. Governing Law
22. No Implied Waiver
23. Conflict of Interest
24. Cooperation on Claims
25. Suffolk County Legislative Requirements
26. Severability
27. Certification as to Relationships
28. Notices
29. Gratuities
30. Merger; No Oral Changes

1969

**Article I
General Terms and Conditions**

WHEREAS, the Cohalan Court Complex parking lots in Central Islip, New York provide parking for visitors and staff at the Complex; and

WHEREAS, pursuant to a License, Management and Operations Agreement, the County of Suffolk also provides use of the Cohalan Court Complex parking lots for events held at the Bethpage Ball Park; and

WHEREAS, UGSC has proposed construction of various sporting facilities at a site located in the vicinity of the Cohalan Court Complex, which facilities will include onsite parking; and

WHEREAS, such facilities contribute to the recreational options in Suffolk County which are in great demand; and

WHEREAS, UGSC is desirous of securing a commitment from the County to permit the use of the Cohalan Court Complex to provide overflow parking when scheduling indicates a potential need for such additional parking; and

WHEREAS, the County is willing to provide use of the Cohalan Court Complex to meet the periodic, overflow parking requirements of UGSC when said spaces are not otherwise needed to accommodate the parking needs of either the Court or events being held at the Bethpage Ball Park;

NOW, THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties hereto agree as follows:

1. **DESCRIPTION.** UGSC shall be permitted to use the Cohalan Court Complex parking lots located in Central Islip (the "County Parking Area"), on a periodic basis, in accordance with the terms set forth in this MOU.
 - a. UGSC shall submit to the Department its written requests to use the County Parking Area no less than ten (10) days prior to the event date.
 - b. In no event shall UGSC be permitted to use the County Parking Area before 6:00 PM, Monday through Friday.
 - c. In no event shall UGSC be permitted to use the County Parking Area on any day where there is a scheduled event at the Bethpage Ball Park.

2. **TERM.** This MOU shall be in force commencing from the date of issuance of a Certificate of Occupancy by the Town of Islip covering Phase One of the project known as Ultimate Games Sports Complex (the "Commencement Date") and ending ten (10) years after the Commencement Date (the "Expiration Date"). UGSC shall have the option to renew this Agreement for an additional term of ten (10) years subject to UGSC not being in default of any of the provisions of this MOU. UGSC shall provide the County notice, not less than thirty (30) days prior to the expiration date of its intent to exercise the option.

3. **EVENT FEE.**

UGSC agrees to pay a fee in the amount of \$x.00 per event requiring the use of the County Parking Area. Such Fee shall be paid, in advance, to County at the Department of Public Works, located at the address first set forth above. All deposits shall be in the form of a Certified Business Check, made payable to the Department.

4. **SECURITY.** UGSC agrees to provide the sum of \$750.00 payable in advance, as security for any required clean-up of the County Parking Area resulting from the use of the County Parking Area under this Agreement, if and as necessary. The Security, less any monies due the County therefrom by reason of UGSC failure to perform the same and the County performing such clean-up on UGSC's behalf shall be returned to UGSC upon a determination by the County that the County parking Area has been restored to its original condition. All payments shall be in the form of a Certified Business Check, made payable to the Department.

5. **PURPOSE.** It is expressly understood and agreed that this MOU establishes guidelines for the periodic use of the County Parking Area. It is NOT a lease or license to use the property; NO interest in real estate or personalty is granted herewith to UGSC. It is expressly understood that the County Parking Area is and shall be the sole property of the County at all times during the period of this Agreement. UGSC's right to use the County Parking Area shall continue only so long as UGSC shall comply strictly and promptly with each and all of the undertakings, provisions, covenants, agreements, stipulations, and conditions contained herein.

6. **AUTHORIZATION.** The parties hereto acknowledge that County is a municipal corporation and is entering into and executing this Agreement by virtue of the authority of Resolution No. ____-2012 of the Suffolk County Legislature, for the purpose and intent expressed in that resolution, that the same is incorporated herein by reference, and further that UGSC has examined the same is fully aware of the intended purpose thereof, and that the Licensee's occupancy shall be for the sole purpose set forth therein and for no

7. **LICENSEE'S DUTIES AND OBLIGATIONS.**

- a. No less than ten (10) days before the date of an event that UGSC desires to use the County Parking Area UGSC shall submit to the Department a written request indicating the date of the event, an estimate of the number of parking spaces to be used, in addition to details relating to post event clean-up plans and safety measures for pedestrians crossing Carleton Avenue, which details shall be subject to approval by the Department. Details regarding post event clean-up and safety measures may be filed with the Department annually by UGSC.
- b. UGSC acknowledges that use of the County Parking Areas is in "as is" condition and at UGSC's sole cost and expense. County shall not be required to perform any work or furnish any materials in connection with UGSC's use of the County Parking Area.
- c. UGSC shall commit no act of waste and shall take good care of the parking lots, and shall, in the use and occupancy of the Premises: (a) conform to all laws, orders and regulations of the federal, state and municipal governments, or any of their

departments, and (b) conform to all applicable federal, state and local laws and regulations regulating toxic waste and discharge, including, but not limited to, Articles VII and XII of the Suffolk County Sanitary Code.

- d. UGSC, at its expense, shall have responsibility to provide County Parking Area clean up services, and may contract with a third-party to provide such services. The County Parking Area and surrounding area shall be left in a clean condition after its use, similar to that prior to the permitted use.
 - e. The County shall not be responsible for providing any personnel for the use of the County Parking Area.
 - f. The sale and/or consumption of alcoholic beverages of any kind on the County Parking Area or any other County property are prohibited.
 - g. No fees shall be charged for parking on the County Parking Area.
8. **ALTERATIONS.** UGSC shall not make any "**Alterations,**" meaning any alterations, installations, improvements, additions, renovations or physical changes to the County Parking Area or any part or portion of the surrounding County Property.
9. **NO ASSIGNMENT.**
- a. The MOU hereby granted may not be transferred, assigned or otherwise given 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 deemed a material default of this MOU by UGSC. A transfer, consolidation, merger or change in corporate structure resulting in a transfer of a controlling or majority interest of the LLC shall be deemed an assignment under this agreement. The County shall not unreasonably refuse to consent to an assignment, provided the LLC is not in default at the time of said request.
 - b. No proposed assignment shall be considered by the County unless the request for consent thereto shall be in writing and accompanied by the assignee's proposed assumption of UGSC's past unperformed and future obligations, resumes of its principals, reasonable financial information, and proposed financial security. Notwithstanding the foregoing, any transfer of interests among the existing members or their immediate families of UGSC shall not be deemed an assignment or transfer of this Second Ballpark Agreement requiring the consent or approval of the County.
10. **INDEMNIFICATION.**
- a. UGSC shall protect, indemnify, and hold harmless the County, its officers, officials, and employees (collectively "Indemnified Parties") from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, suits or actions (including appeals), costs, and expenses caused by the negligence or any acts or omissions of UGSC, its agents, servants, officials, volunteers, officers, employees, and invitees including reimbursement of the cost of reasonable attorneys' fees incurred by an Indemnified Party in defending any action or proceeding arising out of, either directly or indirectly, in connection with, or in consequence of UGSC's use of the County Parking Area.

- b. UGSC shall defend the Indemnified Parties in any proceeding or action, including appeals, arising out of, directly or indirectly, in connection with, or in consequence of UGSC's use of the County Parking Area.
- c. UGSC agrees not to use, suffer or permit any person to use in any manner whatsoever the County Parking Area or any part thereof for any illegal purpose, or for any purpose in violation of any Federal, State, County Law, ordinance, rule, order or regulation or of any rule or regulation of the County now in effect or hereinafter enacted, amended or adopted, and will protect, defend, indemnify and forever save and keep harmless the County, its agents, servants, officials, and employees from and against any damage, penalty, fine, judgment, expense or charge suffered, imposed, assessed or incurred for any violation or breach of any law, ordinance, rule, order or regulation occasioned by any act, neglect or omission of UGSC, its employees, servants, agents, volunteers, or invitees in connection with the use of the County Parking Area pursuant to this MOU.

11. INSURANCE.

- a. UGSC shall provide a Certificate of Insurance evidencing Commercial General Liability Insurance, in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and Two Million Dollars (\$2,000,000.00) per occurrence for property damage. The County shall be named an additional insured. The County Insurance Manager may accept or reject certificates as he/she may determine and may require other limits and/or coverage in specific circumstances.
- b. All policies required under this *Section 16* shall be issued by insurance companies with an A.M. Best rating of A- or better.
- c. Prior to the date of an event, UGSC shall furnish to the County the requisite Certificate of Insurance evidencing the required Commercial General Liability Insurance, with the County of Suffolk, its employees, officers, and agents named as additional insureds together with an endorsement page evidencing the County's status as an additional insured on said policy. UGSC represents that such endorsement pages shall be a part of each policy of insurance it has obtained that relates to this Agreement.
- e. It shall be the duty of UGSC to notify the County immediately of any cancellation, nonrenewal, or material change in any insurance policy.

- 12. NEGATIVE COVENANTS. UGSC shall not use, occupy, maintain or operate the County Parking Area, nor suffer or permit the County Parking Area or any part of the surrounding County property to be used, occupied, maintained or operated, nor bring into or keep at the County Parking Area, nor suffer or permit anything to be brought into or kept therein, which would in any way (i) violate any term, covenant or condition of this MOU; (ii) knowingly violate any restrictive covenant, operating covenant, encumbrance or easement affecting the County Parking Area; (iii) violate any Legal Requirements; (iv) make void or voidable any insurance policy then in force with respect to the County Parking Area or make any such insurance unobtainable or increase the rate of any insurance with respect to the County Parking Area; (v) cause physical damage to the County Parking Area or any part of the surrounding County Property; (vi) permit the

1969

excess accumulation of waste or refuse matter above that accumulated in connection with the permitted use of the County Parking Area; (vii) constitute a public or private nuisance; or (viii) permit the creation or imposition of any liens or encumbrances upon the County Parking Area. County represents that the use of the County Parking Area as described in this MOU will not violate (ii) and (iii) above.

13. **SIGNAGE.** No signage shall be erected by UGSC unless first approval, in writing, by the Department.
14. **NON-DISCRIMINATION IN SERVICES.** During the term of this MOU:
- a. UGSC shall not, on the grounds of race, creed, color, national origin, sex, age, disability, sexual orientation, military status or marital status:
 - (i) deny any individual any services or other benefits provided pursuant to this MOU; or
 - (ii) provide any services or other benefits to an individual that are different, or are provided in a different manner, from those provided to others pursuant to this MOU; or
 - (iii) subject an individual to segregation or separate treatment in any matter related to the individual's receipt of any service(s) or other benefits provided pursuant to this MOU; or
 - (iv) restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any services or other benefits provided pursuant to this MOU; or
 - (v) treat an individual differently from others in determining whether or not the individual satisfies any eligibility or other requirements or condition which individuals must meet in order to receive any aid, care, service(s) or other benefits provided pursuant to this MOU.
 - b. UGSC shall not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, creed, color, national origin, sex, age, disability, sexual orientation, military status or marital status, or have the effect of defeating or substantially impairing accomplishment of the objectives of this MOU in respect to individuals of a particular race, creed, color, national origin, sex, age, disability, sexual orientation, military status or marital status, in determining:
 - (i) the types of service(s) or other benefits to be provided, or
 - (ii) the class of individuals to whom, or the situations in which, such service(s) or other benefits will be provided; or
 - (iii) the class of individuals to be afforded an opportunity to receive services.
15. **NO COUNTY LIABILITY UGSC'S FAILURE.** Failure by UGSC to perform any or all of its obligations hereunder shall not give rise to any liability on the part of the County nor any of the County's departments, bureaus, agencies, employees, agents or representatives.

16. **ARREARS TO COUNTY.** UGSC warrants that, except as may otherwise be authorized by agreement, it is not in arrears to the County upon debt or contract and, to the best of its knowledge, is not in default as surety, contractor or otherwise on any obligation to, or contract with the County.
17. **LIENS.** UGSC shall not allow any public improvement liens to be claimed, assessed and/or filed against the County with reference to any maintenance or improvements which UGSC may make upon the County Parking Area, or by reason of UGSC's acts or omissions, or because of any claim against UGSC. Should any of the same be filed, UGSC shall cause them to be cancelled or discharged of record by bond or otherwise within sixty (60) days of said filing. If UGSC shall fail to cancel or discharge said lien or liens within the 60-days period, the County may cancel or discharge same and upon the County's demand, UGSC shall reimburse the County for all costs incurred in canceling or discharging such liens together with an administrative fee equal to 5% of such costs.
18. **STATUS OF EMPLOYEES.**
- a. It is expressly agreed that the status of UGSC hereunder is that of a permittee. Neither UGSC nor any person hired by UGSC shall be considered employees of the County for any purpose whatsoever. Notwithstanding anything herein, this MOU shall not be construed as creating a principal-agent relationship between the County and UGSC or UGSC and the County, as the case may be.
 - b. Any private citizens participating in activities directed by UGSC or performing work on behalf of UGSC are aware of the nature of work/services to be performed and shall follow prescribed safety guidelines and procedures. Any of said private citizens shall hold the County harmless from any liability whatsoever for any injuries that they may suffer or damages that they may cause or suffer, resulting either directly or indirectly, from the duties and/or activities arising out of, or in connection with this MOU or UGSC's use of the County Parking Area.
19. **NO REPRESENTATIONS.** Neither party has made any representations or promises except as contained herein, or in some further writing signed by the parties, making such representation or promise.
20. **FUTURE ACTS OF LEGISLATURE.** Throughout the term of this MOU, UGSC agrees to be bound by any and all future recommendations, policies, local laws, resolutions and requirements as demanded, passed and promulgated by the Suffolk County Legislature, provided any such acts do not require UGSC to do any restoration or repair work to the County Parking Area other than restoration or repair work required as a result of UGSC's use of the County Parking Area under this MOU.
21. **GOVERNING LAW.** This MOU shall be construed and interpreted in accordance with the laws of the State of New York, and without regard to its conflict of laws provisions. Venues shall be designated as Suffolk County, New York or the United States District Court for the Eastern District of New York.

22. **NO IMPLIED WAIVER.** No waiver shall be inferred from any failure or forbearance of the County to enforce any provision of this MOU in any particular instance or instances, but the same shall otherwise remain in full force and effect notwithstanding any such failure or forbearance.
23. **CONFLICTS OF INTEREST.**
- a. UGSC agrees that it will not during the term of this MOU knowingly engage in any activity that is contrary to and/or in conflict with the goals and purposes of the County.
 - b. UGSC 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 throughout the term of this MOU. The determination as to whether or when a conflict exists or may potentially exist shall ultimately be made by the County Attorney after full disclosure is obtained.
24. **COOPERATION ON CLAIMS.** Each of the Parties hereto agrees to render diligently to the other party, without additional 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 in connection with this MOU.
25. **SUFFOLK COUNTY LEGISLATIVE REQUIREMENTS.** The Parties agree to be bound by the terms of the Suffolk County Legislative Requirements, annexed hereto as **Article II**, and made a part hereof.
26. **SEVERABILITY.** It is expressly agreed that if any term or provision of this MOU and or any amendment hereto, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this MOU and any amendment hereto, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this MOU and any amendment hereto shall be valid and shall be enforced to the fullest extent permitted by law.
27. **CERTIFICATION AS TO RELATIONSHIPS.** The Parties to this MOU hereby certify that, other than the consideration provided in this MOU, there is no known personal, business, commercial, professional, economic, or financial relationship between the parties, the signatories to this MOU, and any partners, members, directors, or shareholders of more than five per cent (5%) of any party to this MOU.
28. **NOTICES.** 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 UGSC at the address on page 1 of the MOU and 2) to the County at the Department; 3) 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 UGSC 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),

1969

Hauppauge, New York, 11788. The County shall report to UGSC 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 this MOU.

- 29. **GRATUITIES.** It shall be the duty of UGSC to read, become familiar with, and comply with the requirements of Chapter 664 of the Suffolk County Code. Suffolk County Local Laws, Rules and Regulations can be accessed on the homepage of the Suffolk County Legislature.

UGSC represents and warrants that it has not offered or given any gratuity to any official, employee or agent of the County or the State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement.

- 30. **MERGER; NO ORAL CHANGES.** It is expressly agreed that this MOU represents the entire agreement of the parties, that all previous understandings are merged in this MOU. No modification of this MOU shall be valid unless written in the form of an amendment and executed by both Parties.

IN WITNESS WHEREOF, the parties hereto acknowledge acceptance of this Memorandum of Understanding by the signatures below:

COUNTY OF SUFFOLK

ULTIMATE GAME SPORTS

By: _____
Name: Regina M. Calcaterra
Chief Deputy County Executive

By: _____
Name:
Title:

Date: _____

Date: _____

REVIEWED AS TO LEGALITY:

**APPROVED:
DEPARTMENT OF PUBLIC WORKS**

DENNIS M. COHEN
Suffolk County Attorney

By: _____
Gilbert Anderson
Commissioner

By: _____
Basia Deren Braddish
Asst. County Attorney

Date: _____

Date: _____

**REVIEWED AND RECOMMENDED:
BUILDING OPERATION AND MANAGEMENT**

By: _____
Craig Rhodes

Title: _____
Date: _____

1969

ACKNOWLEDGEMENT

STATE OF NEW YORK}

SS:

COUNTY OF SUFFOLK}

On the ____ day of _____ in the year 2012 before me, the undersigned, personally appeared _____, personally known to me or provided to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individuals(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

ACKNOWLEDGEMENT

STATE OF NEW YORK}

SS:

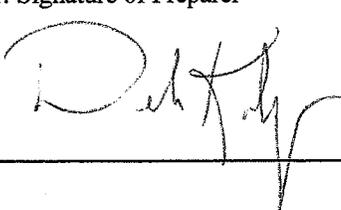
COUNTY OF SUFFOLK}

On the ____ day of _____ in the year 2012 before me, the undersigned, personally appeared *Regina M. Calcaterra, Chief Deputy County Executive* personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individuals(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

1969

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2012, AUTHORIZING THE USE OF COUNTY PREMISES LOCATED AT COHALEN COURT COMPLEX, BY ULTIMATE GAMES INDOOR/OUTDOOR SPORTS COMPLEX, LLC FOR PERIODIC USE OF PARKING LOTS		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	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		
Revenue to the County of Suffolk.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Revenue of \$500 per event.		
9. Timing of Impact		
Upon Execution of Memorandum of Understanding.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		October 1, 2012

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1969

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.

COUNTY OF SUFFOLK



1969

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

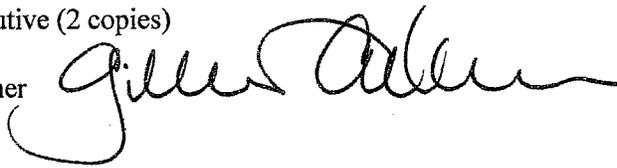
DEPARTMENT OF PUBLIC WORKS

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: August 28, 2012

RE: **Authorizing the Use of County Premises Located at Cohalan Court Complex, by Ultimate Games Indoor/Outdoor Sports Complex, LLC, for Periodic Use of Parking Lots**

Attached for your review is a draft resolution permitting Ultimate Games Indoor/Outdoor Sports Complex, LLC, use of the parking lots at the Cohalan Courts Complex. The draft Agreement (attached), with a ten-year duration period, provides for a \$500.00 per use fee.

This action is considered a Type II action pursuant to Section 617.59(c)(15) and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-0109 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 action concerns a minor temporary use of land having negligible or no impact on the environment.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-Ultimate Sports.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 County Architect
Charles Jaquin, Acting Director, DPW Administrative Services
CE RESO Review (e-mail)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

VOID I.R. NO. 1970

Introductory Resolution No. 1971-12

Laid on Table 10/9/12

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2012, AUTHORIZING THE
SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT
TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO
THE TOWN OF SOUTHAMPTON FOR AFFORDABLE
HOUSING PURPOSE
(SCTM NO. 0900-260.00-04.00-005.001)**

WHEREAS, the County of Suffolk is the fee owner of the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900, Section 260.00, Block 04.00, Lot 005.001, and acquired by tax deed on September 17, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 18, 2009, in Liber 12600, CP 452, known and designated as Lot 10 and adjoining described parcel to the west as described in Liber 8241 page 453 on a certain map entitled "Map of Springville Terrace, Section 1", and filed in the Office of the Clerk of the County of Suffolk on November 17, 1964 as Map No. 4202,

WHEREAS, said parcel is surplus to the needs of the County of Suffolk; and

WHEREAS, section 72-H of the General Municipal Law permits the sale of real property between Municipal Corporations; and

WHEREAS, the Town of Southampton, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it (see annexed Resolution hereto marked as Exhibit "A"); and

WHEREAS, the transfer of this parcel is pursuant to and in accordance with Local Law No. 13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has approved the use of this parcel for the purposes stated above; now, therefore, be it

1st RESOLVED, the subject parcel shall be conveyed to the Town of Southampton, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed and, additionally, if any one or more of the following occurs, the subject premises shall revert to the grantor as herein provided and as provided in any deed evidencing the transfer of the subject premises from the grantor to the grantee:

1. If the grantee is not restricted in its use of the subject premises solely and exclusively for affordable housing purposes; with all right, title, and interest reverting to the grantor, at the sole option of the grantor, in the event that the grantee, at any time uses or attempts to use said subject premises for other than affordable housing purposes, in accordance with the approved plan submitted by the grantee. Such reverter clauses contained herein shall apply to the grantee, or any transferee from the grantee undertaking the construction, reconstruction or rehabilitation of affordable housing on the subject premises;

2. If the grantee fails to construct or complete construction of affordable housing unit or units on said property within three (3) years from the date of transfer unless an extension of time is granted in writing, for good cause shown, by the Suffolk County Director of Real Estate or any successor thereto. Such extension shall not exceed two two year extensions unless approved by duly enacted resolution of the grantor;

3. If the income, at initial occupancy, of the occupant should exceed 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;

4. If the subsidized purchase price of home should exceed 60% of median sales price for Suffolk County based upon the State of New York Mortgage Agency Guidelines;

5. If the rent should exceed HUD established fair market rent for Nassau-Suffolk PMSA based upon bedroom size;

6. If the affordable housing unit or units are owner-occupied, and the unit or units fail(s) to remain the principal residence of the owner for a period of five (5) consecutive years. If the affordable housing unit or units are tenant-occupied, and the unit or units fail(s) to remain affordable for ten (10) consecutive years;

7. If the grantee fails to certify to the Suffolk County Director of Real Estate prior to closing of the title with any affordable housing grantee

- a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and
- b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and
- c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and
- d. the affordable housing unit or units meet local building and zoning codes;

8. If the grantee shall fail to provide the Suffolk County Director of Real Estate with an annual written report, no later than December 31 of each year commencing December 31, 2012, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or

9. If any subsequent grantee fails to comply with all applicable state, federal, and local regulations pertaining to price, income eligibility and marketing standards for affordable housing programs.

2nd RESOLVED, the grantee will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for affordable housing with all right title and interest reverting to the County of Suffolk in the event that the grantee at any time, uses or attempts to use said subject parcel for other than affordable housing or attempts to sell, transfer or otherwise dispose of or does, in fact, sell transfer or otherwise dispose of said subject parcel with said parcel being used thereafter for other than affordable housing.

3rd RESOLVED, that neither grantee nor any subsequent grantee shall bill or charge back to grantor any cost incurred or projected to be incurred for the cleaning up, removal and disposal of any debris, waste and /or contamination on said property. In the event that such charge back or bill is rendered to the grantor the transfer shall be void ab initio and the realty shall revert to the grantor.

4th RESOLVED, that it is intended and agreed that the agreements and covenants contained in the deed evidencing transfer of subject premises shall be covenants running with the land and that they shall be, in any event , and without regard to technical classification of designation, legal or otherwise, and except only by law, binding for the benefit and in favor of, and enforceable by, the grantor, it being further understood that such agreements and covenants shall be binding only upon the grantee, if it be a municipality or any assignee of the grantee, undertaking the construction, reconstruction or rehabilitation of affordable housing, only for such period as they shall have title to or an interest in or possession of the property or part thereof.

5th RESOLVED, the conveyance of the parcel described to the Town of Southampton for the purposes described herein shall be for the sum of One Dollar, and, upon payment of such sum, all subsequent grantees of such subject premises shall comply with all applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs.

6th RESOLVED, that the Director of Real Estate, or her designee, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property upon the above-described terms and conditions.

7th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c) (20) and (27). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a).

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:



Southampton Town Board
116 Hampton Road
Southampton, NY 11968

Meeting: 08/14/12 01:00 PM
Department: Town Attorney
Category: Agreements, Contracts, Leases
Prepared By: Kara Bak
Initiator: Tiffany Scarlato
Sponsors: Councilwoman Bridget Fleming
DOC ID: 15730

ADOPTED

RESOLUTION 2012-805

Acquire Properties from Suffolk County Pursuant to General Municipal Law 72-H for Affordable Housing Purposes

WHEREAS, the County of Suffolk has the following two properties located within the Town of Southampton which are eligible for transfer to the Town under the County's 72H Land Transfer Program:

42 Neptune Avenue, Hampton Bays, NY (SCTM#:0900-260.00-04.00-005.001)

14 Silver Brook Drive, Flanders, NY (SCTM#:0900-144.00-01.00-004.000)

WHEREAS, the Town Board of the Town of Southampton wishes to promote affordable housing within the Town and finds the subject parcels potentially suitable sites to provide such affordable housing opportunities; and

WHEREAS, the Town of Southampton Housing Authority, has expressed the interest and desire to develop the properties for affordable housing purposes; and

WHEREAS, the properties are restricted to be used solely and exclusively for affordable housing purposes; and

WHEREAS, that the Town of Southampton hereby requests that the Suffolk County Legislature authorize the conveyance of said properties to the Town of Southampton; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton will simultaneously upon such conveyance from the County of Suffolk, convey 14 Silver Brook Drive, Flanders to the Town of Southampton Housing Authority or its not-for-profit corporation, Southampton Community Housing and Development Corp. for development as affordable homeownership; and be it

FURTHER RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute and deliver all documents necessary in order to accept title to the properties from the County of Suffolk and to convey 14 Silver Brook Drive to the Town of Southampton Housing Authority or its not-for-profit corporation, Southampton Community Housing and Development Corp. including covenants and restrictions and a Transfer and Development Agreement which will require that the properties be developed for affordable housing homeownership purposes as indicated herein; and be it

FURTHER RESOLVED, that the Town Board of the Town of Southampton hereby accepts the transfer of 42 Neptune Avenue to the Town of Southampton for affordable housing purposes to be determined by further resolution of the Town Board; and be it

FURTHER RESOLVED, that the Town Clerk shall forward a copy of this resolution to the County of Suffolk and The Town of Southampton Housing Authority.

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

1971

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.

1971

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building - 2nd Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF SOUTHAMPTON

Tax Map No.: 0900-260.00-04.00-005.001

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$63,541.05

PURPOSE:

- | | |
|----------------------------|---------------|
| A. Affordable Housing | <u> X </u> |
| B. Town Parks | <u> </u> |
| C. Road/Highway | <u> </u> |
| D. Drainage/Recharge Basin | <u> </u> |
| E. Other | <u> </u> |

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

WRT:slb

1971



TM# 0900-260.00-04.00-005.001

09-07-01
 02-06-02
 10-11-02
 11-14-02
 11-27-02
 01-15-03
 03-10-04
 05-21-04
 08-23-04
 09-27-04
 12-26-05
 03-09-06
 12-29-06
 01-11-07
 04-29-08

1971



LEGEND	Property or Bl Line	Subdivision Lot No.	133	Block Unit	2	School District Line	SCH	Hydrant District Line	H	UNLESS DRAWN OTHERWISE, FOLI ARE WITHIN THE SCHOOL 5 FIRE 35 LIGHT 50 PARK REF ANBUANCE WA:
	Denotes Common Owner	Subdivision Block/Bldg. No.	(21)	Block No.	2	Fire District Line	F	Refuse District Line	R	
	Subdivision Lot Line	Deed Dimension	62	County Line		Water District Line	W	Historical District Line	HST	
	Stream / Shore	Scaled Dimension	62	Town Line		Light District Line	L	Ambulance District Line	A	
	Parcel No.	Deed Area	12.1 A(d) or 12.1A	Slope Line		Park District Line	P	Wastewater District Line	WW	
	Calculated Area	12.1 A(c)			Sewer District Line	S				

Tru# 0900-260.00-04.80-005-001

Joins Map 42
22
21
20
19
Joins Map 43

1942

1971

24
BAYS
ROAD

80
HIGHWAY

(Montauk Branch)
TIANA

JANICE
BETH
GRACEWOOD

EAST
SHINNECOCK
LA
TIANA

RAMPASTURE

MURPHY DR
RAMCASTURE
PORT ELIZABETH
MINNEOLA CT
ELDER

LUXLOW
LA
EAST

EAST
LA

SOUTHAMPTON

SHINNECOCK BAY

Lanes Island

Shinnecock County
Park West

Tiana Beach

Town Park

BEACH

BEACH

0900-260.00-84.00-105.007

etc

1971

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Southampton for affordable housing purposes

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

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

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

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

Loss of County investment
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2012

10. Name & Title of Preparer

R. J. Bhatt
Land Management Specialist

Signature of Preparer

R. J. Bhatt

Date

9/5/12

COUNTY OF SUFFOLK



1971

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

September 5, 2011

Division of Real Property
Acquisition and Management

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

Re: Tax Map No.: 0900-260.00-04.00-005.001
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the
Town of Southampton for Affordable Housing Purposes.

Dear Mr. Schneider:

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

Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Town of Southampton for affordable housing purposes.

I would appreciate your placing this on the legislative agenda.

Very truly yours,


Wayne R. Thompson
Real Property Manager
Division of Real Property
Acquisition and Management

WRT:slb

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

Copy w/ Resolution to:

Regina M. Calcaterra, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner
Ben Zwirn, Intergovernmental Relations (2 hard copies)
Jill Rosen-Nikoloff, Director of Real Estate
CE Reso Review, (electronic copy)

Introductory Resolution No.

1972-12

Laid on Table

10/9/12

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2012, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976
UNITED PROPERTIES CORP.
(SCTM NO. 0200-894.00-03.00-089.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 894.00 Block 03.00 Lot 089.000 and acquired by Tax Deed on February 24, 1977 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on February 24, 1977 in Liber 8195 at CP 539 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Brookhaven under SCTM # District 0200 Section 894.00 Block 03.00 Lot 089.000; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, United Properties Corp., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$11,100.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$1,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of \$11,100.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of the Division of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said United Properties Corp., 1975 Hempstead Turnpike, East Meadow, New York 11554.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

1972

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation – RESOLUTION NO. -2012, SALE OF COUNTY OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 UNITED PROPERTIES CORP. (SCTM NO. 0200-894.00-03.00-089.000)		
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 \$11,100.00		
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 	12. Date: 9/28/12

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

1972

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.

1972

**SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788**

SUMMARY STATEMENT

DIRECT SALE:

Suffolk County Local Law No. 13-1976
Tax Map No. 0200-894.00-03.00-089.000

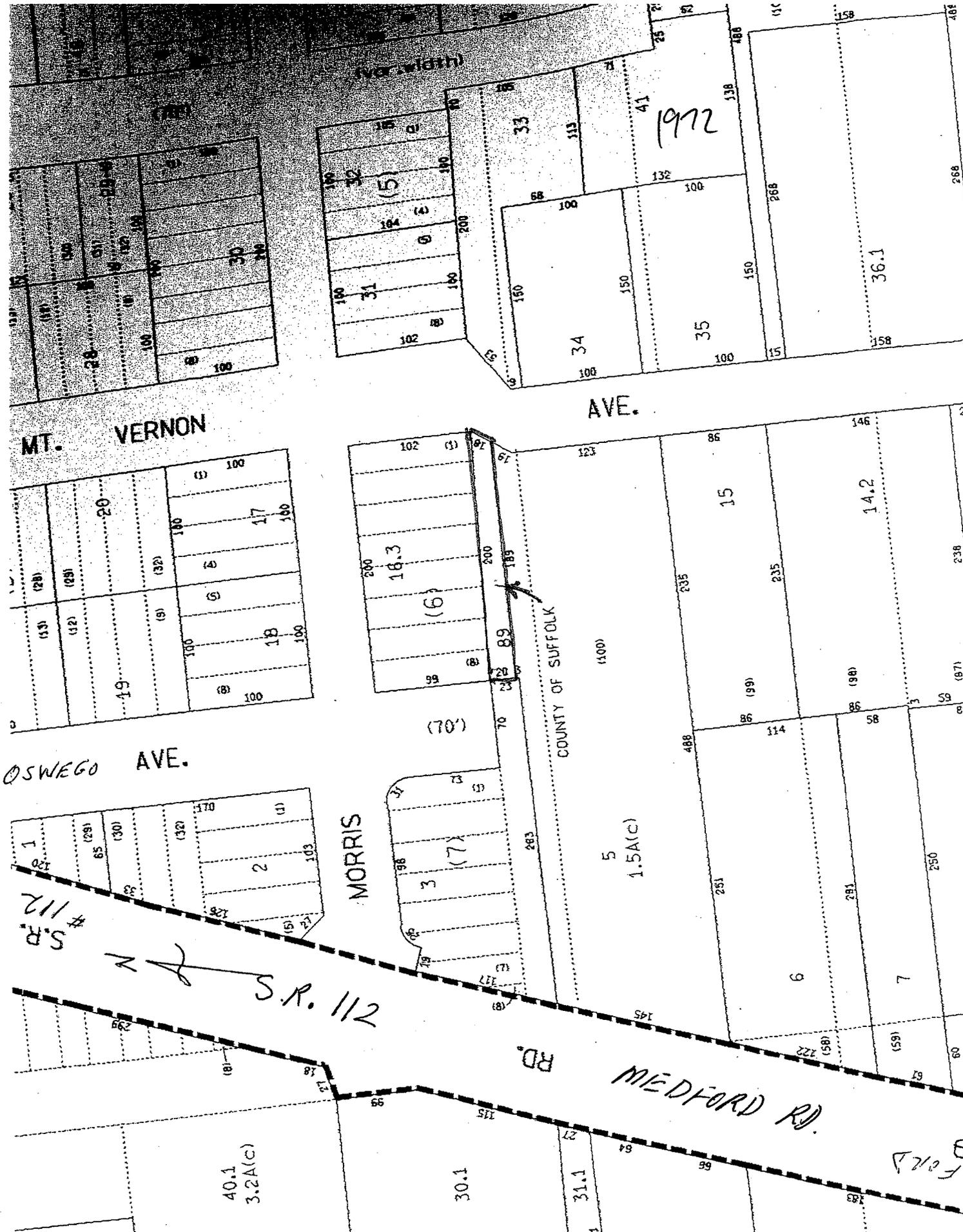
ADJOINING OWNER	BID	BID	BID
United Properties Corp. 1975 Hempstead Turnpike East Meadow, New York 11554 0200-894.00-03.00-003 & 005	\$11,100.00		
Michael Novia 12 Morris Avenue Patchogue, New York 11772 0200-894.00-03.00-016.003	\$10,600.00		

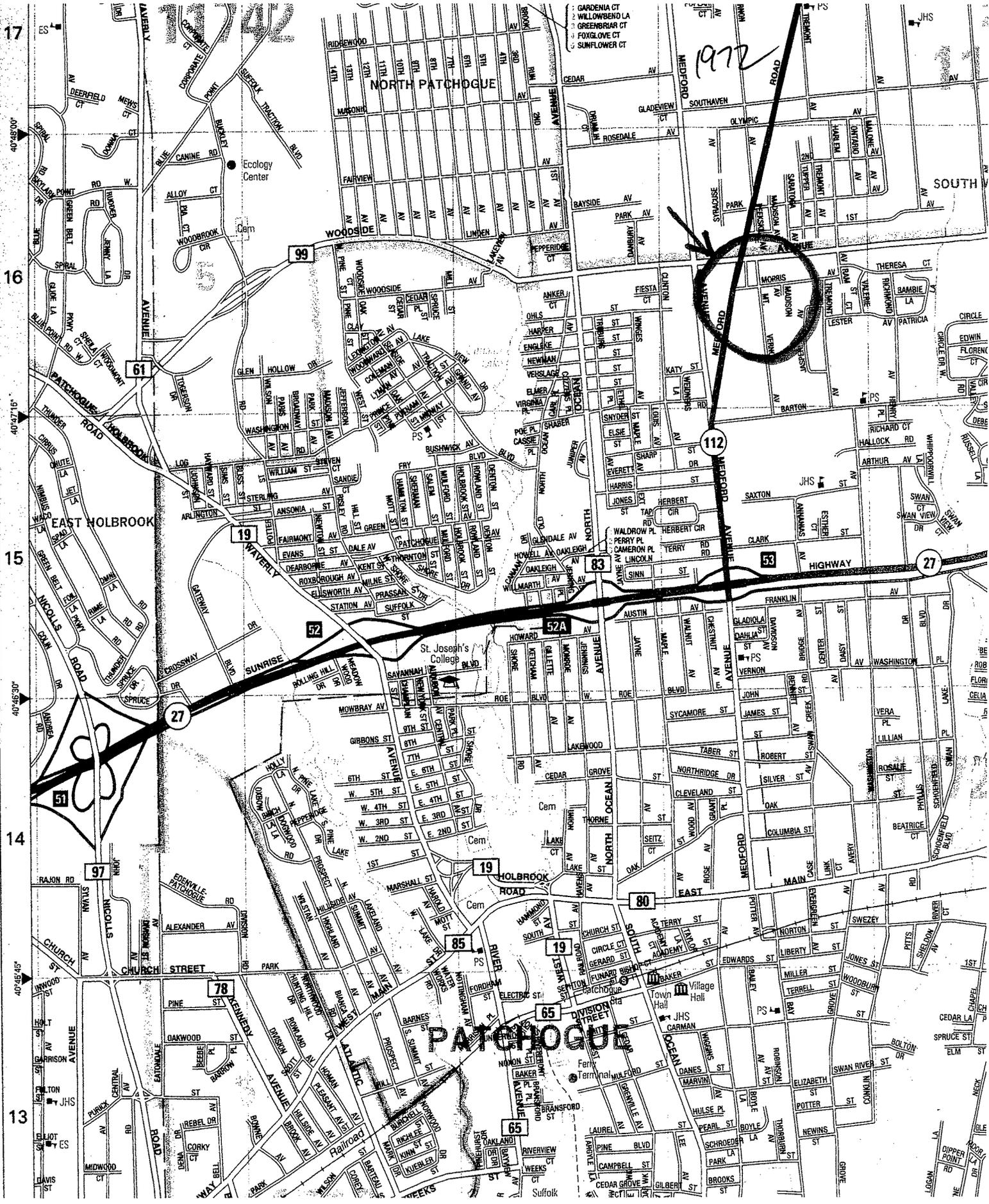
SIZE OF PARCEL: 18'x189'x20'x200'
APPRAISED VALUE: \$1,500.00
COMMENT: Direct Sale to Adjacent Owner

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

1972







TM# 0200-894.00-03.00-089.000

1972

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

1. Type of Legislation

Resolution X Local Law X Charter Law _____

2. Title of Proposed Legislation

Local Law 13-1976 authorizing the Direct Sale of County owned Real Estate

3. Purpose of Proposed Legislation

Convey County owned parcel to adjacent owner

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

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

X County _____ Town _____ Economic Impact

_____ Village _____ School District Other (Specify):

_____ Library District _____ Fire District

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

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

Unknown

8. Proposed Source of Funding

None

9. Timing of Impact

2012

10. Name & Title of Preparer

Signature of Preparer

Date

R.J. Bhatt
Land Management Specialist

R.J. Bhatt

9/5/12

COUNTY OF SUFFOLK



1972

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

September 5, 2012

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

Re: Tax Map Number: 0200-894.00-03.00-089.000

Dear Mr. Schneider:

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

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and
Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:

Regina M. Calcaterra, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner
Jill Rosen-Nikoloff, director of Real Estate
Sarah Lansdale, A.I.C.P., Director of Planning
CE Reso Review, (electronic copy)

1973

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

Laid on Table 10/9/12

**RESOLUTION NO. -2012, AMENDING THE 2012
OPERATING BUDGET, TRANSFERRING STABILIZATION
RESERVE FUNDS TO THE CAPITAL FUND, AMENDING
THE 2012 CAPITAL BUDGET AND PROGRAM AND
APPROPRIATING FUNDS FOR IMPROVEMENTS TO THE
SUFFOLK COUNTY SEWER DISTRICT NO. 21 SUNY -
(CP 8121)**

WHEREAS, Suffolk County Sewer District No. 21 – SUNY includes the service areas for Sewer District No. 10 – Stony Brook, Sewer District No. 19 – Haven Hills, and Brookhaven Sewer District No. 1; and

WHEREAS, the treated sewage from the wastewater treatment facility on the SUNY campus, that is Sewer District No. 21, discharges to Port Jefferson Harbor and Long Island Sound; and

WHEREAS, improvements are necessary to the wastewater treatment facility to reduce the nitrogen that is discharged to Port Jefferson Harbor and Long Island Sound; and

WHEREAS, a compliance schedule of NYSDEC mandates the project be completed by July 31, 2014; and

WHEREAS, a grant in the amount of \$12.07 million is to be applied to the project costs; and

WHEREAS, an improvement project has been designed with bids received on August 29, 2012 and the result of the review of those bids indicates that the bid price are appropriate; and

WHEREAS, there are insufficient funds in the Adopted Capital Program and Budget as well as existing appropriations to cover the complete cost of the improvements; and

WHEREAS, the Administrative Head of Sewer District No. 21 - SUNY has requested that additional funds be appropriated to cover costs associated with the improvement project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2012 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the transfer of \$2,000,000 in Assessment Stabilization Reserve Funds; now, therefore be it

1st RESOLVED, that it 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 461-2006 and be it further

2nd RESOLVED, that the Assessment Stabilization Reserve Fund shall provide the sum of \$2,000,000 for the purpose of implementing the construction phase of the project; and be it further

3rd RESOLVED, that the Legislature be and they are hereby amending the 2012 Operating Budget as follows:

<u>Interfunds Appropriations</u>	<u>Amount</u>
404-IFT-E527-Transfer to Fund 527	\$2,000,000

and be it further

4th RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to transfer Interfund Revenues and accept proceeds as follows:

<u>Interfund Revenues</u>	
527-IFT-R404-Transfer from Fund 404 (Ref. 527-CAP-IFTR-R404)	\$2,000,000

and be it further

5th RESOLVED, that the proceeds of \$2,000,000 in Assessment Stabilization Reserve Funds be and they hereby are appropriated as follows:

<u>PROJECT NO.</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
527-CAP-8121.310	Improvements to the Sewer District No. 21 – SUNY Construction	\$2,000,000

and be it further

6th RESOLVED, pursuant to State Environmental Quality Review Act, Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 333-2009 determined that the proposed improvement and/or rehabilitation to the Sewer District No 21 – SUNY constitutes a Type II action pursuant to provisions of NYCRR Part 617; and

7th RESOLVED, that the Administrative Head of Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements to Sewer District No. 21 – SUNY.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1973

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2012, AMENDING THE 2012 OPERATING BUDGET, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 21 – SUNY (CP 8121)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify): SEWERS
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
ASSESSMENT STABILIZATION RESERVE FUNDS IN THE AMOUNT OF \$2,000,000 WILL BE TRANSFERRED TO THE CAPITAL SEWER FUND FOR THE PURPOSE OF IMPLEMENTING THIS PROJECT.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
2012-\$2,000,000		
8. Proposed Source of Funding		
Assessment Stabilization Reserve Fund		
9. Timing of Impact		
Upon Adoption		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Exec Analyst		September 28th, 2012

SCIN FORM 175b (10/95)

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

1973

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

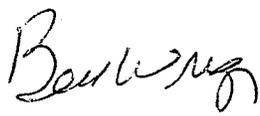
	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1973

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation A Draft Resolution Transferring Assessment Stabilization Reserve Funds to the Capital Fund, Amending the 2012 Operating Budget, Amending the 2012 Capital Budget and Program, and Appropriating Funds for Improvements to Suffolk County Sewer District No. 21 – SUNY		
3. Purpose of Proposed Legislation A resolution to transfer funds in connection with the SD 21 - SUNY improvement project.		
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. \$2,000,000 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 Ben Wright, P.E. Principal Civil Engineer	11. Signature of Preparer 	12. Date 9/6/12

COUNTY OF SUFFOLK



1973

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

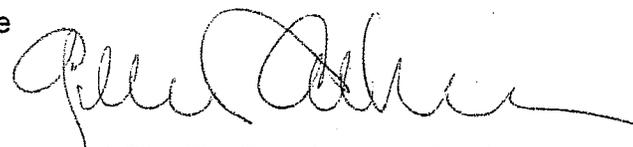
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner 

SUBJECT: **A Draft Resolution Transferring Assessment Stabilization Reserve Funds to the Capital Fund, Amending the 2012 Operating Budget, Amending the 2012 Capital Budget and Program, and Appropriating Funds for Improvements to Suffolk County Sewer District No. 21 – SUNY (CP 8121)**

DATE: September 6, 2012

Attached is a draft resolution with appropriate forms and backup for improvements to the Sewer District No. 21 – SUNY wastewater treatment facility filed as Reso DPW ASRF CP 8121 Sewer District No. 21 – SUNY Improvements 8-30-12 and Backup DPW ASRF CP 8121 Sewer District No. 21 – SUNY Improvements 8-30-12. The project has been included in the Adopted 2012 Capital Budget and Program, however, as a result of the evaluation of bids received on August 29th, there are insufficient funds to complete the project. The Adopted Capital Budget and Program includes \$4.3 million where the needs amount to \$6.3 million. It is noted that the majority of funds for the overall project are to be utilized from a grant (\$12 million) and SUNY (\$3.5 million). It is necessary to proceed with the construction for the improvements due to an Order on Consent with NYSDEC and a compliance schedule that could result in penalties if it is not adhered to. This resolution is, therefore, to transfer \$2 million into the capital project. It is noted that contributors to Sewer District No. 21 include Sewer District No. 10 and Sewer District No. 19 which are providing a share of the costs subject to a public hearing on October 9th followed by a findings resolution and appropriating resolution. The total project cost is approximately \$18.3 million.

We would request that this resolution be laid on the table at your convenience, preferably at the next general meeting.

GA:BW:ni

Attachment

- cc: Regina Calcaterra, Chief Deputy County Executive
- ✓ 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-bw9-6-12 Backup DPW ASRF Improvements sd21 SUNY CP 8121 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1973

1. Type of Legislation		
Resolution <u> X </u>	Local Law _____	Charter Law _____
2. Title of Proposed Legislation		
A Draft Resolution Accepting and Appropriating Funds in Connection with the Suffolk County Sewer District No. 21 – SUNY Improvement Project (CP 8121).		
3. Purpose of Proposed Legislation		
To accept funds from SUNY to pay their allocated share of the improvement project.		
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		
NA		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
\$3,532,149 accepted from SUNY and placed into Capital Project 8121.		
8. Proposed Source of Funding		
SUNY contribution to project		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Ben Wright, P.E. Principal Civil Engineer		9/4/12

COUNTY OF SUFFOLK



1973

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 

SUBJECT: **A DRAFT RESOLUTION ACCEPTING AND APPROPRIATING FUNDS IN CONNECTION WITH THE SUFFOLK COUNTY SEWER DISTRICT NO. 21 SUNY – IMPROVEMENT PROJECT (CP 8121)**

DATE: August 30, 2012

Attached is a draft resolution with appropriate forms and backup for improvements to the Sewer District No. 21 – SUNY wastewater treatment facility filed as Reso DPW CP 8121 Sewer District No. 21 – SUNY Improvements 8-30-12 and Backup DPW CP 8121 Sewer District No. 21 – SUNY Improvements 8-30-12. The project has been included in the Adopted 2012 Capital Budget and Program. The project has been included in the Adopted 2012 Capital Budget and Program with a public hearing to be held on October 9th to appropriate funds associated with the project. The Adopted Capital Budget and Program includes \$4.3 million in 2012 with over 82% of those funds being allocated to the SUNY campus. SUNY has indicated that their preference for payment is a one-time payment which is being processed in an amount of \$3,532,149. It is necessary to proceed with the construction for the improvements due to an Order on Consent with NYSDEC and a compliance schedule that could result in penalties if it is not adhered to. This resolution would accept and appropriate the funds into the capital project. The total project cost is approximately \$17.3 million, the majority of which is a grant (\$12.07 million).

We would request that this resolution be laid on the table at your convenience, preferably at the next general meeting.

GA:BW:ni
Attachment

- cc: Regina Calcaterra, Chief Deputy County Executive
- 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-bw8-30-12 Backup DPW Improvements sd21-SUNY CP 8121 accepting & appropriating funds memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER.

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2012, CALLING A PUBLIC HEARING
FOR THE PURPOSE OF CONSIDERING THE PROPOSED
ESTABLISHMENT OF SUFFOLK COUNTY SEWER DISTRICT
NO. 16 - YAPHANK MUNICIPAL (CP 8158)**

WHEREAS, the Suffolk County Sewer Agency has submitted maps and plans prepared for the establishment of Suffolk County Sewer District No. 16 - Yaphank Municipal together with an estimate of cost thereof, attached as Exhibit A to this Resolution; and

WHEREAS, pursuant to Section 256 of the New York County Law, upon receipt of the report and the maps and plans, the Legislature must call a public hearing upon a the proposal to establish a district as set forth in the maps and plans submitted by the Suffolk County Sewer Agency; and

WHEREAS, it is now desired to call a public hearing pursuant to Section 254 of the New York County Law upon the proposal to form said County sewer district, to comprise the area described and defined in said maps and plans;

NOW, THEREFORE be it and it hereby is

1st **RESOLVED**, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. A meeting of the County Legislature of the County of Suffolk New York shall be held at the County Center in the meeting room of the County Legislature in Riverhead, New York, in said County, on the 4th day of December 2012, at 2:30 p.m., Prevailing Time, for the purpose of conducting a public hearing on the establishment of Suffolk County Sewer District No. 16 - Yaphank Municipal and for such other action on the part of said County Legislature as may be required by law or proper in premises.

Section 2. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of said County, and such other newspaper as the Legislature may designate, if any, said publication to be made in each of such newspapers not less than ten, nor more than twenty days before the day set herein for said public hearing. Such notice shall be in the following form, to wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the County Legislature of the County of Suffolk, New York, will meet at the County Center in the meeting room of the County Legislature in Riverhead, New York, in said County, on the 4th day of December, 2012 at 2:30 p.m., Prevailing Time, for the purpose of conducting a public hearing upon a proposal for the formation of a County sewer district in and for said County, substantially in accordance with certain maps, plans, reports and recommendations transmitted to said County Legislature by the Suffolk County Sewer Agency, at which time and place the Suffolk County Legislature will consider such proposal and hear all parties interested therein concerning the same.

Copies of the maps and plans for the establishment of the proposed district are available in the Office of the Clerk of the County Legislature where they can be reviewed during normal business hours Monday through Friday. The proposed district encompasses an additional ten acres to allow for future expansion. There are currently no property owners other than Suffolk County within the boundaries of the proposed district. There is no expectation of receipt of Federal or State funds for the formation of the proposed district. The operation and maintenance budget for the facilities comprising the proposed district was approximately \$320,000 in 2011, which included costs of labor, equipment, materials, supplies, utilities, laboratory services, sludge, billing and objectionable/hazardous waste fee. In addition, the indirect expenses (e.g., overhead, employee benefits, use of building costs, etc.) attributed to this service area were approximately \$318,000 for 2011. Such costs were paid directly by Suffolk County. No capital costs will be incurred in connection with the formation of this proposed sewer district; and, therefore, there will be no bond issue.

We encourage all interested parties to appear. Any questions should be forwarded to Ben Wright at 631-852-4204 at the Suffolk County Department of Public Works.

It is proposed that such County Sewer District shall comprise an area situated in the south central portion of the Town of Brookhaven in the hamlet of Yaphank and is bounded on the north, west, and south by vacant land, and on the east by Suffolk County owned buildings, such area being more particularly bounded and described as follows:

ALL that piece or parcel of land situate in the Hamlet of Yaphank, Town of Brookhaven, County of Suffolk, State of New York as shown on a Map prepared for Suffolk County and on file in the Office of the Commissioner and described as follows:

COMMENCING at a point on the southerly boundary of Suffolk Avenue at its intersection with the westerly boundary of Yaphank Avenue CR 21;

THENCE, S 84° 36' 50" W along said southerly boundary of Suffolk Avenue, a distance of 669.88 feet to the intersection of the southerly boundary of Suffolk Avenue and the easterly boundary of East Avenue;

THENCE, S 05° 22' 40" E along said easterly boundary of East Avenue, a distance of 905.62 feet to the intersection of the easterly boundary of East Avenue and the southerly boundary of Pine Street;

THENCE, westerly along said southerly boundary of Pine Street the following three (3) courses and distances:

1. S 84° 35' 18" W, a distance of 686.69 feet to a point;
2. S 83° 05' 22" W, a distance of 320.04 feet to a Point of Curvature;
3. Along the arc of a curve to the left having a radius of 703.53 feet a distance of 53.12 feet to the Point of Beginning;

THENCE from said Point of Beginning the following ten (10) courses and distances:

1. S 05° 20' 52" E, a distance of 850.37 feet to a point;
2. S 84° 27' 40" W, a distance of 546.56 feet to a point;
3. N 05° 20' 52" W, a distance of 335.21 feet to a point;

4. S 84° 39' 08" W, a distance of 425.00 feet to a point;
5. N 05° 20' 52" W, a distance of 61 0.00 feet to a point;
6. N 84° 39' 08" E, a distance of 425.00 feet to a point;
7. S 05° 20' 52" E, a distance of 109.00 feet to a point;
8. N 84° 39' 08" E, a distance of 400.00 feet to a Point of Curvature;
9. Along the arc of a curve to the left having a radius of 733.53 feet a distance of 102.42 feet, said curve being subtended by a chord with a bearing of N 79° 05' 19" E and a distance of 102.34 to a Point of Curvature;
10. Along the arc of a curve to the right having a radius of 703.53 feet a distance of 45.12 feet, said curve being subtended by a chord with a bearing of N 76° 55' 33" E and a distance of 45.11 to the Point Of Beginning, being 716,756 ± square feet or 16.45 ± acres MORE OR LESS.

Section 3. This Resolution shall take effect immediately.

and be it further

2nd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) as the proposal involves the adoption of regulations, policies, procedures and local legislative decisions in connection with routine or continuing agency administration and management.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:



1974

**COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS**

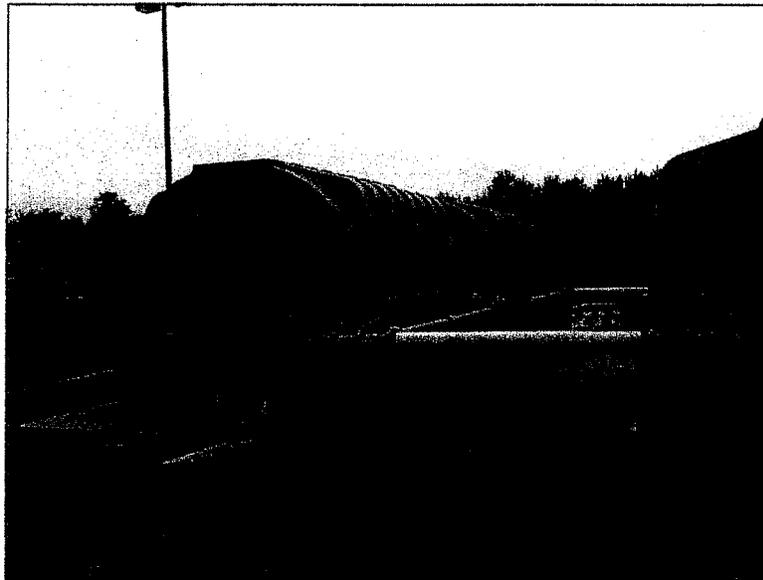
SUFFOLK COUNTY SEWER AGENCY

**Report, Map and Recommendations
for the Proposed Formation of**

SUFFOLK COUNTY

SEWER DISTRICT NO. 16 – YAPHANK-MUNICIPAL

**GILBERT ANDERSON, P.E.
COMMISSIONER**



November 2011

1974

TABLE OF CONTENTS

	<u>PAGE</u>
INTRODUCTION	1
DISTRICT POPULATION	1
GENERAL BOUNDARY DESCRIPTION	1
WASTEWATER TREATMENT FACILITIES.....	2
CAPITAL COSTS	2
PROPOSED FINANCIAL PLAN & COSTS TO HOMEOWNERS	2
RECOMMENDATIONS	3

1974

INDEX OF EXHIBIT

- A - Estimated Operations and Maintenance Costs
- B - Legal Description of Proposed District
- C - Map of Proposed District
- D – Sewer Agency Resolution 14-2011

1974

INTRODUCTION

In accordance with Chapter 254 of the County Law and by Resolutions No. 494-1965 and No. 518-1965, the Suffolk County Board of Supervisors formed the Suffolk County Sewer Agency in September 1965. The County Legislature, as the successors to the Board of Supervisors, by Resolution No. 407-1970, authorized the Chairman of the Agency to execute agreements with subdividers and developers. Thereafter, by Resolution No. 212-1973, the County Legislature again directed the Agency, with the assistance of the Department of Environmental Control acting as its staff, to prepare the necessary maps, plans, specifications and other relevant material for the formation, extension or improvement of County sewer districts.

Therefore, in accordance with those resolutions and pursuant to Article 5A of the County Law, the Agency has caused the Department of Public Works, as the successors to the Department of Environmental Control, to prepare and herewith respectfully submit the necessary information and data relating to the formation of Suffolk County Sewer District No. 16 – Yaphank-Municipal.

At the September 19, 2011 Agency Meeting, the Agency recommended that a district, encompassing the present Yaphank County Center Sewage Treatment Plant, which serves the existing county buildings and facilities located on the east and west sides of Yaphank Avenue, be formed.

DISTRICT POPULATION

Since the district, as proposed, will only contain the existing treatment plant within its boundary, there will be no residents in the district.

GENERAL BOUNDARY DESCRIPTION

The proposed district is situated in the south central portion of the Town of Brookhaven in the hamlet of Yaphank. It is bounded on the north, west and south by vacant land, and on the east by county buildings.

A metes and bounds description of the proposed district is included in this report as Exhibit B, and the map of the proposed district is appended hereto as Exhibit C.

1974

WASTEWATER TREATMENT FACILITIES

The wastewater treatment plant, which has been operated and maintained by DPW since it was built in 1974 and has a twelve month peak flow of 160,000 gpd, was designed and constructed to accommodate 250,000 gpd. The 16.5± acre site is sufficient to accommodate a future flow of 1.0 MGD. An additional 10 Acres is included for future expansion.

CAPITAL COSTS

No capital costs will be incurred in connection with the formation of this proposed sewer district; and, therefore, there will be no bond issue.

PROPOSED FINANCIAL PLAN AND COSTS TO USERS

A. Federal and State Aid

There is no expectation of receipt of Federal or State funds for the formation of this district.

B. Preliminary User Charges

- 1 Present Charges: Operation and Maintenance is paid directly by the County General Fund
2. District Charges: The Environmental Protection Agency regulations require that any sewer district formed in Suffolk County after December 27, 1977 must charge the users based upon actual use, and not ad valorem. Therefore, the district will be formed pursuant to Section 266 of the County Law of the State of New York, and thus make a flat annual sewage charge to the users for the calendar year 1999, or fraction thereof. This will result in no change from what is presently charged.

C. Annual Operation and Maintenance Costs and Charges

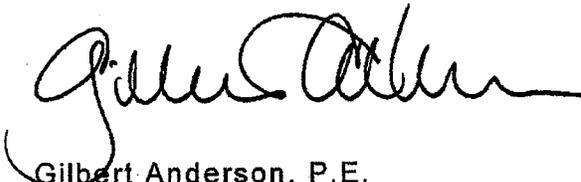
The operation and maintenance budget for 2011 is estimated to be \$422,739 (see Exhibit A).

1974

RECOMMENDATIONS, COMMENTS AND FINDINGS

- A. The formed district will result in the ability of the Suffolk County Sewer Agency to authorize the connection of nearby proposed projects, subject to the approval of the Legislature and the New York Department of Environmental Conservation, which will result in a non-proliferation of sewage treatment plants.
- B. It is recommended that the formation of the district be accomplished pursuant to the provisions of Article 5A of County Law and that the cost be assessed, levied and collected in accordance with the provisions of Section 266 thereof.
- C. It is recommended that the Commissioner of the Suffolk County Department of Public Works be appointed the Administrative Head of Sewer District No. 16 - Yaphank-Municipal in compliance with Article VIII, Section 801, of the Suffolk County Charter.
- D. Finally, it is recommended that this report be made the subject of a public hearing on the question at the earliest possible date.

Respectfully submitted,



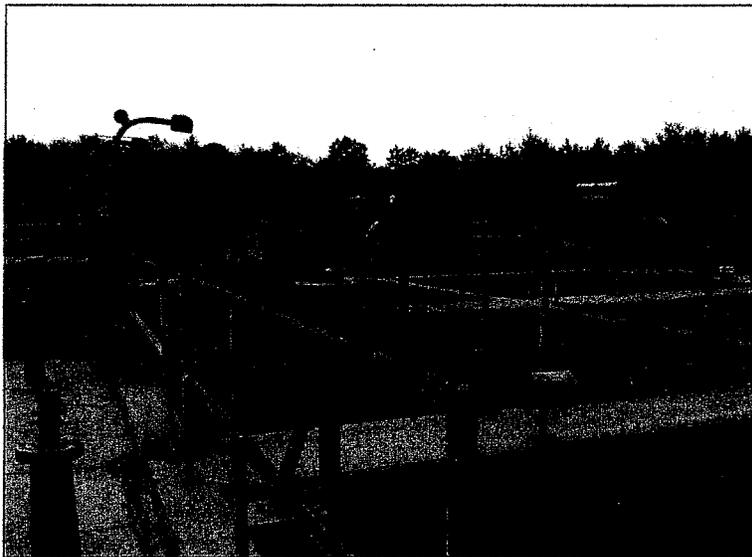
Gilbert Anderson, P.E.
Commissioner of the Suffolk County
Department of Public Works, Chairman of
the Suffolk County Sewer Agency and
Administrative Head of All Suffolk County
Sewer Districts

1974

Exhibit A

ESTIMATED OPERATION & MAINTENANCE

2011 Adopted Budget	\$207,090
2011 Chargeback.....	\$154,999
2011 Labor.....	\$ 60,650
Total.....	\$422,739 (1)
Peak month flow.....	160,000 GPD (2)
Cost per gallon: (1)/(2)	\$2.64



DISTRICT BOUNDARY PROPOSED
SCSD NO. 16 – YAPHANK-MUNICIPAL

Tax Map No. 0200 -742.00 -01.00 –P/O 003.001

ALL that piece or parcel of land situate in the Hamlet of Yaphank, Town of Brookhaven, County of Suffolk, State of New York as shown on a Map prepared for Suffolk County and on file in the Office of the Commissioner and described as follows:

COMMENCING at a point on the southerly boundary of Suffolk Avenue at its intersection with the westerly boundary of Yaphank Avenue CR 21;

THENCE, S 84° 36' 50" W along said southerly boundary of Suffolk Avenue, a distance of 669.88 feet to the intersection of the southerly boundary of Suffolk Avenue and the easterly boundary of East Avenue;

THENCE, S 05° 22' 40" E along said easterly boundary of East Avenue, a distance of 905.62 feet to the intersection of the easterly boundary of East Avenue and the southerly boundary of Pine Street;

THENCE, westerly along said southerly boundary of Pine Street the following three (3) courses and distances:

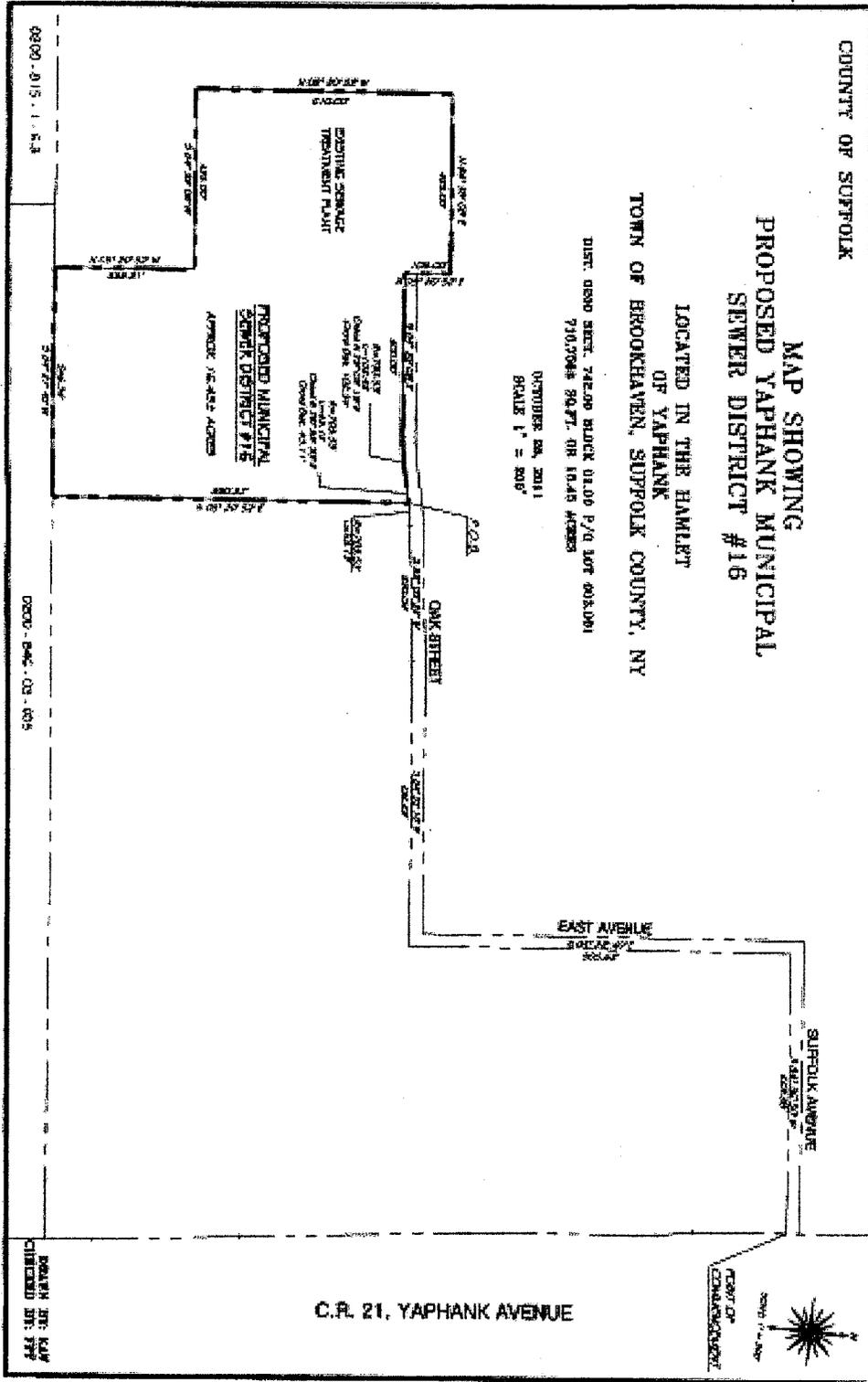
1. S 84° 35' 18" W, a distance of 686.69 feet to a point;
2. S 83° 05' 22" W, a distance of 320.04 feet to a Point of Curvature;
3. Along the arc of a curve to the left having a radius of 703.53 feet a distance of 53.12 feet to the Point of Beginning;

THENCE from said Point of Beginning the following ten (10) courses and distances:

1. S 05° 20' 52" E, a distance of 850.37 feet to a point;
2. S 84° 27' 40" W, a distance of 546.56 feet to a point;
3. N 05° 20' 52" W, a distance of 335.21 feet to a point;
4. S 84° 39' 08" W, a distance of 425.00 feet to a point;
5. N 05° 20' 52" W, a distance of 61 0.00 feet to a point;
6. N 84° 39' 08" E, a distance of 425.00 feet to a point;
7. S 05° 20' 52" E, a distance of 109.00 feet to a point;
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10. Along the arc of a curve to the right having a radius of 703.53 feet a distance of 45.12 feet, said curve being subtended by a chord with a bearing of N 76° 55' 33" E and a distance of 45.11 to the Point Of Beginning, being 716,756 ± square feet or 16.45 ± acres MORE OR LESS.

Excepting, also and reserving to any and all utilities the right of access at all times for the update, maintenance, and service of their utilities

Map of Proposed District



SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 14 -2011

AUTHORIZING THE PREPARATION OF DOCUMENTS AND PROCEDURES FOR THE CREATION OF SUFFOLK COUNTY SEWER DISTRICT NO. 16 – YAPHANK-MUNICIPAL

WHEREAS, the Yaphank-Municipal Sewage Treatment Plant (STP) was constructed to provide sewer service for the wastewater generated by the Suffolk County Office complex in Yaphank, and

WHEREAS, a non-municipal owned parcel cannot connect to a County owned STP that is not located in an established Suffolk County sewer district, and

WHEREAS, there is a proposal to sell a parcel of County owned property in the vicinity of the Yaphank-Municipal STP, and

WHEREAS, the creation of a County sewer district which is serviced by the Yaphank-Municipal STP will allow the purchaser of the proposed parcel access to the Yaphank-Municipal Sewage Treatment Plant (STP), and

WHEREAS, the creation of a County sewer district would be environmentally beneficial to the local community and financially beneficial to all of Suffolk County and prevent the proliferation of multiple future small treatment facilities in the area, and

WHEREAS, the Environmental Protection Agency regulations require that any sewer district formed in Suffolk County after December 27, 1977, must be self-supporting, and the cost for operation and maintenance of the proposed SD 16 - Yaphank-Municipal District, will be borne by the connectees of the proposed district,

NOW, THEREFORE, IT IS

1st RESOLVED, that the Suffolk County Charter (Article VIII - §C8-1-B) establishes the Commissioner of the Suffolk County Department of Public Works as the Administrative Head of all of the Suffolk County Sewer Districts, and

2nd RESOLVED, that the Administrative Head of the District is hereby authorized to proceed with the preparation of a report for the creation of the proposed SD 16 - Yaphank-Municipal District, and

3rd RESOLVED, that the creation of a sewer district authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

4th RESOLVED, that the Administrative Head of the District is hereby further authorized to, in conjunction with the Department of Health Services and the Department of Law, to prepare and submit the application to the Office of the NYS Comptroller for the creation of the Suffolk County Sewer District No. 16 - Yaphank-Municipal.

(Suffolk County Sewer Agency Meeting September 19, 2011)

1974

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 

SUBJECT: **Calling for a Public Hearing for the Purpose of Considering the Proposed Establishment of Suffolk County Sewer District No. 16 – Yaphank Municipal (CP 8158)**

DATE: September 12, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the proposal to establish a County Sewer District at the Yaphank County Center filed as Reso DPW sd 16 - Yaphank Municipal Hearing CP 8158 dated 9-12-12 and backup filed as Backup DPW sd 16 - Yaphank Municipal Hearing CP 8158 dated 9-12-12. The resolution calls for a public hearing to consider establishing Suffolk County Sewer District No. 16 – Yaphank Municipal which is approximately 16.5 acres that sites the wastewater treatment facilities.

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

GA:BW:ni
Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
 Ben Zwirn, Director of Intergovernmental Relations
 Lynne Bizzarro, Esq., Chief Deputy County Attorney
 Charles Jaquin, General Services Manager
 Nick Paglia, Assistant Executive Analyst
 John Donovan, P.E., Chief Engineer, Sanitation
 Ben Wright, P.E., Principal Civil Engineer, Sanitation
 CE Reso Review
 ga-bw9-12-12 Backup DPW sd16-Yaphank Municipal Hearing CP8158 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1974

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. -2012, CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE PROPOSED ESTABLISHMENT OF SUFFOLK COUNTY SEWER DISTRICT NO. 16 - YAPHANK MUNICIPAL (CP 8158)		
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 5 is "yes", Provide Detailed Explanation of Impact No fiscal impact on resolutions calling for public hearing.		
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 -- Fiscal Impact will be on any future appropriating resolutions.		
10. Typed Name & Title of Preparer Nicholas Paglia Asst Executive Analyst	11. Signature of Preparer 	12. Date September 28 th , 2012

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

1974

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

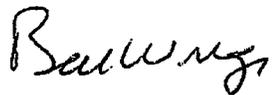
	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1974

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>											
2. Title of Proposed Legislation A resolution calling for a public hearing for the purpose of considering the proposed establishment of Suffolk County Sewer District No. 16 – Yaphank Municipal (CP 8158).											
3. Purpose of Proposed Legislation To call a public hearing for establishing Suffolk County Sewer District No. 16 – Yaphank Municipal.											
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) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
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. NA											
8. Proposed Source of Funding NA											
9. Timing of Impact NA											
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 9/12/12									

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2012, CALLING A PUBLIC HEARING
FOR THE PURPOSE OF CONSIDERING THE PROPOSED
ESTABLISHMENT OF SUFFOLK COUNTY SEWER DISTRICT
NO. 24 - GABRESKI MUNICIPAL (CP 8177)**

WHEREAS, the Suffolk County Sewer Agency has submitted maps and plans prepared for the establishment of Suffolk County Sewer District No. 24 – Gabreski- Municipal together with an estimate of cost thereof, attached as Exhibit A to this Resolution; and

WHEREAS, pursuant to Section 256 of the New York County Law, upon receipt of the report and the maps and plans, the Legislature must call a public hearing upon a the proposal to establish a district as set forth in the maps and plans submitted by the Suffolk County Sewer Agency; and

WHEREAS, it is now desired to call a public hearing pursuant to Section 254 of the New York County Law upon the proposal to form said County sewer district, to comprise the area described and defined in said maps and plans.

NOW, THEREFORE be it and it hereby is

1st **RESOLVED**, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. A meeting of the County Legislature of the County of Suffolk New York shall be held at the County Center in the meeting room of the County Legislature in Riverhead, New York, in said County, on the 4th day of December 2012, at 2:30 p.m., Prevailing Time, for the purpose of conducting a public hearing on the establishment of Suffolk County Sewer District No. 24 – Gabreski Municipal and for such other action on the part of said County Legislature as may be required by law or proper in premises.

Section 2. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of said County, and such other newspaper as the Legislature may designate, if any, said publication to be made in each of such newspapers not less than ten, nor more than twenty days before the day set herein for said public hearing. Such notice shall be in the following form, to wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the County Legislature of the County of Suffolk, New York, will meet at the County Center in the meeting room of the County Legislature in Riverhead, New York, in said County, on the 4th day of December, 2012 at 2:30 p.m., Prevailing Time, for the purpose of conducting a public hearing upon a proposal for the formation of a County sewer district in and for said County, substantially in accordance with certain maps, plans, reports and recommendations transmitted to said County Legislature by the Suffolk County Sewer Agency, at which time and place the Suffolk County Legislature will consider such proposal and hear all parties interested therein concerning the same.

Copies of the maps and plans for the establishment of the proposed district are available in the Office of the Clerk of the County Legislature where they can be reviewed during normal business hours Monday through Friday. The proposed district encompasses the Gabreski Airport Property. There are currently no property owners other than Suffolk County within the boundaries of the proposed district. There is no expectation of receipt of Federal or State funds for the formation of the proposed district. The operation and maintenance budget for the facilities comprising the proposed district was approximately \$76,000 in 2011, which included costs of labor, equipment, materials, supplies, utilities, laboratory services, sludge, billing and objectionable/hazardous waste fee. In addition, the indirect expenses (e.g., overhead, employee benefits, use of building costs, etc.) attributed to this service area were approximately \$101,000 for 2011. Such costs were paid directly by Suffolk County. No capital costs will be incurred in connection with the formation of this proposed sewer district; and, therefore, there will be no bond issue.

We encourage all interested parties to appear. Any questions should be forwarded to Ben Wright at 631-852-4204 at the Suffolk County Department of Public Works.

It is proposed that such County Sewer District shall comprise an area situated in eastern central portion of the Town of Southampton in the hamlet of Westhampton more specifically located as follows:

Commencing at a point which is located at the intersection of the northerly side of the property of the Long Island Railroad and the easterly side of Westhampton – Riverhead Road (County Road 31), which is the Point of Beginning, and,

Thence, proceeding in a generally northerly direction on the east side of Westhampton - Riverhead Road (County Road 31), the following courses and distances:

1. North 01° 15' 33" East, a distance of 153.82 feet, and,
2. North 86° 44' 27" East, a distance of 76.25 feet, and,
3. North 02° 06' 00" West, a distance of 105.06 feet, and,
4. South 89° 14' 23" West, a distance of 70.00 feet, and,
5. North 01° 15' 33" East, a distance of 638.93 feet, and,
6. North 03° 03' 46" East, a distance of 1195.96 feet, and,
7. North 03° 40' 04" East, a distance of 899.58 feet, and,
8. North 00° 54' 56" East, a distance of 429.87 feet, and,
9. North 05° 10' 08" East, a distance of 1569.81 feet, and,
10. North 03° 20' 16" West, a distance of 2912.17 feet, and,
11. North 03° 32' 31" West, a distance of 2233.55 feet, and,

Thence, proceeding the following courses and distances:

1. North 86° 57' 25" East, a distance of 53.75 feet, and,
2. South 35° 02' 33" East, a distance of 1146.37 feet, and,
3. South 39° 16' 47" East, a distance of 1157.05 feet, and,
4. South 55° 08' 15" East, a distance of 819.16 feet, and,
5. South 63° 54' 42" East, a distance of 539.54 feet, and,

6. North 85° 06' 00" East, a distance of 455.00 feet, and,
7. South 77° 19' 06" East, a distance of 734.91 feet, and,
8. South 69° 02' 56" East, a distance of 767.63 feet, and,
9. North 78° 00' 21" East, a distance of 647.16 feet, and,
10. North 62° 43' 31" East, a distance of 665.07 feet, and,
11. North 62° 06' 09" East, a distance of 93.17 feet, and,
12. North 41° 36' 15" East, a distance of 2098.50 feet, and,
13. North 03° 24' 37" West, a distance of 2361.53 feet, and,
14. North 86° 05' 56" East, a distance of 576.08 feet, and,
15. South 03° 28' 34" East, a distance of 1464.50 feet, and,
16. North 86° 30' 24" East, a distance of 237.81 feet, and,
17. North 41° 36' 34" East, a distance of 1016.90 feet, and,
18. South 48° 23' 16" East, a distance of 382.19 feet, and,
19. North 34° 17' 37" East, a distance of 439.82 feet, and,
20. South 55° 41' 44" East, a distance of 443.43 feet, and,
21. South 57° 04' 24" East, a distance of 291.97 feet, and,
22. South 57° 40' 31" East, a distance of 28.75 feet, and,
23. South 57° 04' 56" East, a distance of 152.38 feet, and,
24. South 54° 27' 51" East, a distance of 15.52 feet, and,

Thence, proceeding in a generally southerly direction the following courses and distances:

1. South 41° 36' 51" West, a distance of 565.97 feet, and,
2. South 48° 23' 09" East, a distance of 690.00 feet, and,
3. South 41° 36' 03" West, a distance of 1519.20 feet, and,
4. South 04° 53' 57" East, a distance of 358.44 feet, and,
5. South 41° 36' 03" West, a distance of 460.00 feet, and,
6. South 54° 06' 03" West, a distance of 909.05 feet, and,
7. South 02° 46' 53" East, a distance of 531.00 feet, and,
8. South 41° 35' 57" West, a distance of 1050.42 feet, and,
9. South 03° 23' 33" East, a distance of 4876.05 feet, and,

Thence, proceeding in a generally westerly direction along the northerly side of the property of the Long Island Railroad, the following courses and distances:

1. South 81° 43' 57" West, a distance of 1993.29 feet, and,
2. South 81° 41' 57" West, a distance of 1598.07 feet, and,
3. North 08° 18' 03" West, a distance of 395.00 feet, and,
4. South 57° 01' 51" West, a distance of 155.74 feet, and,
5. South 20° 11' 18" West, a distance of 102.09 feet, and,
6. South 08° 18' 03" East, a distance of 240.27 feet, and,
7. South 81° 41' 57" West, a distance of 0.77 feet, and,

8. South 81° 46' 46" West, a distance of 2499.95 feet, and,
9. South 81° 52' 19" West, a distance of 839.52 feet, back to the place or Point of Beginning.

Section 3. This Resolution shall take effect immediately.

and be it further

2nd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) as the proposal involves the adoption of regulations, policies, procedures and local legislative decisions in connection with routine or continuing agency administration and management.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1975

**COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS**

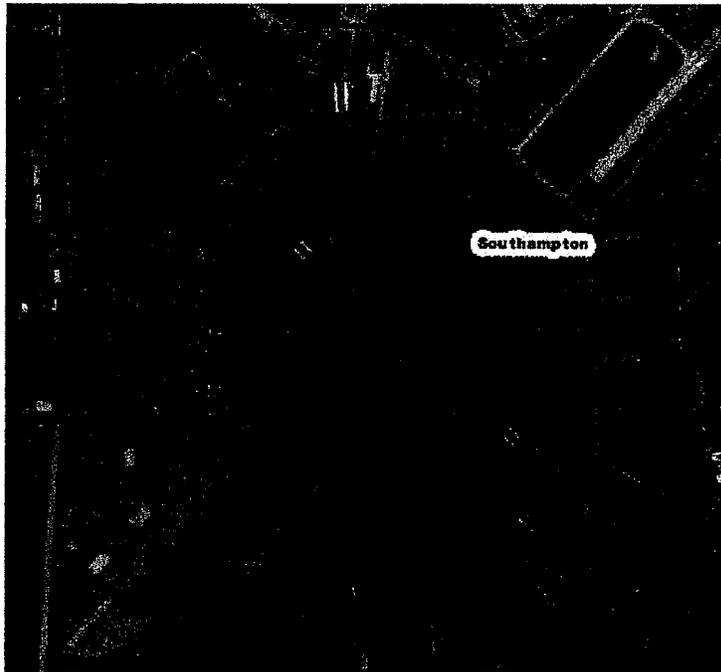
SUFFOLK COUNTY SEWER AGENCY

**Report, Map and Recommendations
for the Proposed Formation of**

SUFFOLK COUNTY

SEWER DISTRICT NO. 24 – GABRESKI MUNICIPAL

**GILBERT ANDERSON, P.E.
COMMISSIONER**



March 2011

1975

TABLE OF CONTENTS

	PAGE
INTRODUCTION	1
DISTRICT POPULATION	2
GENERAL BOUNDARY DESCRIPTION	2
WASTEWATER TREATMENT FACILITIES	2
CAPITAL COSTS	2
PROPOSED FINANCIAL PLAN & COSTS TO USERS	3
RECOMMENDATIONS, COMMENTS AND FINDINGS	4

1975

EXHIBITS

- A. Suffolk County Sewer Agency resolution**
- B. Legal Description of Proposed District**
- C. Map of Proposed District**
 - 1. Location Map of proposed District**
- D. Estimated Operations and Maintenance Costs**
- E. Summary of Operating Expenditures, 2006-2010**

1975

INTRODUCTION

In accordance with Chapter 254 of the County Law and by Resolutions No. 494-1965 and No. 518-1965, the Suffolk County Board of Supervisors formed the Suffolk County Sewer Agency in September 1965. The County Legislature, as the successors to the Board of Supervisors, by Resolution No. 407-1970, authorized the Chairman of the Agency to execute agreements with sub-dividers and developers. Thereafter, by Resolution No. 212-1973, the County Legislature again directed the Agency, with the assistance of the Department of Environmental Control acting as its staff, to prepare the necessary maps, plans, specifications and other relevant material for the formation, extension or improvement of County sewer districts.

Therefore, in accordance with those resolutions and pursuant to Article 5A of the New York State, County Law, the Agency has caused the Department of Public Works, as the successors to the Department of Environmental Control, to prepare and herewith respectfully submit the necessary information and data relating to the formation of Suffolk County Sewer District No. 24 – Gabreski Municipal.

On April 18, 2005, the Sewer Agency approved resolution No. 10-2005, authorizing the Administrative Head of the District to proceed with the preparation of documents and procedures to create Suffolk County Sewer District No. 24 – Gabreski Municipal. On December 6, 2005, resolution 1343-2005 was adopted by the County Legislature pursuant to Article 5A of the New York State County Law. The resolution called for a public hearing upon the proposal to form the District. Subsequently, it was determined that forming a district was not feasible at the time.

At the December 20, 2010, Agency meeting, the Agency discussed the formation of a county district. The proposed district boundary would be the Gabreski Airport property. Presently, the Sewage Treatment Plant, serves the existing airport buildings and facilities located on the east side of Westhampton - Riverhead Road (CR31). The Agency directed the Department to proceed with the creation of the Map and Plan subject to Agency review and approval. (Proposed Suffolk County Sewer Agency Resolution No. 4- 2011) ***Exhibit A***

1975

DISTRICT POPULATION

Since the district, as proposed, will only include the existing Airport property within its boundary, there will be no residents in the district.

GENERAL BOUNDARY DESCRIPTION

The proposed district is situated in the eastern central portion of the Town of Southampton in the hamlet of Westhampton. It is located on the east side of Westhampton - Riverhead Road (CR31), south of Sunrise Highway (NYS 27) and north of the Long Island Rail Road Montauk Branch and Montauk Highway (CR80).

A metes and bounds description of the proposed district is included in this report as Exhibit B, and the map of the proposed district is appended hereto as Exhibit C with the location map appended hereto as Exhibit C-1.

WASTEWATER TREATMENT FACILITIES

The construction of the wastewater treatment plant commenced in October of 1998 and began operation in 1999. DPW has operated and maintained the plant since treatment operations began. The STP was designed and constructed to accommodate 100,000 GPD. It is estimated that the 15±-acre site is sufficient to accommodate a future flow of 200,000 GPD by means of various treatment systems and construction of other related facilities. The STP site is located in the area designated as the Pine Barrens.

CAPITAL COSTS

No capital costs will be incurred in connection with the formation of this proposed sewer district; and, therefore, there will be no bond issued.

1975

PROPOSED FINANCIAL PLAN AND COSTS TO USERS

A. Federal and State Aid

There is no expectation of receipt of Federal or State funds for the formation of this district. However, the Federal Government contributed a portion of the construction costs to allow the STP to service the Air National Guard campus.

B. Preliminary User Charges

1. Present Charges: Operation and Maintenance is paid directly by the Air National Guard based on the percentage of flow to the STP
2. District Charges: The Environmental Protection Agency regulations require that any sewer district formed in Suffolk County after December 27, 1977 must charge the users based upon actual use, and not ad valorem. Therefore, the district will be formed pursuant to Section 271 of the County Law of the State of New York, and thus make a flat annual sewage charge to the users for the calendar year 2011, or fraction thereof. This will result in no change from what is presently charged.

C. Annual Operation and Maintenance Costs and Charges

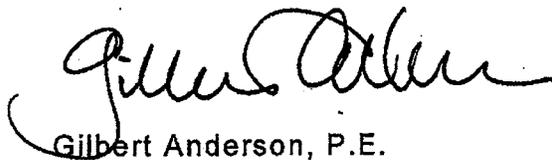
The operation and maintenance budget for 2010 was estimated to be \$371,478 (see Exhibit D). Additionally the debt service cost for 2010 was \$547,795(see Exhibit E).

1975

RECOMMENDATIONS, COMMENTS AND FINDINGS

- A. The formed district will result in the ability of the Suffolk County Sewer Agency to authorize the connection of nearby proposed projects, subject to the approval of the Legislature and the New York Department of Environmental Conservation, which will result in a non-proliferation of sewage treatment plants.
- B. It is recommended that the formation of the district be accomplished pursuant to the provisions of Article 5A of New York State County Law and that the cost be assessed, levied and collected in accordance with the provisions of Section 271 thereof.
- C. It is recommended that the Commissioner of the Suffolk County Department of Public Works be appointed the Administrative Head of Sewer District No. 24 - Gabreski-Municipal in compliance with Article VIII, Section 801, of the Suffolk County Charter.
- D. Finally, it is recommended that this report be made the subject of a public hearing on the question at the earliest possible date.

Respectfully submitted,



Gilbert Anderson, P.E.
Commissioner of the Suffolk County
Department of Public Works,
Chairman of the Suffolk County
Sewer Agency and Administrative Head
of All Suffolk County Sewer Districts

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 4 -2011

AUTHORIZING THE PREPARATION OF DOCUMENTS AND PROCEDURES TO CREATE THE SUFFOLK COUNTY SEWER DISTRICT NO. 24 – GABRESKI-MUNICIPAL

WHEREAS, the Gabreski Airport sewage treatment plant was constructed from funds from both the Air National Guard and the County of Suffolk to provide treatment for the wastewater expected to be discharged by the Suffolk County Airport, the Air National Guard portion of the airport and a proposed future airport industrial area, and

WHEREAS, other entities in the vicinity of the Gabreski Airport have requested permission to connect to the facility, and

WHEREAS, the creation of the SD 24-Gabreski-Municipal District will be financially beneficial to the local community, prevent the proliferation of multiple future small treatment facilities and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

1st RESOLVED, that the Suffolk County Charter (Article VIII - §C8-1-B) establishes the Commissioner of the Suffolk County Department of Public Works as the Administrative Head of all of the Suffolk County Sewer Districts, and

2nd RESOLVED, that the Administrative Head of the District is hereby authorized to proceed with the preparation of a report for the creation of the proposed SD 24 – Gabreski-Municipal Sewer District, and

3rd RESOLVED, that the creation of a sewer district authorized herein is subject to the approval of the Suffolk County Legislature, the New York State Department of Environmental Conservation, and the New York State Comptroller, and it is further

4th RESOLVED, that the Administrative Head of the District is hereby further authorized to, in conjunction with the Department of Health Services and the Department of Law, to prepare and submit the application to the Office of the NYS Comptroller for the creation of the Suffolk County Sewer District No. 24 - Gabreski-Municipal.

(Suffolk County Sewer Agency Meeting March 21, 2011)

Exhibit B

1975

**Description of the Property
Boundary of the Proposed
Suffolk County Sewer District
No. 24 – Gabreski Municipal**

The following is a description of property located in Westhampton and in the Village of Westhampton Beach, Town of Southampton, County of Suffolk and State of New York, located as follows:

Commencing at a point which is located at the intersection of the northerly side of the property of the Long Island Railroad and the easterly side of Westhampton – Riverhead Road (County Road 31), which is the **Point of Beginning**, and,

Thence, proceeding in a generally northerly direction on the east side of Westhampton – Riverhead Road (County Road 31), the following courses and distances:

1. North 01° 15' 33" East, a distance of 153.82 feet, and,
2. North 86° 44' 27" East, a distance of 76.25 feet, and,
3. North 02° 06' 00" West, a distance of 105.06 feet, and,
4. South 89° 14' 23" West, a distance of 70.00 feet, and,
5. North 01° 15' 33" East, a distance of 638.93 feet, and,
6. North 03° 03' 46" East, a distance of 1195.96 feet, and,
7. North 03° 40' 04" East, a distance of 899.58 feet, and,
8. North 00° 54' 56" East, a distance of 429.87 feet, and,
9. North 05° 10' 08" East, a distance of 1569.81 feet, and,
10. North 03° 20' 16" West, a distance of 2912.17 feet, and,
11. North 03° 32' 31" West, a distance of 2233.55 feet, and,

Thence, proceeding the following courses and distances:

1. North 86° 57' 25" East, a distance of 53.75 feet, and,
2. South 35° 02' 33" East, a distance of 1146.37 feet, and,
3. South 39° 16' 47" East, a distance of 1157.05 feet, and,
4. South 55° 08' 15" East, a distance of 819.16 feet, and,
5. South 63° 54' 42" East, a distance of 539.54 feet, and,
6. North 85° 06' 00" East, a distance of 455.00 feet, and,
7. South 77° 19' 06" East, a distance of 734.91 feet, and,

1975

8. South 69° 02' 56" East, a distance of 767.63 feet, and,
9. North 78° 00' 21" East, a distance of 647.16 feet, and,
10. North 62° 43' 31" East, a distance of 665.07 feet, and,
11. North 62° 06' 09" East, a distance of 93.17 feet, and,
12. North 41° 36' 15" East, a distance of 2098.50 feet, and,
13. North 03° 24' 37" West, a distance of 2361.53 feet, and,
14. North 86° 05' 56" East, a distance of 576.08 feet, and,
15. South 03° 28' 34" East, a distance of 1464.50 feet, and,
16. North 86° 30' 24" East, a distance of 237.81 feet, and,
17. North 41° 36' 34" East, a distance of 1016.90 feet, and,
18. South 48° 23' 16" East, a distance of 382.19 feet, and,
19. North 34° 17' 37" East, a distance of 439.82 feet, and,
20. South 55° 41' 44" East, a distance of 443.43 feet, and,
21. South 57° 04' 24" East, a distance of 291.97 feet, and,
22. South 57° 40' 31" East, a distance of 28.75 feet, and,
23. South 57° 04' 56" East, a distance of 152.38 feet, and,
24. South 54° 27' 51" East, a distance of 15.52 feet, and,

Thence, proceeding in a generally southerly direction the following courses and distances:

1. South 41° 36' 51" West, a distance of 565.97 feet, and,
2. South 48° 23' 09" East, a distance of 690.00 feet, and,
3. South 41° 36' 03" West, a distance of 1519.20 feet, and,
4. South 04° 53' 57" East, a distance of 358.44 feet, and,
5. South 41° 36' 03" West, a distance of 460.00 feet, and,
6. South 54° 06' 03" West, a distance of 909.05 feet, and,
7. South 02° 46' 53" East, a distance of 531.00 feet, and,
8. South 41° 35' 57" West, a distance of 1050.42 feet, and,
9. South 03° 23' 33" East, a distance of 4876.05 feet, and,

Thence, proceeding in a generally westerly direction along the northerly side of the property of the Long Island Railroad, the following courses and distances:

1. South 81° 43' 57" West, a distance of 1993.29 feet, and,
2. South 81° 41' 57" West, a distance of 1598.07 feet, and,
3. North 08° 18' 03" West, a distance of 395.00 feet, and,

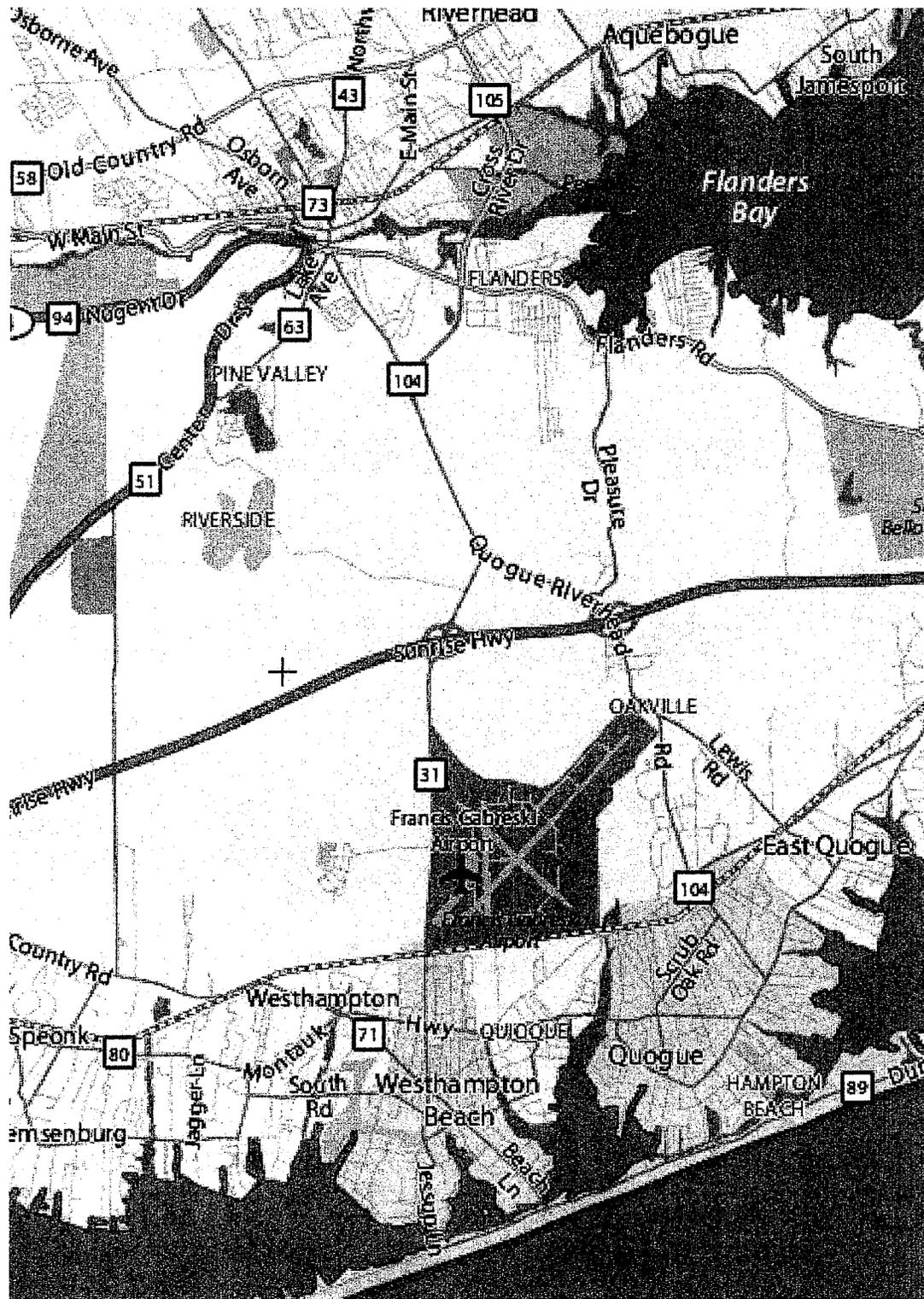
1975

4. South 81° 41' 57" West, a distance of 610.92 feet, and,
5. South 57° 01' 51" West, a distance of 155.74 feet, and,
6. South 20° 11' 18" West, a distance of 102.09 feet, and,
7. South 08° 18' 03" East, a distance of 240.27 feet, and,
8. South 81° 41' 57" West, a distance of 0.77 feet, and,
9. South 81° 46' 46" West, a distance of 2499.95 feet, and,
10. South 81° 52' 19" West, a distance of 839.52 feet, back to the place or **Point of Beginning**.

Containing with the described metes and bounds a total of 62, 931,311 square feet or 1,444.7± acres.

Exhibit C-1

1975



1975

Exhibit D

ESTIMATED OPERATION & MAINTENANCE

	Cost	Comment
Recommended Funds for 2010*:	\$371,478	(See Exhibit E) (1)
Debt Service:	\$547,795	
Average Daily Flow (2009-2010)	10,000	(2)
Peak month flow: (GPD)	54,000	
Cost per gallon: (1)/(2)	\$37.15	

*As of the writing of this report, the amount shown is that in the recommended budget for 2010

**Labor is always calculated as the chargeback from the previously completed year; specifically 2009 would be used for the 2011 budget, as the 2010 labor charges would not be available.

Exhibit E

Gabreski Sewer Treatment Plant
 Summary of Operating Expenditures
 For the Years 2006 through 2010

1975

Actual Expenses for the Years	Actual Expenditures					Adopted 2010
	2006	2007	2008	2009		
Operation and Maintenance Expenditures						
625-8160-2000	7,377	3,249	8,596	8,027	15,000	
625-8160-3000	21,949	30,866	34,629	24,885	45,700	
625-8160-4000	67,247	71,223	58,625	53,026	70,200	
261-8199-1100	38,572	47,158	53,629	56,706	60,108	
001-IFT-261	99,150	135,787	154,616	323,788	180,470	
625-DBT-9710	397,150	596,981	611,525	435,006	547,795	
Totals	631,445	885,264	921,620	901,438	919,273	

Costs associated with the operation of the STP are allocated among the users based upon percentage of flow.

December 2010

1475

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2012, CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE PROPOSED ESTABLISHMENT OF SUFFOLK COUNTY SEWER DISTRICT NO. 24 – GABRESKI MUNICIPAL (CP 8177)		
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 5 is "yes", Provide Detailed Explanation of Impact		
No fiscal impact on resolutions calling for public hearing.		
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 -- Fiscal Impact will be on any future appropriating resolutions.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		September 28 th , 2012

SCIN FORM 175b (10/95)

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

1975

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

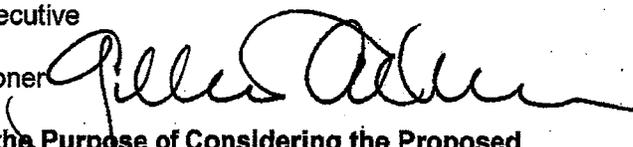
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner 

SUBJECT: **Calling for a Public Hearing for the Purpose of Considering the Proposed Establishment of Suffolk County Sewer District No. 24 – Gabreski Municipal (CP 8177)**

DATE: September 12, 2012

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the proposal to establish a County Sewer District at the Gabreski Airport filed as Reso DPW sd 24 - Gabreski Municipal Hearing CP 8177 dated 9-12-12 and backup filed as Backup DPW sd 24 - Gabreski Municipal Hearing CP 8177 dated 9-12-12. The resolution calls for a public hearing to consider establishing Suffolk County Sewer District No. 24 – Gabreski Municipal which is the airport property.

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

GA:BW:ni
Attachment

cc: Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Chief Deputy County Attorney
Charles Jaquin, General Services Manager
Nick Paglia, Assistant Executive Analyst
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation
CE Reso Review
ga-bw9-12-12 Backup DPW sd24 Gabreski Municipal Hearing CP8177 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1975

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
2. Title of Proposed Legislation A resolution calling for a public hearing for the purpose of considering the proposed establishment of Suffolk County Sewer District No. 24 – Gabreski Municipal (CP 8177).											
3. Purpose of Proposed Legislation To call a public hearing for establishing Suffolk County Sewer District No. 24 – Gabreski Municipal.											
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) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
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. NA											
8. Proposed Source of Funding NA											
9. Timing of Impact NA											
10. Typed Name & Title of Preparer Ben Wright, P.E. Principal Civil Engineer, Sanitation	11. Signature of Preparer 	12. Date 9/12/12									

Introductory Resolution No. 1976-12

Laid on Table 10/9/12

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(TOWN OF BABYLON)
(SCTM # 0100-012.00-02.00-005.005)**

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 012.00, Block 02.00 Lot 005.005 and acquired by Tax Deed on June 9, 2005 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 13, 2005 in Liber 12392 at Page 121 and described as follows, known and designated as Road Bed of b-Kay Place on a certain map entitled "Map of B-Kay Estate", and filed in the Office of the Clerk of the County of Suffolk on November 30, 1989 as Map No. 8861; and

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

WHEREAS, the Town of Babylon has requested that the County of Suffolk convey to the town the parcel described in Exhibit "A" annexed hereto; and

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

1st RESOLVED, that the Director of Real Estate, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Babylon for the sum of \$1.00 plus the pro rata share of the current tax adjustment due at closing; and be it further

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

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

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

DATED: _____

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

1976

**RESOLUTION NO. 468 JUNE 19, 2012
REQUESTING THE CONVEYANCE OF A PARCEL FROM
SUFFOLK COUNTY TO THE TOWN OF BABYLON**

The following resolution was offered by Councilman Henry
and seconded by Alternate Councilwoman McVeety:

WHEREAS, the County of Suffolk is the owner of a parcel of land identified as SCTM #0100-012.00-02.00-05.005; and

WHEREAS, the County of Suffolk is willing to declare this parcel to be surplus County property which could be transferred to the Town of Babylon for highway purposes,

NOW THEREFORE, be it

RESOLVED, that the Town of Babylon requests the County of Suffolk to execute and deliver a quitclaim deed to the Town of Babylon for said property, more particularly described and designated as SCTM #0100-012.00-02.00-05.005, pursuant to Section 72-H of the New York General Municipal Law, for the purpose of transferring the interest of Suffolk County in the above described property to the Town of Babylon; and

RESOLVED, that said quitclaim deed issued by the Director of the County Division of Real Estate, or his deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcel shall revert to the County of Suffolk in the event that the property is not used for the above described public governmental purpose.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

1976

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law		
2. Title of Proposed Legislation RESOLUTION NO. SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-h OF THE GENERAL MUNICIPAL LAW (TOWN OF BABYLON) (SCTM # 0100-012.00-02.00-005.005)		
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: Loss of sale at public auction		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Unknown		
8. Proposed Source of Funding: n/a		
9. Timing of Impact - immediate.		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer 	12. Date: 9/28/12

FINANCIAL IMPACT
 2012 PROPERTY TAX LEVY
 COST TO THE AVERAGE TAXPAYER

1976

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

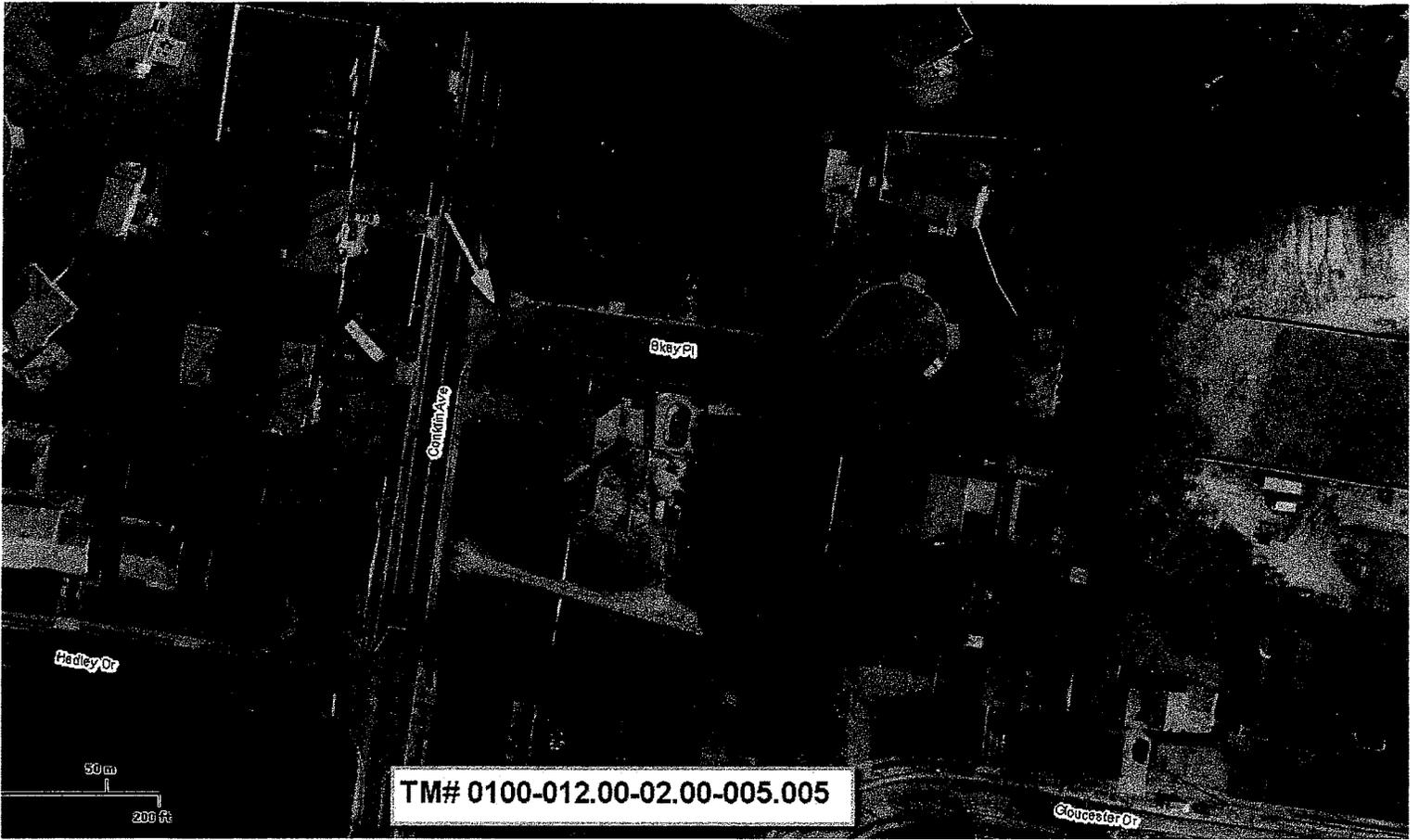
COMBINED

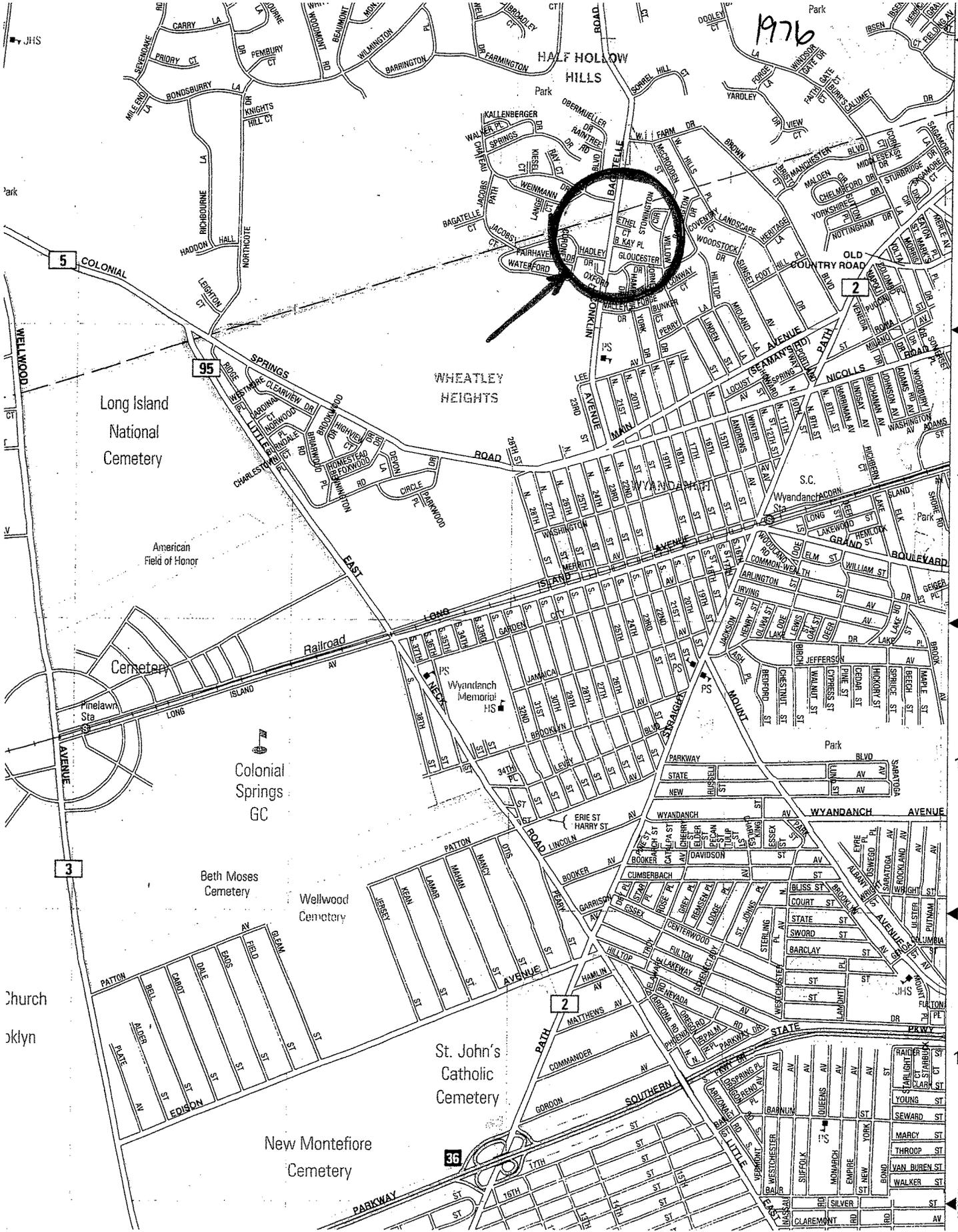
	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

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.

1976





1976

TM# 0100-01200-0200-009005

1976

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Babylon for Highway purposes

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

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

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

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2012

10. Typed Name & Title of Preparer

R.J. Bhatt
Land Management Specialist

Signature of Preparer

RJBhatt

Date

9/11/12

COUNTY OF SUFFOLK



1976

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

September 12, 2012

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

Re: Tax Map No.: 0100-012.00-02.00-005.005
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real
Estate to a Municipality, State, or Federal Government.

Dear Mr. Schneider:

Enclosed herewith are the original and one copy of the proposed resolution with documentation pursuant to:
Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Town of Babylon for municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,

Wayne R. Thompson
Real Property Manager
Department of Economic Development
and Planning

WRT:slb

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

Copy w/ Resolution to:
Regina M. Calcaterra, Chief Deputy County Executive (1 hard copy)
Joanne Minieri, Deputy County Executive and Commissioner
Ben Zwirn, Intergovernmental Relations (2 hard copies)
CE Reso Review, (electronic copy)

Copy of Cover Letter to:
Tom Vaughn, Assistant County Executive
Connie Corso, Budget Director
Sarah Lansdale, A.I.C.P., Director of Planning

Introductory Resolution No. 1977-12

Laid on Table 10/9/12

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(TOWN OF BABYLON)
(SCTM # 0100-197.00-03.00-001.000)**

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 197.00, Block 03.00 Lot 001.000 and acquired by Tax Deed on March 18, 1991 from General L. Rains, the County Treasurer of Suffolk County, New York, and recorded on March 26, 1991 in Liber 11238 at Page 204 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Babylon under Suffolk County Tax Map No. District 0100 Section 197.00, Block 03.00 Lot 001.000; and

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

WHEREAS, the Town of Babylon has requested that the County of Suffolk convey to the town the parcel described in Exhibit "A" annexed hereto; and

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

1st RESOLVED, that the Director of Real Estate, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Babylon for the sum of \$1.00 plus the pro rata share of the current tax adjustment due at closing; and be it further

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

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

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

DATED: _____

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1977

Exhibit "A"

**RESOLUTION NO. 241 APRIL 3, 2012
REQUESTING THE CONVEYANCE OF A PARCEL FROM
SUFFOLK COUNTY TO THE TOWN OF BABYLON**

The following resolution was offered by Alternate Councilwoman McVeety and seconded by Councilman Donnelly:

WHEREAS, the County of Suffolk is the owner of a parcel of land identified by SCTM#0100-197.00-03.00-001.000; and

WHEREAS, the County of Suffolk is willing to declare this parcel to be surplus County property which could be transferred to the Town of Babylon for general municipal purposes,

NOW THEREFORE, be it

RESOLVED, that the Town of Babylon requests the County of Suffolk to execute and deliver a quitclaim deed to the Town of Babylon for said property, more particularly described and designated as SCTM#0100-197.00-03.00-001.000, pursuant to Section 72-H of the New York General Municipal Law, for the purpose of transferring the interest of Suffolk County in the above described property to the Town of Babylon; and

RESOLVED, that said quitclaim deed issued by the Director of the County Division of Real Estate, or his deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcel shall revert to the County of Suffolk in the event that the property is not used for the above described public governmental purpose.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

1977

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-h OF THE GENERAL MUNICIPAL LAW (TOWN OF BABYLON) (SCTM # 0100-197.00-03.00-001.000)		
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: Loss of sale at public auction		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Unknown		
8. Proposed Source of Funding: n/a		
9. Timing of Impact - immediate.		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer 	12. Date: 9/28/12

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

1977

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

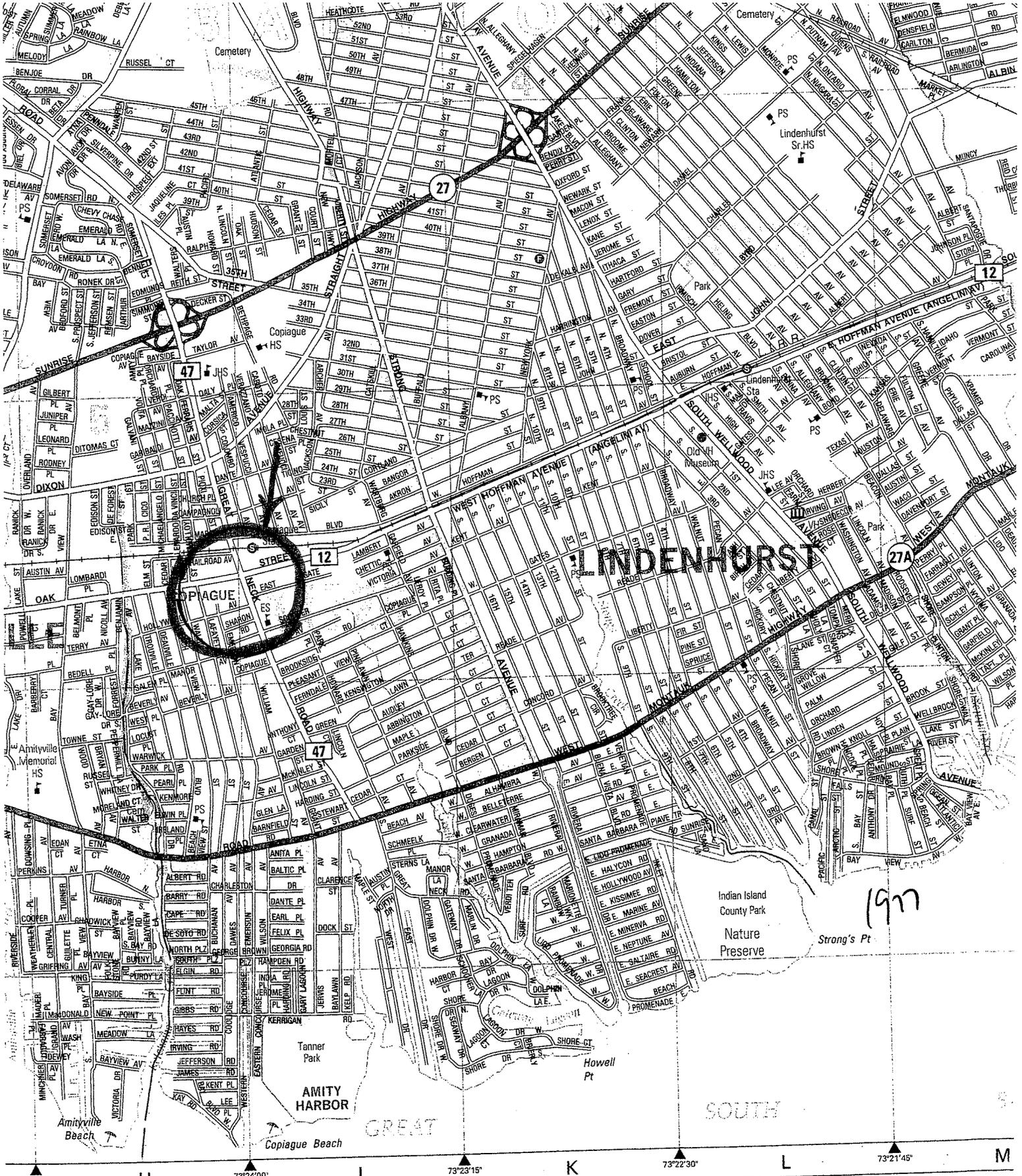
NOTES:

- 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.

1977



TM# 0100-197.00-03.00-001.000



LINDENHURST

COPIOGUE

197

73°24'45" H 73°24'00" J 73°23'15" K 73°22'30" L 73°21'45" M

Joins Map 6

©Ha

TM# 0100-197.00-03.00-001.000

1977

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

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Babylon for Public Parking purposes

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

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

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

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2012

10. Typed Name & Title of Preparer

R.J. Bhatt
Land Management Specialist

Signature of Preparer

R.J. Bhatt

Date

9/11/12

COUNTY OF SUFFOLK



1977

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

September 12, 2012

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

Re: Tax Map No.: 0100-197.00-03.00-001.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real
Estate to a Municipality, State, or Federal Government.

Dear Mr. Schneider:

Enclosed herewith are the original and one copy of the proposed resolution with documentation pursuant to:
Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Town of Babylon for municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,


Wayne K. Thompson
Real Property Manager
Department of Economic Development
and Planning

WRT:slb

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

Copy w/ Resolution to:

Regina M. Calcaterra, Chief Deputy County Executive (1 hard copy)
Joanne Minieri, Deputy County Executive and Commissioner
Ben Zwirn, Intergovernmental Relations (2 hard copies)
CE Reso Review, (electronic copy)

Copy of Cover Letter to:

Tom Vaughn, Assistant County Executive
Connie Corso, Budget Director
Sarah Lansdale, A.I.C.P., Director of Planning

1978

Intro. Res. No. - 2012

Laid on Table 10/9/12

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 ESTATE OF JACK
WEINSTEIN, LILLIAN WEINSTEIN & ROBERT A
WEINSTEIN PROPERTY - MANORVILLE PINE
BARRENS CORE (TOWN OF BROOKHAVEN -
SCTM#0200-562.00-03.00-001.000)**

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. 264-2002, 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 Five Hundred Seventy One Thousand Fifty Dollars (\$571,050.00±), at Seven Thousand Five Hundred Dollars (\$7,500.00) per acre, for 28.3± acres, and Seventy Eight Thousand Dollars (\$78,000.00) per Pine Barrens Credit, for 4.6± Pine Barrens Credit, subject to a final survey;

and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 562.00 Block 03.00 Lot 001.000	28.3+ acres	Estate of Jack Weinstein Lillian Weinstein Robert A. Weinstein 5311 Ascot Bend Boca Raton, FL 33496

; 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 Five Hundred Seventy One Thousand Fifty Dollars (\$571,050.00±), 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 \$571,050.00±, subject to a final survey, from previously appropriated funds in capital project 525-CAP-8714.210 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:

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

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

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

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

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

11th **RESOLVED**, that in accordance with Section 450-5(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:

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

1978

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

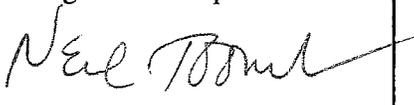
	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

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.

1978

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. - 2012 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE ESTATE OF JACK WEINSTEIN, LILLIAN WEINSTEIN & ROBERT A WEINSTEIN PROPERTY – MANORVILLE PINE BARRENS CORE (TOWN OF BROOKHAVEN - SCTM#0200-562.00-03.00-001.000)		
3. Purpose of Proposed Legislation : Land Acquisition		
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: Reduction in funds available for open space purchases by \$571,050.00		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. n/a		
8. Proposed Source of Funding: Suffolk County ¼% Drinking Water Protection Program		
9. Timing of Impact - immediate.		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer 	12. Date: 9/28/12

COUNTY OF SUFFOLK



1978

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

September 17, 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 Weinstein property (Manorville Pine Barrens), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program-Open Space-Pay Go. The purchase price is \$571,050.00± for 28.3± acres.

Please contact me if you require any additional information.

Sincerely,



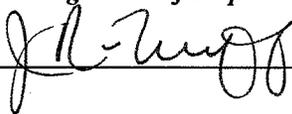
Jill Rosen-Nikoloff
Director of Real Estate

JRN:pd

Att.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Joanne Minieri, Commissioner, Department of Economic Development & Planning
Ben Zwirn, Director, Intergovernmental Relations
Sarah Lansdale, Director, Division of Planning & Energy
Robert Braun, Deputy Bureau Chief, Law Dept., Real Estate-Condemnation
Janet M. Longo, Acquisition Supervisor, Division of Real Property Acquisition & Mgmt.
Lauretta Fischer, Principal Environmental Analyst, Division of Planning & Energy
Tom Vaughn, County Executive Assistant
Phyllis J. Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

**STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1978**

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-PayGo, of the Weinstein property (Manorville Pine Barrens), SCTM#0200-562.00-03.00-001.000, (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-PayGo		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Jill Rosen-Nikoloff Director of Real Estate	11. Signature of Preparer 	12. Date September 17, 2012

1979

Intro. Res. No. - 2012

Laid on Table

10/9/12

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 LONG ISLAND
REALTY COMPANY PROPERTY - MANORVILLE
COUNTY GREENBELT ADDITION - PINE
BARRENS CORE (TOWN OF BROOKHAVEN
- SCTM#0200-461.00-03.00-038.000)**

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. 264-2002, 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 Fifteen Thousand Three Hundred Eight Dollars (\$15,308.00±), at Five Thousand Dollars (\$5,000.00) per acre, for .86± acres, and Eighty Thousand Dollars (\$80,000.00) per Pine Barrens Credit, for .1376 credits, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200	.86±	Long Island Realty Corporation
	Section 461.00		a New York Partnership
	Block 03.00		16 Soundview Drive
	Lot 038.000		Bell Terre, NY 11777

; 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 Fifteen Thousand Three Hundred Eight Dollars (\$15,308.00±), 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 \$15,308.00±, subject to a final survey, from previously appropriated funds in capital project 525-8714.210 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:

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

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

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

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

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

10th RESOLVED, that in accordance with Section 450-5(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

1979

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation 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 LONG ISLAND REALTY COMPANY PROPERTY – MANORVILLE COUNTY GREENBELT ADDITION – PINE BARRENS CORE (TOWN OF BROOKHAVEN - SCTM#0200-461.00-03.00-038.000)		
3. Purpose of Proposed Legislation : Land Acquisition		
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: Reduction in funds available for open space purchases by \$15,308.00		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. n/a		
8. Proposed Source of Funding: Suffolk County ¼% Drinking Water Protection Program		
9. Timing of Impact - immediate.		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer 	12. Date: 9/28/12

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

1979

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.

COUNTY OF SUFFOLK



1979

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

September 17, 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 Long Island Realty Company property (Manorville County Greenbelt Addition-Pine Barrens Core), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program-Open Space-Pay Go. The purchase price is \$15,308.00± for .86±.

Please contact me if you require any additional information.

Sincerely,

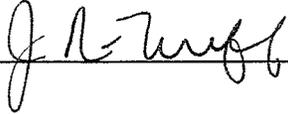

Jill Rosen-Nikoloff
Director of Real Estate

JRN:pd
Att.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Joanne Minieri, Commissioner, Department of Economic Development & Planning
Ben Zwirn, Director, Intergovernmental Relations
Sarah Lansdale, Director, Division of Planning & Energy
Robert Braun, Deputy Bureau Chief, Law Dept., Real Estate-Condensation
Janet M. Longo, Acquisition Supervisor, Division of Real Property Acquisition & Mgmt.
Lauretta Fischer, Principal Environmental Analyst, Division of Planning & Energy
Tom Vaughn, County Executive Assistant
Phyllis J. Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

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

1979

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-PayGo, of the Long Island Realty Company property (Manorville County Greenbelt Addition-Pine Barrens Core), SCTM#0200-461.00-03.00-038.000, (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-PayGo		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Jill Rosen-Nikoloff Director of Real Estate	11. Signature of Preparer 	12. Date September 17, 2012

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Intro. Res. No. - 2012

Laid on Table

10/9/12

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 NEW HOPE REVIVAL
CHURCH, INC. PROPERTY (TOWN OF
BROOKHAVEN - SCTM#0200-876.00-03.00-
001.000)**

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. 536-2011, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of Brookhaven ("Town") has approved Resolution No. 2012-205 on February 7, 2012 authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Estate and/or her designee to negotiate the acquisition; and

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Six Hundred Thirty Thousand Dollars (\$630,000.00±), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Four Hundred Seventy Two Thousand Five Hundred Dollars (\$472,500.00±), for a seventy five percent (75%) undivided interest; and the Town's share, totaling One Hundred Fifty Seven Thousand Five Hundred Dollars (\$157,500.00±), for a twenty five percent (25%) undivided interest, subject to a

final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 876.00 Block 03.00 Lot 001.000	12.60±	New Hope Revival Church, Inc. P.O. Box 11 Shirley, NY 11967

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Estate and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for Four Hundred Seventy Two Thousand Five Hundred Dollars (\$472,500.00+), subject to a final survey, said amount representing the County's share of the total purchase price; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$472,500.00+, subject to a final survey, from previously appropriated funds in capital project 525-8714.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County of Suffolk owning a 75% undivided interest and the Town of Brookhaven owning a 25% undivided interest; and, be it further

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

6th RESOLVED, that pursuant to Section C12-2(A)(2)(c) this property is not to be developed and Two (2) Workforce Housing Development Rights, representing the County's percent (75%) interest in the total number of development rights allocated to the property, shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

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

g.) Open Space; and, be it further

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

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

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

11th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

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

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

13th RESOLVED, that in accordance with Section 450-5(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:

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ADOPTED
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 2012-205
MEETING OF: February 7, 2012

AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN SPACE PURSUANT TO PROGRAM WITH SUFFOLK COUNTY FOR PROPERTY LOCATED ON SUNRISE AND MONTAUK HIGHWAYS, BROOKHAVEN, NEW YORK (CARMAN'S RIVER) SCTM #0200-876.00-03.00-001.000 - OWNER: NEW HOPE REVIVAL CHURCH INC.

WHEREAS, at the general election held on November 6, 2007, the electorate approved the mandatory referendum on Resolution No. 770-2007 adopting a Charter Law extending and accelerating the existing Suffolk County ¼% Drinking Water Protection Program for Environmental Protection, Sewer District Tax Rate Stabilization and County-wide Property Tax Protection from December 31, 2013 to November 30, 2030 (Local Law No. 24-2007); and

WHEREAS, the intent of Local Law No. 24-2007 is to extend the ¼% Suffolk County Drinking Water Protection Program for 17 years and to accelerate the land acquisition component of the program by permitting borrowing of up to \$322 million over the next four (4) years with the cost of the borrowing to be repaid from the ¼% Sales Tax Revenue Stream; and

WHEREAS, by Resolution No. 86-2008 the County Legislature appropriated \$15 million for the Suffolk County Environmental Legacy Fund for the acquisition of environmentally sensitive lands denominated as open space, farmlands, historic properties and active parklands; and

WHEREAS, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section

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C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 751-1997; pursuant to the traditional Suffolk County Open Space Program; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, the appropriation and expenditure of any such bond proceeds pursuant to Charter §C-12-A-1(A)(3)(a) shall be conditioned upon receipt by the County of Suffolk of a written binding pledge or commitment to provide seventy-five percent (75%) of the actual cost of the acquisition from the State of New York, local municipality, and/or federal government for each such parcel; and

WHEREAS, the Town of Brookhaven is desirous of acquiring open space with Suffolk County and shall provide twenty-five percent (25%) of the actual cost of acquisition; and

WHEREAS, pursuant thereto, the Environmental Bond Act Advisory Committee of the Town of Brookhaven reviewed and recommended for acquisition lands situated in the Town of Brookhaven, located at Sunrise and Montauk Highways, Brookhaven, New York, described as SCTM No. 0200-876.00-03.00-001.000, (Exhibit "A"), and

WHEREAS, the title to these acquisitions shall be held by the Town of Brookhaven (25%), the County of Suffolk (75%); and

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WHEREAS, that if it is not contrary to any statute, the Suffolk County Charter, any local law, any regulation or other County policy, the Town of Brookhaven should be authorized to negotiate and to enter into a municipal cooperation agreement with the County for the management of said County acquisitions and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Suffolk County Director of Planning who would be charged with the management and operation of said property;

NOW, THEREFORE, BE IT RESOLVED, that the parcel listed in Exhibit "A" is hereby authorized to be acquired, and the Town's portion thereof shall be deemed to be included in the Town of Brookhaven Environmental Bond Act Open Space Preservation Program; and be it further

RESOLVED, that the Supervisor of the Town of Brookhaven, or his deputy, is hereby authorized, empowered and directed, to acquire said open space; and be it further

RESOLVED, that the funding for the aforesated acquisitions is hereby authorized and appropriated for payment of at least twenty-five percent (25%) of the actual costs of said acquisition and twenty-five percent (25%) of all appraisals, title costs, tax adjustment and environmental audits as noted above; and be it further

RESOLVED, that these proposed acquisitions may be consummated in accordance with the provisions of the Brookhaven Town Code in connection with such open space acquisitions; and be it further

RESOLVED, that the Town Attorney of the Town of Brookhaven or his designee is hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate to consummate such acquisitions, including, but not limited to, securing appraisals, obtaining surveys, obtaining engineering reports, securing title

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searches and insurance, and executing such other documents as are required to acquire such interest in said lands; and be it further

RESOLVED, in the event a tax map number contained in Exhibit "A" has been deleted or removed, or has been changed by either subsequent technical modification of the Suffolk County tax map system, or prior technical modification that was unknown to Suffolk County at the time this Exhibit was prepared, the tax map designation shall be deemed to include such successor tax map number as represents the parcel to be acquired, and certified in writing by the Assessor of the Town of Brookhaven; and be it further

RESOLVED, that the title to these acquisitions shall be held by Town of Brookhaven (25%), the County of Suffolk (75%); and be it further

RESOLVED, that if it is not contrary to any statute, the Suffolk County Charter, any local law, any regulation or other County policy, the Town of Brookhaven is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the County for the management of said County acquisitions and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Suffolk County Director of Planning who is hereby charged with the management and operation of said property; and be it further

RESOLVED, that the County and the Town of Brookhaven shall be parties to the purchase contract; and be it further

RESOLVED, that the Supervisor or Deputy Supervisor of the Town of Brookhaven is hereby authorized to negotiate and enter into any necessary collateral agreements with the aforesaid participating governmental entities to effectuate the terms of this resolution; and be it further

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RESOLVED, that the purchase contract and any collateral agreements shall reflect the terms specified in this resolution; and be it further

RESOLVED, that the terms and conditions of the purchase contract and any collateral agreements shall be reviewed and approved as to form by the Town Attorney; and be it further

RESOLVED, that the Town Attorney be and hereby is authorized to do all things necessary to acquire an unencumbered title to the subject parcels.

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EXHIBIT TO RESOLUTION APPROVING ACQUISITION OF OPEN SPACE
PURSUANT TO PROGRAM WITH SUFFOLK COUNTY FOR
PROPERTY LOCATED AT SUNRISE AND MONTAUK HIGHWAYS, BROOKHAVEN

TAX MAP NO.

ACREAGE

REPUTED OWNER

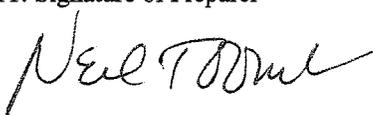
District 0200
Section 876.00
Block 03.00
Lot 001.000

12.60 ± acres

New Hope Revival Church Inc.

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. -2012 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE NEW HOPE REVIVAL CHURCH, INC. PROPERTY (TOWN OF BROOKHAVEN - SCTM#0200-876.00-03.00-001.000		
3. Purpose of Proposed Legislation : Land Acquisition		
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: Reduction in funds available for open space purchases by \$630,000.00		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. n/a		
8. Proposed Source of Funding: Suffolk County ¼% Drinking Water Protection Program		
9. Timing of Impact - immediate.		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer 	12. Date: 9/28/12

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

1980

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.

COUNTY OF SUFFOLK



1980

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

September 17, 2012

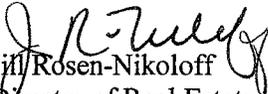
Mr. Jon Schneider, Deputy County Executive
for Intergovernmental Relations
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the New Hope Revival Church, Inc. property, in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program-Open Space-Pay Go. The purchase price is \$630,000.00± for 12.60± acres, at \$50,000.00 per acre, for which the County's 75% share is \$472,500.00±.

Please contact me if you require any additional information.

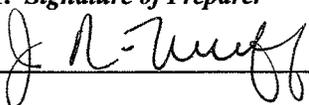
Sincerely,


Jill Rosen-Nikoloff
Director of Real Estate

JRN:pd
Att.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive, Department of Economic Development & Planning
Ben Zwirn, Director, Intergovernmental Realties
Sarah Lansdale, Director, Division of Planning
Robert Braun, Deputy Bureau Chief, Law Dept., Real Estate-Condernnation
Janet M. Longo, Acquisition Supervisor, Division of Real Property Acquisition & Mgmt.
Lauretta Fischer, Principal Environmental Analyst, Division of Planning
Tom Vaughn, County Executive Assistant
Phyllis J. Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/>	Local Law	Charter Law 1980
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space-PayGo, of the New Hope Revival Church, Inc. property, SCTM#0200-876.00-03.00-001.000, (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-PayGo		
9. Timing of Impact N/A		
10. <i>Typed Name & Title of Preparer</i> Jill Rosen-Nikoloff Director of Real Estate	11. <i>Signature of Preparer</i> 	12. <i>Date</i> September 17, 2012

1987

Intro. Res. No. - 2012

Laid on Table

10/9/12

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 ALVARDO
PROPERTY - BEAVERDAM CREEK (TOWN OF
BROOKHAVEN - SCTM#0200-932.00-01.00-
034.000)**

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 Ten Thousand Dollars (\$10,000.00+), at fifty cents (\$.50) per square foot, for 20,000± square feet, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL: **SUFFOLK COUNTY**
TAX MAP NUMBER:
 No. 1 District 0200
 Section 932.00
 Block 01.00
 Lot 034.000

ACRES: **REPUTED OWNER**
AND ADDRESS:
 20,000± s.f. Juan Alvarado
 7945 NW 266th Street
 High Springs, FL 32643

; 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 Ten Thousand Dollars (\$10,000.00±), subject to a final survey; and, be it further

3rd RESOLVED, that the Adopted 2012 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 balance:

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 Budget	\$10,000.00±*

*subject to a final survey

4th RESOLVED, that these interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$10,000.00±*

*subject to a final survey

5th RESOLVED, that the \$10,000.00± from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8714.210	New Drinking Water Water Protection Program	\$10,000.00±*

*subject to a final survey
 ;and, be it further

6th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, as described above, to the Capital Fund required to finance this capital project; and, be it further

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$10,000.00±, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007, for this acquisition; and, be it further

8th 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

9th 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

10TH 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 a coastal stream, as determined by a reasonable planning or hydrological study; and, be it further

11th 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

12th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

13th 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

14th RESOLVED, that in accordance with Section 450-5(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:

1981

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. - 2012 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE ALVARDO PROPERTY – BEAVERDAM CREEK (TOWN OF BROOKHAVEN - SCTM#0200-932.00-01.00-034.000)		
3. Purpose of Proposed Legislation : Land Acquisition		
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: Reduction in funds available for open space purchases by \$10,000.00		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. n/a		
8. Proposed Source of Funding: Suffolk County ¼% Drinking Water Protection Program		
9. Timing of Impact - immediate.		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer 	12. Date: 9/28/12

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1981

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.

COUNTY OF SUFFOLK



1981

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

September 17, 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 Alvarado property (Beaverdam Creek), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program-Pay Go-Open Space. The purchase price is \$10,000.00± for 20,000± square feet.

Please contact me if you require any additional information.

Sincerely,

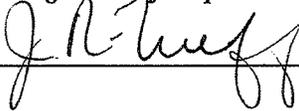

Jill Rosen-Nikoloff
Director

JRN:pd

Att.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Joanne Minieri, Commissioner, Department of Economic Development & Planning
Ben Zwirn, Director, Intergovernmental Relations
Sarah Lansdale, Director, Division of Planning & Environment
Robert Braun, Deputy Bureau Chief, Law Dept., Real Estate-Condernnation
Janet M. Longo, Acquisition Supervisor, Division of Real Property Acquisition & Mgmt.
Lauretta Fischer, Principal Environmental Analyst, Division of Planning
Tom Vaughn, County Executive Assistant
Phyllis J. Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

**STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION (98)**

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-Pay Go-Open Space, of the Alvarado property (Beaverdam Creek), SCTM#0200-932.00-01.00-034.000, (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-PayGo-Open Space		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Jill Rosen-Nikoloff Director of Real Estate	11. Signature of Preparer 	12. Date September 17, 2012

RESOLUTION NO.

CONTROL#904-2012

Intro. Res. # 1982-12

Laid on Table 10/9/12

INTRODUCED BY THE PRESIDING OFFICER
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____ 2012
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #904-2012)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO.

CONTROL#904-2012

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

RESOLUTION NO.

CONTROL#904-2012

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
A	BABYLON	11/12	0100 10200 0200 032000	12646.12	6089.57	6556.55
A	RIVERHEAD	11/12	0600 10800 0400 018000	51613.79	24374.22	27239.57
A	RIVERHEAD	10/11	0600 10800 0400 018000	39717.83	25282.82	14435.01
A	RIVERHEAD	09/10	0600 10800 0400 018000	45996.96	25133.32	20863.64
A	SMITHTOWN	11/12	0800 06100 0200 066000	9987.03	5605.63	4381.40
A	SMITHTOWN	10/11	0800 06100 0200 066000	9583.20	5379.61	4203.59
A	SOUTHAMPTON	11/12	0900 37500 0200 058002	16275.04	13555.38	2719.66
A	SOUTHAMPTON	11/12	0900 37500 0200 028002	19312.08	15114.05	4198.03
A	SOUTHAMPTON	11/12	0900 37200 0100 004000	46018.82	34514.11	11504.71
A	SOUTHAMPTON	11/12	0900 37200 0100 007000	26012.12	20780.19	5231.93
A	SOUTHAMPTON	11/12	0900 36300 0300 002001	18561.88	15084.84	3477.04
A	SOUTHAMPTON	11/12	0900 35900 0500 035001	18583.78	15061.94	3521.84
A	SOUTHAMPTON	11/12	0900 32100 0400 023000	13935.16	11392.16	2543.00
A	SOUTHAMPTON	11/12	0900 38100 0300 025000	14255.26	10691.43	3563.83
A	SOUTHAMPTON	11/12	0900 38100 0300 026000	13316.42	9769.48	3546.94

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

County Executive of Suffolk County

Date of Approval:

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

1. Type of Legislation

Resolution Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes _____ No _____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

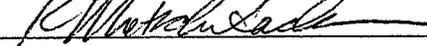
9. Timing of Impact

2012

10. Typed Name & Title of Preparer

R. Motschenbacher RPAT II

11. Signature of Preparer



12. Date September 17, 2012

**Additional back-up material regarding IR 1982 is on file in
the Legislative Clerk's Office, Hauppauge.**

Introductory Resolution No. 1983

Laid on Table 10/9/12

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
HOLLY LYONS
0208-020.00-07.00-004.002

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 0208, Section 020.00, Block 07.00, Lot 004.002, and acquired by tax deed on August 16, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 22, 2011, in Liber 12669, at Page 18, and otherwise known and designated by the Town of Brookhaven, as Part of Lot 330 and All of Lots 331 to 333 Inclusive, Block 5, on a certain map entitled "Addition Number 6, Map of M.G. Babcock", filed in the office of the Clerk of Suffolk County on October 19, 1910 as Map No. 664; 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 16, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 22, 2011 in Liber 12669 at Page 18.

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, HOLLY LYONS has made application of said above described parcel and HOLLY LYONS has paid the application fee and will be paying \$58,453.40, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 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 Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to HOLLY LYONS, 81 Penn Street, Lake Grove, NY 11755, 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: _____

1983

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation – RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT HOLLY LYONS 0208-020.00-07.00-004.002		
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 \$58,453.40		
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 	12. Date: 9/28/12

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

1983

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
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1983

September 12, 2012

Tax Map No.: 0208-020.00-07.00-004.002
Name of Last Legal Fee Owner: HOLLY LYONS

TREASURER'S COMPUTATION..... \$58,453.40 ↘
Taxes.....2011/2012..... INCLUDED
License/Storage Fee..... OPEN
Repairs..... OPEN
Miscellaneous Expenses..... OPEN

TOTAL..... \$58,453.40

Monies to be Received..... \$58,453.40

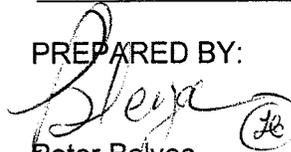
RESOLUTION AMOUNT..... \$58,453.40 ↘

APPROVED:

Annette Browne 9-18-2012

Accounting
PB:lag

PREPARED BY:


Peter Belyea
Redemption Unit
(631)853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0208	020.00	07.00	004.002

1983

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

Year	Village	Town	Combined
2006/07	0.00	6587.32	6587.32
2007/08	1052.76	9817.21	10869.97
2008/09	931.48	8971.88	9903.36
2009/10	863.36	8371.65	9235.01
2010/11	870.94	6454.41	7325.35
2011/12	783.09	6696.35	7479.44
2012/13	286.46	0.00	286.46

TOTAL: 51686.91

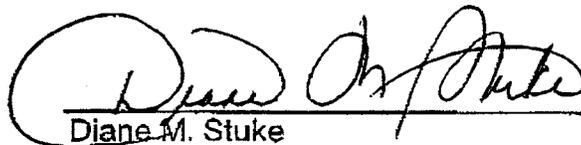
B. INTEREST DUE	3983.00
C. TOTAL	55669.91
D. 5% LINE C	2783.50
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE	\$58,453.40
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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, 12-Sep-12



Diane M. Stuke
Deputy County Treasurer

** Interest and penalty computed to
and including

03/11/13

DZ

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1983

1. Type of Legislation

Resolution

Tax Map Number 0208-020.00-07.00-004.002

2. Title of Proposed Legislation

Authorizing the Director of Real Estate 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

Peter Belyea



9/12/12

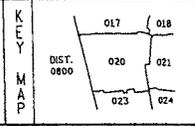


0208-020.00-07.00-004.002

PROPERTIES IN DISTRICTS:

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


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



TOWN OF **BROOKHAVEN**
 VILLAGE OF **LAKE GROVE**
 DISTRICT NO **0208**

SECTION NO
020
 PROPERTY MAP

D1

73°08'15"

E1

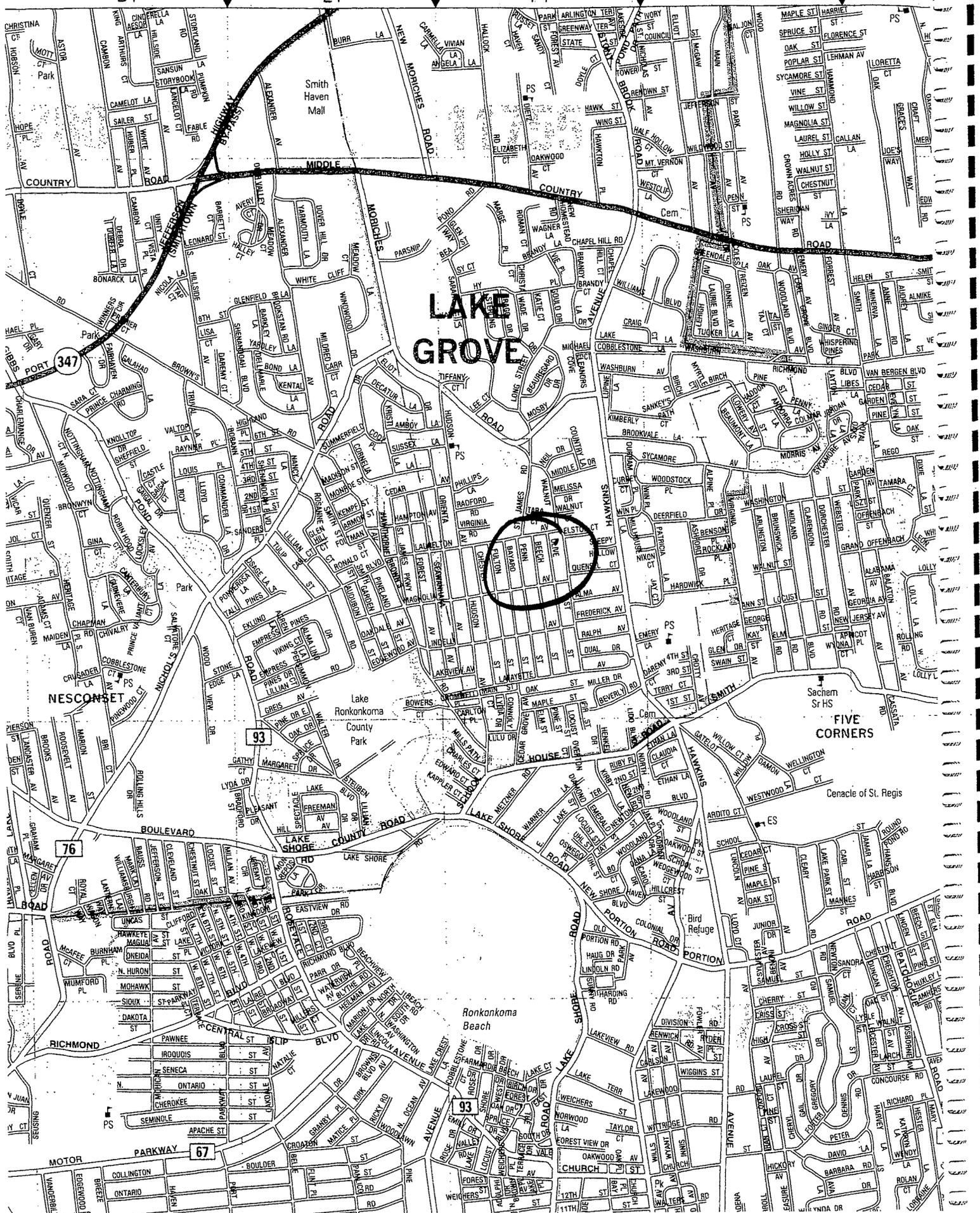
73°07'30"

F1

73°06'45"

G1

73°06'00"



COUNTY OF SUFFOLK



1983

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

September 17, 2012

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

Re: Tax Map No. 0208-020.00-07.00-004.002
HOLLY LYONS

Dear Mr. Schneider:

Enclosed herewith for your approval is original and one 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,


Wayne R. Thompson
Real Property Management Supervisor

PB:lag

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

Copy of Resolution to:

Jon Schneider, Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations (2)
Regina M. Calcaterra, Chief Deputy County Executive
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning
CE Reso Review (electronic copy)

Copy of letter to:

Joanne Minieri, Deputy County Executive and Commissioner
Connie Corso, Budget Director
Sarah Lansdale, Planning Director, Division of Planning and Environment
Alice Kubicko, Inventory

53

Introductory Resolution No. **1984-12** Laid on Table

10/9/12

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
KATHLEEN SEITER AND MARK N. CHRISTIANO, JOINT TENANTS
0200-255.00-03.00-054.000**

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 255.00, Block 03.00, Lot 054.000, and acquired by tax deed on October 05, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 06, 2010, in Liber 12639, at Page 481, and otherwise known and designated by the Town of Brookhaven, as Lot No. 2, on a certain map entitled "Map of Pinewood at Terryville, Section 1", filed in the office of the Clerk of Suffolk County on October 24, 1974 as Map No. 6163; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 05, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 06, 2010 in Liber 12639 at Page 481.

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

WHEREAS, WELLS FARGO BANK has made application of said above described parcel and WELLS FARGO BANK has paid the application fee and has paid \$6,071.11, 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 Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to KATHLEEN SEITER AND MARK N. CHRISTIANO, JOINT TENANTS, 6 Kool Place, Port Jefferson Station, New York 11776, 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: _____

1984

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation – RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT KATHLEEN SEITER AND MARK N. CHRISTIANO, JOINT TENANTS 0200-255.00-03.00-054.000		
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 \$6,071.11		
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 	12. Date: 9/28/12

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1984

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
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1984

August 29, 2012

Tax Map No.: 0200-255.00-03.00-054.000

Name of Last Legal Fee Owner: KATHLEEN SEITER AND MARK N. CHRISTIANO, JOINT
TENANTS

TREASURER'S COMPUTATION..... \$6,071.11 ✓

Taxes.....2011/2012..... OPEN

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$6,071.11 ✓

Monies Received..... \$6,071.11

RESOLUTION AMOUNT..... \$6,071.11 ✓

APPROVED:

Annette Brownell 8/29/2012
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>
0200	255.00	03.00 1984	054.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06 5071.94 ✓

2006/07 THROUGH 2011/12 PROPERTY TAXES PAID BY WELLS FARGO HOME MORTGAGE

TOTAL: 5071.94

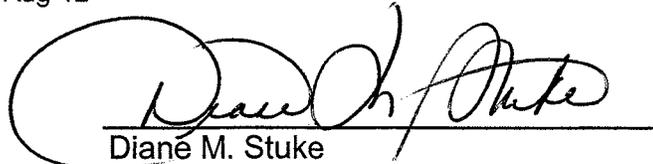
B. INTEREST DUE 710.07
C. TOTAL 5782.01
D. 5% LINE C 289.10
E. FEE
F. MISC
G. MISC

H. TOTAL DUE \$6,071.11 ✓

CERTIFICATION BY COUNTY TREASURER

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

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



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 02/05/13

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

1984

Resolution X
Tax Map Number 0200-255.00-03.00-054.000

2. Title of Proposed Legislation

Authorizing the Director of Real Estate 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

8/29/12



1984

N

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



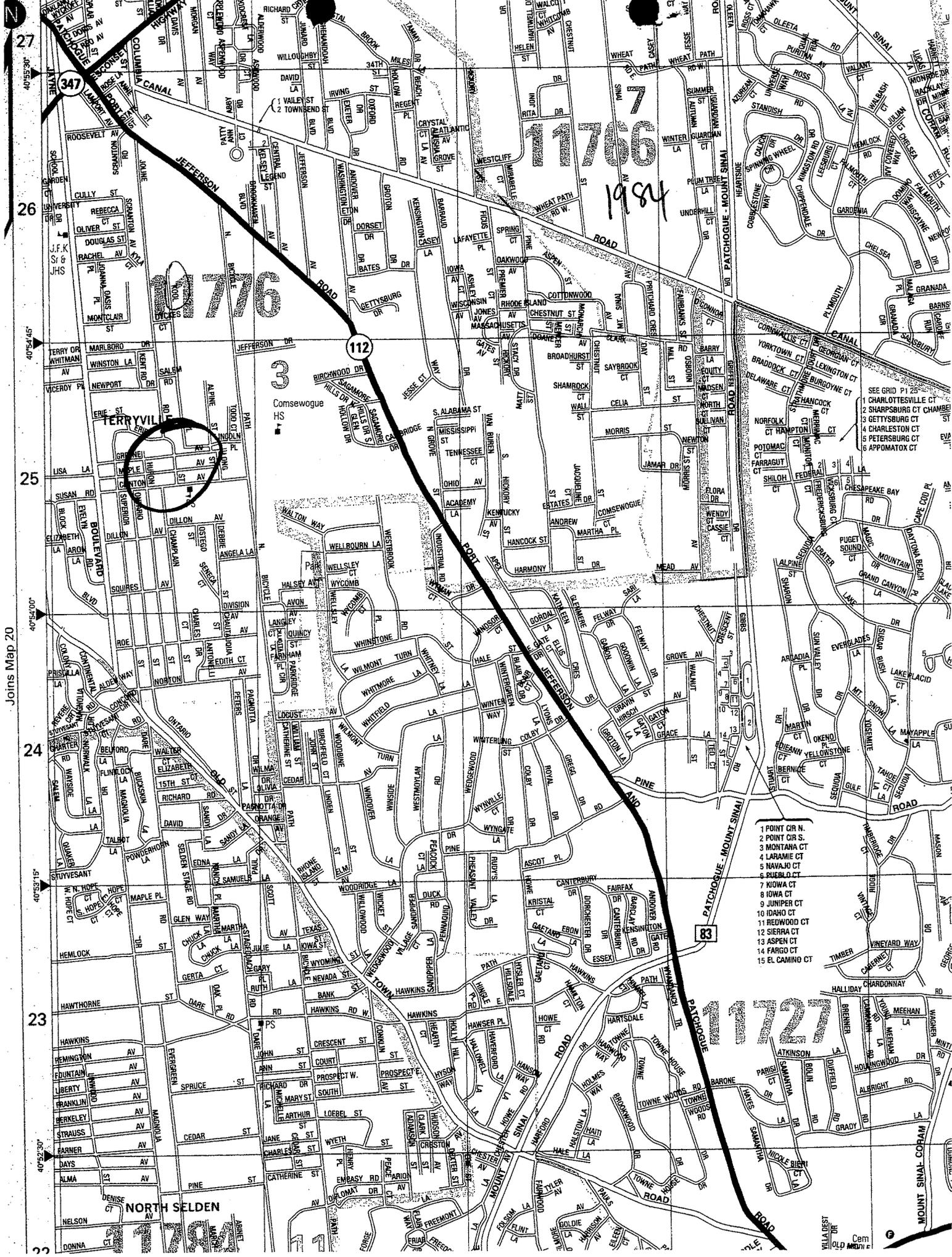
COUNTY OF SUFFOLK ©
 Real Property Tax Service Agency
 County Center Riverhead, N Y 11901
 SCALE IN FEET: 1" = 200'

KEY
 MAP

TOWN OF BROOKHAVEN
 VILLAGE OF
 DISTRICT NO 0200

SECTION NO
 255
 PROPERTY MAP

CONVERSION DATE: Oct. 16, 1988



Joins Map 20

27
26
25
24
23
22

347

112

1776
1984

1776

83

1727

- 1 POINT CIR N.
- 2 POINT CIR S.
- 3 MONTANA CT
- 4 LARAMIE CT
- 5 NAVAJO CT
- 6 PUEBLO CT
- 7 KIOWA CT
- 8 IOWA CT
- 9 JUNIPER CT
- 10 IDAHO CT
- 11 REDWOOD CT
- 12 SIERRA CT
- 13 ASPEN CT
- 14 FARGO CT
- 15 EL CAMINO CT

NORTH SELDEN

COUNTY OF SUFFOLK



1984

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

September 17, 2012

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

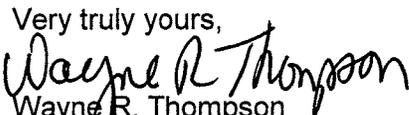
Re: Tax Map No. 0200-255.00-03.00-054.000
KATHLEEN SEITER AND MARK N. CHRISTIANO, JOINT TENANTS

Dear Mr. Schneider:

Enclosed herewith for your approval is original and one 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,

Wayne R. Thompson
Real Property Management Supervisor

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

Copy of Resolution to:

Jon Schneider, Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations (2)
Regina M. Calcaterra, Chief Deputy County Executive
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning
CE Reso Review (electronic copy)

Copy of letter to:

Joanne Minieri, Deputy County Executive and Commissioner
Connie Corso, Budget Director
Sarah Lansdale, Planning Director, Division of Planning and Environment
Alice Kubicsko, Inventory

Introductory Resolution No. 1985

Laid on Table 10/9/12

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
CHERRY TREE PROPERTIES, INC.
0206-019.00-02.00-002.000**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 0206, Section 019.00, Block 02.00, Lot 002.000, 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 Lots 34 and 35, Block 5, on a certain map entitled "Belle Terrace", filed in the office of the Clerk of Suffolk County on January 29, 1927 as Map No. 96; 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, CHERRY TREE PROPERTIES, INC. has made application of said above described parcel and CHERRY TREE PROPERTIES, INC. has paid the application fee and has paid \$331.42, 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 Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to CHERRY TREE PROPERTIES, INC., 191 The Helm, East Islip, New York 11730, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1985

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation – RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CHERRY TREE PROPERTIES, INC. 0206-019.00-02.00-002.000		
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 \$331.42		
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 	12. Date: 9/28/12

FINANCIAL IMPACT
 2012 PROPERTY TAX LEVY
 COST TO THE AVERAGE TAXPAYER 1985

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
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1985

August 29, 2012

Tax Map No.: 0206-019.00-02.00-002.000

Name of Last Legal Fee Owner: CHERRY TREE PROPERTIES, INC.

TREASURER'S COMPUTATION.....	\$249.59	
Taxes.....2011/2012.....	\$81.83	
License/Storage Fee.....	OPEN	
Repairs.....	OPEN	
Miscellaneous Expenses.....	OPEN	
TOTAL.....	\$331.42	<017
Monies Received.....	\$331.42	
RESOLUTION AMOUNT.....	\$331.42	02

APPROVED:

M. Brownell 9-4-2012
Accounting
PB:lag

PREPARED BY:

P. Belyea
Peter Belyea
Redemption Unit
(631)853-5932

1985

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0206-019.00-02.00-002.000

2. Title of Proposed Legislation

Authorizing the Director of Real Estate 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

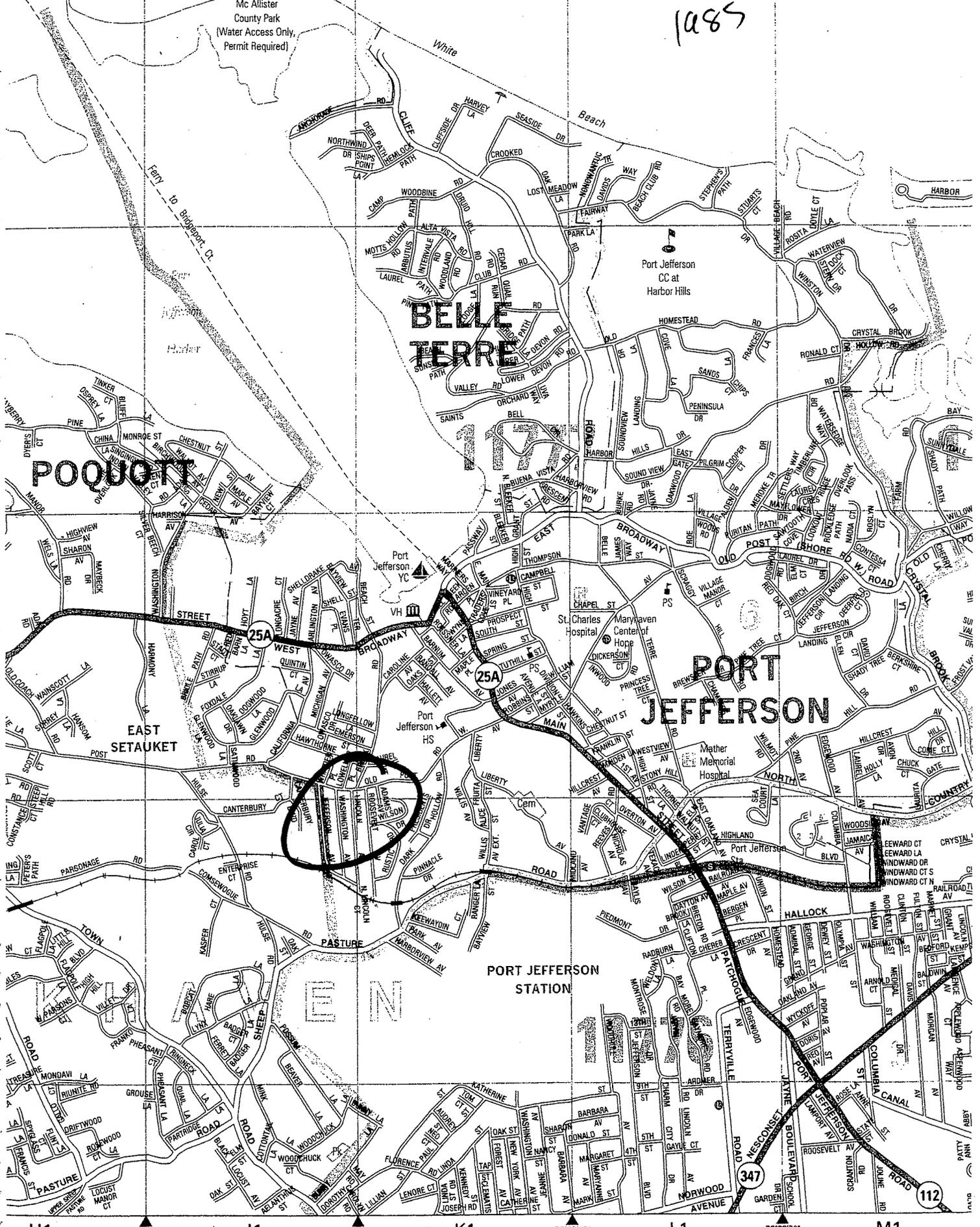
10. Typed Name & Title of Preparer Signature of Preparer Date

Peter Belyea  8/29/12

1985

Misery Pt

Mc Allister
County Park
(Water Access Only,
Permit Required)



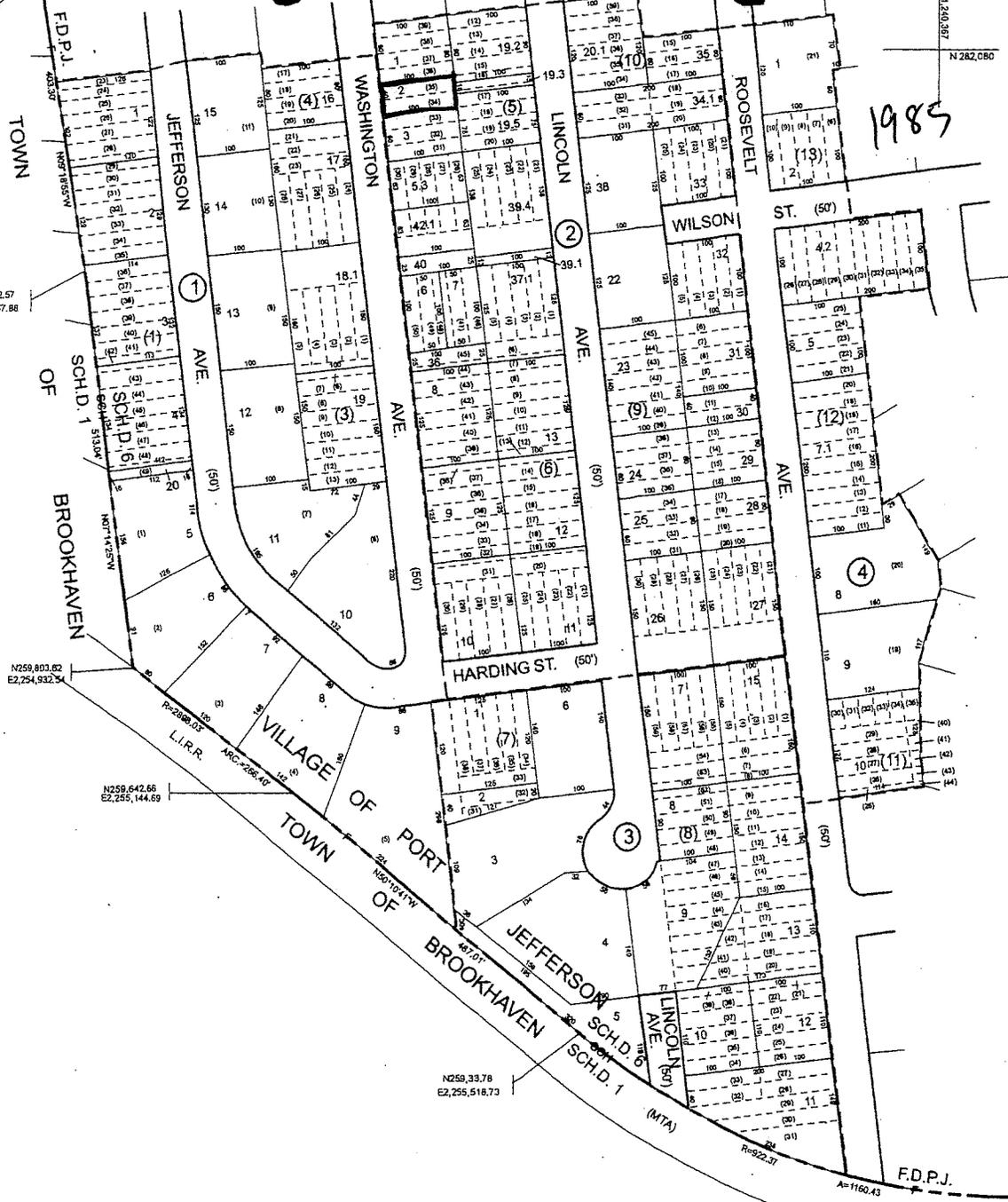
H1 73°05'15" J1 73°04'30" K1 73°03'45" L1 73°03'00" M1

0200-019-00-02 00-112.000

Joins Map 20

N280710.56
E2254802.60

E1240,987
N282,080



0900-019-00-02 00-000-000

N260,312.57
E2,254,867.88

N259,803.62
E2,254,932.24

N259,642.66
E2,255,144.69

N259,33.78
E2,255,518.73

N280,180
E1,240,387

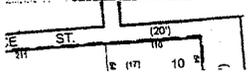
E1,243,387
N282,080

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



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

K E Y	113	015	016	TOWN OF	BROOKHAVEN	SECTION NO	19
	019	020		VILLAGE OF	PORT JEFFERSON		
M	135						



SEE SEC. NO. 016

LINE

COUNTY OF SUFFOLK



1985

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

September 17, 2012

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

Re: Tax Map No. 0206-019.00-02.00-002.000
CHERRY TREE PROPERTIES, INC.

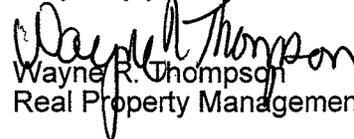
Dear Mr. Schneider:

Enclosed herewith for your approval is original and one 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,


Wayne R. Thompson
Real Property Management Supervisor

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

Copy of Resolution to:

Jon Schneider, Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations (2)
Regina M. Calcaterra, Chief Deputy County Executive
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning
CE Reso Review (electronic copy)

Copy of letter to:

Joanne Minieri, Deputy County Executive and Commissioner
Connie Corso, Budget Director
Sarah Lansdale, Planning Director, Division of Planning and Environment
Alice Kubicko, Inventory

53

Introductory Resolution No. 1986-12 Laid on Table 10/9/12

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
ERIC GOLDEN AND SANDRA LOPEZ
0100-090.00-01.00-008.002

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 090.00, Block 01.00, Lot 008.002, and acquired by tax deed on October 19, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2010, in Liber 12640, at Page 823, and otherwise known and designated by the Town of Babylon, as Lots 3 & 44, Block 1, on a certain map entitled "Sheet No. 3 of the Long Island Lot Company", filed in the office of the Clerk of Suffolk County on September 19, 1874 as Map No. 568; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 19, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2010 in Liber 12640 at Page 823.

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

WHEREAS, ERIC GOLDEN AND SANDRA LOPEZ have made application of said above described parcel and ERIC GOLDEN AND SANDRA LOPEZ have paid the application fee and have paid \$1,571.67, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 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 Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to ERIC GOLDEN AND SANDRA LOPEZ, 157 Carlls Path, Deer Park, NY 11729, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1986

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation – RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ERIC GOLDEN AND SANDRA LOPEZ 0100-090.00-01.00-008.002		
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 \$1,571.67		
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 	12. Date: 9/28/12

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

1986

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
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1986

September 10, 2012

Tax Map No.: 0100-090.00-01.00-008.002

Name of Last Legal Fee Owner: ERIC GOLDEN AND SANDRA LOPEZ

TREASURER'S COMPUTATION..... \$1,571.67 ✓

Taxes.....2011/2012..... PAID

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$1,571.67

Monies Received..... \$1,571.67

RESOLUTION AMOUNT..... \$1,571.67 ✓

APPROVED:

Annette Brownell 9.11.2012

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>
0100	090.00	01.00	008.002

1986

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08	634.22
2009/10	234.51
2010/11	487.83

2008/09 PROPERTY TAXES PAID BY OWNER

2011/12 PROPERTY TAXES \$373.45 NOT INCLUDED IN COMPUTATION

TOTAL: 1356.56

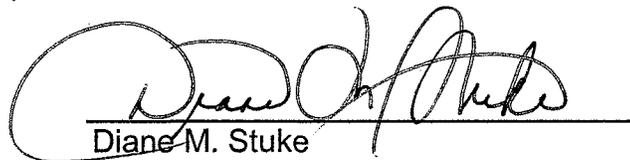
B. INTEREST DUE	140.27
C. TOTAL	1496.83
D. 5% LINE C	74.84
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$1,571.67

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 20-Apr-12


Diane M. Stuke

Deputy County Treasurer

**Interest and penalty computed to
and including 10/17/12

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1986

1. Type of Legislation

Resolution
Tax Map Number 0100-090.00-01.00-008.002

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2012

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

Lori Sklar Lori Sklar 9/11/12

COUNTY OF SUFFOLK



1986

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

September 17, 2012

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

Re: Tax Map No. 0100-090.00-01.00-008.002
ERIC GOLDEN AND SANDRA LOPEZ

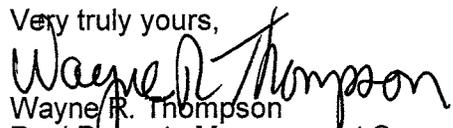
Dear Mr. Schneider:

Enclosed herewith for your approval is original and one 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,


Wayne R. Thompson
Real Property Management Supervisor

LS:lag

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

Copy of Resolution to:

Jon Schneider, Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations (2)
Regina M. Calcaterra, Chief Deputy County Executive
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning
CE Reso Review (electronic copy)

Copy of letter to:

Joanne Minieri, Deputy County Executive and Commissioner
Connie Corso, Budget Director
Sarah Lansdale, Planning Director, Division of Planning and Environment
Alice Kubicsko, Inventory

53

Intro. Reso. No. 1987-12

Laid on Table 10/9/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2012, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE FBI JOINT TERRORISM TASK FORCE WITH 78.89% SUPPORT.

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

WHEREAS, the operational period of the project is from October 1, 2012 through September 30, 2013; and

WHEREAS, said reimbursement funds have not been included in the 2012 Suffolk County Operating Budget; now, therefore be it

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

REVENUE:	<u>Amount</u>
001-4381-Federal Aid: FBI Joint Terrorism Task Force FY13	\$17,202

ORGANIZATIONS:

**Police Department (POL)
FBI Joint Terrorism Task Force FY13
001-POL-3640**

<u>1000-Personal Services</u>	<u>\$17,202</u>
1120-Overtime Salaries	17,202

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately \$4,602 associated with the overtime salaries for this program are included in the 2012 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, Federal Bureau of Investigation.

DATED:

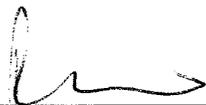
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1987

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE FBI JOINT TERRORISM TASK FORCE WITH 78.99% SUPPORT.		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes XX No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution provides \$17,202 for participation in the FBI Joint Terrorism Task Force. Matching funds totaling \$4,602 are included in the 2012 operating budget.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
This grant must be expended between October 1, 2012 and September 30, 2013.		
8. Proposed Source of Funding		
United States Department of Justice, Federal Bureau of Investigation		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		9-27-2012

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

1987

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.

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 9/13/12
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980 1987	
Contact Person In Department/Agency Sarah Furey Senior Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: FBI JTTF (Joint Terrorism Task Force) FY13

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) The Controlled Substances Act, 21 U.S.C. 881 (e); Civil Asset Forfeiture Reform Act (CAFRA), 18 U.S.C. 981 (e) administered by the U. S. Department of Justice, Federal Bureau of Investigation.

3. Grant/Contract Status (Check One Box)
 A. New Program Application
 B. Renewal Application
 C. Supplemental (Specify) _____
 D. Extension of Funding Period
 E. Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
 This funding will provide reimbursement for the Suffolk County Police Department's participation in the FBI Joint Terrorism Task Force.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract From: 10/1/12 To: 09/30/13

2. Financial Assistance Requested

SOURCE	THIRD FUNDING CYCLE		FOURTH FUNDING CYCLE		FIFTH FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$17,202	83.37%	\$17,202	81.53%	\$17,202	78.89%
State	\$		\$		\$	
Private	\$		\$		\$	
County	\$3,432	16.63%	\$3,896	18.47%	\$4,602	21.11%
Total	\$20,634	100%	\$21,098	100%	\$21,804	100%

1987			
3. Explanation of Requested County Financial Assistance			
Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE:	\$4,602	\$	\$4,602
A. Cash Contribution	\$4,602	\$	\$4,602
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X YES	NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
N/A			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			

GRANT BUDGET ANALYSIS COUNTY BUDGET YEAR 2012

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	17,202 17,202			
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Automobiles & Motorcycles 2070 Cameras and Photographic 2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				
4000 UTILITIES: 4010 Telephone & Telegraph				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				1987

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2012

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		4,602 4,352 250		Fringe benefits are not an allowable cost under this funding program
OTHER (List Source & Brief Explanation)				1987

I certify that the above in-kind contribution are not currently being used to support other grants

1987

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

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Resolution

Accepting & appropriating Federal funding in the amount of \$17,202 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the FBI Joint Terrorism Task Force with 78.89% support.

3. Purpose of Proposed Legislation

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

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

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

(Circle appropriate category)

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

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

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

Non-reimbursable employee fringe benefit costs of approximately \$4,602 will be incurred through September 30, 2013. Additional costs will only be incurred if the program receives additional funding in subsequent years.

8. Proposed Source of Funding

The United States Department of Justice, Federal Bureau of Investigation

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date

Susan C. Krause
Grants Technician



9/14/2012

NOTICE OF LIMITS

1987

FOR

FY 2013 STATE AND LOCAL OVERTIME REIMBURSEMENTS

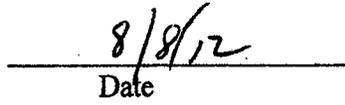
Subject to the availability of funding and legislative authorization, the FBI may reimburse state and local law enforcement agencies (LEA) for the cost of overtime incurred by officers assigned **full-time** to FBI managed task forces provided the overtime expenses were incurred as a result of task force related activities. Consistent with regulation and policy, a separate Cost Reimbursement Agreement (CRA) must be executed between the FBI and the LEA and an underlying Memorandum of Understanding (MOU) must exist in support of the task force relationship.

For **Fiscal Year 2013**, the maximum limits for reimbursements under these CRAs are **\$1,433.52** per month and **\$17,202.25** per year for each officer assigned **full-time** to the task force. These limits are effective for overtime worked on or after October 1, 2012.

FBI field offices and state and local law enforcement agencies may process overtime reimbursement requests under formally executed CRAs in accordance with the authority of this notice. This notice is issued unilaterally by the FBI's Head of Contracting Activity and does not require formal acceptance and signature by FBI field offices and state and local law enforcement agencies.



Porter F. Dunn
Acting Head of Contracting Activity
Federal Bureau of Investigation


Date

1987

COST REIMBURSEMENT AGREEMENT
BETWEEN
THE FEDERAL BUREAU OF INVESTIGATION (FBI)
AND
SUFFOLK COUNTY POLICE DEPARTMENT (AGENCY)

TASK FORCE FILE # 66F-NY-266217-B

Pursuant to Congressional appropriations, the FBI receives authority to pay overtime for police officers assigned to the formalized Joint Terrorism Task Force as set forth below for expenses necessary for detection, investigation, and prosecution of crimes against the United States. It is hereby agreed between the FBI and the Suffolk County Police Department located at 30 Yaphank Avenue, Yaphank, NY 11980, Taxpayer Identification Number: 116000464, Phone Number: (631) 852-6105 that:

1. Commencing upon execution of this agreement, the FBI will, subject to availability of required funding, reimburse the agency for overtime payments made to officers assigned full-time to the task force.
2. Requests for reimbursement will be made on a monthly basis and should be forwarded to the FBI field office as soon as practical after the first of the month which follows the month for which reimbursement is requested. Such requests should be forwarded by a Supervisor of the agency to the FBI Task Force Squad Supervisor and Special Agent in Charge for their review, approval, and processing for payment.
3. Overtime reimbursements will be made directly to the agency by the FBI. All overtime reimbursement payments are made by electronic fund transfer (EFT). An ACH Vendor/Miscellaneous Payment Enrollment Form must be on file with the FBI to facilitate EFT.
4. Overtime reimbursements will be calculated at the usual rate for which the individual officer's time would be compensated in the absence of this agreement. However, said reimbursement, per officer, shall not exceed monthly and/or annual limits established annually by the FBI. The limits, calculated using Federal pay tables, will be in effect for the Federal fiscal year running from October 1st of one year through September 30th of the following year, unless changed during the period. The FBI reserves the right to change the reimbursement limits, upward or downward, for subsequent periods based on fiscal priorities and appropriations limits. The FBI will notify the agency of the applicable annual limits prior to October 1st of each year.
5. The number of agency officers assigned full-time to the task force and entitled to overtime reimbursement by the FBI shall be approved by the FBI in advance of each fiscal year. Based on the needs of the task force, this number may change periodically, upward or downward, as approved in advance by the FBI.

1987

6. Prior to submission of any overtime reimbursement requests, the agency must prepare an official document setting forth the identity of each officer assigned full-time to the task force, along with the regular and overtime hourly rates for each officer. Should any officers change during the year, a similar statement must be prepared regarding the new officers prior to submitting any overtime reimbursement requests for the officers. The document should be sent to the field office for FBI review and approval.

7. Each request for reimbursement will include the name, rank, ID number, overtime compensation rate, number of reimbursable hours claimed, and the dates of those hours for each officer for whom reimbursement is sought. The request must be accompanied by a certification, signed by an appropriate Supervisor of the agency, that the request has been personally reviewed, the information described in this paragraph is accurate, and the personnel for whom reimbursement is claimed were assigned full-time to the task force.

8. Each request for reimbursement will include an invoice number, invoice date, taxpayer identification number (TIN), and the correct banking information to complete the electronic fund transfer. The necessary banking information is the Depositor Account Title, Bank Account Number, Routing Number, and Type of Account (either checking, savings, or lockbox). If the banking information changes, a new ACH Vendor/Miscellaneous Payment Enrollment Form must be submitted to the FBI.

9. Requests for reimbursement must be received by the FBI no later than December 31st of the next fiscal year for which the reimbursement applies. For example, reimbursements for the fiscal year ending September 30, 2005 must be received by the FBI by December 31, 2005. The FBI is not obligated to reimburse any requests received after that time.

10. This agreement is effective upon signature of the parties and will remain in effect for the duration of the agency's participation in the task force, contingent upon approval of necessary funding, and unless terminated in accordance with the provisions herein. This agreement may be modified at any time by written consent of the parties. It may be terminated at any time upon mutual consent of the parties, or unilaterally upon written notice from the terminating party to the other party at least 30 days prior to the termination date.

FOR THE AGENCY:

Date 09/28/04

FOR THE FBI:

Special Agent in Charge Date 8/19/04

Contracting Officer Date 8/19/04
FBI Headquarters

COUNTY OF SUFFOLK

1987

STEVEN BELLONE
COUNTY EXECUTIVE



EDWARD WEBBER
POLICE COMMISSIONER

POLICE DEPARTMENT

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

FROM: Cornelius McKenna, Inspector
Office Chief of Support Services
Suffolk County Police Department *ant*

DATE: September 13, 2012

SUBJECT: Resolution Packets & SCIN Forms for
The FBI Joint Terrorism Task Force (JTTF) FY13

Attached please find two copies of the following for the FBI Joint Terrorism Task Force FY13 program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Cost Reimbursement Agreement and the Notice of Reimbursement Limit for Federal fiscal year 2013.

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

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

Thank you as always for your assistance with this project.

CM/sck

Att. Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Evelyn Creen, Senior Federal & State Aid Claims Examiner

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



Intro. Reso. No. **1988-12**
Introduced by the Presiding Officer on request of the County Executive

Laid on Table **10/9/12**

RESOLUTION NO. -2012, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE LONG ISLAND CYBER CRIME TASK FORCE (LICCTF) WITH 78.89% SUPPORT.

WHEREAS, the United States Department of Justice, Federal Bureau of Investigation, has made \$17,202 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the LICCTF; and

WHEREAS, said project is a multi-agency task force designed to assist the Federal Bureau of Investigation in the detection, investigation, and prosecution of crimes against the United States; and

WHEREAS, the operational period of the Program is from October 1, 2012 through September 30, 2013; and

WHEREAS, said reimbursement funds have not been included in the 2012 Suffolk County Operating Budget; now, therefore be it

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

REVENUE:	<u>Amount</u>
001-4367-Federal Aid: Long Island Cyber Crime Task Force (LICCTF) FY13	\$17,202

ORGANIZATIONS:

**Police Department (POL)
Long Island Cyber Crime Task Force (LICCTF) FFY13
001-POL-3639**

<u>1000-Personal Services</u>	<u>\$17,202</u>
1120-Overtime Salaries	17,202

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately \$4,602 associated with the overtime salaries for this program are included in the 2012 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, Federal Bureau of Investigation.

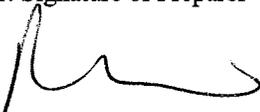
DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

1988

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE LONG ISLAND CYBER CRIME TASK FORCE (LICCTF) WITH 78.99% SUPPORT.		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes XX No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District	<input type="radio"/> Other (Specify):
<input type="radio"/> Library District	<input type="radio"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution provides \$17,202 for participation in the Long Island Cyber Crime Task Force. Matching funds totaling \$4,602 are included in the 2012 operating budget.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
This grant must be expended between October 1, 2012 and September 30, 2013.		
8. Proposed Source of Funding		
United States Department of Justice, Federal Bureau of Investigation		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		9-27-2012

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

1988

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.

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 9/13/12
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980 1988	
Contact Person In Department/Agency Sarah Furey Senior Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: **Long Island Cyber Crime Task Force (LICCTF) FY13**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) The Controlled Substances Act, 21 U.S.C. 881 (e); Civil Asset Forfeiture Reform Act (CAFRA), 18 U.S.C. 981 (e) administered by the U. S. Department of Justice, Federal Bureau of Investigation.

3. Grant/Contract Status (Check One Box)
 A. New Program Application
 B. Renewal Application
 C. Supplemental (Specify) _____
 D. Extension of Funding Period
 E. Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
 This funding will provide reimbursement for the Suffolk County Police Department Computer Crimes Unit's participation in the Long Island Cyber Crime Task Force (LICCTF), a task force aimed at the detection, investigation, and prosecution of crimes against the United States.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract From: 10/1/2012 To: 9/30/13

2. Financial Assistance Requested

SOURCE	SECOND FUNDING CYCLE		THIRD FUNDING CYCLE		FOURTH FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$17,202	83.37%	\$17,202	81.53%	\$17,202	78.89%
State	\$		\$		\$	
Private	\$		\$		\$	
County	\$3,432	16.63%	\$3,896	18.47%	\$4,602	21.11%
Total	\$20,634	100%	\$21,098	100%	\$21,804	100%

1988

3. Explanation of Requested County Financial Assistance			
<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE:	\$4,602	\$	\$4,602
A. Cash Contribution	\$4,602	\$	\$4,602
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X YES	NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
N/A			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved _____	2. Signature of Coordinator	3. Date
	Disapproved _____		
4. Comments			
5. Budget Office Review:	Approved _____	6. Signature of Budget Director	7. Date
	Disapproved _____		
8. Comments			

GRANT BUDGET ANALYSIS COUNTY BUDGET YEAR 2012

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	17,202.00 17,202.00			
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Automobiles & Motorcycles 2070 Cameras and Photographic 2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				
4000 UTILITIES: 4010 Telephone & Telegraph				1988
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2012

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		4,602.00 4,352.00 250.00		Fringe benefits are not reimbursable under this funding program
OTHER (List Source & Brief Explanation)				1988

I certify that the above in-kind contribution are not currently being used to support other grants

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES			Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY % GRANTOR COUNTY IN-KIND	
Detective	4	98.31 HR/OT	To Be Determined	100%	1988

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

1988

1. Type of Legislation

Resolution X

Local Law

Charter Law

2. Title of Proposed Resolution

Accepting & appropriating Federal funding in the amount of \$17,202 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Long Island Cyber Crime Task Force (LICCTF) with 78.89% support.

3. Purpose of Proposed Legislation

To accept \$17,202 from the United States Department of Justice, Federal Bureau of Investigation, to reimburse the Suffolk County Police Department's participation in the Long Island Cyber Crime Task Force (LICCTF) FFY12, a task force aimed at the detection, investigation, and prosecution of crimes against the United States.

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

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

County

Town

Economic Impact

Village

School District

Other (specify):

Library District

Fire District:

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

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

Non-reimbursable employee benefit costs of approximately \$4,602 will be incurred through September 30, 2013. Additional costs will only be incurred if the program receives additional funding in subsequent years.

8. Proposed Source of Funding

The United States Department of Justice, Federal Bureau of Investigation

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer

Susan C. Krause
Grants Technician

11. Signature of Preparer



12. Date

9/13/12

1988

COST REIMBURSEMENT AGREEMENT
BETWEEN
THE FEDERAL BUREAU OF INVESTIGATION (FBI)
AND
SUFFOLK COUNTY POLICE DEPARTMENT (SCPD)

TASK FORCE FILE # 62F-NY-C302997-LICCTF

Pursuant to Congressional appropriations, the FBI receives authority to pay overtime for police officers assigned to the formalized LONG ISLAND CYBER CRIME TASK FORCE (LICCTF) as set forth below for expenses necessary for detection, investigation, and prosecution of crimes against the United States. It is hereby agreed between the FBI and the SCPD located at 30 Yaphank Ave, Yaphank, NY 11980, Taxpayer Identification Number: 11-6000464 Phone Number: 631-852-6000 that:

1. Commencing upon execution of this agreement, the FBI will, subject to availability of required funding, reimburse the agency for overtime payments made to officers assigned full-time to the task force.
2. Requests for reimbursement will be made on a monthly basis and should be forwarded to the FBI field office as soon as practical after the first of the month which follows the month for which reimbursement is requested. Such requests should be forwarded by a Supervisor of the agency to the FBI Task Force Squad Supervisor and Special Agent in Charge for their review, approval, and processing for payment.
3. Overtime reimbursements will be made directly to the agency by the FBI. All overtime reimbursement payments are made by electronic fund transfer (EFT). An ACH Vendor/Miscellaneous Payment Enrollment Form must be on file with the FBI to facilitate EFT.
4. Overtime reimbursements will be calculated at the usual rate for which the individual officer's time would be compensated in the absence of this agreement. However, said reimbursement, per officer, shall not exceed monthly and/or annual limits established annually by the FBI. The limits, calculated using Federal pay tables, will be in effect for the Federal fiscal year running from October 1st of one year through September 30th of the following year, unless changed during the period. The FBI reserves the right to change the reimbursement limits, upward or downward, for subsequent periods based on fiscal priorities and appropriations limits. The FBI will notify the agency of the applicable annual limits prior to October 1st of each year.
5. The number of agency officers assigned full-time to the task force and entitled to overtime reimbursement by the FBI shall be approved by the FBI in advance of each fiscal year. Based on the needs of the task force, this number may change periodically, upward or downward, as approved in advance by the FBI.

OCCO CRA template 5/23/04

P.1002

1988

6. Prior to submission of any overtime reimbursement requests, the agency must prepare an official document setting forth the identity of each officer assigned full-time to the task force, along with the regular and overtime hourly rates for each officer. Should any officers change during the year, a similar statement must be prepared regarding the new officers prior to submitting any overtime reimbursement requests for the officers. The document should be sent to the field office for FBI review and approval.

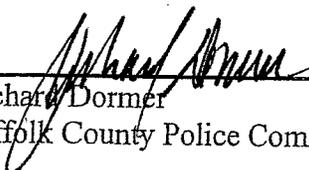
7. Each request for reimbursement will include the name, rank, ID number, overtime compensation rate, number of reimbursable hours claimed, and the dates of those hours for each officer for whom reimbursement is sought. The request must be accompanied by a certification, signed by an appropriate Supervisor of the agency, that the request has been personally reviewed, the information described in this paragraph is accurate, and the personnel for whom reimbursement is claimed were assigned full-time to the task force.

8. Each request for reimbursement will include an invoice number, invoice date, taxpayer identification number (TIN), and the correct banking information to complete the electronic fund transfer. The necessary banking information is the Depositor Account Title, Bank Account Number, Routing Number, and Type of Account (either checking, savings, or lockbox). If the banking information changes, a new ACH Vendor/Miscellaneous Payment Enrollment Form must be submitted to the FBI.

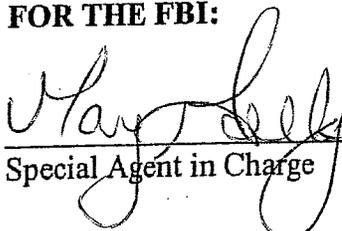
9. Requests for reimbursement must be received by the FBI no later than December 31st of the next fiscal year for which the reimbursement applies. For example, reimbursements for the fiscal year ending September 30, 2010 must be received by the FBI by December 31, 2010. The FBI is not obligated to reimburse any requests received after that time.

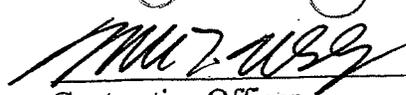
10. This agreement is effective upon signature of the parties and will remain in effect for the duration of the agency's participation in the task force, contingent upon approval of necessary funding, and unless terminated in accordance with the provisions herein. This agreement may be modified at any time by written consent of the parties. It may be terminated at any time upon mutual consent of the parties, or unilaterally upon written notice from the terminating party to the other party at least 30 days prior to the termination date.

FOR THE AGENCY:

 11/19/10
Richard Dormer Date
Suffolk County Police Commissioner

FOR THE FBI:

 12/6/10
Special Agent in Charge Date

 4/19/2011
Contracting Officer Date
FBI Headquarters

1988

**CYBER CRIME TASK FORCE
MEMORANDUM OF UNDERSTANDING**

- A. PARTIES.** This Memorandum of Understanding (MOU) is entered into by the following "Participating Agencies":
1. **Federal Bureau of Investigation (FBI)**
(authorized pursuant to 28 USC 533, 534; 28 C.F.R. § 0.85)
 2. **Suffolk County Police Department (SCPD)**
- B. PURPOSE.** This MOU delineates the responsibilities and commitments of the Participating Agencies in the **Long Island/New York Division Cyber Crime Task Force (CCTF)**. The MOU also outlines the mission and procedures for the CCTF, which are described in greater detail in the Standard Operating Procedures (SOP) utilized by the CCTF.
- C. MISSION.** The mission of the CCTF is to investigate and apprehend high technology criminals and to protect our communities by preventing high technology crime and national security threats involving computers and computer networks. The CCTF is established on the premise that the capabilities of law enforcement agencies to investigate computer and high technology related crimes are enhanced in a task force setting involving the sharing of resources and expertise. The CCTF will utilize its specialized resources to investigate, and to prevent when possible, criminal cases and national security threats when: (1) Computers and high technologies are the target of a crime; (2) Computers and high technologies are the principal instrumentality of a crime; or, (3) Computers and high technologies are misused to facilitate violations of other criminal laws or threats to the national security and a specialized understanding of technology is required for investigation or prosecution.
- D. INVESTIGATIVE EXCLUSIVITY.** Matters designated to be handled by the CCTF will not knowingly be subject to separate and/or independent outside law enforcement efforts by any of the participating or referring agencies. Each Participating Agency shall make proper internal notification regarding the CCTF's existence and areas of investigation.
- E. PROSECUTIONS.** A determination will be made for each CCTF investigation on whether the matter should be submitted for filing in federal or state court. This determination shall be based on the evidence obtained and a consideration of which method of prosecution will result in the greatest benefit to the overall objectives of the CCTF and the community.
- F. DOCUMENTS AND AUTHORITIES INCORPORATED BY REFERENCE.** The Participating Agencies agree to abide by the separate document titled "Cyber Crime Task Force Standard Operating Procedures." The CCTF SOP, as updated from time to time, is fully incorporated by reference into this MOU.
- G. ADMINISTRATIVE RESPONSIBILITIES**
1. **Shared Responsibilities:** All participants of the CCTF acknowledge that this is a joint operation with all Participating Agencies acting for a common goal. Accordingly, the mission and objectives of the CCTF will be a shared responsibility of the Participating Agencies.
 2. **Lead Agency:** The FBI is the lead agency for the CCTF and agrees to overall management responsibilities for the task force, including but not limited to record keeping and daily responsibility for personnel work assignments and investigative matters.
 3. **FBI Program Manager:** The daily operational control, management, supervision of, and responsibility for operations of the CCTF shall be vested in an FBI Program Manager. The FBI Program Manager shall be a sworn law enforcement officer (an FBI Special Agent or Supervisory Special Agent) assigned by his/her respective FBI Field Office to the CCTF. The term of office of

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Standard Cyber Crime Task Force MOU (March 2006)

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the FBI Program Manager generally shall be a minimum of one (1) year, full-time, to commence upon appointment.

4. Participating Agency Team Leader: Day-to-day operational matters may be assigned by the FBI Program Manager to a Team Manager. The Team Manager shall be from a Participating Agency other than the FBI and shall be selected by the FBI in consultation with all CCTF Participating Agencies. The Team Manager shall be a full-time employee assigned to the CCTF. The term of office of the Team Manager generally shall be a minimum of one (1) year, full-time, to commence upon appointment.

H. PERSONNEL

1. Membership: The CCTF shall consist of a combined body of investigators and support personnel from the Participating Agencies.
2. No Employment by the CCTF: The CCTF does not directly or indirectly employ any personnel assigned to it. The CCTF is established for the coordination of applicable investigations and does not establish employer-employee relationships with the personnel assigned to the CCTF from the Participating Agencies.
3. Responsibility for Conduct: Personnel assigned to the CCTF may not engage in any activity which, either in appearance or in fact, conflicts with their duties at the CCTF or reasonably impeaches the independence of their work for the CCTF. In addition to the requirements set forth in this MOU and the accompanying SOP, each Participating Agency shall ensure that their employee participants remain subject to and adhere to the standards of conduct, personnel rules, regulations, laws, and policies applicable to those of their respective agency.
4. Assignment to the CCTF: Personnel selections for the CCTF are at the discretion of the FBI and each respective Participating Agency. Personnel will be selected based on the needs of the CCTF and the Participating Agencies. As a general matter, all personnel shall work in a full-time capacity at the CCTF (and at a minimum not less than 3 days a week) and make a minimum two-year work commitment to the CCTF due to the specialized nature of the work and applicable training

I. INFORMATION MANAGEMENT

1. Records and Reports: All CCTF investigative records will be maintained at the CCTF location or the local FBI Field Office. Investigative documents will be stored on the FBI's electronic databases in order to enhance national information sharing among task forces and other investigators. Classified information shall not be placed in a non-Federal Participating Agency's files or maintained outside of an accredited CCTF location unless approved in advance and in writing by an FBI Security Officer.
2. Non-Disclosure Agreement: CCTF information only may be disseminated on a need-to-know basis and as expressly permitted. No CCTF information may be disseminated outside of the CCTF without the express permission of the FBI and in accordance with the applicable laws and internal regulations, procedures, or agreements between the FBI and other agencies that would permit such agencies, including CCTF participants' employing agencies, to receive FBI information directly.
3. Media: No member of the CCTF will unilaterally discuss or otherwise reveal information relating to CCTF investigations, or other FBI related investigations known to them, to any media representatives. All releases of information to the media on CCTF matters will be mutually agreed upon and coordinated jointly under the supervision of the FBI Program Manager or Team Manager.

- J. **LIABILITY**. The FBI makes no representation that the United States will provide legal representation or indemnification to any law enforcement officer or employee assigned to the CCTF. Legal representation and indemnification by the United States is determined by the Department of Justice (DOJ) on a case-by-case basis pursuant to legal standards and DOJ policy.

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K. SALARIES AND FUNDING

1. Salary and Compensation: Salaries, benefits, taxes, and withholdings of CCTF members will be paid by their respective agencies.
2. Overtime: Overtime may be compensated to CCTF members by their respective agencies in accordance with their applicable overtime provisions or by the FBI in accordance with a separate Cost Reimbursement Agreement.
3. Funding: This MOU is not an obligation or commitment of funds, nor a basis for transfer of funds; this MOU is instead a basic statement of the understanding between the parties of the tasks and methods required for a successful CCTF. Unless otherwise agreed in writing, each party shall bear its own costs in relation to this MOU. Expenditures by each party will be subject to its budgetary processes and to the availability of funds and resources pursuant to applicable laws, regulations, and policies. The parties expressly acknowledge that the above language in no way implies that Congress will appropriate funds for such expenditures.

L. DURATION AND MODIFICATION OF THE MOU. The term of this MOU shall be for the duration of the CCTF's operations, contingent upon approval of necessary funding, but may be terminated at any time upon the written mutual consent of the agencies involved. A Participating Agency retains the right to terminate its participation by giving 30 days written notice of its intent to terminate. Should a Participating Agency terminate its participation, it must return any equipment to the supplying entity. Similarly, as soon as practicable consistent with ongoing investigations, remaining agencies will return to a withdrawing agency any unexpended equipment the withdrawing agency may have supplied during its CCTF participation. Any modification of this MOU will be effected with the written mutual consent of the involved parties. This MOU may be signed in counterparts.

M. NO THIRD PARTY RIGHTS. This MOU is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party (other than a Participating Agency of this CCTF entering into a similar MOU with the FBI) against the parties hereto, the United States, or the officers, employees, agents, or other associated personnel thereof.

N. EFFECTIVE DATE AND ADDITIONAL PARTIES. As among the original parties, this MOU shall become effective when signed and dated by the FBI and the duly authorized representative of at least one other agency. The parties anticipate that the FBI will enter into similar MOUs with other Participating Agencies.

SO AGREED on behalf of the entities/organizations below:


 A/SAC Amy L. PICKETT
 FBI
 Date: 3/9/10

Contracting Officer
 FBI
 Date: 3/17/2010


 SCPD
 Date: 02/08/10

Mark T. Ukleja
 Contracting Officer
 Federal Bureau of Investigation

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Standard Cyber Crime Task Force MOU (March 2006)

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NOTICE OF LIMITS

FOR

FY 2013 STATE AND LOCAL OVERTIME REIMBURSEMENTS

Subject to the availability of funding and legislative authorization, the FBI may reimburse state and local law enforcement agencies (LEA) for the cost of overtime incurred by officers assigned **full-time** to FBI managed task forces provided the overtime expenses were incurred as a result of task force related activities. Consistent with regulation and policy, a separate Cost Reimbursement Agreement (CRA) must be executed between the FBI and the LEA and an underlying Memorandum of Understanding (MOU) must exist in support of the task force relationship.

For **Fiscal Year 2013**, the maximum limits for reimbursements under these CRAs are **\$1,433.52** per month and **\$17,202.25** per year for each officer assigned **full-time** to the task force. These limits are effective for overtime worked on or after October 1, 2012.

FBI field offices and state and local law enforcement agencies may process overtime reimbursement requests under formally executed CRAs in accordance with the authority of this notice. This notice is issued unilaterally by the FBI's Head of Contracting Activity and does not require formal acceptance and signature by FBI field offices and state and local law enforcement agencies.



Porter F. Dunn
Acting Head of Contracting Activity
Federal Bureau of Investigation



Date

COUNTY OF SUFFOLK

1988



STEVEN BELLONE
COUNTY EXECUTIVE

EDWARD WEBBER
POLICE COMMISSIONER

POLICE DEPARTMENT

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

FROM: Cornelius McKenna, Inspector
Office of Chief of Support Services
Suffolk County Police Department *CM*

DATE: September 13, 2012

SUBJECT: Resolution Packets & SCIN Forms for
The Long Island Cyber Crime Task Force (LICCTF) FY 13 Reimbursement Program

Attached please find two copies of the following for the LICCTF FY13 reimbursement program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Cost Reimbursement Agreement between the FBI and the Suffolk County Police Department, as well as the funding document.

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

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

Thank you as always for your assistance with this project.

CM/sck

Att. Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Evelyn Green, Senior Federal & State Aid Claims Examiner

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



Intro. Reso. No. **1989-12**
Introduced by the Presiding Officer on request of the County Executive

Laid on Table **10/9/12**

RESOLUTION NO. -2012, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$20,500 IN FEDERAL PASS -THROUGH FUNDING FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S MOTORCYCLE SAFETY ENFORCEMENT AND EDUCATION PROGRAM WITH 79.30% SUPPORT

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded \$20,500 in Federal Highway Safety pass-through monies to fund a program allowing the Suffolk County Police Department to continue to conduct enforcement and education activities to effectively reduce the number of motorcycle fatalities in Suffolk County; and

WHEREAS, the operational period for this program will be from October 1, 2012, through September 30, 2013; and

WHEREAS, said grant funds totaling \$20,500 have not been included in the 2012 Suffolk County Operating Budget; now, therefore, be it

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

<u>REVENUE:</u>	<u>AMOUNT</u>
115-4371-Federal Aid: Motorcycle Safety Enforcement & Education 2013	\$20,500

ORGANIZATIONS:

**Police Department (POL)
Motorcycle Safety Enforcement & Education 2013
115-POL-3277**

<u>1000-Personal Services</u>	<u>\$20,000</u>
1120-Overtime Salaries	20,000
<u>3000-Supplies Materials & Others</u>	<u>\$ 500</u>
3040-Printing	500

and be it further

2nd RESOLVED, that the employee benefits of \$5,350 associated with the overtime salaries for this grant are included in the 2012 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

DATED:

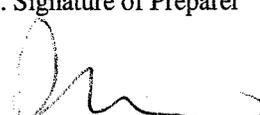
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1989

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$20,500 IN FEDERAL PASS-THROUGH FUNDING FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S MOTORCYCLE SAFETY ENFORCEMENT AND EDUCATION PROGRAM WITH 79.3% SUPPORT		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes XX No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution provides \$20,500 for a Motorcycle Safety Enforcement & Education program, \$5,350 in matching funds are included in the 2012 operating budget		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
This grant must be expended between October 1, 2012 and September 30, 2013.		
8. Proposed Source of Funding		
New York Governor's Traffic Safety Committee.		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		9-27-2012

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

1989

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.

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 5/31/12 REV 9/13/12
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980 1989	
Contact Person In Department/Agency Sarah Furey Senior Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION	
1. Grant Title: Motorcycle Safety Enforcement and Education 2013	
2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Highway Safety Act of 1966, as amended, 23 U.S.C. 402, administered by the New York State Governor's Traffic Safety Committee Department of Motor Vehicles	
3. Grant/Contract Status (Check One Box) A. <input type="checkbox"/> New Program Application B. <input checked="" type="checkbox"/> Renewal Application C. <input type="checkbox"/> Supplemental (Specify) _____ D. <input type="checkbox"/> Extension of Funding Period E. <input type="checkbox"/> Contract	
4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.) Grant funding will support the Suffolk County Police Department's continuing efforts to increase awareness of motorcycle safety issues through the enforcement of NYS Vehicle and Traffic Law regulations concerning motorcycle safety as well as through educational presentations.	
5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)	

II. BUDGET INFORMATION						
1. Term of Contract		From: 10/01/12		To: 09/30/13		
2. Financial Assistance Requested						
SOURCE	SIXTH FUNDING CYCLE		SEVENTH FUNDING CYCLE		EIGHTH FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$30,500	83.60%	\$21,500	81.53%	\$20,500	79.30%
State	\$		\$	%	\$	%
Private	\$	%	\$	%	\$	%
County	\$5,985	16.40%	\$4,870	18.47%	\$5,350	20.70%
Total	\$36,485	100%	\$26,370	100%	\$25,850	100%

1989

3. Explanation of Requested County Financial Assistance			
<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE:	\$5,350	\$	\$5,350
A. Cash Contribution	\$5,350	\$	\$5,350
B. In-Kind Contribution	\$0	\$0	\$0
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X YES	NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
N/A			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved _____	2. Signature of Coordinator	3. Date
	Disapproved _____		
4. Comments			
5. Budget Office Review:	Approved _____	6. Signature of Budget Director	7. Date
	Disapproved _____		
8. Comments			

GRANT BUDGET ANALYSIS		COUNTY BUDGET YEAR 2012			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS	
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	20,000 20,000				
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Automobiles & Motorcycles 2070 Cameras and Photographic 2500 Other Equip Not Otherwise					
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment	500 500			1989	
4000 UTILITIES: 4010 Telephone & Telegraph					
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts					

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2012

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		5,350 5,060 290		These expenses are not eligible for funding under this program.
OTHER (List Source & Brief Explanation)				1989

I certify that the above in-kind contribution are not currently being used to support other grants

DETAIL LISTING OF 1000 ACCOUNT				PERSONAL SERVICES			Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY	IN-KIND	
Police Officer	6	\$87.78/hr. OT	Various	100%			1989
Sergeant		\$103.55/hr. OT	Various	100%			

1989

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

1. Type of Legislation
Resolution X Local Law Charter Law
-
2. Title of Proposed Resolution
Accepting & appropriating a grant in the amount of \$20,500 in Federal pass-through funding from the State of New York Governor's Traffic Safety Committee for the Suffolk County Police Department's Motorcycle Safety Enforcement and Education program with 79.30% support.
-
3. Purpose of Proposed Legislation
To accept \$20,500 from the State of New York Governor's Traffic Safety Committee to continue to fund the Suffolk County Police Department's efforts to increase awareness of motorcycle safety issues through enforcement of NYS Vehicle and Traffic Law regulations and education concerning motorcycle safety.
-
4. Will the Proposed Legislation have a fiscal impact? Yes No X
-
5. If the answer to Item 4 is "Yes," on what will it impact?
(Circle appropriate category)
- | | | |
|------------------|-----------------|------------------|
| County | Town | Economic Impact |
| Village | School District | Other (specify): |
| Library District | Fire District: | |
-
6. If answer to Item 5 is "Yes," provide detailed explanation of impact:
-
7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:
Non-reimbursable employee benefit costs of approximately \$5,350 will be incurred through September 30, 2013. Additional costs will only be incurred if the program receives funding in subsequent years.
-
8. Proposed Source of Funding
National Highway Traffic Safety Administration, Department of Transportation, passed through the State of New York Governor's Traffic Safety Committee.
-
9. Timing of Impact
Immediate
-
10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date
- | | | |
|--------------------------------------|---|-----------|
| Susan C. Krause
Grants Technician |  | 9/13/2012 |
|--------------------------------------|---|-----------|



ANDREW M. CUOMO
Governor

1989
STATE OF NEW YORK
GOVERNOR'S TRAFFIC SAFETY COMMITTEE
DEPARTMENT OF MOTOR VEHICLES



BARBARA J. FIALA
Chair

August 30, 2012

Ms. Sarah Furey
Sr. Grants Analyst
Suffolk County Police Department
30 Yaphank Avenue
Yaphank, New York 11980

Re: HS1-2013-Suffolk Co PD -00113-(052)
Motorcycle Safety Education and Enforcement 2013
EFFECTIVE DATE: October 1, 2012

Dear Ms. Furey:

On behalf of Governor Andrew M. Cuomo, I am pleased to notify you that Suffolk County has been awarded \$20,500 to participate in the New York State's Highway Safety Program. Our goal is to reduce the number of crashes, injuries and deaths on New York's roads. Please note all grants will be effective only upon final approval by the New York State Office of the State Comptroller.

Before incurring any project related expenses, login to eGrants to review your approved budget as it may have been reduced or otherwise changed from what was requested.

Thank you for participating in New York State's Highway Safety Program. I wish you success in your efforts. If you have any questions, please contact the Governor's Traffic Safety Committee at (518) 474-5111.

Sincerely,

Barbara J. Fiala
Chair and
Commissioner of Motor Vehicles

BJF:et
Enclosure

cc: Angela Kohl
Jeffrey Goldberg

1989

IMPORTANT GRANT INFORMATION

NO CONTRACT REQUIRED

This approval letter is notice of authorization to initiate project activity on or after the effective date stated and to incur costs as listed on the approved grant application budget.

Approval of this project is subject to the terms and conditions set forth in the project agreement.

We are under federal requirements to liquidate our obligations in a timely manner. The deadline for submitting vouchers is **October 31, 2013**. Federal regulations require all grantees to submit costs incurred through September 30, 2013 to this office by October 31, 2013. **The National Highway Traffic Safety Administration will not reimburse late vouchers!** While we do not intend that costs go un-reimbursed, grantees must claim costs promptly or be subject to non-reimbursement. Grantees **must** voucher on a quarterly basis. After October 31, 2013 any unclaimed funds will no longer be reserved for your project.

All grantees must submit progress reports twice a year.

The **Progress Report** and **Fiscal** forms you will need during this project are on E-Grants.

www.safeny.ny.gov

General Highway Safety Grant Overview

This document describes the Federal Fiscal Year 2013 General Highway Safety grant program that provides funding to Local, State, and Nonprofit agencies to address specific problems identified by the applicant.

Grant Program Background

The Federal Highway Safety Program is a grant program from the National Highway Traffic Safety Administration (NHTSA). It is intended to support state and local efforts to improve highway safety by providing start up or "seed" money for new programs directed at identified highway safety problems. In New York State, this grant program is administered by the Governor's Traffic Safety Committee. The GTSC's grant projects are funded for one year periods, based on the availability of federal funding and the performance of the grantee. Applications must be submitted each year before the May 15 deadline. All applicants must apply through the eGrants system available through SafeNY.ny.gov. All grant applications from local agencies MUST be endorsed by the Chair of the County Traffic Safety Board. Contact your County Traffic Safety Board as to the process for having your application endorsed. Applicants will be required to enroll in the NYS Office of State Comptroller's ePay system. Applicants must enter their NYS Vendor ID number into the Organization Information page of the eGrants system. Applicants will be required to provide proof of Workers' Compensation and Disability coverage. Applicants must have a DUNS number, and must enter it into the Organization Information page of the eGrants system.

Nonprofit agencies must provide us their Federal ID number and NYS Charity ID number from the NYS Attorney General's Charity Registration Bureau **when applying**. Applicants that do not provide this information on the application will not be considered for funding. If you need information about Charity ID, consult the NYS Attorney General's website at <http://www.oag.state.ny.us/bureaus/charities/about.html>. Nonprofit agency applicants will be required to provide proof of Workers' Compensation and Disability coverage and will be required to provide the proofs with this application as attachments.

Highway Safety Grants - Guidelines & Required Elements

The GTSC uses strategic planning to help determine the state's priority highway safety problems and to develop program strategies for addressing these problems. The results of this process are reported annually in the State's Highway Safety Strategic Plan (HSSP). State agencies and nonprofit organizations can submit applications to receive funding for traffic safety projects directed at solving problems identified in the HSSP. The HSSP is prepared by the GTSC staff, based on input from the traffic safety community. The published HSSP is available on our website at <http://www.safenyny.gov>.

The general highway safety grant program for local, state and nonprofit agencies is to be used by any applicant to address any highway safety issue in the HSSP. The applicant must prepare a grant application narrative that states the problem to be addressed by the grant project and provides supporting data. The grant narrative must address all of the elements outlined in this guide to writing a grant proposal. The budget should be justified and reasonable and only include allowable costs.

General Highway Safety grant applications must clearly identify the highway safety problem(s) to be addressed and the solution(s) to be implemented. If your grant application addresses multiple problems, you must include a project description for each problem to be addressed. Applicants should prioritize and limit the number of problems you address in your grant application. Resources are limited; be specific in your focus.

Budget

Be sure your request is reasonable and appropriate to the grant needs and follows the guidelines for allowable costs. When preparing a budget, keep in mind that federal guidelines permit the funding of some costs and specifically prohibit the funding of others.

The general principals used by this federal program to determine if costs are eligible for reimbursement

1989

Organization: Suffolk County Police Department

General Highway Safety Grant Overview

include the following. Costs charged to the grant need to be necessary, reasonable and allocable. Activities and items being charged to the grant must be directly related to the approved project's objectives.

Approved expenses must be incurred during the grant period and any items purchased must be received before the end grant period. The deadline for submitting vouchers for reimbursement of project costs is October 31. All allowable costs incurred during the grant year for use during the period October 1 to September 30, must be claimed on a voucher and submitted to GTSC by October 31. NHTSA will not reimbursement late claims. While we do not intend that costs go un-reimbursed, grantees must claim costs promptly or be subject to non-reimbursement. Vouchers must be submitted on a quarterly basis.

If you have any questions on allowable or unallowable costs, contact the GTSC while planning your budget and always check before incurring the costs. If an item is not listed in the table below, do not purchase it until you check with GTSC for prior approval. If you do not seek prior approval or purchase items not listed in your grants approved budget you do so at the risk of non-reimbursement. All purchases with grant funds are subject to prior approval from GTSC before reimbursement vouchers are paid. We strongly recommend that you receive prior approval from GTSC before making such purchases.

Following are the general guidelines for our grant program budgets:

ALLOWABLE COSTS

Contractual services	Professional memberships & subscriptions
Equipment [1]	PI & E materials and products [4]
Fringe benefits, straight time only	Telephone calls (project related)
Materials and supplies	Transportation/mileage
Personal services	Travel
Postage	Training
Printing and reproduction	

UNALLOWABLE COSTS (These items are NOT funded by GTSC):

Accident reconstruction activities/total work stations	Incentives or prizes of cash, gift cards or services.
Advertising (Paying for advertising placement)	Interest and other financial costs
Blanket purchase orders	Land
Alcoholic beverages (including controlled training settings)	Large scale computer systems
Capital expenditures/capital construction	Legislative expenses (lobbying is prohibited)
Cell phones and contracts	Maintenance and repairs to existing/non-project funded equipment
Commercial vehicle inspection and truck scales	Public Information & Education (PI&E) material that does not have a traffic safety message and/or was not pre-approved by GTSC [4]
Contributions and donations	Police/emergency communications
Entertainment	Pre-agreement costs (Costs incurred before the project begin date.)
Extended warranties/maintenance agreements	Tint meters
Fines and penalties	Traffic signal preemption systems
Fringe benefits on overtime	Supplanting (Meaning grant funds cannot be used to support existing activities.)
Furniture, fixtures and equipment [3]	Uniforms
Highway safety appurtenances (guard rails, utility poles, sign supports, etc.)	Any purchase or expense made outside of the approved grant period.

1989

General Highway Safety Grant Overview

1. Equipment that costs \$5,000 or more per item needs prior written approval from the GTSC and the NHTSA before the purchase is made.
2. Public Information & Education (PI&E) materials, products or campaigns developed for this project must have prior GTSC approval for content and text or be subject to non-reimbursement. Materials must include the following acknowledgement: "Funded by the National Highway Traffic Safety Administration with a grant from the New York State Governor's Traffic Safety Committee. (Examples: pamphlets, videos, handouts, public messages.)"
3. Tables, desks, chairs, file cabinets, clocks, lighting, coat racks, drapes, shelves, floor covering, bookcases, etc.
4. PI&E items and activities must be directly related to the project objectives and have a highway safety message.

EQUIPMENT / PROJECT RELATED COMMODITIES

Large commodity orders and equipment required to conduct the project activities as described in the approved grant budget must be ordered and received by July 31. Equipment that costs \$5,000 or more per item needs written approval from the GTSC and the NHTSA **before** it is purchased.

PUBLIC INFORMATION CAMPAIGNS AND PROMOTIONAL MATERIALS

A project's promotional activities, which encourage or educate the general public to adopt highway safety practices, are an allowable cost. Education and information materials are pamphlets, books, booklets, brochures or broadsheets that are used to inform the public about safety topics. Promotional items are items that have a slogan or message imprinted on them, meant to reinforce the education message. Examples of promotional items are pens, key chains, reflectors or other inexpensive items that can be imprinted.

Promotional items and activities must directly relate to the project objectives and contain a traffic safety message, for example, "Buckle Up Your Family" or "Head Out with a Helmet." Simply printing the name of your traffic safety program with no additional message is NOT acceptable. Promotional materials should be distributed in conjunction with activities like training programs or at events where traffic safety is emphasized and where program staff interact directly with the public, like at fair exhibits or safety day events.

Promotional items and educational material produced or purchased should include the following acknowledgement: "Funded by the National Highway Traffic Safety Administration with a grant from the New York State Governor's Traffic Safety Committee."

All public awareness media or promotional campaigns and public information and educational (PI&E) materials developed using grant funds must be reviewed and approved by GTSC **BEFORE** they are ordered. This would include: brochures, posters, pamphlets, or other media messages. GTSC will review the message for accuracy and consistency with the state's safety goals. If the items are not pre-approved, GTSC may not reimburse you. Please contact the GTSC for assistance on meeting these requirements

General Highway Safety Grant Overview

before you order your materials.

Safety equipment such as bicycle helmets or car seats may be distributed only in conjunction with an educational program. Promotional items of nominal value with the appropriate safety message, e.g. pens, pencils or key chains, may purchased and distributed to support program activities.

REPORTING

You will be required to submit a mid-year and final report. Your final report should include either your completed evaluation report or description of what will be evaluated and when it will be completed. The mid-year report is due April 15 and should describe the activities conducted, the milestones that have been met, and any problems affecting the implementation of the project. The final report is due October 15 and should summarize your accomplishments and present the results of the evaluation.

MONITORING

The GTSC has the right to conduct on-site monitoring of grant funded projects, during the project period or within 3 years after the end of the project period. The staff of the GTSC will schedule on-site visits at the mutual convenience of the GTSC and the project director or designee.

During the on-site monitoring visit, the GTSC staff may ask to view: grant records, correspondence, financial records, traffic records, examples of work performed, appointment books, financial and payroll records and equipment purchased with grant funds.

It is expected that you document the work of your grant project. The GTSC may request proof of the work done under the grant. Scheduling diaries, correspondence, meeting minutes, media archives, reports and other materials will help to document your use of grant funding. For enforcement, projects surveys, ticket and crash reports should be maintained by the project director.

Guide for Writing a General Highway Safety Grant Proposal Narrative

The grant application must have a narrative that addresses the following components:

- I. Problem Identification
- II. Proposed Solution
- III. Goal (with objectives)
- IV. Operational Plan (Work Plan)
- V. Evaluation Plan

Use this guide when writing your grant to develop an acceptable application. Applications will be reviewed based on completeness, potential impact, reasonableness of the budget request and the past performance of the applicant. All proposals must address a problem described in New York's Highway Safety Strategic Plan. The Highway Safety Strategic Plan and accident and ticket data are found on the GTSC website, SafeNY.ny.gov.

1989

General Highway Safety Grant Overview

I. Problem Identification

In narrative form, describe the problem(s) that you have identified in your community. The problem(s) you describe should be identified through an analysis and assessment of data and information related to highway safety in your community. The data used in identifying the problem(s) must be included to support your problem identification statement.

II. Proposed Solution

Describe the solution to your highway safety problem. Explain what you intend to do and how it will impact your problem.

Provide specific and measurable action statements that indicate what you would like to accomplish by the end of your project period.

Provide a statement for each problem that you will be addressing in the project.

III. Goal

Based on the problem(s) that you have identified and documented, state the goal and objectives of your project. Performance measures for monitoring and tracking progress toward your goal and each objective must be identified.

Goal: The goal of your project is the ultimate end result you hope to achieve over time. In highway safety programs, the ultimate goal is to reduce crashes, fatalities and injuries. The goal should be measurable; it should also be ambitious, but realistic. In stating the goal, include where you are starting from (baseline), the target you hope to reach, and a timeframe for achieving your goal. (Examples: Reduce the number of pedestrians injured in crashes from 214 this year to 185 in three years. Reduce the number of fatal and personal injury crashes that are alcohol-related from 142 this year to 125 in three years.)

Objectives: The objectives are the "action" steps you will take to achieve your goal and are related to the activities undertaken in your project. The objectives should also be specific, measurable, action-oriented, realistic, related to your problem and time bound. (Examples: Conduct a traffic safety education outreach for senior citizens by September 30. Increase the number of tickets issued for speeding violations from 16,890 last year to 20,000 in this year. Increase the seat belt use rate from 70% last year to 80% next year).

Describe the strategies you will use to accomplish your program's objectives. For each strategy, describe the specific activities or tasks that will be undertaken. Identify measures that will be used to document the activities that are implemented; this information must be collected throughout the project. (Examples: number of pedestrian safety presentations to senior citizen groups, number of brochures distributed, number of seat belt road checks conducted.) To the extent possible, measures for assessing the effectiveness of your activities should also be identified. (Examples: change in awareness/knowledge of pedestrian safety, change in seat belt use rate linked to project activity.)

Performance Measures: A performance measure is a quantitative indicator that can be monitored over time and is directly related to a goal or objective. Identify the measures you will use to track progress toward the achievement of your goals and objectives. (Examples: number of pedestrians injured in crashes, seat belt use rate, number of speeding tickets issued). For each selected

 General Highway Safety Grant Overview

measure, indicate the source or how you will collect the data. (Examples: Department of Motor Vehicles, observational surveys, police agencies tickets issued.)

IV. Operational Plan (Work Plan)

Provide a detailed description of how your project will be organized, including such things as staffing, location, schedules and frequencies. What are the specific activities that you will be performing, how will you do them, when, how often and to whom will they be directed? Provide a description of major activities or events (by month or quarter).

Your operational plan should, in a few paragraphs:

1. Describe the activities that you will conduct to address each problem.
2. Address the solutions for each problem.
3. Include the names, titles, and duties of those who will carryout the project.

Example: We will present a bicycle and pedestrian safety school assembly to every grammar school in our county (8 schools) during the school year. Our traffic safety coordinator will organize and present the assemblies and will use the materials we order through our grant budget.

Milestones: Establish milestones for your project. Provide a chronological list of the major events, activities or tasks that will be performed and designate a start and completion date for each task.

Tip:

1. Your Operation Plan will help you define the scope of your project, organize your resources, provide direction to and motivate project participants.
2. It will encourage long range planning throughout the project period.

V. Evaluation

To determine if the project will be doing what it is intended to do, describe how you will assess your accomplishments, its achievements or shortcomings. The evaluation should focus on documenting your activities and linking these activities to the achievement of your objectives. Did you conduct the activities you planned? If you did, were the activities effective?

You will also want to determine whether there has been progress toward the ultimate goal of your project. Because of the time lag in receiving up-to-date crash data, it will not be possible to link your project activities with any change in your measure. Rather, you should review the current status of your measure to determine whether there has been a change (compared to the established baseline) and if the change is in the right direction.

Conducting the Evaluation:

Obtain or collect updated information/data for each of the performance measures related to your project activities, objectives, and goal. Establish a baseline for each measure.

Assess the implementation of your project by comparing the activities that were conducted with the activities that were planned. Include quantitative terms in describing your activities. (Examples: number of presentations, number of participants, number of police officers, number of brochures distributed.)

Evaluate the effectiveness of your activities by comparing the updated measure with the baseline measure related to each objective. Determine if each objective was "met", "unmet", or "exceeded". Look for linkages between your activities and your objectives.

✓ I agree to the terms and conditions stated above.*

Applicant and Project Information

Project Information

Project Title Motorcycle Safety Education and Enforcement 2013
Synopsis The proposed project will continue a focus on increasing awareness of motorcycle safety issues by enforcement of NYS Vehicle & Traffic Law regulations concerning motorcycle safety. The educational presentation objective will be continued as well.

Applicant Agency

Organization Suffolk County Police Department
Address 30 Yaphank Avenue
 Yaphank, NY 11980
 Phone: 631-852-6042
 Fax: 631-852-6666
Project Director Sarah Furey
Contact Information Sr. Grants Analyst
 Command 5240
 30 Yaphank Avenue
 Yaphank, NY 11980
 Phone: (631)852-6042
 Fax: (631)852-6666
 E-mail: fureysar@suffolkcountyny.gov
CC Person Jeffrey Goldberg
Fiscal Agent Angela Kohl
Contact Information Accountant
 Riverhead County Center
 300 Center Drive (Rm N216)
 Riverhead, NY 11901
 Phone: (631) 852-2812
 Fax: (631) 852-2579
 E-mail: angela.kohl@suffolkcountyny.gov

All agencies must have a NYS Vendor ID number. Consult your agency Fiscal Agent or see <http://www.osc.state.ny.us/vendors/vendorguide/guide.htm>

If you are a government agency you must have a Payee ID.

If you are a nonprofit agency you must have a Federal ID.

Nonprofit agencies must be up to date with their reports filed with the Charity Registration Bureau through the NYS Attorney General's Office.

If you need information about Charity ID, consult the NYS Attorney General <http://www.charitiesnys.com>.

DUNS NUMBER: The federal government is requiring that New York report grant fund awards by using the **DUNS** number of the award recipient. The **DUNS** number is a unique nine-character number that identifies your organization. Your fiscal agent should know your agency's DUNS number. If they do not, information is available from the federal grants website, http://www.grants.gov/applicants/request_duns_number.jsp.

All agencies must have a NYS Vendor ID number.

If you are a government agency you must have a Payee ID.

If your Vendor ID Number does not appear on this page, enter it in your Organization Information page.

Vendor ID numbers are required.

All agencies must have a NYS Vendor ID number.

If you are a government agency you must have a Payee ID.

1989

Applicant and Project Information

If your DUNS number does not appear on this page, enter it in your Organization Information page. DUNS numbers are required.

If your Vendor ID Number does not appear on this page, enter it in your Organization Information page.

Vendor ID numbers are required.

NYS Vendor ID 100000809

Payee ID

Federal ID 11-6000464

Charity ID

DUNS Number 103800934

If your DUNS number does not appear on this page, enter it in your Organization Information page. DUNS numbers are required.

✓ I certify that this agency is in compliance with the New York State requirement to carry Workers' Compensation and Disability Insurance. Nonprofits must attach your proofs on the attachment form.

*

Jurisdiction

1989

Applicant agency is a: *

City

Town

Village

✓ County

Local NonProfit

State Agency

Statewide NonProfit

Select a county or statewide (state agencies) *

Suffolk County - 052

Project Description

1989

Upload Project Narrative

http://grants.gtsc.ny.gov/_Upload/130310-Motorcycle_Narrative2013.doc

Problem Identification -- If you upload your narrative, do not type in the boxes below.

Proposed Solution

Goal

Operational Plan

Evaluation Plan

1989

Personal Services: Various sworn officer

Job Title Various sworn officer
 Full Time
 Part Time

This job title is 100% funded by this grant: Yes No

Check if OT

Salary Amount \$20,000
 Fringe Amount \$0
 Total Amount \$20,000

1989

Commodities: motorcycle safety handouts

Item motorcycle safety handouts

Dollar Amount \$500

Reason

Handouts given to motorcyclists at enforcement stops and for educational presentations.

Travel: In-State: none

1989

Description none

Dollar Amount \$0

Reason

No grant funded travel requested.

1989

Organization: Suffolk County Police Department

Travel: Out-Of-State: none

Description none
Dollar Amount \$0
Reason
No grant funded travel requested.

Equipment: none

1989

Description none
Dollar Amount \$0
Reason
No equipment requested.

1989

Other Costs: none

Description none
Dollar Amount \$0
Reason
None requested.

Budget Summary

1989

Original Request Amount \$42,360.00
Approved Amount

	GTSC Funding
Personal Services	\$20,000
Other Than Personal Services (OTPS)	
Commodities	\$500
Travel: In-state	\$0
Travel: Out-of-state	\$0
Equipment	\$0
Other Costs	\$0
Total Other Than Personal Services	\$500
Grand Total	\$20,500

Conditions

1989

Conditions

- The federal fiscal year runs from October 1 through September 30. Projects are funded for one year, and each project period must coincide with the federal fiscal year, with an October 1 start date and an ending date of September 30. Time extensions will only be considered for unique circumstances.
- Grant projects are funded for one year periods, based on the availability of federal funding and the performance of the grantee. A new application must be submitted each year.
- Activities and items being charged to the grant must be directly related to the approved project objectives. Costs charged to the grant need to be necessary, reasonable and allocable to the approved budget.
- This is a reimbursement program. The applicant incurs the costs of the project and is reimbursed by the GTSC through the New York State Comptroller according to the approved budget. All costs must be documented and the reimbursement request must be submitted through eGrants. The voucher generated through eGrants must be signed and submitted with supporting backup documentation. Any changes in the approved budget must be submitted through eGrants to the GTSC for approval before the costs are incurred and the reimbursement requested.
- Payment for vouchers submitted by the Grantee shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstance. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Grantee shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at www.osc.state.ny.us/epay/index.htm, by email at epunit@osc.state.ny.us, or by telephone at 518-474-4032. Grantee acknowledges that it will not receive payment on any vouchers submitted under this Contract if it does not comply with the State Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.
- Public Information and Education material, products or campaigns developed for this project **must** have prior GTSC approval for content and text or be subject to non-reimbursement. Materials must include the following acknowledgement: "Funded by the National Highway Traffic Safety Administration with a grant from the New York State Governor's Traffic Safety Committee."
- Large commodity orders and equipment required to conduct the project activities as described in the proposal must be ordered and received by July 31.
- The deadline for submitting vouchers for reimbursement of project costs is October 31. All allowable costs incurred during the grant year for use during the period of October 1 to September 30, must be claimed on a voucher and submitted to GTSC by October 31. NHTSA will not reimburse late claims. While we do not intend that costs go un-reimbursed, grantees must claim costs promptly or be subject to non-reimbursement. Vouchers must be submitted quarterly.

Progress reports are due April 15 and October 15.

DUNS NUMBER: The federal government is requiring that New York report grant fund awards by using the **DUNS** number of the award recipient. The DUNS number is a unique nine-character number that identifies your organization. Your fiscal agent should know your agency's **DUNS** number. If they do not, information is available from the federal grants website, http://www.grants.gov/applicants/request_duns_number.jsp.

Nonprofit applicants MUST provide us with proof of Workers' Compensation and Disability Insurance or proof of exemption: Acceptable forms are listed below. Upload your proof in the Attachments section of this application. The proof or exemption must have the same Federal ID number as this grant application. Attach your proofs on the attachment form.

NY State Insurance Fund Certificate of Workers' Compensation Coverage (U-26.3)

Conditions

1989

Certificate of Workers' Compensation Insurance (C-105.2) the business' insurance carrier will send this form to the government entity upon request)

Certificate of Worker's Compensation Self-Insurance (SI-12) Board's Self- Insurance Office at 518-402-0247

Certificate of Group Worker's Compensation Self-Insurance (GSI-105.2) the Self- Insurance Administrator will send this form to the entity upon request

Certificate of NYS Disability Benefits Insurance (DB-120.1) the business' disability benefits carrier will send this form to the entity upon request

Certificate of NYS Disability Benefits Self-Insurance (DB-155) businesses that are self-insured in NYS for disability benefits insurance should call the Workers' Compensation Board's Self-Insurance Office at (518) 402-0247 to obtain this form

Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage (CE-200)

- ✓ I hereby certify to abide by all conditions, cost limits, and federal and state rules for grant administration.*

Request For Application (RFA) Statement

General Highway Safety Standard Request for Application (RFA) Statement

Grant applications are available through the eGrants system at SafeNY.ny.gov.

The application deadline is on or before May 15th, even when the 15th is a weekend day. The proposal application status in eGrants must be changed from "Proposal in Process" to "Submitted" by May 15th. Applications that are not submitted by May 15th will not be reviewed in the first round. A second round of funding, for general highway safety grant applications only, will be considered if Federal funds are available. The application deadline for second round applications is September 1. Applications submitted after September 1 will not be considered for funding. Only General Highway Safety grants have a second deadline.

Local applications must be endorsed by the applicant's County Traffic Safety Board. The GTSC will not consider applications that have not been properly endorsed. Contact your County Traffic Safety Board as to the process for having your application endorsed.

Applicants should take care to address each of the components in the outline provided in the Highway Safety Program Guide. There is no set page length for general applications. The value assigned to each scoring criteria is an indication of the relative weight that will be given when scoring your Highway Safety Grant Program application. Applications are considered on a jurisdictional basis. Grant applications are considered until all funds are obligated.

Highway Safety grants will be scored on the following criteria.

1. Problem Identification – 20 points
2. Proposed Solution – 20 points
3. Budget – 20 points
4. Strategic Assessment - 40 points

The Review Process

1. The GTSC may only approve program applications that meet the goals of the NYS Highway Safety Strategic Plan (HSSP) approved by the funding agency, National Highway Traffic Safety Administration. The HSSP may be read online at the GTSC website at SafeNY.ny.gov.
2. Applications are reviewed and evaluated by the Governor's Traffic Safety Committee. The review process is managed by the staff of the GTSC. GTSC member agencies also participate in the review process. Applications may be approved for funding only when they have passed the staff and management reviews, are endorsed by the GTSC member agencies and approved by the Commissioner of DMV, who is Chair of the GTSC.
3. Award decisions are based on past performance, demonstration of need, reasonableness of budget request and program plan, and availability of federal funding.
4. Applications must receive a score of at least 60 in order to receive funding. Not all applications with a score of 60 may be funded based on the needs of the state's HSSP goals and the availability of federal funds.
5. GTSC staff may negotiate with applicants within the requirements to serve the best interests of the State's Highway Safety Strategic Plan and to maximize funding in a program area.
6. Applications received by May 15th receive first priority. A second round of applications will be considered if Federal funds are available, if a region or population or program area is underserved, or if the GTSC participates in a directed safety program with federal or state agencies. Only general highway safety proposals are eligible for second round consideration. Second round applications are due by September 1. The grant funding cycle is 10/1 to 9/30.
7. If funds become available or if available funds are reduced, then funding will be distributed or reduced proportionally in the same manner as outlined in the RFA.

The GTSC Reserves the Right To:

Request For Application (RFA) Statement

1. Reject any or all applications received in response to this RFA.
2. Waive or modify minor irregularities in applications received after prior notification to the applicant.
3. Adjust or correct cost figures with the concurrence of the applicant.
4. Negotiate with applicants responding to this RFA within the requirements to serve the best interests of the State.
5. Award grants based on geographic or regional considerations, or in specific program areas to serve the best interests of the state.

Term of Contract

Any contract resulting from this RFA will be effective only upon approval by the NYS Office of the State Comptroller. Contracts will be for one year periods.

Applications must address a fundable program area. The application must agree to terms and conditions set forth in the application and in the contract. Policies and procedures of the following federal regulations may be applicable: 49 CFR Part 18 Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 23 CFR Part 1200 - Uniform Procedures for State Highway Safety Programs, 2 CFR Part 220 (OMB Circular A-21), 2 CFR Part 225 (OMB Circular A-87), 2 CFR Part 230 (OMB Circular A-122), 49 CFR Part 19 and 49 CFR Part 90 (OMB Circular A-133).

✓ I agree to the terms and conditions stated above.*

Endorsement

1989

County TSB Endorsement Signature Required

All grant applications from local agencies **MUST be endorsed** by the Chair of the County Traffic Safety Board. Contact your County Traffic Safety Board regarding the process for having your application endorsed.

Once the Traffic Safety Board Chair has signed the application's endorsement page, it must be sent to the Governor's Traffic Safety Committee (GTSC). Applications can not be approved unless the GTSC has received a signed TSB endorsement page for this application.

http://grants.gtsc.ny.gov/_Upload/121417-MotorcycleEndorsement.pdf

✓ I acknowledge the requirement of the Traffic Safety Board endorsement signature.*

1989

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

EDWARD WEBBER
POLICE COMMISSIONER

POLICE DEPARTMENT

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

FROM: Cornelius McKenna, Inspector
Office of Chief of Support Services *CK*
Suffolk County Police Department

DATE: September 13, 2012

SUBJECT: Resolution Packets & SCIN Forms for
Motorcycle Safety Enforcement and Education 2013
Project Number: HS1-2013-Suffolk Co PD-00113-(052)

Attached please find two copies of the following for the Motorcycle Safety Enforcement 2013 Grant Program:

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. A copy of the award documents

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

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

Thank you as always for your assistance with this project.

MW/sck

Att. Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Evelyn Green, Senior Federal & State Aid Claims Examiner

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



Intro. Reso. No. 1990-12
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 10/9/12

RESOLUTION NO. -2012, ACCEPTING AND APPROPRIATING FEDERAL PASS-THROUGH FUNDING IN THE AMOUNT OF \$160,639 FROM THE NEW YORK CITY POLICE DEPARTMENT IN CONJUNCTION WITH THE FEDERALLY SPONSORED SECURING THE CITIES PROGRAM WITH 78.90% SUPPORT.

WHEREAS, the New York City Police Department (NYPD) has received federal grant funding for the Securing The Cities (STC) initiative, a program designed to prevent a radiological/nuclear attack on high risk urban areas by enhancing regional capabilities to detect, identify and interdict illicit radioactive materials in and around urban areas; and

WHEREAS, the NYPD will provide radiological detection equipment to the Suffolk County Police Department (SCPD) as part of the program; and

WHEREAS, the operational period of the program will be from March 7, 2012 through September 7, 2016; and

WHEREAS, said reimbursement funds totaling \$160,639 have not been included in the 2012 Suffolk County Operating Budget; now, therefore, be it

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

REVENUE:	<u>Amount</u>
001-4343 – Federal Aid: Securing the Cities 2011	\$160,639
 ORGANIZATIONS:	
	Police Department (POL) Securing the Cities 2011 001-POL-3656
<u>1000 Personnel</u>	<u>\$160,639</u>
1120-Overtime Salaries	160,639

and be it further

2nd RESOLVED, that the fringe benefits estimated at \$42,971 associated with the overtime salaries for this program are included in the 2012 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements between Suffolk County and the New York City Police Department.

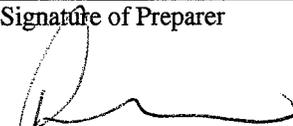
DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

1990

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING FEDERAL PASS-THROUGH FUNDING IN THE AMOUNT OF \$160,639 FROM THE NEW YORK CITY POLICE DEPARTMENT IN CONJUNCTION WITH THE FEDERALLY SPONSORED SECURING THE CITIES PROGRAM WITH 78.9% SUPPORT.		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>XX</u> No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution provides \$160,639 for the Securing the Cities training program. \$42,971 in matching funds are included in the 2012 operating budget.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
This grant must be expended between March 7, 2012 and September 7, 2016.		
8. Proposed Source of Funding		
Federal pass -through from NYPD.		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		9-27-2012

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

1990

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.

1990

3. Explanation of Requested County Financial Assistance			
<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE:	\$ 42,971	\$	\$42,971
A. Cash Contribution	\$ 42,971	\$	\$42,971
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X	YES NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			

1990

GRANT BUDGET ANALYSIS		COUNTY BUDGET YEAR 2012		Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	160,639 160,639			
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2040 Trucks, Trailers, and Jeeps 2090 Radio and Communication 2130 Boats & Marine 2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				
4000 UTILITIES: 4010 Telephone & Telegraph 4015 Cellular Communications 4210 Computer Services				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				

GRANT BUDGET ANALYSIS

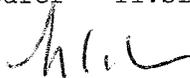
COUNTY BUDGET YEAR 2012

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		42,971 40,642 2,329		Benefits on overtime are not reimbursable under this grant program
OTHER (List Source & Brief Explanation)				1990

DETAIL LISTING OF 1000 ACCOUNT				PERSONAL SERVICES			Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY IN-KIND		
Police Officer	6	\$87.78/hr OT	Various	100%		1990	
Sergeant		\$103.55/hr OT	Various	100%			
Lieutenant		\$115.28/hr OT	Various	100%			
Detective	4	\$98.31/hr OT	Various	100%			

1990

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

1. Type of Legislation
Resolution X Local Law Charter Law
-
2. Title of Proposed Resolution
Accepting and appropriating federal pass-through funding in the amount of \$160,639 from the New York City Police Department in conjunction with the federally sponsored Securing the Cities program with 78.90% support.
-
3. Purpose of Proposed Legislation
To accept \$160,639 from the New York City Police Department (NYPD) in federal pass through funding, to allow The Suffolk County Police Department to participate in exercises designed to enhance the abilities of law enforcement personnel in addressing radiological incidents.
-
4. Will the Proposed Legislation have a fiscal impact? Yes No X
-
5. If the answer to Item 4 is "Yes," on what will it impact?
(Circle appropriate category)
- | | | |
|------------------|-----------------|------------------|
| County | Town | Economic Impact |
| Village | School District | Other (specify): |
| Library District | Fire District: | |
-
6. If answer to Item 5 is "Yes," provide detailed explanation of impact:
-
7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:
Non-reimbursable employee benefit costs of approximately \$42,971 will be incurred through September 7, 2016. Additional costs will only be incurred if the program receives additional funding in subsequent years.
-
8. Proposed Source of Funding
Department of Homeland Security, New York City Police Department
-
9. Timing of Impact
Immediate
-
- | | | |
|--------------------------------------|---|----------|
| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
| Susan C. Krause
Grants Technician |  | 9/17/12 |

**Securing the Cities Program FY2011
Agency Funding Allocations**

Agency: SUFFOLK COUNTY POLICE DEPARTMENT

Detection Equipment*				
Description	Qty	Cost per Unit	Total Cost	Comments
RadEyes	100	\$ 1,700.00	\$ 170,000.00	
PackEyes	1	\$ 34,000.00	\$ 34,000.00	
Other (please specify) Radeye ER	101	\$ 2,280.00	\$ 230,280.00	
Total Detection Equipment Costs			\$ 434,280.00	1990

*NOTE: ALL COSTS LISTED ARE ESTIMATES

Equipment Sustainment*				
Description	Qty	Cost per Unit	Total Cost	Comments
RadEyes - 3-Yr Extended Warranty	201	\$ 700.00	\$ 140,700.00	
PackEyes - 3-Yr Extended Warranty	1	\$ 3,700.00	\$ 3,700.00	
Total Equipment Sustainment Costs			\$ 144,400.00	

*NOTE: ALL COSTS LISTED ARE ESTIMATES

Communications Equipment				
Description	Qty	Cost per Unit	Total Cost	Comments
Total Communication Equipment Costs			\$ -	

IT Contractor Support				
Description	Hours	Rate	Total Cost	Comments
Total IT Contractor Support Costs			\$ -	

Personal Services - OT for Trainee/Trainer or Trainee/Trainer Backfill						
Trainee/Trainer OR Backfill Hours						
Rank	# of MOS*	Needed	Rate/HR	Total Costs	Training	
PO	28	10	\$ 58.52	\$ 16,385.60	Students in CTOS RDK Course	
Sgt	3	10	\$ 69.03	\$ 2,070.90	Students in CTOS RDK Course	
Lt.	1	10	\$ 76.85	\$ 768.50	Student in CTOS RDK Course	
PO	6	40	\$ 58.52	\$ 14,044.80	Instructors for PRD course	
Sgt	1	40	\$ 69.03	\$ 2,761.20	Instructor for PRD course	
PO	200	8	\$ 58.52	\$ 93,632.00	students for PRD course	
Total PS-OT Training Costs				\$ 129,663.00		

*Number of total MOS as trainee/trainer or for the backfill of a trainee/trainer. You cannot project for both the trainee/trainer and their backfill; reimbursement will only be for one or the other.

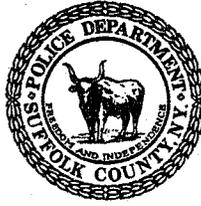
Personal Services - Exercise Related OT						
Type	Time Allotted (hours)	Personnel	Personnel Hours	Hourly Cost	Total Cost	Comments
PO	8	60	480	\$ 58.52	\$ 28,089.60	
Sgt	8	3	24	\$ 69.03	\$ 1,656.72	
Lt	8	2	16	\$ 76.85	\$ 1,229.60	
Total PS Exercise OT Costs					\$ 30,975.92	

Training - Classes				
	# of Classes	# of MOS	Self-Training	Comments
DHS-013-PREV (PRD)				
DHS-014-PREV (Backpack)				
DHS-015-PREV (RIID)				
DHS-012-PREV (MDS)				
PRD (self or regional training)			201	
RDK aka KO Kit	2	32 @ \$1,100 per	35,200	CTOS Delivered

NOTE: CTOS contract pending acceptance by the City of New York; utilize DHS courses and/or Self-training capabilities.

Administrative				
Title	Salary	Benefits	Total Cost	Comments
Total Administrative Costs			\$ -	
TOTAL ALLOCATION			\$ 774,518.92	

COUNTY OF SUFFOLK



1990

STEVEN BELLONE
COUNTY EXECUTIVE

EDWARD WEBBER
POLICE COMMISSIONER

POLICE DEPARTMENT

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

FROM: Cornelius McKenna, Inspector
Office of Chief of Support Services *OK*
Suffolk County Police Department

DATE: September 17, 2012

SUBJECT: Resolution Packet & SCIN Forms for
Securing the Cities FY11 grant program

Attached please find two copies of the following for the **Securing the Cities FY11** grant program:

1. Proposed Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the award notification and budget

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

Through the federally sponsored Securing the Cities grant program, NYPD will be providing radiological detection equipment for SCPD use in the broader program of radiological detection around the perimeter of New York City, aimed at the prevention of terrorist attacks. NYPD will also reimburse overtime costs incurred as a result of the SCPD's participation in exercises and training designed to enhance the SCPD's ability to address radiological events.

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

Thank you as always for your assistance with this project.

CM
~~MA~~/sck

Att. Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Evelyn Creen, Senior Federal & State Aid Claims Examiner

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



1991

Intro. Res. No. - 2012

Laid on the Table 10/9/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2012, APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR GROUNDWATER MONITORING AND WELL DRILLING (CP 8226) AND APPROVING THE PURCHASE OF A VEHICLE IN ACCORDANCE WITH SECTION 186-2(B)(6) OF THE SUFFOLK COUNTY CODE AND IN ACCORDANCE WITH THE COUNTY VEHICLE STANDARD

WHEREAS, the Commissioner of Health Services has requested funds for the purchase of Equipment for Groundwater Monitoring and Well Drilling; and

WHEREAS, the equipment will be used to drill wells and conduct groundwater research to protect Suffolk County's sole-source aquifer; and

WHEREAS, hydrologic investigations are performed with this equipment relating to hazardous waste and petroleum spills, pesticide and herbicide aquifer contamination, former manufactured gas sites, leachate plumes, off shore groundwater impacts on rivers and estuaries, saltwater intrusion, and geologic exploration; and

WHEREAS, the equipment request includes funds to replace a 1996 Ford F-250 truck (Fleet #20300) used for well drilling; and

WHEREAS, Local Law 20-2003 requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature"; and

WHEREAS, there are sufficient funds within the 2012 Adopted Capital Budget and Program to cover the cost of said request under Capital Program Number 8226; 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 \$80,000 in Suffolk County Serial Bonds; now, therefore be it

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

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative

decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the purchase of one replacement truck used for well drilling activities, Fleet number 20300, is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with County vehicle standard; and be it further

4th RESOLVED, that the proceeds of \$80,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8226.525 (Fund 001 Debt Service)	45	Purchase of Equipment for Groundwater Monitoring and Well Drilling	\$80,000

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1991

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. - 2012, APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR GROUNDWATER MONITORING AND WELL DRILLING (CP 8226) AND APPROVING THE PURCHASE OF A VEHICLE IN ACCORDANCE WITH SECTION 186-2(B)(6) OF THE SUFFOLK COUNTY CODE AND IN ACCORDANCE WITH THE COUNTY VEHICLE STANDARD</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> <p>County</p> </div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2013		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		October 1st, 2012

Suffolk County
General Obligation Serial Bonds
Level Debt

1991

Term of Bonds: 5
 Amount to Bond: \$80,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2012					
11/1/2013	2.000%	\$15,128.74	\$2,240.00 \$908.20	\$17,368.74 \$908.20	\$17,368.74
11/1/2014	3.000%	\$15,552.34	\$908.20 \$690.46	\$16,460.54 \$690.46	\$17,368.74
11/1/2015	3.000%	\$15,987.81	\$690.46 \$466.64	\$16,678.27 \$466.64	\$17,368.74
11/1/2016	3.000%	\$16,435.46	\$466.64 \$236.54	\$16,902.10 \$236.54	\$17,368.74
11/1/2017	3.000%	\$16,895.66	\$236.54	\$17,132.20	\$17,368.74
11/1/2018		\$80,000.00	\$6,843.68	\$86,843.68	\$86,843.68
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**

1991

GENERAL FUND

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$86,844	\$0.17		\$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

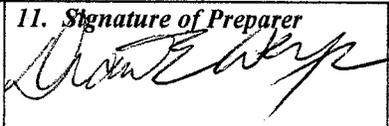
	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$86,844	\$0.17		\$0.000

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.

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

1991

1. Type of Legislation		
Resolution <u> X </u>	Local Law _____	Charter Law _____
2. Title of Proposed Legislation Appropriating funds for the purchase of equipment for Groundwater Monitoring and Well Drilling (CP 8226) and approving the purchase of a vehicle in accordance with Section 186-2(B)(6) of the Suffolk County Code and in accordance with the County vehicle standard.		
3. Purpose of Proposed Legislation This legislation is to purchase equipment needed to drill wells and conduct groundwater monitoring and research to protect Suffolk County's vital water supply and surface water resources. This Resolution also seeks approval to purchase one replacement vehicle, fleet #20300, used for well drilling activities.		
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 X	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Serial bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the bonds.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. See attached Debt Schedule		
8. Proposed Source of Funding Serial bonds		
9. Timing of Impact 2012		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst	11. Signature of Preparer 	12. Date 2/15/11

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

1991

DEPARTMENT OF HEALTH SERVICES

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

Memorandum

TO: Liza Wright, Senior Budget Analyst
Budget/Purchasing/Grants Unit

FROM: Walter Dawydiak, Acting Director *Jr. D. D.*
Division of Environmental Quality

DATE: February 2, 2012

SUBJECT: Capital Project 8226 - Appropriating Resolution Request

The Division of Environmental Quality's Office of Water Resources is requesting an appropriation, of \$80,000, under CP 8226 for the 2012 Capital Budget, to replace a variety of necessary and vital equipment.

This is an ongoing project to provide the Suffolk County Department of Health Services, Office of Water Resources (OWR), with the equipment and means to drill wells and conduct groundwater research to protect Suffolk County's sole-source aquifer. Hydrologic investigations are performed relating to hazardous waste and petroleum spills, pesticide and herbicide aquifer contamination, former manufactured gas sites, leachate plumes, off shore groundwater impacts on rivers and estuaries, saltwater intrusion and geologic exploration.

In conformance with the long term plan, the Office of Water Resources intends to:

- a) Replace a 1996 Ford F-250 4 x 4 (fleet #20300) at a total cost of \$50,000.
- b) Replace drilling augers and rods and upgrade/replacement of well development equipment and geophysical equipment at a cost of \$30,000.

The replacement and upgrading of this equipment is critical to the effective operation of the OWR drilling operations.

C: Douglas Feldman, PE - Office of Water Resources
Ronald Paulsen, Associate Hydrogeologist - Office of Water Resources



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



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

RECEIVED

FEB 22 2012

OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

1991

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

DEPARTMENT OF HEALTH SERVICES

February 21, 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 to appropriate funds for the purchase of equipment for groundwater monitoring and well drilling (CP 8226) and approving the purchase of a vehicle in accordance with Section 186-2(B)(6) of the Suffolk County Code and in accordance with the County vehicle standard. This program ensures the protection of Suffolk County's vital water supply and surface water resources.

I have enclosed the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Walter Dawydiak at 2-5800. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP 8226 Well Drilling.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
Janet DeMarzo, Deputy Commissioner
Walter Dawydiak, Acting Director, Division of Environmental Quality
Diane E. Weyer, Principal Financial Analyst



Public Health
Prevent. Promote. Protect.

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

Intro Res. No. **1992-12**
Introduced by Presiding Officer on the Request of the County Executive

Laid on Table **10/9/12**

**RESOLUTION NO. TO READJUST, COMPROMISE, AND
GRANT REFUNDS AND CHARGEBACKS ON CORRECTION
OR ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #376**

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>
ISLIP:				
0500-393.00-02.00-091.001	2010/11	\$35,088.06	0.00	\$35,088.06
0500-393.00-02.00-091.001	2011/12	\$36,577.71	0.00	\$36,577.71
0504-017.00-01.00-003.000	2010/11	\$40,518.50	0.00	\$40,518.50
0500-296.00-04.00-002.000	2010/11	\$32,328.65	0.00	\$32,328.65
0500-366.00-01.00-007.000	2011/12	\$ 4,387.65	0.00	\$ 4,387.65

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

1992

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 4 is "yes," on what will it impact? (Circle appropriate category)

County

Town

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

11. Signature of Preparer

12. Date

Angie M. Carpenter
County Treasurer

Angie M. Carpenter 9/18/12

**Additional back-up material regarding IR 1992 is on file in
the Legislative Clerk's Office, Hauppauge.**

1993

Intro. Res. No. -2012

Laid on Table 10/9/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2012, PERMITTING CORNELL COOPERATIVE EXTENSION TO PURCHASE FUEL FROM THE COUNTY

WHEREAS, Cornell Cooperative Extension (Cornell) wishes to purchase fuel from the County under the County's Fuel Management/Preventive Maintenance Inventory Control System which was authorized by Resolution 737-2001; and

WHEREAS, the original agreement between Cornell and the County for the purchase of fuel expired on 1/31/12; and

WHEREAS, the original agreement between Cornell and the County did not contain a clause for an extension of the agreement; and

WHEREAS, the original agreement between Cornell and the County required a ten percent (10%) administrative fee and all current contracts require a fifteen percent (15%) administrative fee; and

WHEREAS, Cornell would like to enter into another ten (10) year agreement for the purchase of fuel; and

WHEREAS, the County agrees to provide the services requested by Cornell; and

WHEREAS, Cornell agrees to pay for all costs associated with retrofitting their vehicles to conform to the County's Fuel Management/Preventive Maintenance Inventory Control System; and

WHEREAS, Cornell will reimburse the County for the cost of fuel used by Cornell vehicles, in addition to a fifteen percent (15%) administrative fee; and

WHEREAS, the County and Cornell are permitted to enter into joint cooperation Agreements, now therefore be it

1st RESOLVED, that Cornell at their own expense, will conform with the County's Fuel Management/Preventive Maintenance Inventory Control System and reimburse the County for the cost of fuel used by their vehicles, plus a fifteen percent (15%) administrative fee; and be it further

2nd RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute any and all agreements with Cornell on behalf of the County of Suffolk providing for their participation in the above referenced program, and be it further

3rd RESOLVED, that this Legislature being the lead agency under the State Environmental Quality Review Act (SEQRA), New York Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action pursuant to Vol. 6 of the New York Code of Rules and Regulations (NYCRR) Section 617.5 (c) (20) (27) in that the resolution concerns purchase or sale of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibility under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk

Date of Approval:

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

1993

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

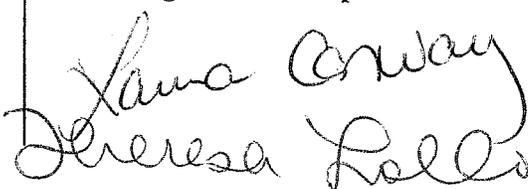
	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1993

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>											
2. Title of Proposed Legislation PERMITTING CORNELL COOPERATIVE EXTENSION TO PURCHASE FUEL FROM THE COUNTY											
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE											
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>											
5. If the answer to Item 4 is "yes," on what will it impact? (circle appropriate category) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact 											
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A											
8. Proposed Source of Funding N/A											
9. Timing of Impact N/A											
10. Typed Name & Title of Preparer Date Laura Conway, CPA, Chief Accountant Theresa Lollo SCIN FORM 175B (10/95)	11. Signature of Preparer 	12. 9/18/12 9/27/12									

1993

Agreement for Purchase of Fuel

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

Cornell Cooperative Extension ("Cornell" and/or "Contractor"), Cornell in the State of New York, located at 423 Griffing Avenue, Riverhead, New York 11901.

The parties hereto desire to enter into this Agreement to enable the Cornell to purchase fuel from the County at no cost to the County, as set forth in Exhibit D. This Agreement is subject to approval of the Suffolk County Legislature and approval of the governing body for Cornell.

Term of Agreement: February 1, 2012 through January 31, 2022.

Payment Terms: Revenue to the County, as set forth in Exhibit D, attached.

Terms and Conditions: Shall be as set forth in Exhibits A through F, attached hereto and made a part hereof.

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

Cornell Cooperative Extension

County of Suffolk

By: _____
Ms. Cathy Berkhan
Finance Director
Cornell Cooperative Extension
Fed. Tax ID #

By: _____

Date: _____

Date: _____

Approved: Department of Public Works

Approved as to Legality:
Dennis Cohen, County Attorney

By: _____
Gilbert Anderson, P.E.
Commissioner

By: _____
Basia Deren-Braddish
Assistant County Attorney

Date: _____

Recommended:

Date: _____

By: _____
Laura Conway, CPA
Chief Accountant

Date: _____

1993

List of Exhibits

Exhibit A General Terms and Conditions

1. Responsibilities of the Parties
2. Term and Termination
3. Indemnification
4. Insurance
5. Independent Contractor
6. Severability
7. Merger; No Oral Changes
8. Set-Off Rights
9. Governing Law
10. No Implied Waiver
11. Conflicts of Interest
12. Cooperation on Claims
13. Assignment and Subcontracting
14. No Intended Third Party Beneficiaries
15. Certification as to Relationships
16. Publications and Publicity

Exhibit B Suffolk County Legislative Requirements

1. Contractor's/Vendor's Public Disclosure Statement
2. Living Wage Law
3. Use of County Resources to Interfere with Collective Bargaining Activities
Local Law No. 26-2003
4. Lawful Hiring of Employees Law
5. Gratuities
6. Prohibition Against Contracting with Corporations that Reincorporate Overseas
7. Child Sexual Abuse Reporting Policy
8. Non Responsible Bidder
9. Use of Funds in Prosecution of Civil Actions Prohibited
10. Suffolk County Local Laws Website Address

Exhibit C Notices and Contact Persons

Exhibit D Program and Payment Terms

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

Exhibit E Suffolk County Legislative Resolution

Exhibit F Cornell Resolution

Exhibit A
General Terms and Conditions

Whereas, Cornell wishes to purchase fuel (gas and diesel) under the County's Fuel Management/Preventive Maintenance Inventory Control System; and

Whereas, the Department is willing to provide the services requested by Cornell; and

Whereas, Cornell will be responsible to pay for all costs associated with retrofitting their vehicles to conform to the County's Fuel Management/Preventive Maintenance Inventory Control System; and

Whereas, Cornell will also be responsible for reimbursing the County for the cost of fuel used by their vehicles, in addition to a fifteen percent (15%) administrative fee; and

Whereas, this Agreement for the purchase of fuel from the County by Cornell at no cost to the County is subject to approval of the Suffolk County Legislature and approval of the governing body for Cornell;

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

1. Responsibilities of the Parties

The responsibilities of the parties and associated payment terms are set forth in Exhibit D, entitled "Program and Payment Terms."

2. Term and Termination

a. Term

This Agreement shall cover the period set forth on page one of this Agreement, unless sooner terminated as provided below. Upon receipt of a Termination Notice, as that term is defined below, pursuant to the following paragraphs, the Contractor shall promptly discontinue all services affected, unless otherwise directed by the Termination Notice.

b. Termination for Cause

This Agreement may be terminated in whole or in part in writing by the County in the event of failure by Cornell to fulfill any of the terms and conditions under this Agreement; provided that no such termination shall be effective unless Cornell is given five (5) calendar days' written notice of intent to terminate ("Notice of Intent to Terminate"), delivered in accordance with the Exhibit in this Agreement entitled "Notices and Contact Persons." During such five (5) day period, Cornell will be given an opportunity for consultation with the County and an opportunity to cure all failures of its obligations prior to termination. Prior to issuance of a written termination notice ("Termination Notice") by the County, Cornell shall be given an additional five (5) days to cure all failures to fulfill its obligations under this Agreement. In the event that Cornell has not cured all its failures to fulfill its obligations to the satisfaction of the County by the end of the combined ten (10) day period, the County may issue a Termination Notice, effective immediately.

**Purchase of Fuel
Cornell Cooperative Extension**

c. Termination for Convenience

- i. The County shall have the right to terminate this Agreement at any time and for any reason deemed to be in its best interest, provided that no such termination shall be effective unless Cornell is given thirty (30) calendar days' written notice of termination.
- ii. Upon giving of a notice pursuant to the foregoing sub-paragraph, Cornell shall promptly discontinue all services affected unless otherwise directed by the notice of termination.
- iii. In such event of termination, Cornell shall pay the County outstanding fees including fuel and administrative fees for fuel purchased through the date of termination.

3. Indemnification

a. General

Cornell agrees that it shall protect, indemnify and hold harmless the County and its officers, officials, employees, contractors, agents and other persons 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 Cornell in connection with the services described or referred to in this Agreement. Cornell shall defend the County and its officers, officials, employees, contractors, agents and other persons 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 Cornell, its officers, officials, employees, subcontractors or agents, if any, in connection with the services described or referred to in this Agreement.

b. Federal Copyright Act

Cornell hereby represents and warrants Cornell, will not infringe upon any copyrighted work or material in accordance with the Federal Copyright Act during the performance of this Contract. Furthermore, Cornell agrees that it shall protect, indemnify and hold harmless the County and its officers, officials, employees, contractors, agents and other persons from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorney's fees, arising out of the acts or omissions or the negligence of Cornell in connection with the services described or referred to in this Agreement. Cornell shall defend the County and its officers, officials, employees, contractors, agents and other persons 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 Cornell, its officers, officials, employees, subcontractors, lessees, licensees, invitees or agents, if any, in connection with the services described or referred to in this Agreement.

4. Insurance

- a. Cornell agrees to procure, pay the entire premium for and maintain throughout the term of this Agreement, insurance in amounts and types specified by the County and as may be mandated and increased from time to time. Cornell agrees to require that all of its subcontractors, in connection with work performed for Cornell related to this Agreement, procure, pay the entire premium for and maintain throughout the term of this Agreement insurance in amounts and

types equal to that specified by the County for Cornell. Unless otherwise specified by the County and agreed to by Cornell, in writing, such insurance shall be as follows:

- i. **Commercial General Liability** insurance, including contractual liability coverage, in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and Two Million Dollars (\$2,000,000.00) per occurrence for property damage.
 - ii. **Automobile Liability** insurance (if any vehicles are used by Cornell in the performance of this Agreement) in an amount not less than Five Hundred Thousand Dollars (\$500,000.00) per person, per accident, for bodily injury and not less than One Hundred Thousand Dollars (\$100,000.00) for property damage per occurrence.
 - iii. **Workers' Compensation and Employer's Liability** insurance in compliance with all applicable New York State laws and regulations and **Disability Benefits** insurance, if required by law. Cornell shall furnish to the County, prior to its execution of this 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, this Agreement shall be void and of no effect unless Cornell shall provide and maintain coverage during the term of this Agreement for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
- b. All policies providing such coverage shall be issued by insurance companies with an A.M. Best rating of A- or better.
 - c. Cornell shall furnish to the County Declaration Pages for each such policy of insurance and upon request, a true and certified original copy of each such policy, evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, the County of Suffolk shall be named as an additional insured and Cornell shall furnish a Declaration Page and endorsement page evidencing the County's status as an additional insured on said policy.
 - d. All such Declaration Pages, certificates and other evidence of insurance shall provide for the County of Suffolk to be notified in writing thirty (30) days prior to any cancellation, nonrenewal or material change in said policies. Such Declaration Pages, certificates, policies and other evidence of insurance and notices shall be mailed to the Department at its address as set forth in this Agreement in the paragraph entitled "Notices and Contact Persons" or at such other address of which the County shall have given Cornell notice in writing.
 - e. In the event Cornell shall fail to provide the Declaration Pages or certificates of insurance or to maintain any insurance required by this Agreement, the County may, but shall not be required to, obtain such policies and deduct the cost thereof from payments due Cornell under this Agreement or any other agreement between the County and Cornell.
 - f. If Cornell is a town or other municipal corporation and 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.

5. Independent Contractor

It is expressly agreed that Cornell status hereunder is that of an independent contractor. Neither Cornell, nor any person hired by Cornell shall be considered employees of the County for any purpose.

6. Severability

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

7. Merger; No Oral Changes

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

8. 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, for the purposes of set-off, any moneys due to Cornell under this contract up to any amounts due and owing to the County with regard to this contract and/or any other contract with any County department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the County for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The County shall exercise its set-off rights in accordance with normal County practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the County agency, its representatives, or the County Comptroller, and only after legal consultation with the County Attorney.

9. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of New York, without regard to conflict of laws. Venues shall be designated in Suffolk County, New York or the United States District Court for the Eastern District of New York.

10. No Implied Waiver

No waiver shall be inferred from any failure or forbearance of the County to enforce any provision of this Agreement in any particular instance or instances, but the same shall otherwise remain in full force and effect notwithstanding any such failure or forbearance.

11. Conflicts of Interest

- a. Cornell agrees that it will not during the term of this Agreement engage in any activity that is contrary to and/or in conflict with the goals and purposes of the County.

1993

- b. Cornell 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 so long as Cornell is retained on behalf of the County. The determination as to whether or when a conflict exists or may potentially exist shall ultimately be made by the County Attorney after full disclosure is obtained.

12. Cooperation on Claims

Each of the parties hereto agrees to render diligently to the other party, without additional 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 in connection with this Agreement.

13. Assignment and Subcontracting

- a. Cornell shall not assign, transfer, convey, sublet, or otherwise dispose of this 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, to any other person or corporation, without the prior consent in writing of the County, and any attempt to do any of the foregoing without such consent shall be of no effect.
- b. Cornell shall not enter into subcontracts for any of the work contemplated under this Agreement without obtaining prior written approval of the County. Such subcontracts shall be subject to all of the provisions of this Agreement and to such other conditions and provisions as the County may deem necessary, provided, however, that notwithstanding the foregoing, unless otherwise provided in this Agreement, such prior written approval shall not be required for the purchase of articles, supplies, equipment and services which are incidental to, but necessary for, the performance of the work required under this Agreement. No approval by the County of any subcontract shall provide for the incurrence of any obligation by the County in addition to the total agreed upon price. Cornell shall be responsible for the performance of any subcontractor for the delivery of service.

14. No Intended Third Party Beneficiaries

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

15. Certification as to Relationships

The parties to this Agreement hereby certify that, other than the funds provided in this Agreement and other valid Agreements with the County, there is no known relationship within the third degree of consanguinity, life partner, or business, commercial, economic, or financial relationship between the parties, the signatories to this Agreement, and any partners, members, directors, or shareholders of five percent (5%) (or more) of any party to this Agreement.

16. Publications and Publicity

- a. Cornell shall not issue or publish any book, article, report or other publication related to the program provided pursuant to this Agreement without first obtaining written prior approval from the County. Any such printed matter or other publication shall contain the following statement in

1993

clear and legible print:

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

- b. The Department shall have the right of prior approval of press releases and any other information provided to the media, in any form, concerning the program provided pursuant to this Agreement.

End of Text for Exhibit A

Exhibit B
Suffolk County Legislative Requirements

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

The Contractor represents and warrants that it has filed with the Comptroller of Suffolk County the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the said Comptroller on or before the 31st day of January in each year of this Agreement's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of this Agreement, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Agreement.

Required Form: Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. Living Wage Law

This Agreement is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

The Contractor represents and warrants that it has read and shall comply with the requirements of Suffolk County Code Chapter 347, Suffolk County Local Law No. 12-2001, the Living Wage Law.

Required Forms: Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"

Suffolk County Living Wage Form LW-38; entitled "Suffolk County Department of Labor – Living Wage Unit Living Wage Certification/Declaration – Subject To Audit"

3. Use of County Resources to Interfere with Collective Bargaining Activities
Local Law No. 26-2003

The Contractor represents and warrants that it has read and is familiar with the requirements of Chapter 466, Article 1 of the Suffolk County Local Laws, "Use of County Resources to Interfere with Collective Bargaining Activities". County Contractors (as defined) shall comply with all requirements of Local Law No. 26-2003 including the following prohibitions:

- a. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than January 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of this agreement.

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

The Contractor represents and warrants that it has read, is in compliance with, and shall comply with the requirements of Suffolk County Code Chapter 234, Suffolk County Local Law No. 52-2006, the Lawful Hiring of Employees Law.

Required Forms: Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor --"Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees"

"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees" Form LHE-2.

5. Gratuities

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

The Contractor represents that it is in compliance with Suffolk County Administrative Code Article IV, §§A4-13 and A4-14, found in Suffolk County Local Law No. 20-2004, entitled "A Local Law To Amend Local Law No. 5-1993, To Prohibit The County of Suffolk From Contracting With Corporations That Reincorporate Overseas." Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

7. Child Sexual Abuse Reporting Policy

The Contractor agrees to comply with Chapter 577, Article IV, of the Suffolk County Code, entitled "Child Sexual Abuse Reporting Policy", as now in effect or amended hereafter or of any other Suffolk County Local Law that may become applicable during the term of this Agreement with regard to child sexual abuse reporting policy.

1993

- c. The County of Suffolk shall not use County funds to assist, promote, or deter union organizing.
- d. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If Contractor services are performed on County property the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, nonintimidation agreement and a majority authorization card agreement.

If Contractor services are for the provision of human services and such services are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Local Law No. 26-2003, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

Required Form: Suffolk County Labor Law Form DOL-LO1; entitled "Suffolk County Department of Labor – Labor Mediation Unit Union Organizing Certification/Declaration – Subject to Audit"

4. Lawful Hiring of Employees Law

This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk (Local Law 52-2006). It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

8. Non Responsible Bidder

The Contractor represents and warrants that it has read and is familiar with the provisions of Suffolk County Code Chapter 143, Article II, §§143-5 through 143-9. Upon signing this Agreement the Contractor certifies that he, she, it, or they have not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of Section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

9. Use of Funds in Prosecution of Civil Actions Prohibited

Pursuant to the Suffolk County Code Section §590-3, the Contractor represents that it shall not use any of the moneys received under this Agreement, either directly or indirectly, in connection with the prosecution of any civil action against the County of Suffolk or any of its programs, funded by the County, in part or in whole, in any jurisdiction or any judicial or administrative forum.

10. Suffolk County Local Laws

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County web site at [www.co.suffolk](http://www.co.suffolk.ny.us)<<http://www.co.suffolk.ny.us>>. Click on "Laws of Suffolk County" under "Suffolk County Links."

End of Text for Exhibit B

Exhibit C
Notices and Contact Persons

1. Operational Notices

Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this Agreement shall be in writing and shall be given to the County or Cornell or their designated representative at the following addresses or at such other address that may be specified in writing by the parties and must be delivered as follows:

For the Department:

**By First Class or Certified Mail in Postpaid Envelope or by
Courier Service or by Fax or by Email**

Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, New York 11980
Att. Revenue Unit

For Cornell:

**By First Class or Certified Mail in Postpaid Envelope or by
Courier Service or by Fax or by Email**

At the address set forth on page one of this Agreement, attention of the person who executed this Agreement or such other designee as the parties may agree in writing.

2. Notices Relating to Termination and/or Litigation

In the event Cornell receives a notice or claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to a lawsuit or any legal proceeding related to this Agreement, Cornell shall immediately deliver to the County Attorney, at the address set forth below, copies of all papers filed by or against Cornell.

Any communication or notice regarding termination shall be in writing and shall be given to the County or Cornell or their designated representative at the following addresses or at such other addresses that may be specified in writing by the parties and must be delivered as follows:

For the County:

**By First Class and Certified Mail in Postpaid Envelope or by
Nationally Recognized Courier Service or Personally and by First Class Mail**

Gilbert Anderson, P.E., Commissioner
Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, New York 11980

and

Exhibit D
Description of Program and Payment Terms

1. Program

Cornell shall purchase fuel (gas and diesel) from the County at Department of Public Work's maintenance facilities under the County's Fuel Management/Preventive Maintenance Inventory Control System.

Cornell will be responsible to pay for all costs associated with retrofitting their vehicles to conform to the County's Fuel Management/Preventive Maintenance Inventory Control System.

2. Payment Terms

Cornell shall assume and be responsible to pay for all fuel usage as reported by the Department's Fleet Services Unit.

A bill will be generated 15 days after the end of the month for the total amount of fuel consumed by Cornell during the month.

A report will accompany the bill detailing the amount billed. The report will contain vehicle IDs, transaction dates, the number of gallons consumed per transaction, the cost of each transaction, the total cost per vehicle and the total amount billed for the month, including a fifteen percent (15%) administrative fee.

Payment is due in full 45 days after the end of the month in which the expense was incurred. Balances left unpaid after the due date will be assessed a late fee.

3. Agreement Subject to Appropriation of Funds

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

End of Text for Exhibit D

Rev. 11/20/07; Law No. **DRAFT**
Purchase of Fuel
Cornell Cooperative Extension

1993

Exhibit E
Suffolk County Legislative Resolution

Dennis Cohen, County Attorney
Suffolk County Department of Law
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

For Cornell:

**By First Class and Certified Mail in Postpaid Envelope or by
Nationally Recognized Courier Service or Personally and by First Class Mail**

At the address set forth on page one of this Agreement, attention to the person who executed this Agreement or such other designee as the parties may agree in writing.

3. Notices shall be deemed to have been duly delivered (i) if mailed by registered or certified mail, upon the seventh business day after the mailing thereof; or (ii) if by nationally recognized overnight courier service, upon the first business day subsequent to the transmittal thereof; or (iii) if personally, pursuant to New York Civil Practice Law and Rules Section 311; or (iv) if by fax or email, upon the transmittal thereof. "Business Day" shall be defined as any day except a Saturday, a Sunday, or any day in which commercial banks are required or authorized to close in Suffolk County, New York.
4. Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

End of Text for Exhibit C

1993

**Exhibit F
Cornell Resolution**



**Cornell University
Cooperative Extension
of Suffolk County**

Extension Education Center
423 Griffing Avenue, Suite 100
Riverhead, New York 11901-3071
t. 631.727.7850
f. 631.727.7130

RESOLUTION # 2012-001

Resolution for Board of Director's Meeting Dated: May 16, 2012

RESOLUTION AUTHORIZING CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUFFOLK TO PURCHASE FUEL FROM THEM FOR THE PERIOD 02/01/12 THROUGH 01/31/22.

The Resolution was offered by: Richard Rudden, Treasurer

A Motion to Approve the Resolution was offered by: George LaMay

And seconded by: Armand DeLuca

VOTE:	AYES: 15	NOES: 0	ABSTENTIONS: 0
Charles Scheer, President	AYE		
Stephen Weir, Vice President	AYE		
Richard Rudden, Treasurer	AYE		
Carol Curtis, At Large Member	AYE		
Lorena Fitzpatrick, At Large Member	AYE		
Neely McCahey, At Large Member	AYE		
Armand DeLuca, PAC, Marine Program	AYE		
Maureen Firoello, PAC, Family Health & Wellness	AYE		
Constance Hennington, PAC, 4-H Program	AYE		
George LaMay, PAC, Agriculture Program	AYE		
Sharon Ott, PAC, Farm Production	AYE		
Otto Schmid, PAC, Marine Program	AYE		
Herbert Strobel, PAC, Farm Production	AYE		
Frank Castelli, SC Executive Representative	AYE		
Peter Landry, State Extension Representative	AYE		

A handwritten signature in black ink, appearing to read "Charles Scheer".

Charles Scheer, President of the Board of Directors

May 16, 2012

Date

COUNTY OF SUFFOLK

1993



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

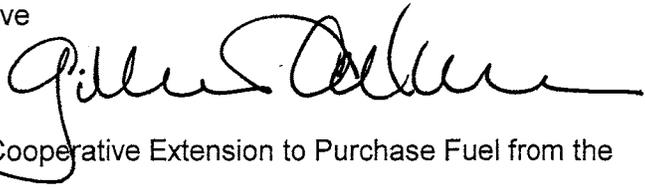
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner 

SUBJECT: A Draft Resolution Permitting Cornell Cooperative Extension to Purchase Fuel from the County

DATE: September 18, 2012

Attached is a draft resolution (filed as Reso-DPW-Cornell-Fuel Purchase) and the appropriate forms (filed as Backup-DPW-Cornell-Fuel Purchase-SCIN 175 A&B), which will enable Cornell Cooperative Extension to purchase fuel from the County.

This will be done at no cost to the County. Cornell shall assume and be responsible to pay all fuel usage, as reported by the Department's Fleet Services Unit, in addition to a fifteen percent (15%) administrative fee.

Cornell will also be responsible for making their own arrangements with the County designated fuel dispensing vendor and pay all costs to retrofit their vehicles to conform to the County's Fuel Management/Preventative Maintenance Inventory Control System. They will also be responsible to pay for any future costs associated with maintaining and/or upgrading the system.

GA:LC
Encl.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Jim Burt, Assistant Budget Director
Laura Conway, CPA, Chief Accountant
Mike James, Assistant Fleet Manager
CE RESO REVIEW

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1994

Intro Res. No. ____-2012

Laid on Table on 10/9/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. ____ -2012, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS

WHEREAS, the U.S. Department of Housing and Urban Development has awarded the Suffolk County Department of Economic Development and Planning a second allocation of an Emergency Solutions Grant for Federal Fiscal Year 2011 under The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009; and

WHEREAS, the amount of such second allocation is \$91,321.00; and

WHEREAS, \$10,907.78 of said second allocation funds is to be used for operational costs; now, therefore, be it

1st RESOLVED, that the Suffolk County Legislature hereby authorizes the County Executive or his designee to accept the Emergency Solutions Grant and to execute and deliver contracts with cooperating non-profit organizations for the expenditure of these funds; and, be it further

2nd RESOLVED, that \$10,907.78 of these funds be used to reimburse budgeted County expenses; and

3rd RESOLVED, that the County Comptroller and County Treasurer be, and they hereby are, authorized to accept and appropriate the following funds:

REVENUES:

AMOUNT

354-4915 Federal Aid: Community Development

\$91,321.00

ORGANIZATIONS:

ECONOMIC DEVELOPMENT
EMERGENCY SHELTER GRANTS PROGRAM
354-CDV-8019

Contracted Services

\$80,413.22

354-4980 Contracted Agencies

Intro. Res. No. _____-2012

INTERFUND TRANSFER
TRANSFER TO FUND 351
IFT-9600

354-IFT-E351 Transfer to Fund 351 Comm Dev Admin

\$10,907.78

and be it further

4th **RESOLVED**, that the reporting category for the County Integrated Financial Management System (IFMS) is CD10.

DATED: _____

APPROVED BY:

County Executive of Suffolk County
DATED: _____

1994

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. ____ -2012, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>X</u> No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
The resolution provides \$91,321.00 in grant funds for nonprofit agencies for purpose of homeless prevention and \$10,907.78 to the county to offset administrative expenses.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
None.		
8. Proposed Source of Funding		
U.S. Department of Housing and Urban Development		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Neil Toomb Intergovernmental Relations Coordinator		9/28/12

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

1994

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.

1994

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Resolution Accepting and Appropriating a 100% Reimbursed Grant from the U.S. Department of Housing and Urban Development for the Emergency Solutions Grant Program and Authorizing the County Executive to Execute Agreements		
3. Purpose of Proposed Legislation Resolution to enable the County to provide Federal Emergency Solutions Grant (ESG) funds to non-profit agencies for purposes of homeless prevention and to administer the ESG funds.		
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 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding 100% reimbursed grant from the U.S. Department of Housing and Urban Development – Emergency Solutions Grant in the amount of 91,321.00 (2011 Second Allocation)		
9. Timing of Impact		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date

SCIN FORM 175b (10/95)

1995

Intro. Res. No. -2012

Laid on Table 10/9/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2012, ACCEPTING FUNDS FROM THE STATE UNIVERSITY CONSTRUCTION FUND; AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH SUFFOLK COUNTY SEWER DISTRICT NO. 21 SUNY - IMPROVEMENT PROJECT (CP 8121)

WHEREAS, Sewer District No. 21 - SUNY has a service area that includes the SUNY Stony Brook campus, Suffolk County Sewer District No. 10 - Stony Brook, Suffolk County Sewer District No. 19 - Haven Hill, and Brookhaven Sewer District No. 1; and

WHEREAS, the wastewater treatment facility located on the SUNY campus discharges treated sewage into Port Jefferson Harbor and Long Island Sound; and

WHEREAS, an improvement project is being implemented that will reduce nitrogen loadings to Port Jefferson Harbor and Long Island Sound; and

WHEREAS, the improvement project is the subject of a compliance schedule with New York State Department of Environmental Conservation with the project designed and in the bidding process; and

WHEREAS, the allocation of costs for the project include a \$12.07 million grant along with the remaining costs being approximately 82% from SUNY and 18% from Sewer District No. 10 and Sewer District No. 19; and

WHEREAS, the State University Construction Fund has made a commitment to provide their share of the improvement cost in a one-time fee of \$3,532,149 which is being processed by SUNY; and

WHEREAS, the Commissioner of Public Works has requested these funds be transferred to Capital Project 8121 when received for the purpose of the improvements; 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) in that the resolution concerns agency administration and management; Resolution No. 333-2009 determined that the proposed improvement and/or rehabilitation to the Sewer District No 21 - SUNY constitutes a Type II action pursuant to provisions of NYCRR Part 617; 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 County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept revenues as follows:

Revenue:

<u>Fund /Agency/Source</u>	<u>Description</u>	<u>Activity</u>	<u>Amount</u>
527- IFT -R221 (Ref. 527-CAP-IFTR- R221)	Transfer from Fund 221 - Sewer District # 21 - SUNY	D	\$3,532,149

and be it further

4th **RESOLVED**, that the transferred funds in the amount of \$3,520,000 from Fund 221 be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP- 8121.310	80	Improvements to SCSD No. 21 - SUNY at Stony Brook-Construction	\$3,532,149

and be it further

5th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these revenues and place them into the Capital Sewer fund required to finance this Capital Project; and be it further

6th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements at SD 21 - SUNY.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1995

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. -2012, ACCEPTING FUNDS FROM THE STATE UNIVERSITY CONSTRUCTION FUND; AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH SUFFOLK COUNTY SEWER DISTRICT NO. 21 SUNY – IMPROVEMENT PROJECT (CP 8121)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Resolution accepts \$3,532,149 from the State University Construction Fund to Fund 527 for Capital Project 8121.310.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
State University Construction Fund		
9. Timing of Impact		
2012-2014.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		September 28 th , 2012

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

1995

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

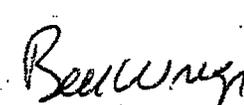
	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

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.

1995

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		
A Draft Resolution Accepting and Appropriating Funds in Connection with the Suffolk County Sewer District No. 21 – SUNY Improvement Project (CP 8121).		
3. Purpose of Proposed Legislation		
To accept funds from SUNY to pay their allocated share of the improvement project.		
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		
NA		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
\$3,532,149 accepted from SUNY and placed into Capital Project 8121.		
8. Proposed Source of Funding SUNY contribution to project		
9. Timing of Impact 2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Ben Wright, P.E. Principal Civil Engineer		9/4/12

COUNTY OF SUFFOLK

1995



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]*
SUBJECT: A DRAFT RESOLUTION ACCEPTING AND APPROPRIATING FUNDS IN CONNECTION WITH THE SUFFOLK COUNTY SEWER DISTRICT NO. 21 SUNY - IMPROVEMENT PROJECT (CP 8121)
DATE: August 30, 2012

Attached is a draft resolution with appropriate forms and backup for improvements to the Sewer District No. 21 - SUNY wastewater treatment facility filed as Reso DPW CP 8121 Sewer District No. 21 - SUNY Improvements 8-30-12 and Backup DPW CP 8121 Sewer District No. 21 - SUNY Improvements 8-30-12. The project has been included in the Adopted 2012 Capital Budget and Program. The project has been included in the Adopted 2012 Capital Budget and Program with a public hearing to be held on October 9th to appropriate funds associated with the project. The Adopted Capital Budget and Program includes \$4.3 million in 2012 with over 82% of those funds being allocated to the SUNY campus. SUNY has indicated that their preference for payment is a one-time payment which is being processed in an amount of \$3,532,149. It is necessary to proceed with the construction for the improvements due to an Order on Consent with NYSDEC and a compliance schedule that could result in penalties if it is not adhered to. This resolution would accept and appropriate the funds into the capital project. The total project cost is approximately \$17.3 million, the majority of which is a grant (\$12.07 million).

We would request that this resolution be laid on the table at your convenience, preferably at the next general meeting.

GA:BW:ni
Attachment

- cc: Regina Calcaterra, Chief Deputy County Executive
- 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-bw8-30-12 Backup DPW Improvements sd21-SUNY CP 8121 accepting & appropriating funds memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER.

1996

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

Laid on Table 10/9/12

**RESOLUTION NO. -2012, REQUIRING TRACKING OF
LONG-TERM CARE SERVICE INQUIRIES**

WHEREAS, New York State is experiencing significant growth in its population of residents 65 years of age and older; and

WHEREAS, by 2030, it is estimated that 18.3% of the State's population will be over the age of 65; and

WHEREAS, seniors are increasingly seeking long-term care services that can be provided in their homes or community by family, friends or healthcare professionals; and

WHEREAS, in May 2008, the County's Healthcare Task Force recommended creating a database to aid residents seeking information on long-term care services in Suffolk County; and

WHEREAS, a study conducted by the American Association of Retired Persons found that almost 50% of all persons that reach the age of 65 will spend time at some point in a skilled nursing facility; and

WHEREAS, the County is in the process of selling the John J. Foley Skilled Nursing Facility, which has traditionally provided long-term skilled nursing care to individuals who are difficult to place in private facilities, to a private owner; and

WHEREAS, to ensure that families in need of long-term care services obtain the care that is necessary, the Department of Health Services, in conjunction with the Office for the Aging, should track requests they receive for information on long-term care services, as well as the outcomes of such inquiries; now, therefore be it

1st RESOLVED, that the Department of Health Services and the Office for the Aging are hereby authorized, empowered and directed to post their departmental contact information for residents specifically seeking assistance with obtaining long-term care services at all County health centers and public facilities run by the Department of Social Services; and be it further

2nd RESOLVED, that the Department of Health Services and the Office for the Aging are also directed to track all inquiries made to their offices for information on long-term care services from the initial contact with the County through resolution; and be it further

3rd RESOLVED, that the Department of Health Services and the Office for the Aging are further authorized, empowered and directed to, in consultation with the Department of Information Technology, establish a shared database to aid in the tracking of such inquiries; and be it further

4th RESOLVED, that a report shall be generated on a quarterly basis from the database and provided to the County Executive, each member of the County Legislature, and the Clerk of the Legislature detailing the number of requests received by the County during the previous quarter, the types of requests, and the manner in which each request was addressed by the County; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-long term care database

1997

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

Laid on Table 10/9/12

**RESOLUTION NO. -2012, DIRECTING THE DEPARTMENT
OF PUBLIC WORKS TO MAKE COMMON-SENSE CHANGES
TO BUS ROUTES 1A AND 1B**

WHEREAS, many Suffolk County residents rely on public transportation to travel to jobs, shopping and other destinations; and

WHEREAS, Suffolk County Transit bus routes 1A and 1B stop at the Big Lots Shopping Center in Copiague, which is accessible from both Sunrise Highway and 35th Street; and

WHEREAS, these bus routes currently enter the shopping center using the 35th Street entrance; and

WHEREAS, 35th Street is part of a residential neighborhood and has no bus stops located on the road; and

WHEREAS, the bus routes should use the Sunrise Highway entrance of the shopping center, as it is more direct and will decrease traffic in a residential area; and

WHEREAS, changing bus routes 1A and 1B would help better serve the community's needs, as it will allow riders to get to their destination faster; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Public Works, Division of Transportation is hereby authorized, empowered and directed, pursuant to C8-2(W) of the SUFFOLK COUNTY CHARTER, to take all steps necessary to change the routing of bus routes 1A and 1B stopping at the Big Lots Shopping Center to enter and exit the center from Sunrise Highway; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1998

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

Laid on Table 10/9/12

RESOLUTION NO. -2012, DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONDUCT A TRAFFIC STUDY ON A PORTION OF COUNTY ROAD 28

WHEREAS, the County of Suffolk works diligently to maintain the safety of County roadways; and

WHEREAS, County Road 28, also known as New Highway, has a straightaway between New Horizons Boulevard and 43rd Street in Copiague that leads into a blind corner; and

WHEREAS, speeding on this stretch of road is a significant problem, causing a number of serious accidents, particularly as vehicles maneuver the blind corner; and

WHEREAS, there is no traffic signal on this portion of County Road 28; and

WHEREAS, the Department of Public Works should perform a traffic study of this portion of County Road 28 to determine if placing a traffic light in this area would improve safety; now, therefore be it

1st RESOLVED, that the Department of Public Works is hereby authorized, empowered and directed to conduct a traffic study on County Road 28 between the intersections of New Horizons Boulevard and 43rd Street in Copiague to determine if installing a traffic light in that area may improve highway safety; and be it further

2nd RESOLVED, that the Department shall deliver a copy of the completed study, including any findings and recommendations, to the County Executive and each member of the County Legislature within ninety (90) days of the effective date of this resolution; 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