

L A I D O N T H E T A B L E J A N U A R Y 2 , 2 0 1 3

LADS REPORT PREPARED BY:

Michele Gerardi

1000. Reappointing Joseph S. Dujmic as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 13). (Spencer) PARKS & RECREATION
1001. Adopting Local Law No. -2013, A Local Law to ensure the safety of children in child care facilities. (Hahn) HUMAN SERVICES
1002. Establishing disclosure requirements for the Department of Labor, Licensing and Consumer Affairs ("Consumer Protection and Awareness Act"). (D'Amaro) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1003. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Belinda A. Marquis (SCTM Nos. 0100-058.00-01.00-062.000 and 0100-058.00-01.00-064.000). (Co. Exec.) WAYS & MEANS
1004. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Juan Fernandez (SCTM No. 0100-199.00-03.00-015.000). (Co. Exec.) WAYS & MEANS
1005. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Lawrence H. Womack, M.D. and Mary E. Porter (SCTM No. 0500-297.00-01.00-125.000). (Co. Exec.) WAYS & MEANS
1006. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael R. Horenstein (SCTM No. 0200-980.00-03.00-022.000). (Co. Exec.) WAYS & MEANS
1007. Delegating authority to refund certain erroneous tax payments to the Suffolk County Treasurer. (Co. Exec.) BUDGET AND FINANCE
1008. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection program (effective December 1, 2007) - open space component - for the Kramer property - Mastic/Shirley conservation area - Town of Brookhaven - Village of Mastic Beach - (SCTM No. 0209-036.00-03.00-037.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1009. Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program and appropriating funds in connection with an evaluation of innovative/alternative sewage disposal systems to remediate water quality in Suffolk County (CP 8710). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1010. Authorizing execution of Intermunicipal Agreements pursuant to §§ 119-o with the Towns, Villages and Municipal Corporations and Districts of Suffolk County for mutual aid as a result of Hurricane Sandy. (Co. Exec.) WAYS & MEANS

1011. Rescinding Adopted Resolution No. 768-2011 and authorizing planning steps for the voluntary acquisition of land and if necessary public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of C.R. 48, Middle Road from Ruch Lane to Chapel Lane, Town of Southold, Suffolk County, New York (CP 5526, Phase II). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1012. Rescinding Adopted Resolution No. 765-2011 and authorizing planning steps for the voluntary acquisition of land and if necessary public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of C.R. 48, Middle Road, from Horton Lane to the vicinity of Grove Road, Town of Southold, Suffolk County, New York (CP 5526, Phase III). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1013. Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program, and appropriating funds in connection with a Pilot Study for Clustered Treatment of Decentralized Wastewater in the Peconic Estuary (CP 8710). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1014. Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program, and appropriating funds in connection with Village of Sag Harbor Havens Beach stormwater remediation (CP 8240). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1015. Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program, and appropriating funds in connection with the project for Monitoring Tidal Water Elevation and Water Quality to Assess Tidal Wetland Loss in Flax Pond and embayments of Long Island Sound, New York (CP 8710). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1016. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer By: County Legislature No. 380-2013. (Co. Exec.) BUDGET AND FINANCE
1017. To create a task force to enhance the County's Procurement Process. (Gregory) PUBLIC WORKS AND TRANSPORTATION
1018. Appointing Paul J. Tonna as a member of the Suffolk County Industrial Development Agency (IDA). (Horsley) ECONOMIC DEVELOPMENT AND ENERGY

1000
Intro. Res. No. -2013
Introduced by Legislator Spencer

Laid on Table 1/2/2013

RESOLUTION NO. -2013, REAPPOINTING JOSEPH S. DUJMIC AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 13)

WHEREAS, Resolution No. 1219-2010 appointed Joseph S. Dujmic as a member of the Vanderbilt Museum Commission (Trustee No. 13) for a term of office to expire December 28, 2012; now, therefore be it

1st RESOLVED, that Joseph S. Dujmic, Esq., of Huntington Station, New York, is hereby reappointed as a member of the Suffolk County Vanderbilt Museum Commission as Trustee No. 13, for a term of office to expire December 28, 2016, said appointment having been made pursuant to the provisions of Section 250-6(B) of the SUFFOLK COUNTY CODE.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 250-6 OF THE SUFFOLK COUNTY CODE

S:\res\r-reappt-vm-dujmic

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)

MEMORANDUM

DATE: December 19, 2012

TO: Tim Laube, Clerk of the Legislature

FROM: George Nolan, Counsel to the Legislature (GN)

RE: Resolution, Reappointing Joseph S. Dujmic as a Member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 13)

Pursuant to the request of Legislator Spencer, enclosed please find the above referenced resolution for immediate filing.

GN:
Enclosure

cc: Hon. William Spencer, County Legislator, 18th District

s:\let\cl-reappoint Joseph Dujmic Vanderbilt

HAUPPAUGE
SUFFOLK COUNTY, N.Y.
COUNTY LEGISLATURE

2012 DEC 19 4:09

RECEIVED

1001
Intro. Res. No. -2013
Introduced by Legislator Hahn

Laid on Table 1/2/2013

**RESOLUTION NO. - 2012, ADOPTING LOCAL LAW
NO. -2012, A LOCAL LAW TO ENSURE THE SAFETY
OF CHILDREN IN CHILD CARE FACILITIES**

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 ENSURE THE SAFETY OF CHILDREN IN CHILD CARE FACILITIES**" 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 ENSURE THE SAFETY OF CHILDREN IN
CHILD CARE FACILITIES**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk seeks to protect the health and safety of its youngest residents.

This Legislature determines that convicted sex offenders have the highest rate of recidivism when compared to other violent felons released into the community.

This Legislature further finds that sexual abuse is more likely to occur when a child has a trusting relationship with the perpetrator.

This Legislature also finds and determines that the County contracts with a number of child care agencies to provide services to children.

This Legislature further finds and determines that the County requires all agencies providing such services to certify that their employees and volunteers have been the subject of a formal inquiry to the State's Sex Offender Registry.

This Legislature finds that the County's child care agencies often use subcontractors and vendors to provide specific services, such as professional photography, for their program participants.

This Legislature determines that these subcontractors and vendors frequently spend extended time with children and are not always supervised.

This Legislature also finds that the employees and volunteers of these subcontractors and vendors should be screened through the State's Sex Offender Registry to ensure the safety of the children receiving services.

Therefore, the purpose of this law is to require the County's child care contract agencies to verify the sex offender status of their subcontractors and vendors' employees who have direct contact with the children in the agency's program.

Section 2. Definitions

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

CHILD CARE SERVICES – care for children of preschool age and primary school age in a group facility, family home or day-care project, defined in Subdivision 9 of Section 410-e of the New York State Social Services Law, or provision of residential child care for children of preschool age and primary school age.

CHILD CARE CONTRACT AGENCY - any individual, association, corporation, partnership, institution, organization or agency which contracts with the County of Suffolk to provide child care services.

Section 2. Screening Required.

The County's child care contract agencies shall, prior to allowing an employee, volunteer or agent of a subcontractor or vendor to interact with, or have access to, a child in their program, make an inquiry to the New York State Sex Offender Registry to determine whether the employee, volunteer or agent appears in said registry. Child care contract agencies subject to this requirement shall contemporaneously complete a form prescribed by the County department administering the subject contract, which verifies that an inquiry to the New York State Sex Offender Registry was in fact conducted, and maintain said form for at least one year after the date on which the inquiry was conducted.

Section 3. Disclosure of Sex Offender Status

The County's child care contract agencies shall notify the parents or guardians of the children enrolled in their program, and the County agency administering their contract, if the contract agency intends to allow on their premises, a subcontractor or vendor whose employee, volunteer or agent is a registered sex offender. Such notification shall be made in writing at least ten days prior to the sex offender entering the child care contract agency's premises.

Section 4. Penalties.

An initial violation of this law by a County child care contract agency shall result in a warning from the County of Suffolk with subsequent violations subject to penalties equal to 5% of the agency's contract amount.

Section 5 Applicability.

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

Section 6. Severability.

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

Section 7. SEQRA Determination.

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

Section 8. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



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

MEMORANDUM

DATE: December 21, 2012

TO: Tim Laube, Clerk of the Legislature

FROM: George Nolan, Counsel to the Legislature 

RE: Local Law, To Ensure the Safety of Children in Child Care Facilities

Pursuant to the request of Legislator Hahn, enclosed please find the above referenced resolution for immediate filing.

GN:tm
Enclosure

cc: Hon. Kara Hahn, County Legislator, 5th District

s:\let\cl-child care safety

HAUPPAUGE
SUFFOLK COUNTY, N.Y.
COUNTY LEGISLATURE

2012 DEC 21 A 9:07

RECEIVED

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



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(631) 853-4415 (FAX)

DATE: DECEMBER 26, 2012

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2013

TITLE: I.R. NO. -2013; A LOCAL LAW TO ENSURE THE SAFETY OF CHILDREN IN CHILD CARE FACILITIES

SPONSOR: LEGISLATOR HAHN

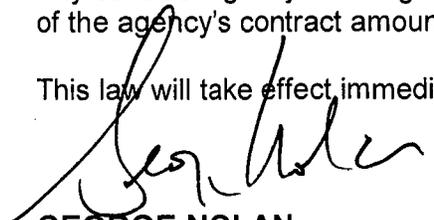
DATE OF RECEIPT BY COUNSEL: 12/21/2012 PUBLIC HEARING: /2013

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

This proposed local law would require the County's child care contract agencies¹ to make an inquiry to the New York State Sex Offender Registry prior to allowing an employee, volunteer or agent of a subcontractor/vendor to interact with, or have access to, a child in their program. If such inquiry reveals that an employee, volunteer or agent of a subcontractor/vendor appears on the Sex Offender Registry, and the child care contract agency intends to allow that person on their premises, the agency will so notify the parents/guardians of the children in their program.

Any contract agency violating the terms of this local law will be subject to a penalty equal to 5% of the agency's contract amount.

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


GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-child-care-safety-changes

¹ A "child care contract agency" is an agency that provides care for children of preschool age and primary school age in a group facility, family home or day-care project, defined in Subdivision 9 of Section 410-e of the New York State Social Services Law, and residential child care for children of preschool age and primary school age.

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

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



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DATE: DECEMBER 26, 2012
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

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SPONSOR: LEGISLATOR HAHN

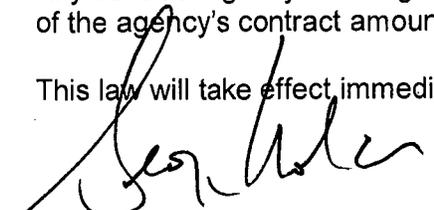
DATE OF RECEIPT BY COUNSEL: 12/21/2012 PUBLIC HEARING: 1/2013

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

This proposed local law would require the County's child care contract agencies¹ to make an inquiry to the New York State Sex Offender Registry prior to allowing an employee, volunteer or agent of a subcontractor/vendor to interact with, or have access to, a child in their program. If such inquiry reveals that an employee, volunteer or agent of a subcontractor/vendor appears on the Sex Offender Registry, and the child care contract agency intends to allow that person on their premises, the agency will so notify the parents/guardians of the children in their program.

Any contract agency violating the terms of this local law will be subject to a penalty equal to 5% of the agency's contract amount.

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


GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-child-care-safety-changes

¹ A "child care contract agency" is an agency that provides care for children of preschool age and primary school age in a group facility, family home or day-care project, defined in Subdivision 9 of Section 410-e of the New York State Social Services Law, and residential child care for children of preschool age and primary school age.

1002

Intro. Res. No. -2013
Introduced by Legislator D'Amaro

Laid on Table 1/2/2013

**RESOLUTION NO. -2013, ESTABLISHING DISCLOSURE
REQUIREMENTS FOR THE DEPARTMENT OF LABOR,
LICENSING AND CONSUMER AFFAIRS ("CONSUMER
PROTECTION AND AWARENESS ACT")**

WHEREAS, the top priority of the Department of Labor, Licensing and Consumer Affairs ("the Department") must be to protect consumers against unfair, deceptive and fraudulent practices in the marketplace; and

WHEREAS, the easiest and most effective way for the Department to enhance consumer protection in Suffolk County is to provide consumers easy access to the information it maintains regarding licensed contractors and consumer complaints; and

WHEREAS, consumers in the County of Suffolk have a right to obtain information about contractors they are considering hiring to ensure that the consumer is making an informed decision; and

WHEREAS, the public should know that they can obtain records on licensed contractors maintained by the Department, as well as information on their rights and responsibilities as consumers; and

WHEREAS, the Department should promptly provide information about licensed contractors upon the request of consumers, to further consumer education and improve transparency in County government; now, therefore be it

1st RESOLVED, that the Department of Labor, Licensing and Consumer Affairs is hereby authorized, empowered and directed to provide the complete record the Department maintains regarding any licensed or unlicensed contractor to consumers, upon their request; and be it further

2nd RESOLVED, that the record provided by the Department to a consumer must include: a description of all complaints registered against the subject contractor, the number of violations issued by the Department to said contractor, a description of the violation(s) and an explanation of how each violation was resolved; and be it further

3rd RESOLVED, that the Department is further authorized and directed to provide to any consumer requesting information regarding a contractor's violations with the amount of any monetary penalties assessed against the contractor and the extent to which those penalties were paid; and be it further

4th RESOLVED, that the Department is also authorized and directed to provide a full transcript of any hearings conducted by the Department against a contractor to a consumer upon their request; and be it further

5th RESOLVED, that the Department shall provide information pursuant to these requirements promptly; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

Introductory Resolution No. 1003 Laid on Table 1/2/2013

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
BELINDA A. MARQUIS
0100-058.00-01.00-062.000
0100-058.00-01.00-064.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 058.00, Block 01.00, Lot 062.000 and District 0100, Section 058.00, Block 01.00, Lot 064.000, and acquired by tax deed on August 23, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 23, 2012, in Liber 12703, at Page 62, and otherwise known and designated by the Town of Babylon,

Parcel I - 0100-058.00-01.00-062.000
as Lots 50 & 51, Block 23, on a certain map entitled "Map of Colonial Springs", filed in the office of the Clerk of Suffolk County on March 16, 1826 as Map No. 223

Parcel II - 0100-058.00-01.00-064.000
as Lots 46, 47 & 48, Block 23, on a certain map entitled "Map of Colonial Springs", filed in the office of the Clerk of Suffolk County on March 16, 1826 as Map No. 223;
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 23, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 23, 2012 in Liber 12703 at Page 62.

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, BELINDA A. MARQUIS has made application of said above described parcel and BELINDA A. MARQUIS has paid the application fee and has paid \$44,409.46, 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 BELINDA A. MARQUIS, 1543 Straight Path, Wyandanch, NY 11798, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1003

COUNTY OF SUFFOLK



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

December 11, 2012

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

Re: Tax Map No. 0100-058.00-01.00-062.000
0100-058.00-01.00-064.000
BELINDA A. MARQUIS

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
Wayne R. Thompson
Real Property Management Supervisor

LS:lag

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

Copy of Resolution to:

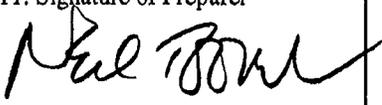
- Jon Schneider, Deputy County Executive
- Tom Vaughn, County Executive Assistant (2)
- Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
- CE Reso Review (e-copy)

Copy of letter to:

- Joanne Minieri, Deputy County Executive and Commissioner (e-copy)
- Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
- Alice Kubicsko, Inventory (e-copy)

53

**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. -2013 "AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT BELINDA A. MARQUIS 0100-058.00-01.00-062.000 0100-058.00-01.00-064.000 "		
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)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; display: inline-block; margin: 5px;">County</div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Payment to the County in the amount of \$44,409.46		
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:	11. Signature of Preparer	12. Date: 12/26/12
Neil Toomb Intergovernmental Relations Coordinator		

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

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

Introductory Resolution No. 1004 Laid on Table 1/2/2013

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
JUAN FERNANDEZ
0100-199.00-03.00-015.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 199.00, Block 03.00, Lot 015.000, 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 13, 2011, in Liber 12673, at Page 822, and otherwise known and designated by the Town of Babylon, as Lots 33 & 34, Block E, on a certain map entitled "Map of Section Two, First Division, Brinkerhoff Manor", filed in the office of the Clerk of Suffolk County on July 13, 1906 as Map No. 533; 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 13, 2011 in Liber 12673 at Page 822.

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, JUAN FERNANDEZ has made application of said above described parcel and JUAN FERNANDEZ has paid the application fee and has paid \$2,158.96, 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 JUAN FERNANDEZ, 107 Galvani Street, Copiague, NY 11726, 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: _____

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0100-199.00-03.00-015.000

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

Lori Sklar
Near Toom
INTERGOV. REL. COORD.

Lori Sklar 11/29/12
Near Toom 12/26/12

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

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

Resolution Title:

JUAN FERNANDEZ
0100-199.00-03.00-015.000

Purpose/Justification of Request:

Local Law No. 16 - 1976, as amended

Specify Where Applicable:

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

Fiscal Information:

Anticipated Revenue \$2,158.96

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

53B

1R 1004-13

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

November 27, 2012

Tax Map No.: 0100-199.00-03.00-015.000
Name of Last Legal Fee Owner: JUAN FERNANDEZ

TREASURER'S COMPUTATION..... \$2,158.96 *W*
Taxes.....2011/2012..... INCLUDED
License/Storage Fee..... OPEN
Repairs..... OPEN
Miscellaneous Expenses..... OPEN

TOTAL..... \$2,158.96

Monies Received..... \$2,158.96

RESOLUTION AMOUNT..... \$2,158.96 *W*

APPROVED:

Maria Brownell 11-28-2012
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	199.00	03.00	015.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2008-2009	395.35
2009-2010	603.60
2010-2011	452.44
2011-2012	469.86

TOTAL: \$1,921.25 ✓

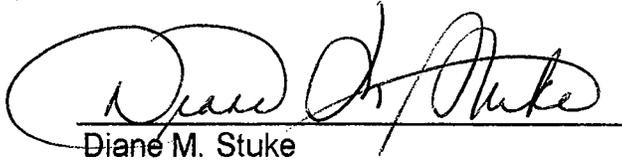
B. INTEREST DUE	134.90
C. TOTAL	2,056.15
D. 5% LINE C	102.81
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$2,158.96 ✓

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. 22-Aug-12



Diane M. Stuke

Deputy County Treasurer

**Interest and penalty computed to
and including 02/18/13

BL

1R 1004-13

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution
Tax Map Number 0100-199.00-03.00-015.000

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 No

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

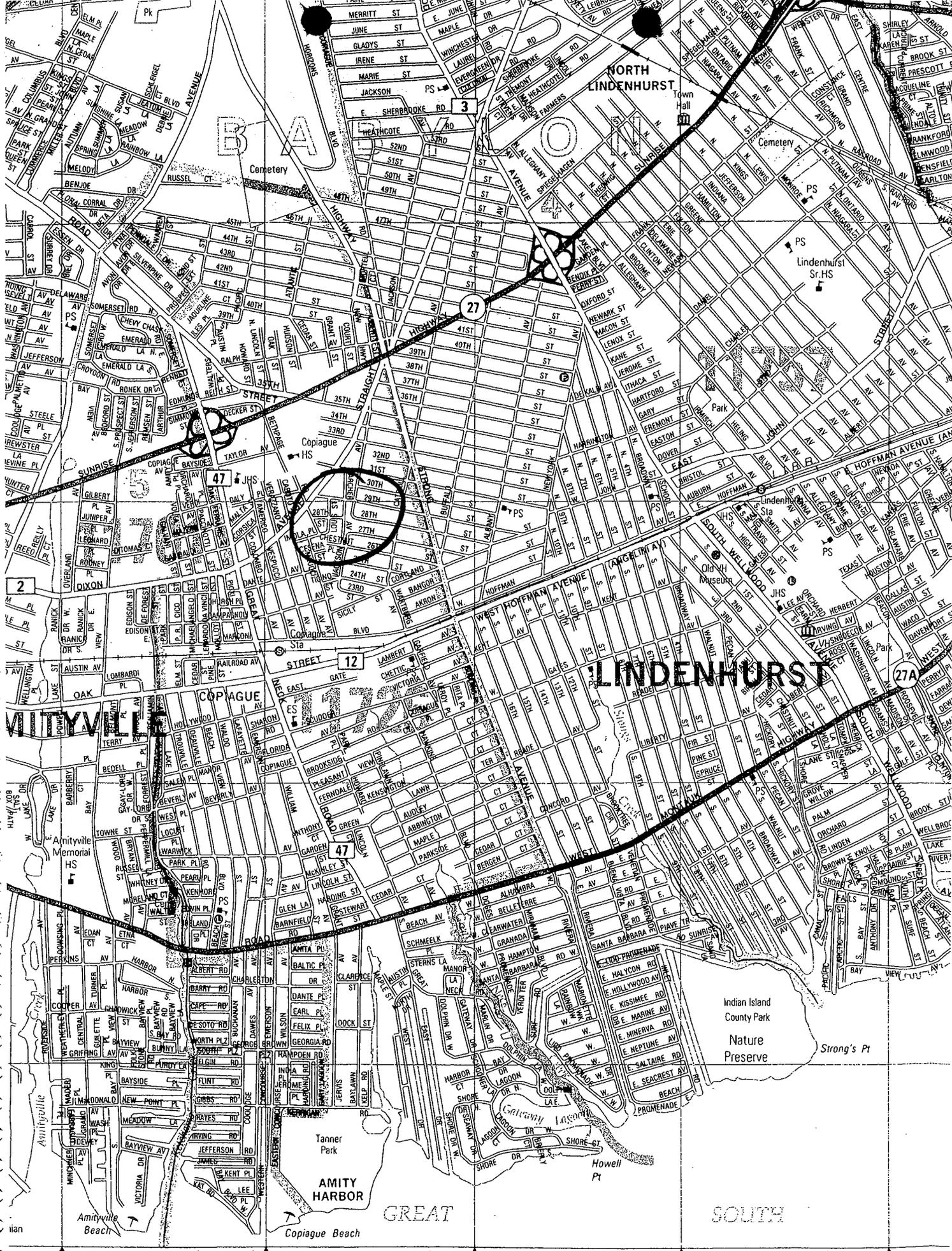
2012

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

Lori Sklar

Lori Sklar

11/29/12



73°24'45" H 73°24'00" J 73°23'15" K 73°22'30" L 73°21'45"

Joins Map 6

1004-13

COUNTY OF SUFFOLK



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

December 11, 2012

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

Re: Tax Map No. 0100-199.00-03.00-015.000
JUAN FERNANDEZ

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
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
Tom Vaughn, County Executive Assistant (2)
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)

Copy of letter to:

Joanne Minieri, Deputy County Executive and Commissioner (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicko, Inventory (e-copy)

53

Introductory Resolution No. 1005 Laid on Table 1/2/2013

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
LAWRENCE H. WOMACK, M.D. AND MARY E. PORTER
0500-297.00-01.00-125.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 297.00, Block 01.00, Lot 125.000, and acquired by tax deed on November 21, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 23, 2011, in Liber 12677, at Page 499, and otherwise known and designated by the Town of Islip, as Part of Lots 667 through 670, Inclusive, on a certain map entitled "Map of Fairview Park, Section C", filed in the office of the Clerk of Suffolk County on December 3, 1935 as Map No. 1198; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on November 21, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 23, 2011 in Liber 12677 at Page 499.

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

WHEREAS, LAWRENCE H. WOMACK, M.D. AND MARY E. PORTER have made application of said above described parcel and LAWRENCE H. WOMACK, M.D. AND MARY E. PORTER have paid the application fee and have paid \$99,501.75, 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 LAWRENCE H. WOMACK, M.D. AND MARY E. PORTER, 2941 Sunrise Highway, Islip Terrace, NY 11752, 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: _____

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0500-297.00-01.00-125.000

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

Lori Sklar

Lori Sklar

12/6/12

NEIL TOOMB
INTERGOV REL COORD

Neil Toomb

12/26/12

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

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

Resolution Title:

LAWRENCE H. WOMACK, M.D. AND MARY E. PORTER
0500-297.00-01.00-125.000

Purpose/Justification of Request:

Local Law No. 16 - 1976, as amended

Specify Where Applicable:

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

Fiscal Information:

Anticipated Revenue \$99,501.75

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

53B

11/1005-13

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

November 30, 2012

Tax Map No.: 0500-297.00-01.00-125.000

Name of Last Legal Fee Owner: LAWRENCE H. WOMACK, M.D. AND MARY E. PORTER

TREASURER'S COMPUTATION..... \$99,501.75 ↕

Taxes.....2011/2012..... OPEN - pd by bank directly

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$99,501.75 ↕

Monies Received..... \$99,501.75

RESOLUTION AMOUNT..... \$99,501.75 ↕

APPROVED:

Annette Brownell 12.6.2012

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>
0500	297.00	01.00	125.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2008/09	11969.87
2009/10	45167.76
2010/11	32361.16

2011/12 PROPERTY TAXES \$38,850.01 NOT INCLUDED IN COMPUTATION

↙

TOTAL: 89498.79 ↙

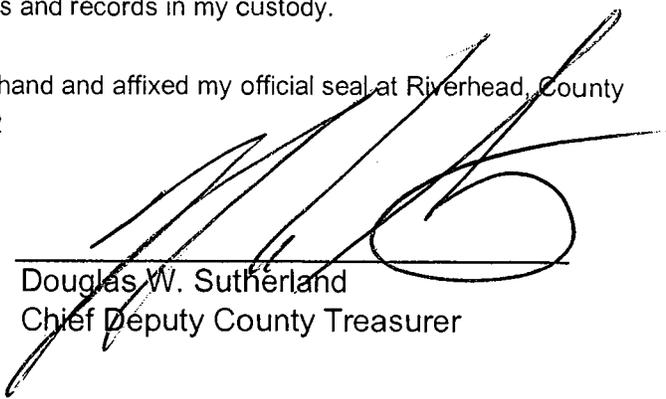
B. INTEREST DUE	5264.78
C. TOTAL	94763.57
D. 5% LINE C	4738.18
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE -----
\$99,501.75 ↙

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 23-May-12



Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to
and including 11/19/12

dz

1R 1005-13

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution

Tax Map Number 0500-297.00-01.00-125.000

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 No

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

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

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

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

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

8. Proposed Source of Funding

N/A

9. Timing of Impact

2012

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

Lori Sklar

Lori Sklar

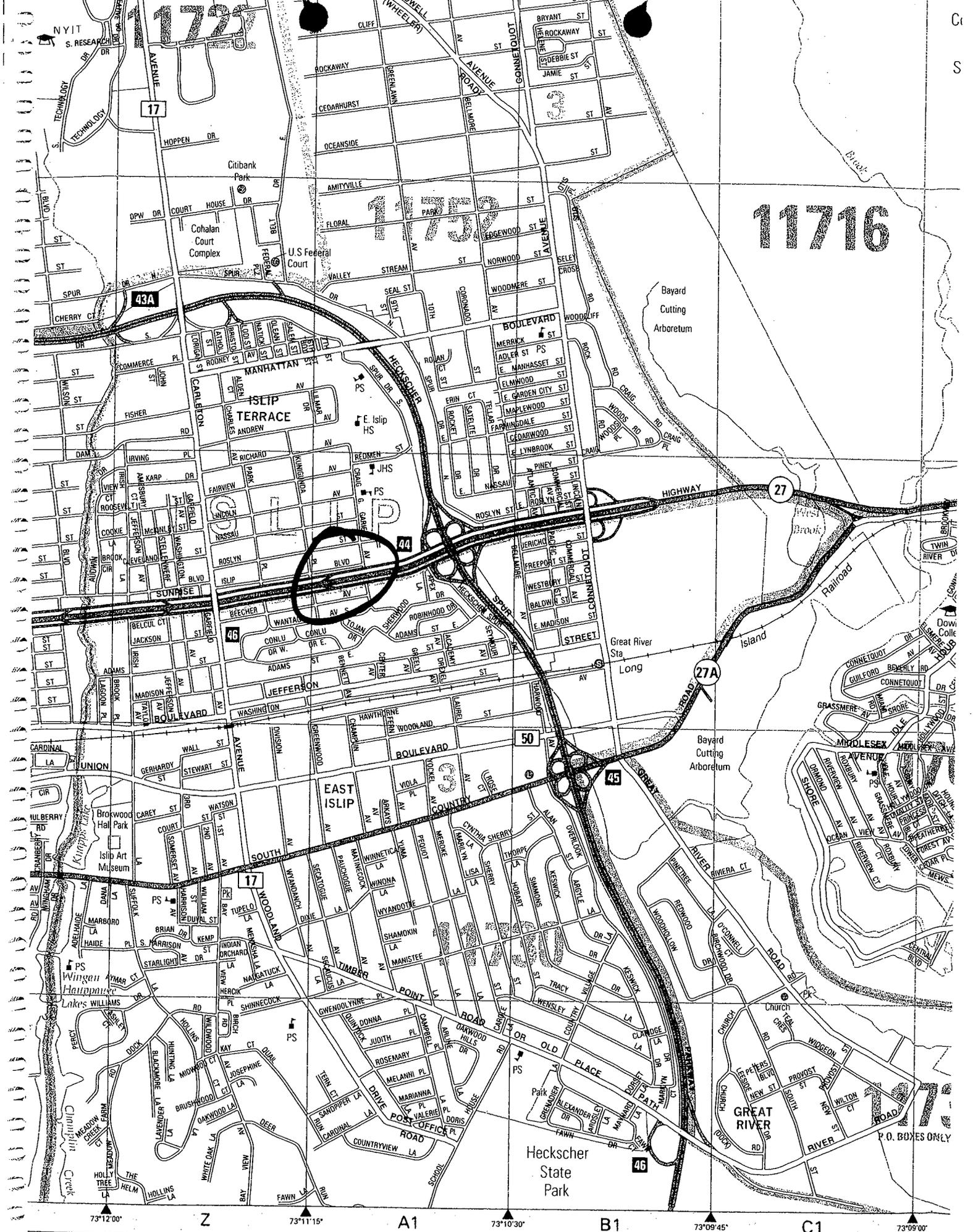
12/6/12

- Revisions
- 06-21-96
 - 12-19-96
 - 03-14-97
 - 04-26-99
 - 09-27-99
 - 07-24-00
 - 10-13-00
 - 01-31-01
 - 04-03-01
 - 05-21-01
 - 12-21-01
 - 03-13-03
 - 11-04-03
 - 06-15-06
 - 04-30-07
 - 06-12-07
 - 12-01-08
 - 01-02-09



<p>LEGEND</p> <p>Property or 88 Line Denotes Common Owner</p> <p>Subdivision Lot Line</p> <p>Stream / Shore</p> <p>Perimeter</p>	<p>Subdivision Lot No. 1131</p> <p>Subdivision Block/Blk. No. (21)</p> <p>Deed Dimension 42</p> <p>Scaled Dimension 42</p> <p>Dist. Area 12.1 A(42) of 12.1A</p> <p>Consumer Area 12.1 A(42)</p>	<p>Block Unit</p> <p>Block No. (2)</p> <p>County Line</p> <p>Town Line</p> <p>Village Line</p>	<p>School District Line --- SCH ---</p> <p>Fire District Line --- F ---</p> <p>Water District Line --- W ---</p> <p>Light District Line --- L ---</p> <p>Park District Line --- P ---</p> <p>Senior District Line --- S ---</p>	<p>Hydrant District Line --- H ---</p> <p>Refuse District Line --- R ---</p> <p>Historical District Line --- HST ---</p> <p>Ambulance District Line --- A ---</p> <p>Toiletwater District Line --- TW ---</p>	<p>UNLESS OTHERWISE, ALL ARE WITHIN THE FOLLOWING</p> <p>SCHOOL 3</p> <p>FIRE 13</p> <p>LIGHT 2</p> <p>AMBULANCE 2</p> <p>SEWER 3</p> <p>HYDRANT 3</p> <p>WATER 3</p> <p>REFUSE 3</p> <p>BASTEWATE 3</p>

12-1005-12



NYIT
S. RESEARCH
TECHNOLOGY

11723

11739

11716

43A

ISLIP
TERRACE

ISLIP

44

46

EAST ISLIP

17

50

45

27A

46

73°12'00"

Z

73°11'15"

A1

73°10'30"

B1

73°09'45"

C1

73°09'00"

Joins Map 17

1R 1005-73

COUNTY OF SUFFOLK



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

December 11, 2012

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

Re: Tax Map No. 0500-297.00-01.00-125.000
LAWRENCE H. WOMACK, M.D. AND MARY E. PORTER

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
Tom Vaughn, County Executive Assistant (2)
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)

Copy of letter to:

Joanne Minieri, Deputy County Executive and Commissioner (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicko, Inventory (e-copy)

53

Introductory Resolution No. 1006 Laid on Table 1/2/2013

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
MICHAEL R. HORENSTEIN
0200-980.00-03.00-022.000

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 980.00, Block 03.00, Lot 022.000, and acquired by tax deed on February 03, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on February 08, 2011, in Liber 12647, at Page 724, and otherwise known and designated by the Town of Brookhaven, as Lots 59 and 60, Block 9, on a certain map entitled "Map of Property of Brookhaven Beach Co., Inc.", filed in the office of the Clerk of Suffolk County on June 30, 1924 as Map No. 784; 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 February 03, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on February 08, 2011 in Liber 12647 at Page 724.

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

WHEREAS, MICHAEL R. HORENSTEIN has made application of said above described parcel and MICHAEL R. HORENSTEIN has paid the application fee and has paid \$1,945.84, 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 MICHAEL R. HORENSTEIN, 437 East 80th Street, Suite 27, New York, New York 10021 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: _____

IR# 1006

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution **X**
Tax Map Number 0200-980.00-03.00-022.000

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

<u>Peter Belyea</u>	<u></u>	<u>11/29/12</u>
NEIL TOOMB INTERSON, Real Counsel.	<u>Neil Toomb</u>	<u>12/26/12</u>

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

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

Resolution Title:

MICHAEL R. HORENSTEIN
0200-980.00-03.00-022.000

Purpose/Justification of Request:

Local Law No. 16 - 1976, as amended

Specify Where Applicable:

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

Fiscal Information:

Anticipated Revenue \$1,945.84

Contact Person Peter Belyea Telephone Number (631)853-5932

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

November 29, 2012

Tax Map No.: 0200-980.00-03.00-022.000

Name of Last Legal Fee Owner: MICHAEL R. HORENSTEIN

TREASURER'S COMPUTATION..... \$1,945.84

Taxes.....2011/2012..... INCLUDED

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$1,945.84 ✓

Monies Received..... \$1,945.84

RESOLUTION AMOUNT..... \$1,945.84 ✓

APPROVED:

Monette Browner 11-30-2012
Accounting
PB:lag

PREPARED BY:

Peter Belyea
Peter Belyea
Redemption Unit
(631)853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	980.00	03.00	022.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08	391.60
2008/09	401.26
2009/10	376.32
2010/11	295.46
2011/12	211.45

TOTAL: 1676.09

B. INTEREST DUE	177.09
C. TOTAL	1853.18
D. 5% LINE C	92.66
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$1,945.84

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 03-Aug-12


Diane M. Stuke

Deputy County Treasurer

**Interest and penalty computed to
and including 01/30/13

dz

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-980.00-03.00-022.000

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

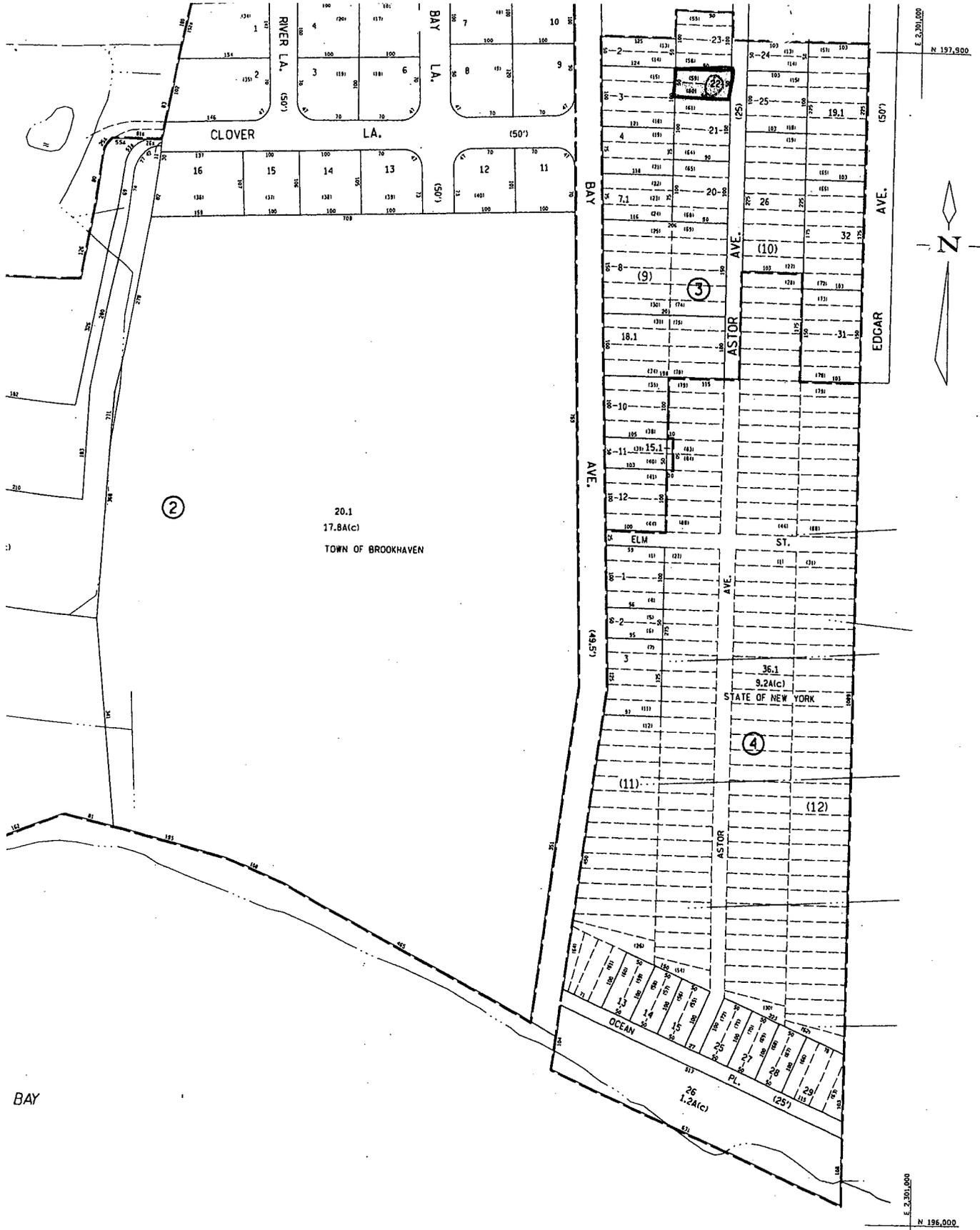
2012

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

Peter Belyea



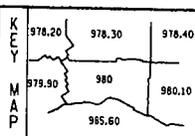
11/29/12



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



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

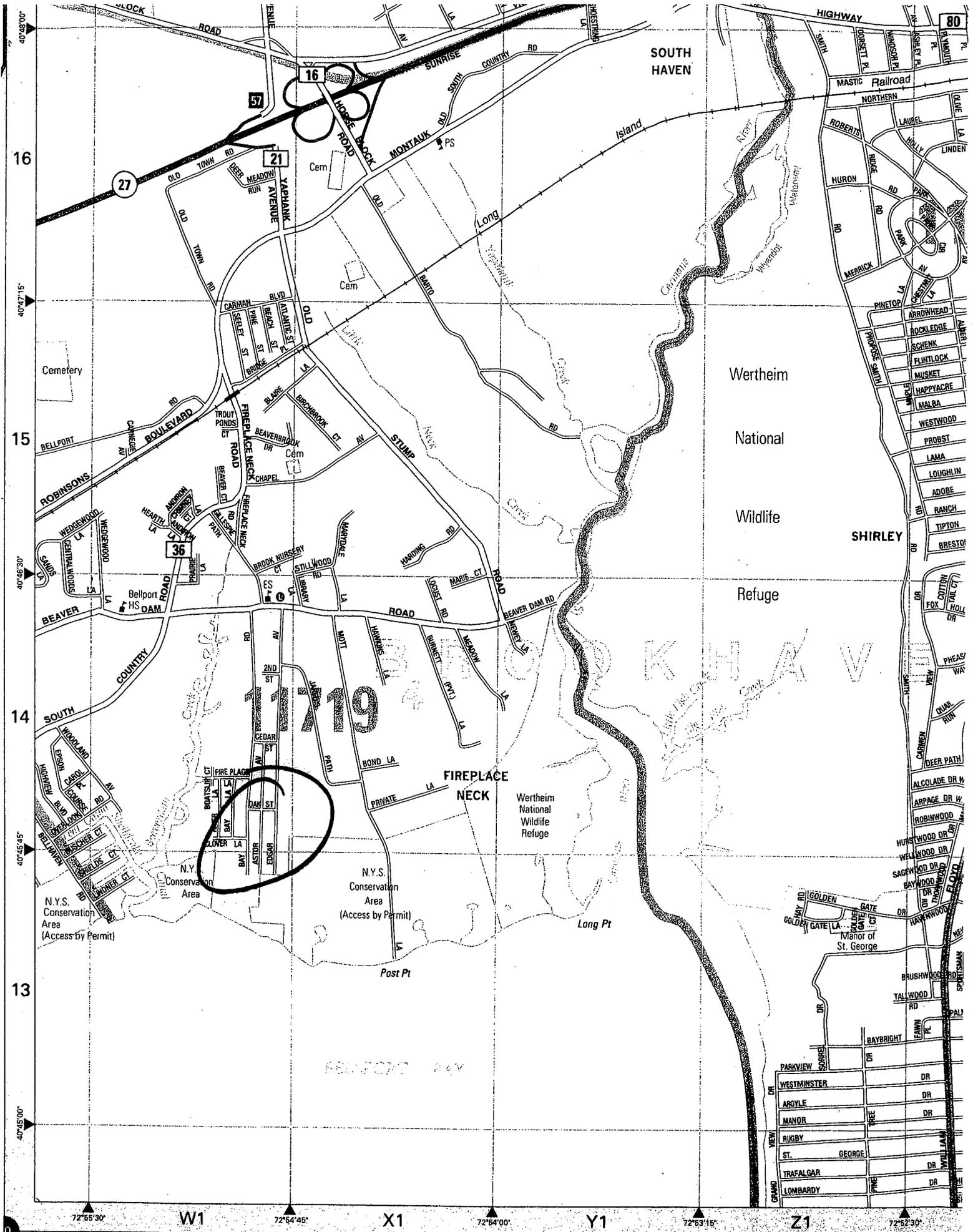


TOWN OF BROOKHAVEN
 VILLAGE OF
 DISTRICT NO 0200

SECTION NO
 980
 PROPERTY MAP

CONVERSION DATE: Oct. 25, 1996

TR 1006-1



1R1006-13

COUNTY OF SUFFOLK



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

December 11, 2012

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

Re: Tax Map No. 0200-980.00-03.00-022.000
MICHAEL R. HORENSTEIN

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
Tom Vaughn, County Executive Assistant (2)
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)

Copy of letter to:

Joanne Minieri, Deputy County Executive and Commissioner (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicko, Inventory (e-copy)

53

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
ResolutionXXX Local Law Charter Law

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

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

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

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

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

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

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

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

9. Timing of Impact
Variable

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Angie M. Carpenter County Treasurer	<i>Angie M. Carpenter</i>	12/13/12
NEIL TOMBS INTERGOV. REL COORD.	<i>NEIL TOMBS</i>	12/26/12

Intro. Res. No. 1007
Introduced by Presiding Officer at the request of the Suffolk County Executive

Laid on Table 1/2/2013

**RESOLUTION NO. 2013, DELEGATING AUTHORITY
TO REFUND CERTAIN ERRONEOUS TAX PAYMENTS TO
THE SUFFOLK COUNTY TREASURER**

Whereas, Section 556, New York **REAL PROPERTY TAX LAW** has been amended to permit the Suffolk County Legislature to delegate its authority to refund erroneous tax payments of TWO THOUSAND FIVE HUNDRED (\$2500.00) DOLLARS or less; now, therefore, be it

Resolved, that this Legislature hereby delegates to the Suffolk County Treasurer the authority to grant real property tax refunds of **TWO THOUSAND FIVE HUNDRED (\$2500.00) DOLLARS** or less to property owners in the County of Suffolk upon receipt of written reports of investigation and recommendation by the County Director of Real Property Tax Service Agency; and be it further

Resolved, that if the County Treasurer denies the refund, in whole or in part, the County Treasurer shall transmit to the Suffolk County Legislature together with copies of the application and the reasons for denial of the refund, and be it further

Resolved, that the County Treasurer shall submit a report of the refunds processed to the Suffolk County Legislature on or before the fifteenth (15) day of each month for the actions taken during the preceding month amount of the refund; and be it further

Resolved, that this resolution shall only be in effect through December 31st of 2013.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

Department Request:
Sponsors Memo for County Legislation

Resolution Title:

To readjust, compromise and grant refunds and charge backs on Correction of Error/County Treasurer

Purpose/Justification of Request:

This resolution is to correct, readjust, or cancel erroneous or improperly assessed properties within the Towns as they appear from the certificates of the assessors of the respective towns.

Specify Where Applicable:

- | | | |
|---|------------|-----------|
| 1. Is request due to change in law? | YES | NO |
| 2. Has this resolution been submitted previously? | YES | NO |
| 3. Is backup attached? | YES | NO |
| 4. Is this resolution subject to SEQRA review | YES | NO |

Fiscal Information:

Budget Line

Amount & Source of outside fund:

Federal \$ _____
State \$ _____
County \$ _____
Other \$ _____

Contact Person:

Telephone Number:

Angie M. Carpenter
County Treasurer

852-1500

Instructions: All departments must submit this form, along with your draft resolution for Legislative action, to the Budget Office no later than noon on the Monday before the Thursday deadline imposed by the Legislature.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

ResolutionXXX

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

YES XXX NO

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

County

Village

Library District

Town

School District

Fire District

Economic Impact

Other (Specify):

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

Angie M. Carpenter
County Treasurer

11. Signature of Preparer

Angie M. Carpenter

12. Date

12/13/12



SUFFOLK COUNTY TREASURER

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

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

ANGIE M. CARPENTER
COUNTY TREASURER

DOUGLAS W. SUTHERLAND
CHIEF DEPUTY

DIANE M. STUKE
DEPUTY

MEMORANDUM

TO: Ben Zwirn, County Executive Assistant for Intergovernmental Relations

FROM: Angie M. Carpenter, Suffolk County Treasurer

DATE: December 12, 2012

RE: Under \$2500.00 Resolution

.....

Enclosed please find a proposed resolution, which this office requests be submitted to the Suffolk County Legislature for approval. As it is necessary to have this resolution as soon as possible in the New Year, please be sure to submit this at the first meeting of the Suffolk County Legislature. Our office, as well as the town tax receivers, need this resolution in order to correct erroneous tax bills.

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

Should you need anything further, please contact me.

**AMC:dz
Enc.**

1008

Intro. Res. No. - 2012

Laid on Table 1/2/2013

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 KRAMER PROPERTY - MASTIC/SHIRLEY CONSERVATION AREA (TOWN OF BROOKHAVEN - VILLAGE OF MASTIC BEACH - SCTM#0209-036.00-03.00-037.000)

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

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

WHEREAS, Resolution No. 44-2009, 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 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 and the Director of Real Estate and/or her designee 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 Twenty Five Thousand Dollars (\$25,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0209	0.46±	Joseph R. Kramer
	Section 036.00		192 Oakland Avenue
	Block 03.00		Miller Place, NY 11764
	Lot 037.000		

; and, be it further

2nd RESOLVED, that the Director 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 December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Twenty Five Thousand Dollars (\$25,000.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$25,000.00, 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 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

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:

a.) freshwater/tidal wetlands and buffer lands for same; and be it further

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

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

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

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and
- 4.) the on-site structure will be properly removed with an asbestos survey completed in accordance with New York State Department of Labor Industrial Code 56 prior to the property being transferred to the jurisdiction of the Suffolk County Department of Parks, Recreation and Conservation; and
- 5.) the private water supply well serving the property will be properly abandoned in accordance with all applicable regulations prior to the property being transferred to the jurisdiction of the Suffolk County Department of Parks, Recreation and Conservation; 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.

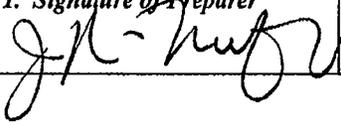
DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space-PayGo, of the Kramer property (Mastic/Shirley Conservation Area), SCTM#0209-036.00-03.00-037.000, (Town of Brookhaven, Village of Mastic Beach).		
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 Rose-Nikoloff Director of Real Estate	11. Signature of Preparer 	12. Date December 12, 2012

SCIN FORM 175b (10/95)

NEIL TOOMB
INTERIOR Real Coord.

NEIL TOOMB 12/26/12

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

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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



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

December 12, 2012

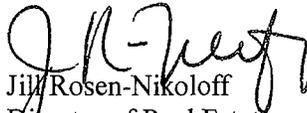
Mr. Jon Schneider, Deputy County Executive
for Intergovernmental Relations
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Kramer property (Mastic/Shirley Conservation Area), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program-Open Space. The purchase price is \$25,000.00 for 0.46± acres.

Please contact me if you require any additional information.

Sincerely,


Jill Rosen-Nikoloff
Director of Real Estate

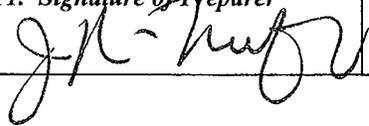
JRN:pd

Att.

cc: Dennis Cohen, Acting Chief Deputy County Executive (e-mail copy only)
Joanne Minieri, Deputy County Executive & Commissioner, Dept. of Economic Development & Planning
Sarah Lansdale, Director, Division of Planning & Environment (e-mail copy only)
Robert Braun, Deputy Bureau Chief, Law Dept., Real Estate-Condensation (e-mail copy only)
Janet M. Longo, Acquisition Supervisor, Real Property Acquisition & Mgmt. (e-mail copy only)
Lauretta Fischer, Principal Environmental Analyst, Division of Planning (e-mail copy only)
Tom Vaughn, County Executive Assistant
Phyllis J. Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

1008-12

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

1. Type of Legislation		
Resolution	X	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 Kramer property (Mastic/Shirley Conservation Area), SCTM#0209-036.00-03.00-037.000, (Town of Brookhaven, Village of Mastic Beach).		
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	11. Signature of Preparer	12. Date
Jill Rose-Nikoloff Director of Real Estate		December 12, 2012

SCIN FORM 175b (10/95)

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

- (1) Please limit this suggestion form to ONE proposal.
- (2) Describe in detail.
- (3) Attach all pertinent backup material.

Submitting Department
Department of Economic Development & Planning
Division of Real Property Acquisition & Mgmt.
H Lee Dennison Bldg., 2nd Floor, Hauppauge

Division Contact Person
Janet M. Longo
853-5947

Suggestion Involves:

- | | |
|--|--|
| <input type="checkbox"/> Technical Amendment | <input type="checkbox"/> New Program |
| <input type="checkbox"/> Grant Award | <input type="checkbox"/> Contract (New ___ Rev. ___) |
| <input checked="" type="checkbox"/> Other | |

Summary of Problem: (Explanation of why this legislation is needed.)
To authorize the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space-PayGo, of the Kramer property (Mastic Shirley Conservation Area), SCTM#0209-036.00-03.00-037.000, in the town of Brookhaven, Village of Mastic Beach.

Proposed Changes in Present Statute: (Please specify section when possible.)

N/A

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN FORM 175a (10/95) Prior editions of this form are obsolete.

Intro. Res. No. 1009 - 2013

Laid on Table 1/2/2013

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, , AMENDING THE ADOPTED 2013 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH AN EVALUATION OF INNOVATIVE/ALTERNATIVE SEWAGE DISPOSAL SYSTEMS TO REMEDIATE WATER QUALITY IN SUFFOLK COUNTY (CP 8710)

WHEREAS, there are sufficient funds within the Reserved Fund Balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, during the July 26, 2011 meeting of the Suffolk County Water Quality Review Committee, pursuant to, Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds; and

WHEREAS, the Suffolk County Department of Health Services Division of Environmental Quality, in collaboration with a consulting firm will evaluate systems that significantly reduce the amount of nitrogen discharged into the groundwater and surface waters in accordance with the requirements of Resolution Nos. 662 of 2000 and 659 of 2002; and

WHEREAS, the investigation will evaluate regional and sub-regional costs (initial capital cost plus operation and maintenance cost), as compared to impacts to groundwater and surface water as determined by modeling; and

WHEREAS, the investigation will evaluate eight sub-regional areas, addressing the needs of the hamlets and sensitive surface water protection subwatersheds; and

WHEREAS, This program will be critical to economic development, as well as environmental health protection in that the alternative systems evaluated will allow continued development with limited nutrient contribution to the environment, this project is a successor to the study which resulted in approval of alternative systems such as Nitrex and BESST; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2013 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are sufficient available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2013 Capital Budget and Program; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to

Section 617.5 (c) (18),(20), (21) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-019 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and Legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-five (65) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of the County's share for this project; and be it further

4th RESOLVED, that the Adopted 2013 Capital Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$303,110

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT (Ref. 525-CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$303,110

and be it further

6th RESOLVED, that the 2013 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710

Project Title: Evaluation of Innovative/Alternative Sewage Disposal Systems

	<u>Total Est'd Cost</u>	<u>Current 2013 Capital Budget & Program</u>	<u>Revised 2013 Capital Budget & Program</u>
1. Planning	\$303,110	\$0	\$303,110W
Total	\$303,110	\$0	\$303,110

and be it further

7th RESOLVED, that the interfund revenues in the amount of \$303,110 be and hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.135	40	Evaluation of Innovative/Alternative Sewage Disposal Systems	\$303,110

and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

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. -2013, , AMENDING THE 2013 OPERATING BUDGET, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH AN EVALUATION OF INNOVATIVE/ALTERNATIVE SEWAGE DISPOSAL SYSTEMS TO REMEDIATE WATER QUALITY IN SUFFOLK COUNTY (CP 8710)		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND- AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8710- WATER QUALITY PROJECT.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding FUND 477 RESERVE FUND BALANCE		
9. Timing of Impact UPON ADOPTION		
10. Typed Name & Title of Preparer Nicholas Paglia Asst Executive Analyst	11. Signature of Preparer 	12. Date December 20 th , 2012

SCIN FORM 175b (10/95)

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

GENERAL FUND

	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

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	\$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.

1010
Intro. Res. No. -2012

Laid on Table 1/2/2012

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2012, AUTHORIZING EXECUTION OF INTERMUNICIPAL AGREEMENTS PURSUANT TO §§ 119-o WITH THE TOWNS, VILLAGES AND MUNICIPAL CORPORATIONS AND DISTRICTS OF SUFFOLK COUNTY FOR MUTUAL AID AS A RESULT OF HURRICANE SANDY

WHEREAS, sub-division (1) of section 119-o of Article 5-G of the General Municipal Law provides, in part, that “[i]n addition to any other general or special powers vested in [M]unicipal [C]orporations and districts for the performance of their respective functions, powers or duties on an individual, cooperative, joint or contract basis, [M]unicipal [C]orporations and districts shall have power to enter into, amend, cancel and terminate agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service ...;” and

WHEREAS, sub-division (a) of section 119-n of Article 5-G provides that “[t]he term ‘[M]unicipal [C]orporation’ means a county outside the city of New York, a city, a town, a village, a board of cooperative educational services, fire district or a school district;” and

WHEREAS, in response to Hurricane Sandy the Suffolk County Executive, declared a State of Emergency so as to protect the health, safety and welfare of the citizens of Suffolk County and to provide for an expedited and efficient recovery effort.

WHEREAS, it is in the mutual interest of the Towns, Villages, Municipal Corporations, and Districts of Suffolk County and Suffolk County to provide mutual aid in times of emergency and natural disaster to protect the health safety and welfare of the citizens of Suffolk. County, now therefore be it

1st RESOLVED, the County Executive is hereby authorized, empowered, and directed to enter into intermunicipal agreements, in a form acceptable to the Department of Law, pursuant to §§ 119-o of the General Municipal Law with any of the Towns, Villages, Municipal Corporations and Districts of Suffolk County to provide mutual aid in response to the post storm coordinated emergency response and recovery from Hurricane Sandy, and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c) (20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 N.Y.C.R.R.) 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 nonapplicability or non-significance in accordance with this law.

DATED: _____, 2012

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: _____, 2012

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		
<p>RESOLUTION NO. -2013, "AUTHORIZING EXECUTION OF INTERMUNICIPAL AGREEMENTS PURSUANT TO §§ 119-0 WITH THE TOWNS, VILLAGES AND MUNICIPAL CORPORATIONS AND DISTRICTS OF SUFFOLK COUNTY FOR MUTUAL AID AS A RESULT OF HURRICANE SANDY</p> <p style="text-align: center;">"</p>		
3. Purpose of Proposed Legislation Relocation Of Library		
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		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
none		
8. Proposed Source of Funding		
n/a		
9. Timing of Impact - n/a		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date:
Neil Toomb Intergovernmental Relations Coordinator		12/26/12

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

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

1011
Intro. Res. No. - 2013
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 1/2/2013

RESOLUTION NO. - 2013, RESCINDING ADOPTED RESOLUTION NO. 768-2011 AND AUTHORIZING PLANNING STEPS FOR THE VOLUNTARY ACQUISITION OF LAND AND IF NECESSARY PUBLIC HEARINGS PURSUANT TO ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW OF THE STATE OF NEW YORK IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 48, MIDDLE ROAD FROM RUCH LANE TO CHAPEL LANE, TOWN OF SOUTHOLD, SUFFOLK COUNTY, NEW YORK. (CP 5526, PHASE 2)

WHEREAS, the Suffolk County Legislature by Adopted Resolution Number 768-2011 dated September 15, 2011 authorized public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of CR 48, Middle Road, from Ruch Lane to Chapel Lane, Town of Southold, Suffolk County, New York, Phase II (CP5526); and

WHEREAS, an additional pre-hearing review of the proposed acquisition maps and descriptions was made subsequent to the passage of Adopted Resolution Number 768-2011 and it was determined that the goals of the acquisition could be made more economically and efficiently while maintaining modern highway engineering and safety standards; and

WHEREAS, the Commissioner of the Department of Public Works, prepared new maps showing the properties to be acquired for the reconstruction of C.R. 48, Middle Road from Ruch Lane to Chapel Lane, Town of Southold, Suffolk County, New York, indicating the properties to be acquired, the names of the reputed owners, the boundaries and dimensions of the parcels to be acquired; and

WHEREAS, said maps were prepared on or about September 11, 2012, and are entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 48, MIDDLE ROAD FROM RUCH LANE TO CHAPEL LANE, TOWN OF SOUTHOLD, SUFFOLK COUNTY, NEW YORK"; and

WHEREAS, the project has been adopted in the 2013 Capital Budget as and by Capital Project No. 5526; and

WHEREAS, in an effort to minimize the economic cost and time delays associated with compulsory acquisitions made under the provisions of the New York State Eminent Domain Procedure Law, it has been determined that an attempt should first be made to acquire some or all of the proposed acquisition parcels in a negotiated voluntary transaction with the respective property owners of each acquisition parcel; and

WHEREAS, if one or more of the proposed acquisition parcels cannot be acquired under the terms and provisions of a negotiated voluntary transaction with the respective property owner(s) of said parcel(s), then the acquisition of the parcel(s) not voluntarily acquired

should be acquired by a compulsory acquisition under the provisions of the New York State Eminent Domain Procedure Law; and

WHEREAS, pursuant to Article 2 of the Eminent Domain Procedure law, it is required that a public hearing be held prior to any compulsory acquisition in order to inform the public and to review the public use to be served by this project and to review the impact on the environment for residents of the locality in which the project is situate; and

WHEREAS, Section 204 of the Eminent Domain Procedure Law requires the making of Findings and Determinations concerning the proposed project and requires the publication thereafter of a brief synopsis; now therefore, be it

1st RESOLVED, that Adopted Resolution Number 768-2001, duly adopted by this legislature on September 15, 2011 is hereby rescinded in its entirety and is no further force and effect; and be it further

2nd RESOLVED that the Suffolk County Department of Public Works be and hereby is authorized to acquire the properties set forth in the aforesaid maps; said acquisition to be made in the name of the County of Suffolk; and be it further

3rd RESOLVED, that said acquisitions be in fee simple absolute or such lesser estate, if said lesser estate is so indicated on the maps heretofore adopted; and be it further

4th RESOLVED, the Commissioner of the Suffolk County Department of Public Works, or his duly appointed Designee, is hereby authorized empowered and directed to have the proposed acquisition parcels surveyed, appraised, environmentally audited, and searched for title; and be it further

5th RESOLVED, that the cost of such surveys, appraisals, environmental audits and title searches, shall be paid from the funds appropriated under Capital Project Number 5526; and be it further

6th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized and permitted to make the aforesaid acquisition of said lands by negotiation, purchase, and conveyance; said acquisition subject to the approval of this Legislature; and be it further

7th RESOLVED, in the event that the Suffolk County Department of Public Works is unable to acquire any parcel by negotiation, purchase, and conveyance, it is hereby authorized, permitted, and directed to commence the acquisition of said un-acquired parcel(s) under the provisions of the New York State Eminent Domain Procedure Law; and be it further

8th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, the Commissioner of the Suffolk County Department of Public Works, or his Designee, be deemed Hearing Officer with authority to make Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law; and the said Director, or designee, is hereby authorized to exercise the full authority of the Legislature to conduct public hearings and make determinations and findings as provided in Article 2 of the Eminent Domain Procedure Law; and be it further

9th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, upon conclusion of the aforesaid hearings, pursuant to Eminent Domain Procedure Law, the Hearing Officer file written Findings and Determinations with the Clerk of the Legislature within 90 days of the conclusion of the Public Hearing provided for in Article 2 of the Eminent Domain Procedure Law; and be it further

10th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, a brief synopsis of the filed Findings and Determinations shall be published pursuant to the requirements of Section 204 of the Eminent Domain Procedure Law; and be it further

11th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, copies of the Findings and Determinations will be forwarded upon written request, to applicants without cost to said applicant by the Clerk of the Legislature; and be it further

12th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, upon completion of hearings required by Article 2 of the Eminent Domain Procedure Law, the map aforesaid, be filed in the Office of the Clerk of the County Legislature of the County of Suffolk; and be it further

13th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, upon the filing of the Determinations and Findings with the Clerk of the Legislature, the Legislature of Suffolk County shall consider whether to adopt or reject said Findings and Determinations; and be it further

14th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, all costs pertaining to notices, public hearings, publications, stenographic fees, mailings, postings, and direct service of process and/or notices be deemed an appropriate charge to this project as provided in the capital program for the acquisition of said real property; and be it further

15th 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:

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. – 2013, RESCINDING ADOPTED RESOLUTION NO. 768-2011 AND AUTHORIZING PLANNING STEPS FOR THE VOLUNTARY ACQUISITION OF LAND AND IF NECESSARY PUBLIC HEARINGS PURSUANT TO ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW OF THE STATE OF NEW YORK IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 48, MIDDLE ROAD FROM RUCH LANE TO CHAPEL LANE, TOWN OF SOUTHOLD, SUFFOLK COUNTY, NEW YORK. (CP 5526, PHASE 2)		
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 will allow the County to negotiate voluntary acquisition of land instead of compulsory acquisition.		
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 for this resolution. Funding will be appropriated on future resolutions.		
9. Timing of Impact		
Upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		December 21 st , 2012

SCIN FORM 175b (10/95)

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

GENERAL FUND

	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

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	\$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.

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

- (1) Please limit this suggestion form to ONE proposal.
- (2) Describe in detail.
- (3) Attach all pertinent material.

Submitting Department
(Dept. Name & Location)

Department Contact Person
(Name & Phone No.):

Public Works
335 Yaphank Avenue
Yaphank, NY 11980

William Hillman, P.E.
Chief Engineer
852-4002

Suggestion Involves:

- | | |
|--|---|
| <input type="checkbox"/> Amendment | <input type="checkbox"/> New Program |
| <input type="checkbox"/> Grant Award | <input type="checkbox"/> Contract (New <input type="checkbox"/> Rev. <input type="checkbox"/>) |
| <input checked="" type="checkbox"/> Rescinding Adopted Resolution
No. 768-2011 and Authorizing
Planning Steps and/or Eminent
Domain Public Hearings | <input type="checkbox"/> Approving Condemnation
Maps and Findings |

Summary of Problem: (Explanation of why this legislation is needed.)

This resolution is part of the Real Estate Acquisition Process that allows the County to acquire essential Non-County-owned real property under this capital program.

Proposed Changes in Present Statute: (Please specify section when possible.)

Not Applicable

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN FORM 175a (10/95) Prior editions of this form are obsolete.

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

DATE: September 18, 2012

RE: **Rescinding Adopted Resolution No. 768-2011 and Authorizing Planning Steps for the Voluntary Acquisition of Land and if Necessary Public Hearings Pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in Connection with the Acquisition of Properties to be Acquired for the Reconstruction of CR 48, Middle Road from Ruch Lane to Chapel Lane, Town of Southold (CP 5526, Phase 2)**

Attached is a draft resolution and duplicate copy requesting the rescission of previously adopted Resolution 768-2011 for planning steps (public hearings, etc.). Subsequent review of the maps and descriptions has indicated that the goals of the acquisition could be made more economically and efficiently while maintaining modern highway engineering and safety standards. This resolution also requests authorization of these planning steps for properties to be acquired in the Town of Southold for the Reconstruction of CR 48, Middle Road from Ruch Lane to Chapel Lane (Phase 2).

The purpose of this acquisition is to improve traffic flow and safety along CR 48, Middle Road along the above referenced roadway. This hearing is required by the New York State Eminent Domain Procedure Law.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5526(CR48 EDPL & PH Ph2)".

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

1012
Intro. Res. No. - 2013
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 1/2/2013

RESOLUTION NO. - 2013, RESCINDING ADOPTED RESOLUTION NO. 765-2011 AND AUTHORIZING PLANNING STEPS FOR THE VOLUNTARY ACQUISITION OF LAND AND IF NECESSARY PUBLIC HEARINGS PURSUANT TO ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW OF THE STATE OF NEW YORK IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 48, MIDDLE ROAD, FROM HORTON LANE TO THE VICINITY OF GROVE ROAD, TOWN OF SOUTHOLD, SUFFOLK COUNTY, NEW YORK. (CP 5526, PHASE 3)

WHEREAS, the Suffolk County Legislature by Adopted Resolution Number 765-2011 dated September 15, 2011 authorized public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of CR 48, Middle Road, from Horton Lane to the vicinity of Grove Road, Town of Southold, Suffolk County, New York, Phase III (CP5526); and

WHEREAS, an additional pre-hearing review of the proposed acquisition maps and descriptions was made subsequent to the passage of Adopted Resolution Number 765-2011 and it was determined that the goals of the acquisition could be made more economically and efficiently while maintaining modern highway engineering and safety standards; and

WHEREAS, the Commissioner of the Department of Public Works, prepared new maps showing the properties to be acquired for the reconstruction of C.R. 48, from Horton Lane to the vicinity of Grove Road, Town of Southold, Suffolk County, New York, indicating the properties to be acquired, the names of the reputed owners, the boundaries and dimensions of the parcels to be acquired; and

WHEREAS, said maps were prepared on or about September 11, 2012, and are entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 48, MIDDLE ROAD, FROM HORTON LANE TO THE VICINITY OF GROVE ROAD, TOWN OF SOUTHOLD, SUFFOLK COUNTY, NEW YORK"; and

WHEREAS, the project has been adopted in the 2013 Capital Budget as and by Capital Project No. 5526; and

WHEREAS, in an effort to minimize the economic cost and time delays associated with compulsory acquisitions made under the provisions of the New York State Eminent Domain Procedure Law, it has been determined that an attempt should first be made to acquire some or all of the proposed acquisition parcels in a negotiated voluntary transaction with the respective property owners of each acquisition parcel; and

WHEREAS, if one or more of the proposed acquisition parcels cannot be acquired under the terms and provisions of a negotiated voluntary transaction with the respective

property owner(s) of said parcel(s), then the acquisition of the parcel(s) not voluntarily acquired should be acquired by a compulsory acquisition under the provisions of the New York State Eminent Domain Procedure Law; and

WHEREAS, pursuant to Article 2 of the Eminent Domain Procedure law, it is required that a public hearing be held prior to any compulsory acquisition in order to inform the public and to review the public use to be served by this project and to review the impact on the environment for residents of the locality in which the project is situate; and

WHEREAS, Section 204 of the Eminent Domain Procedure Law requires the making of Findings and Determinations concerning the proposed project and requires the publication thereafter of a brief synopsis; now therefore, be it

1st RESOLVED, that Adopted Resolution Number 765-2011, duly adopted by this legislature on September 15, 2011 is hereby rescinded in its entirety and is no further force and effect; and be it further

2nd RESOLVED that the Suffolk County Department of Public Works be and hereby is authorized to acquire the properties set forth in the aforesaid maps; said acquisition to be made in the name of the County of Suffolk; and be it further

3rd RESOLVED, that said acquisitions be in fee simple absolute or such lesser estate, if said lesser estate is so indicated on the maps heretofore adopted; and be it further

4th RESOLVED, that the Commissioner of the Suffolk County Department of Public Works, or his duly appointed Designee, is hereby authorized empowered and directed to have the proposed acquisition parcels surveyed, appraised, environmentally audited, and searched for title; and be it further

5th RESOLVED, that the cost of such surveys, appraisals, environmental audits and title searches, shall be paid from the funds appropriated under Capital Project Number 5526; and be it further

6th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized and permitted to make the aforesaid acquisition of said lands by negotiation, purchase, and conveyance; said acquisition subject to the approval of this Legislature; and be it further

7th RESOLVED, in the event that the Suffolk County Department of Public Works is unable to acquire any parcel by negotiation, purchase, and conveyance, it is hereby authorized, permitted, and directed to commence the acquisition of said un-acquired parcel(s) under the provisions of the New York State Eminent Domain Procedure Law; and be it further

8th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, the Commissioner of the Suffolk County Department of Public Works, or his Designee, be deemed Hearing Officer with authority to make Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law; and the said Director, or designee, is hereby authorized to exercise the full authority of the Legislature to conduct public

hearings and make determinations and findings as provided in Article 2 of the Eminent Domain Procedure Law; and be it further

9th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, upon conclusion of the aforesaid hearings, pursuant to Eminent Domain Procedure Law, the Hearing Officer file written Findings and Determinations with the Clerk of the Legislature within 90 days of the conclusion of the Public Hearing provided for in Article 2 of the Eminent Domain Procedure Law; and be it further

10th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, a brief synopsis of the filed Findings and Determinations shall be published pursuant to the requirements of Section 204 of the Eminent Domain Procedure Law; and be it further

11th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, copies of the Findings and Determinations will be forwarded upon written request, to applicants without cost to said applicant by the Clerk of the Legislature; and be it further

12th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, upon completion of hearings required by Article 2 of the Eminent Domain Procedure Law, the map aforesaid, be filed in the Office of the Clerk of the County Legislature of the County of Suffolk; and be it further

13th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, upon the filing of the Determinations and Findings with the Clerk of the Legislature, the Legislature of Suffolk County shall consider whether to adopt or reject said Findings and Determinations; and be it further

14th RESOLVED, that should a compulsory acquisition of one or more of the subject parcels under the provisions of the New York State Eminent Domain Procedure Law be necessary, all costs pertaining to notices, public hearings, publications, stenographic fees, mailings, postings, and direct service of process and/or notices be deemed an appropriate charge to this project as provided in the capital program for the acquisition of said real property; and be it further

15th 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:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. - 2013, RESCINDING ADOPTED RESOLUTION NO. 765-2011 AND AUTHORIZING PLANNING STEPS FOR THE VOLUNTARY ACQUISITION OF LAND AND IF NECESSARY PUBLIC HEARINGS PURSUANT TO ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW OF THE STATE OF NEW YORK IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 48, MIDDLE ROAD, FROM HORTON LANE TO THE VICINITY OF GROVE ROAD, TOWN OF SOUTHOLD, SUFFOLK COUNTY, NEW YORK. (CP 5526, PHASE 3)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> County </div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Resolution will allow the County to negotiate voluntary acquisition of land instead of compulsory acquisition.		
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 for this resolution. Funding will be appropriated on future resolutions.		
9. Timing of Impact		
Upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		December 21 st , 2012

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

GENERAL FUND

	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

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	\$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.

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

- (1) Please limit this suggestion form to ONE proposal.
- (2) Describe in detail.
- (3) Attach all pertinent material.

Submitting Department
(Dept. Name & Location)

Public Works
335 Yaphank Avenue
Yaphank, NY 11980

Department Contact Person
(Name & Phone No.):

William Hillman, P.E.
Chief Engineer
852-4002

Suggestion Involves:

Amendment

Grant Award

Rescinding Adopted Resolution
No. 765-2011 and Authorizing
Planning Steps and/or Eminent
Domain Public Hearings

New Program

Contract (New Rev.)

Approving Condemnation
Maps and Findings

Summary of Problem: (Explanation of why this legislation is needed.)

This resolution is part of the Real Estate Acquisition Process that allows the County to acquire essential Non-County-owned real property under this capital program.

Proposed Changes in Present Statute: (Please specify section when possible.)

Not Applicable

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN FORM 175a (10/95) Prior editions of this form are obsolete.

11012-13

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

DATE: September 18, 2012

RE: **Rescinding Adopted Resolution No. 765-2011 and Authorizing Planning Steps for the Voluntary Acquisition of Land and if Necessary Public Hearings Pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in Connection with the Acquisition of Properties to be Acquired for the Reconstruction of CR 48, Middle Road from Horton Lane to the Vicinity of Grove Road, Town of Southold (CP 5526, Phase 3)**

Attached is a draft resolution and duplicate copy requesting the rescission of previously adopted Resolution 765-2011 for planning steps (public hearings, etc.). Subsequent review of the maps and descriptions has indicated that the goals of the acquisition could be made more economically and efficiently while maintaining modern highway engineering and safety standards. This resolution also requests authorization of these planning steps for properties to be acquired in the Town of Southold for the Reconstruction of CR 48, Middle Road from Horton Lane to the Vicinity of Grove Road (Phase 3).

The purpose of this acquisition is to improve traffic flow and safety along CR 48, Middle Road along the above referenced roadway. This hearing is required by the New York State Eminent Domain Procedure Law.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5526(CR48 EDPL & PH Ph3)".

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

Intro. Res. No. ¹⁰¹³ -2013
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 1/2/2013

**RESOLUTION NO. -2013, AMENDING THE ADOPTED
2013 OPERATING BUDGET TO TRANSFER FUNDS FROM
FUND 477 WATER QUALITY PROTECTION, AMENDING THE
2013 CAPITAL BUDGET AND PROGRAM, AND
APPROPRIATING FUNDS IN CONNECTION WITH A PILOT
STUDY FOR CLUSTERED TREATMENT OF DECENTRALIZED
WASTEWATER IN THE PECONIC ESTUARY. (CP 8710)**

WHEREAS, there are sufficient funds within the Reserved Fund Balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this study at its September 25, 2012 meeting as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Suffolk County Department of Economic Development and Planning will sponsor the Planning and Design of Pilot Projects for the Clustered Treatment of Decentralized Wastewater in the Peconic Estuary, in accordance with Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the majority of buildings within the Peconic Estuary have onsite wastewater treatment systems which are major sources of non-point source nutrients and pollutants entering groundwater and migrating to surface waters; and

WHEREAS, mounting evidence identifies wastewater as a primary source of nutrients that feed harmful algal blooms; and

WHEREAS, the draft 2010 Suffolk County Comprehensive Water Resources Management Plan identifies a direct link between onsite wastewater treatment and water quality; and

WHEREAS, the information acquired through this project will enable the County, local municipalities and communities to make more informed decisions about the implementation, feasibility, suitability, and potential benefits of clustered wastewater treatment systems in existing communities within the Peconic Estuary watershed; and

WHEREAS, the project is consistent with the recommendations of the Peconic Estuary Program (PEP) Comprehensive Management Plan in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER by reducing non-point source pollution to the Peconic Estuary; and

WHEREAS, Peconic Green Growth will commit to provide matching project funds to be no less than either \$90,000 or one half the cost of the project, whichever is less; and

WHEREAS, the project be initiated within three years of the date of adoption of this Resolution; and

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

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2013 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are sufficient funds available in Fund 477 within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2013 Capital Budget and Program; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (c) (18),(20), (21) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-019 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and Legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-seven (57) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of the County's share for this project; and be it further

4th RESOLVED, that the Adopted 2013 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$90,000

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT (Ref. 525-CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$90,000

and be it further

6th RESOLVED, that the 2013 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710

Project Title: A Pilot Study for Clustered Treatment of Decentralized Wastewater in the Peconic Estuary

	<u>Total Est'd Cost</u>	<u>Current 2013 Capital Budget & Program</u>	<u>Revised 2013 Capital Budget & Program</u>
1. Planning	\$90,000	\$0	\$90,000W
TOTAL	\$90,000	\$0	\$90,000

and be it further

7th RESOLVED, that these Water Quality proceeds in the amount of \$90,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.136	Pilot Study for Clustered Treatment of Decentralized Wastewater in the Peconic Estuary	\$90,000

and be it further

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

9th RESOLVED, that Peconic Green Growth shall enter into a contractual agreement with Suffolk County to ensure project completeness; and be it further

10th RESOLVED, that nothing contained herein shall be construed as a binding obligation on the part of Suffolk County to continue to provide funding or resources to Peconic Green Growth for implementation of this resolution once the funding in this resolution has been exhausted.

APPROVED BY:

County Executive of Suffolk County

Date:

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. -2013, , AMENDING THE 2013 OPERATING BUDGET, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH AN EVALUATION OF INNOVATIVE/ALTERNATIVE SEWAGE DISPOSAL SYSTEMS TO REMEDIATE WATER QUALITY IN SUFFOLK COUNTY (CP 8710)		
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)		
<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 TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND- AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8710- WATER QUALITY PROJECT.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
FUND 477 RESERVE FUND BALANCE		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		December 21 st , 2012

SCIN FORM 175b (10/95)

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

GENERAL FUND

	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

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	\$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.

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

- (1) Please limit this suggestion form to ONE proposal.
- (2) Describe in detail.
- (3) Attach all pertinent backup material.

Submitting Department
Department of Economic Development and Planning
H Lee Dennison Bldg., 4th Floor, Hauppauge

Department Contact Person:
Frank Castelli
853-5943

Suggestion Involves:

- | | |
|---|--|
| <input type="checkbox"/> Technical Amendment | <input type="checkbox"/> New Program |
| <input type="checkbox"/> Grant Award | <input type="checkbox"/> Contract (New ___ Rev. ___) |
| <input checked="" type="checkbox"/> Other – Water Quality Protection and Restoration Program (Fund 477) | |

Summary of Problem: The majority of buildings within the Peconic Estuary have onsite wastewater treatment systems which are major sources of non-point source nutrients and pollutants entering groundwater and migrating to surface waters. Mounting evidence identifies wastewater as a primary source of nutrients that feed harmful algal blooms. The draft 2010 Suffolk County Comprehensive Water Resources Management Plan identifies a direct link between onsite wastewater treatment and water quality. The information acquired through this project will enable the County, local municipalities and communities to make more informed decisions about the implementation, feasibility, suitability, and potential benefits of clustered wastewater treatment systems in existing communities within the Peconic Estuary watershed.

Proposed Changes in Present Statute: (Please specify section when possible.)

N/A

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN FORM 175a (10/95) Prior editions of this form are obsolete.

1R 10/3-13

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT
AND PLANNING

JOANNE MINIERI
DEPUTY COUNTY EXECUTIVE AND COMMISSIONER

December 5, 2012

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

Dear Mr. Schneider:

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

AMENDING THE ADOPTED 2012 OPERATING BUDGET TO
TRANSFER FUNDS FROM FUND 477 WATER QUALITY
PROTECTION, AMENDING THE 2012 CAPITAL BUDGET AND
PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH A
PILOT STUDY FOR CLUSTERED TREATMENT OF DECENTRALIZED
WASTEWATER IN THE PECONIC ESTUARY

There are sufficient funds included in the 2012 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its September 25, 2012 meeting, approved "A Pilot Study for Clustered Treatment of Decentralized Wastewater in the Peconic Estuary", submitted by Peconic Green Growth, as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of \$90,000.

After your examination please place this on the Legislative Agenda. If you have any questions or concerns please contact me.

Sincerely,

Joanne Minieri
Deputy County Executive and Commissioner

JM:eo
Enc.

cc: Dennis M. Cohen, Acting Chief Deputy County Executive
Tom Vaughn, County Executive Assistant
Eric Kopp, Legislative Liaison
Connie Corso, Budget Director

10/4
Intro. Res. No. -2013
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 1/2/2013

RESOLUTION NO. -2013, AMENDING THE ADOPTED 2013 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH VILLAGE OF SAG HARBOR HAVENS BEACH STORMWATER REMEDIATION (CP 8240)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee at the September 25, 2012 meeting, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship funds; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has requested funding for a project that will allow the Village of Sag Harbor to remediate stormwater from the point where it enters the drainage system, through the drainage ditch, and to the point where the water is discharged into Sag Harbor Bay; and

WHEREAS, this project will significantly reduce or eliminate the levels of fecal bacteriological indicators that flow into Sag Harbor Bay from Havens Beach drainage ditch; and

WHEREAS, the project is consistent with the recommendations of the Peconic Estuary Program Comprehensive Conservation and Management Plan (PEP CCMP) in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER by preserving water quality east of Flanders Bay and by reducing non-point source pollution to the Peconic Estuary; and

WHEREAS, the Village of Sag Harbor has committed by Village Resolution No. 4, adopted at the Village Board meeting on November 27, 2012, to accept the grant from the County of Suffolk for this project and to enter into an inter-municipal agreement with the County of Suffolk for this project; and

WHEREAS, the Village of Sag Harbor will commit by Village Resolution No. 4 to provide matching project funds to be no less than either \$147,500 or one half the cost of the project, whichever is less; and

WHEREAS the project be initiated within three years of the date of adoption of this resolution; and

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

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2013 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2013 Capital Budget and Program; now, therefore be it

1st RESOLVED, that the Village of Sag Harbor, having conducted a coordinated review and being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines, in Village Resolution No. 3, adopted on November 27, 2012, that this proposed action will not have a significant adverse impact on the environment and constitutes an Unlisted action for which a Negative Declaration was issued, in accordance with the provisions of 6 NYCRR §617.7, therefore the SEQRA review is complete and no further action needs to be taken by Suffolk County; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-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 sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th RESOLVED, that the Adopted 2013 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$147,500

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT (Ref. 525 -CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$147,500

and be it further

6th RESOLVED, that the 2013 Capital Budget and Program be and are hereby amended as follows:

Project No.: 8240

Project Title: Village of Sag Harbor Havens Beach Stormwater Remediation

	<u>Total Est. Cost</u>	<u>Current 2013 Capital Budget & Program</u>	<u>Revised 2013 Capital Budget & Program</u>
1. Planning	\$2,500	\$0	\$ 2,500W
3. Construction	<u>\$145,000</u>	<u>\$0</u>	<u>\$145,000W</u>
TOTAL	\$147,500	\$0	\$147,500

and be it further

7th RESOLVED, that the interfund revenues in the amount of \$147,500 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.121	50	Village of Sag Harbor Havens Beach Stormwater Remediation	\$2,500

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.330	50	Village of Sag Harbor Havens Beach Stormwater Remediation	\$145,000

and be it further

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

9th RESOLVED, that the County Executive is hereby authorized to execute an intermunicipal agreement with the Village of Sag Harbor under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW which shall include, but not be limited to, a provision authorizing the Village of Sag Harbor to conduct stormwater remediation to Havens Beach.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2013, AMENDING THE ADOPTED 2013 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH VILLAGE OF SAG HARBOR HAVENS BEACH STORMWATER REMEDATION (CP 8240)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u> County </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND- AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8240- WATER QUALITY STORMWATER REMEDIATION PROJECT.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
FUND 477 RESERVE FUND BALANCE		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		December 20 th , 2012

SCIN FORM 175b (10/95)

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

GENERAL FUND

	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

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	\$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.

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

- (1) Please limit this suggestion form to ONE proposal.
- (2) Describe in detail.
- (3) Attach all pertinent backup material.

Submitting Department
Department of Economic Development and Planning
H Lee Dennison Bldg., 4th Floor, Hauppauge

Department Contact Person:
Frank Castelli
853-5943

Suggestion Involves:

- | | |
|---|--|
| <input type="checkbox"/> Technical Amendment | <input type="checkbox"/> New Program |
| <input type="checkbox"/> Grant Award | <input type="checkbox"/> Contract (New ___ Rev. ___) |
| <input checked="" type="checkbox"/> Other – Water Quality Protection and Restoration Program (Fund 477) | |

Summary of Problem: The Village of Sag Harbor will remediate stormwater at Havens Beach from the point where it enters the drainage system, through the drainage ditch, and to the point where the water is discharged into Sag Harbor Bay. This project will significantly reduce or eliminate the levels of fecal bacteriological indicators that flow into Sag Harbor Bay from Havens Beach drainage ditch.

Proposed Changes in Present Statute: (Please specify section when possible.)

N/A

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN FORM 175a (10/95) Prior editions of this form are obsolete.

VILLAGE OF SAG HARBOR



Brian Gilbride, Mayor
Edward J. Gregory, Deputy Mayor
Robby Stein, Trustee
Beth M. Kamper, Village Clerk

631-725-0222
P.O. Box 660
55 Main St., Sag Harbor, N.Y. 11963-0015
Fax: 631-725-0316

Kevin J. Duchemin, Trustee
Eileen Tuohy, Village Treasurer
Fred W. Thiele, Jr., Esq.

RESOLUTION 4 - NOVEMBER 2012 VILLAGE BOARD ENVIRONMENTAL DETERMINATION AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT WITH SUFFOLK COUNTY FOR HAVENS BEACH STORMWATER REMEDIATION PROJECT

WHEREAS, the Village of Sag Harbor submitted an application to the Suffolk County Department of Economic Development and Planning for Havens Beach Storm Water Remediation Project, Village of Sag Harbor, New York under the Suffolk County Water Quality Protection and Restoration Program (WQPRP); and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Review Committee unanimously approved the Village of Sag Harbor's application on September 25, 2012 for \$ 147,500.00 in funding for the Havens Beach Storm Water Remediation Project; and

WHEREAS, the Village Board of the Village of Sag Harbor classified the Havens Beach Storm Water Remediation Project redevelopment as a Unlisted Action pursuant to 6 NYCRR Part 617, State Environmental Quality Review Act (SEQRA) and Village of Sag Harbor Code Chapter 125, Environmental Quality Review; and

WHEREAS, the Village Board of the Village of Sag Harbor conducted coordinated SEQRA review and adopted a Negative Declaration for the action on November 27, 2012, Resolution No. 3 in accordance with SEQRA; and

WHEREAS, the proposed project will have a significant beneficial water quality impact to the environment by reducing the quantity of pollutants known to exist in the stormwater entering the Havens Beach drainage ditch that discharges into Sag Harbor Bay and, eventually, into Peconic Bay.

NOW THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Sag Harbor authorizes the Mayor to enter into an inter-municipal agreement with the County of Suffolk in order for the Village of Sag Harbor to serve as the funding conduit for grant funding awarded through the Suffolk County Division of Water Quality Improvement's Water Quality Protection and Restoration Program and Land Stewardship initiative for the Havens Beach Storm Water Remediation Project; and

BE IT FURTHER RESOLVED, that the Village of Sag Harbor agrees to provide the required minimum of 50% matching funds, \$ 147,500.00 from the County of Suffolk and a \$ 147,500.00 match from the Village of Sag Harbor which can be in the form of "in-kind" services performed by the Village of Sag Harbor for a grant total of \$295,000.00, and

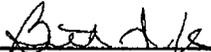
BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized to make the accounting entries necessary to amend the budget in accordance with the terms of the Grant.

Dated: November 27, 2012

Motion to approve: Trustee Robert Stein

Motion seconded: Trustee Kevin Duchemin

All in favor motion so carried.



Beth M. Kamper, Village Clerk

VILLAGE OF SAG HARBOR



Brian Gilbride, Mayor
Edward J. Gregory, Deputy Mayor
Robby Stein, Trustee
Beth M. Kamper, Village Clerk

631-725-0222
P.O. Box 660
55 Main St., Sag Harbor, N.Y. 11963-0015
Fax: 631-725-0316

Kevin J. Duchemin, Trustee
Eileen Tuohy, Village Treasurer
Fred W. Thiele, Jr., Esq.

RESOLUTION No. 3 - NOVEMBER 2012

AUTHORIZATION TO ADOPT THE NEGATIVE DECLARATION FOR THE HAVENS BEACH STORM WATER REMEDIATION PROJECT

Be it Resolved that the Board of Trustees of the Village of Sag Harbor adopts the negative declaration for the Havens Beach Storm Water Remediation Project.

Dated: November 27, 2012

Motion to approve: Trustee Kevin Duchemin

Motion seconded: Deputy Mayor Edward Gregory

All in favor motion so carried.



Beth M. Kamper, Village Clerk

VILLAGE OF SAG HARBOR



Brian Gilbride, Mayor
Edward J. Gregory, Deputy Mayor
Robby Stein, Trustee
Beth M. Kamper, Village Clerk

631-725-0222
P.O. Box 660
55 Main St., Sag Harbor, N.Y. 11963-0015
Fax: 631-725-0316

Kevin J. Duchemin, Trustee
Eileen Tuohy, Village Treasurer
Fred W. Thiele, Jr., Esq.

Resolution No. 2 – November 2012

Incorporated Village of Sag Harbor Board of Trustees **LEAD AGENCY DETERMINATION** **Havens Beach Stormwater Remediation Project**

WHEREAS the Board of Trustees of the Incorporated Village of Sag Harbor is intending to fund and undertake the Havens Beach Stormwater Remediation Project to redevelop and reconfigure an existing $\pm 24,000$ square foot drainage ditch and its associated drainage system at Havens Beach, a ± 20.22 acre public park and bathing beach located off of Bay Street (SCTM Nos. 0302-3-1-1, 7.2, 16), which will include the dredging of material out of the existing drainage ditch; the reconfiguration of the south end of the ditch to create a sediment forebay; the placement of clean, coarse sand in the northern part of the ditch and the installation of wetlands vegetation to create shallower wetlands areas; the replacement of culverts at either end of the ditch with properly sized, properly sloped culverts; the installation of a new catch basin on Hempstead Street to connect to the new culvert at the south end of the ditch; the installation of a concrete vault at the north end of the ditch, between the ditch and Sag Harbor Bay, which will contain Smart Sponge Plus, a filter media manufactured by AbTech Industries, Inc. capable of removing pollutants such as sediments, hydrocarbons and fecal coliform bacteria from stormwater; the installation of a maintenance road to access the new forebay; and any revegetation deemed necessary along the sides of the ditch, all of which is meant to facilitate the removal of pollutants from the storm waters that run through that drainage system before they can enter Sag Harbor Bay; and

WHEREAS the Board of Trustees determined by resolution dated November 13, 2012 that this proposed action is an Unlisted Action under 6 NYCRR Part 617, State Environmental Quality Review Act, as well as Chapter 125 of the Code of the Village of Sag Harbor, entitled "Environmental Quality Review"; and

WHEREAS by resolution dated November 13, 2012, the Board of Trustees determined that they would request Lead Agency status for the purpose of completing the environmental review of said project and mailed a notice to the New York State Department of Environmental Conservation, as the other Involved Agency, that unless there is objection within the prescribed 30-day period, the Board of Trustees intends to assume Lead Agency status; and

WHEREAS the Board of Trustees has received notice from the New York State Department of Environmental Conservation on November 16, 2012 that they had no objection to the Village of Sag Harbor Board of Trustees assuming Lead Agency status for the Havens Beach Stormwater Remediation Project.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Sag Harbor hereby DECLARES ITSELF LEAD AGENCY for the purposes of completing the environmental review of the Havens Beach Stormwater Remediation Project, pursuant to Chapter 125 of the Code of the Village of Sag Harbor and 6 NYCRR Part 617, the State Environmental Quality Review Act; and

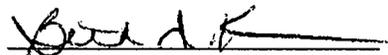
BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded on to the New York State Department of Environmental Conservation, as the other Involved Agency, for its records.

Dated: November 27, 2012

Motion Made By: Deputy Mayor Edward Gregory

Motion Seconded By: Trustee Robert Stein

All in favor motion so carried.


Beth M. Kamper, Village Clerk

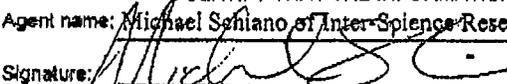
Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Inc. Village of Sag Harbor Board of Trustees	2. PROJECT NAME Havens Beach Stormwater Remediation Project
3. PROJECT LOCATION: Municipality Inc. Village of Sag Harbor County Suffolk	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Bay Street, Sag Harbor, Town of East Hampton, Suffolk County Tax Map Number 0302-3-1-1, 7.2, 16	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: - Redevelop and reconfigure an existing drainage ditch and drainage system to improve pollutant removal efficiency. - Provide funding to implement the project (by the Village of Sag Harbor)	
7. AMOUNT OF LAND AFFECTED: Initially <u>0.80</u> acres Ultimately <u>0.80</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: The Havens Beach site is surrounded by residential properties. The site itself is public parkland/open space and a public bathing beach.	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approval: NYSDEC, Tidal Wetlands Permit; USACOE, Nationwide General Permit; NYSDOS, Waterfront General Consistency Approval; Sag Harbor Village Board of Trustees, LWRP Consistency and Funding; Suffolk County, Funding.	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approval: LWRP Consistency from Village Board of Trustees; Waterfront General Consistency approval from the NYSDOS; Nationwide General Permit from USACOE	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Agent name: <u>Michael Saniato of Inter-Science Research Associates, Inc.</u> Date: <u>11/13/2012</u> Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.47 If yes, coordinate the review process and use the FULL EAF.
 Yes No Action also does not exceed any Type I threshold under Chapter 125, Environmental Quality Review of the Village Code.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 No adverse effects are expected. Proposed action is anticipated to improve water quality by removing pollutants from stormwater before they enter Sag Harbor Bay. The drainage system in the area should also see increased efficiency from the improvements proposed.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 No adverse effects are expected to occur to any of these resources. The improvements to water quality at the public bathing beach will likely have a positive effect on the character of the community.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 No adverse effects are expected to occur to any of these resources. Plant and animal life in the area should benefit from the improvement to water quality, as should the "Sag Harbor Bay & Northwest Harbor" Significant Coastal Fish & Wildlife Habitat.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
 This action does not go against any part of the Village Code or Comprehensive Plan. Furthermore, based on the Harbor Committee's Jan 9, 2012 recommendation, the Board of Trustees found the action consistent with the Village Local Waterfront Revitalization Program on Jan 13, 2012.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
 The success of this project may lead to other municipalities to use the same Smart Sponge Plus technology and to redevelop their own drainage ditches. However, these areas are far enough away from the project site that it should not result in any adverse impacts.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
 No long term, short term, cumulative, or other effects are expected to occur, other than what has already been identified above.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
 No other impacts or effects are expected to occur.

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

Village of Sag Harbor Board of Trustees
 Name of Lead Agency

Brian Gilbride
 Print or Type Name of Responsible Officer in Lead Agency

Brian Gilbride
 Signature of Responsible Officer in Lead Agency

11-27-2012
 Date

Mayor
 Title of Responsible Officer

Michael...
 Signature of Preparer (if different from responsible officer)

State Environmental Quality Review
NEGATIVE DECLARATION
 Notice of Determination of Non-Significance

Project Number n/aDate: November 27, 2012

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Sag Harbor Board of Trustees as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

Havens Beach Stormwater Remediation Project

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The proposed action is meant to redevelop and reconfigure an existing drainage ditch and system to facilitate the removal of pollutants from stormwaters that runs through that system before they can enter Sag Harbor Bay. This redevelopment will include the dredging of material out of the existing drainage ditch; the reconfiguration of the south end of the ditch to create a sediment forebay; the placement of clean, coarse sand in the northern part of the ditch and the installation of wetlands vegetation to create shallower wetlands areas; the replacement of culverts at either end of the ditch with properly sized, properly sloped culverts; the installation of a new catch basin on Hempstead Street to connect to the new culvert at the south end of the ditch; the installation of a concrete vault at the north end of the ditch, between the ditch and Sag Harbor Bay, which will contain Smart Sponge Plus, a filter media capable of removing pollutants such as sediments, hydrocarbons and fecal coliform bacteria from stormwater; the installation of a maintenance road to access the new forebay; and any revegetation deemed necessary along the sides of the ditch.

The Incorporated Village of Sag Harbor also proposes to provide funding for the implementation of this action.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Havens Beach, Bay Street, Inc. Village of Sag Harbor, Town of East Hampton, Suffolk County

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

Although there will be some small to moderate impacts from the implementation of the proposed action, no significant adverse impacts are expected to occur. The small to moderate impacts include the following items:

(1) Areas of land will be disturbed, but that area is expected to be less than an acre; (2) Areas of vegetation will be removed around the ditch so it can be accessed and reconfigured; (3) Drainage patterns may be altered, but not significantly or adversely; (4) The aesthetics of the public park land will be affected for a short period of time during the redevelopment of the drainage ditch; (5) The use of the open space, public land will be restricted for a period of time during construction; (6) Odors may be released during the dredging process; and (7) Fossil fuels will be used to construct the project, resulting in the loss of those fuels and some minor air quality impacts.

These impacts are all minor in nature and scope. Furthermore, when considered together or as a whole, none of the above effects will result in any significant adverse environmental impacts.

Conversely, the proposed action will serve a significant public benefit by improving water quality at a public bathing beach. The improved water quality will also help a known Critical Environmental Area (Peconic Bay & Environs) and Significant Fish & Wildlife Habitat (Sag Harbor Bay & Northwest Harbor). In the long-term, the improved water quality at Havens Beach may also serve to improve community character and result in economic benefits to the Village (e.g., more tourism).

Thus, this Negative Declaration is made based on: (1) The lack of any SIGNIFICANT adverse impacts; and (2) The benefit that the proposed action will serve to both the public and the environment. ■

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Brian Gilbride, Mayor; Inc. Village of Sag Harbor

Address: Village Hall, 55 Main Street, Sag Harbor, New York 11963

Telephone Number: (631) 725-0222

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer, Town / City / Village of Sag Harbor

Other involved agencies (if any)

New York State Department of Environmental Conservation

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT
AND PLANNING

JOANNE MINIERI
DEPUTY COUNTY EXECUTIVE AND COMMISSIONER

November 30, 2012

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

Dear Mr. Schneider:

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

AMENDING THE ADOPTED 2012 OPERATING BUDGET TO
TRANSFER FUNDS FROM FUND 477 WATER QUALITY
PROTECTION, AMENDING THE 2012 CAPITAL BUDGET AND
PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH
VILLAGE OF SAG HARBOR HAVENS BEACH STORMWATER
REMEDATION

There are sufficient funds included in the 2012 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its September 25, 2012 meeting, approved "Havens Beach Stormwater Remediation", submitted by the Village of Sag Harbor, as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of \$147,500.

After your examination please place this on the Legislative Agenda. If you have any questions or concerns please feel free to contact me.

Sincerely,

Joanne Minieri
Deputy County Executive and Commissioner

JM:eo
Enc.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Tom Vaughn, County Executive Assistant
Eric Kopp, Legislative Liaison
Connie Corso, Budget Director

Intro. Res. No. ¹⁰¹⁵-2013

Laid on Table 1/2/2013

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, AMENDING THE ADOPTED 2013 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE PROJECT FOR MONITORING TIDAL WATER ELEVATION AND WATER QUALITY TO ASSESS TIDAL WETLAND LOSS IN FLAX POND AND EMBAYMENTS OF LONG ISLAND SOUND, NEW YORK (CP 8710)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee at the September 25, 2012 meeting, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding this project as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship funds; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has requested funding for Suffolk County to enter into an Agreement with the United States Geological Survey, New York Water Science Center (Consultant) located at 425 Jordan Road, Troy, NY, 12180-8349, to conduct the project for Monitoring Tidal Water Elevation and Water Quality to Assess Tidal Wetland Loss in Flax Pond and potentially three other embayments of Long Island Sound, New York; and

WHEREAS, this project will reestablish and continue operating a real-time monitoring station to document tidal variability of hydrology and water quality to help investigate the cause(s) of tidal wetland loss in a Suffolk County embayment of Long Island Sound (LIS); support the coastal flood hazard mitigation efforts of the National Weather Service, local emergency managers, and other stakeholders that can benefit from the generated data; and

WHEREAS, the project is consistent with the Water Quality Protection and Restoration Program Criteria recommendations of the Long Island Sound Study Comprehensive Conservation and Management Plan (LISS CCMP) in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER by improving water quality, and

WHEREAS, the USGS will provide funding of \$250,560 for network operation and maintenance during the project period, the County commitment will be \$185,715; and

WHEREAS the project be initiated within three years of the date of adoption of this resolution; and

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

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2013 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2013 Capital Budget and Program; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA") Environmental Conservation Law Article 8 determined that this project is classified as Type II pursuant to Title 6 NYCRR Part 617.5(c)(18)(20)(21)(27), and no further action needs to be taken by Suffolk County; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th RESOLVED, that the Adopted 2013 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$185,715

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT (Ref. 525 -CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$185,715

and be it further

6th RESOLVED, that the 2013 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710
Project Title: Monitoring Tidal Water Elevation and Water Quality to Assess Tidal Wetland Loss in Flax Pond and Embayments of Long Island Sound, New York

	<u>Total Est. Cost</u>	<u>Current 2013 Capital Budget & Program</u>	<u>Revised 2013 Capital Budget & Program</u>
1. Planning	\$185,715	\$0	\$185,715W
TOTAL	\$185,715	\$0	\$185,715

and be it further

7th RESOLVED, that the interfund revenues in the amount of \$185,715 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.137	50	Monitoring Tidal Water Elevation and Water Quality to Assess Tidal Wetland Loss in Flax Pond and Embayments of Long Island Sound, New York	\$185,71

and be it further

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

9th RESOLVED, that United States Geological Survey, New York Water Science Center (Consultant) shall enter into a contractual agreement with Suffolk County to ensure project completeness; and be it further

10th RESOLVED, that nothing contained herein shall be construed as a binding obligation on the part of Suffolk County to continue to provide funding or resources to United States Geological Survey, New York Water Science Center (Consultant) for implementation of this resolution once the funding in this resolution has been exhausted.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. -2013, AMENDING THE ADOPTED 2013 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE PROJECT FOR MONITORING TIDAL WATER ELEVATION AND WATER QUALITY TO ASSESS TIDAL WETLAND LOSS IN FLAX POND AND EMBAYMENTS OF LONG ISLAND SOUND, NEW YORK (CP 8710)</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 style="margin: 0;">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		
THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND- AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8710- WATER QUALITY PROJECT.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
FUND 477 RESERVE FUND BALANCE		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		December 21 st , 2012

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

GENERAL FUND

	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

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	\$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.

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

- (1) Please limit this suggestion form to ONE proposal.
- (2) Describe in detail.
- (3) Attach all pertinent backup material.

Submitting Department
Department of Economic Development and Planning
H Lee Dennison Bldg., 4th Floor, Hauppauge

Department Contact Person:
Frank Castelli
853-5943

Suggestion Involves:

- | | |
|---|--|
| <input type="checkbox"/> Technical Amendment | <input type="checkbox"/> New Program |
| <input type="checkbox"/> Grant Award | <input type="checkbox"/> Contract (New ___ Rev. ___) |
| <input checked="" type="checkbox"/> Other – Water Quality Protection and Restoration Program (Fund 477) | |

Summary of Problem: The Long Island Sound Study has identified through its CCMP the need for critical information to help on efforts for the protection and restoration of tidal wetlands and shellfish, finfish, and crustacean habitats in this LIS embayment; and enable the collection of data on sea-level rise, as well as provide the foundation for a LISS climate change sentinel monitoring program. Therefore, through this project, the USGS will reestablish and continue operating a real-time monitoring station located at the foot bridge within Flax Pond . Real-time data from the Flax Pond station will document tidal variability of hydrology and water quality to help investigate the cause(s) of tidal wetland loss in a Suffolk County embayment of Long Island Sound (LIS); support the coastal flood hazard mitigation efforts of the National Weather Service, local emergency managers, and other stakeholders

Proposed Changes in Present Statute: (Please specify section when possible.)

N/A

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN FORM 175a (10/95) Prior editions of this form are obsolete.

11015-13

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT
AND PLANNING

JOANNE MINIERI
DEPUTY COUNTY EXECUTIVE AND COMMISSIONER

December 5, 2012

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

Dear Mr. Schneider:

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

AMENDING THE ADOPTED 2012 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE PROJECT FOR MONITORING TIDAL WATER ELEVATION AND WATER QUALITY TO ASSESS TIDAL WETLAND LOSS IN FLAX POND AND THREE OTHER EMBAYMENTS OF LONG ISLAND SOUND

There are sufficient funds included in the 2012 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its September 25, 2012 meeting, approved "Monitoring Tidal Water Elevation and Water Quality to Assess Tidal Wetland Loss in Flax Pond and Three Other Embayments of Long Island Sound, New York", submitted by United States Geological Survey, as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of \$185,715.

After your examination please place this on the Legislative Agenda for the December 18th, 2012 meeting of the Legislature. If you have any questions or concerns please contact me.

Sincerely,

Joanne Minieri
Deputy County Executive and Commissioner

JM:eo
Enc.

cc: Dennis Cohen, Acting Chief Deputy County Executive
Tom Vaughn, County Executive Assistant
Eric Kopp, Legislative Liaison
Connie Corso, Budget Director

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

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

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

11015-13

Intro Res. No. 1016-2013

Laid on Table 1/2/2013

Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #380

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>
EAST HAMPTON:				
0300-062.00-05.00-011.001	2012/13	\$6,056.00	0.00	\$6,056.00

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

Department Request:
Sponsors Memo for County Legislation

Resolution Title:

To readjust, compromise and grant refunds and charge backs on Correction of
Error/County Treasurer

Purpose/Justification of Request:

This resolution is to correct, readjust, or cancel erroneous or improperly assessed
properties within the Towns as they appear from the certificates of the assessors of the
respective towns.

Specify Where Applicable:

- | | | |
|---|------------|-----------|
| 1. Is request due to change in law? | YES | NO |
| 2. Has this resolution been submitted previously? | YES | NO |
| 3. Is backup attached? | YES | NO |
| 4. Is this resolution subject to SEQRA review | YES | NO |

Fiscal Information:

Budget Line

Amount & Source of outside fund:

Federal \$ _____
State \$ _____
County \$ _____
Other \$ _____

Contact Person:

Telephone Number:

Angie M. Carpenter
County Treasurer

852-1500

Instructions: All departments must submit this form, along with your draft resolution
for Legislative action, to the Budget Office no later than noon on the Monday before the
Thursday deadline imposed by the Legislature.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
ResolutionXXX Local Law Charter Law
-
2. Title of Proposed Legislation
To readjust, compromise and grant refunds and charge backs on Correction of Errors/County Treasurer By: County Treasurer
-
3. Purpose of Proposed Legislation
To cancel or adjust taxes and make refunds and charge backs due to erroneous or improper assessments.
-
4. Will the Proposed Legislation Have a Fiscal Impact? **YES XXX** NO
-
5. If the answer to item 5 is "yes," on what will it impact? (Circle appropriate category)
- | | | |
|------------------|-----------------|------------------|
| County | Town | Economic Impact |
| Village | School District | Other (Specify): |
| Library District | Fire District | |
-
6. If the answer to item 5 is "yes," Provide Detailed Explanation of Impact
In the case of refunds, the County will initially refund the amount of the incorrect tax. Approximately 81% of the refunded amount will be charged back to the Town to be added to the subsequent year's tax warrant. The remainder will be a County charge. If the original tax is unpaid, the same procedure would apply, however, no County monies would be refunded and it will be charged back to the Town within twelve to eighteen months.
-
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
Unknown
-
8. Proposed Source of Funding
To be refunded from the County General Fund
-
9. Timing of Impact
Variable
-
10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date

Angie M. Carpenter
County Treasurer

Angie M. Carpenter 12/24/12

To: SUFFOLK COUNTY TREASURER, COUNTY CENTER, RIVERHEAD, NY 11901
 From: ASSESSORS, TOWN OF EAST HAMPTON
 Re: R.P.T.L. SMALL CLAIMS REVIEW ARTICLE 7
 CERTIORARI
X CANCELLATION OF TAXES (RPTL - Section 558)

CERTIORARI & SMALL CLAIMS REVIEW

We, the undersigned Assessors of the Town of East Hampton do hereby certify that the certiorari or petition action indicated hereon is correct; and that no additional action or appeal is contemplated by the Town of East Hampton and the attached court order must be complied with.

Small Claims Petition Number:
 Court Order Index Number:
 Date of Order:
 Claimant:
 Number of Tax Years Covered by Order:

CANCELLATION OF TAXES

We, the undersigned Assessors of the Town of East Hampton do hereby certify that the following tax item is to be cancelled in conformity with Section 558 of New York State RPTL.

Property acquired by: United States of America/U.S. Coast Guard
 Date of Acquisition: December 1, 2012
 Means: General Warranty Deed

COMPLETE THE FOLLOWING INFORMATION FOR EACH TAX YEAR

Town Item #	Tax Map #	Orig. Assessment	New Assessment
2012/13	300/62-5-11-1	\$5,330 Taxable	\$5,330 Wholly Exempt

Notation:

Article 7 Small Claims Review (To be completed by Tax Receiver)

Tax Levied: \$ 0.056.00
 Corrected Tax: \$ 0

Charge back, if any, should be made to the Town of East Hampton.

Board Chair: Janne Nielsen
 Assessor: Joe Masse
 Assessor: _____

STATE OF NEW YORK)

COUNTY OF SUFFOLK) Sworn to before me this 19th Day of December, 2012

Margaret M Cary
 Notary Public

MARGARET M CARY
 NOTARY PUBLIC, STATE OF NEW YORK
 Registration No. 01CA6129295
 Qualified in Suffolk County
 Commission Expires July 31, 2013

Original: County Treasurer Supplemental Form 74B
 Copy: RPTSA
 Copy: Assessor

300/62-5-11.1

Transfer Fee Exemption: N.Y. Tax Law §§ 1405(a)(2), (b)(1).

GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED made and executed the 5 day of December, in the year two thousand and twelve (2012) by MARINO FRANCESCONI, JR., residing at 20 Broadway Avenue, East Hampton NY 11937, of the County of Suffolk and State of New York, Grantor, and THE UNITED STATES OF AMERICA and its assigns, Grantee.

WITNESSETH: That in consideration of the sum of five hundred and twenty thousand dollars (\$520,000.00), the receipt of which is hereby expressly acknowledged, MARINO FRANCESCONI, JR., Grantor, has bargained and sold, and by these presents bargains, sells, and conveys to THE UNITED STATES OF AMERICA, and its assigns, Grantee, with a business address of United States Coast Guard, Civil Engineering Unit Providence, 475 Klivert Street, Suite 400, Warwick, Rhode Island 02886, a parcel of improved land with a street address of 20 Broadway Avenue, East Hampton NY 11937, in the Town of East Hampton, County of Suffolk and State of New York, in fee simple, and described as follows:

All that certain plot, piece or parcel of land, situate, lying and being in the Town of East Hampton, County of Suffolk and State of New York, known, designated and described as follows: Lots 17 through 23, inclusive, in Block No. 16, as shown on Map of Proposed Subdivision of Montauk Maner No. 4, filed in the Office of the County Clerk of the County of Suffolk, at Riverhead, New York, on the 11th day of July, 1911, as Map No. 455, in addition to the Southerly 25 feet of part of Fleming Street, as abandoned by Certificate of Abandonment No. 427 recorded August 20, 2001, being particularly bounded and described as follows:

BEGINNING at a point on the Southeasterly side of Fleming Street, which point is situate North 45 degrees 16 minutes 30 seconds East 100.00 feet from the point of intersection of the Northeasterly side of Broadway with the Southeasterly side of Fleming Street;

RUNNING THENCE from the said point of beginning along the Southeasterly side of Fleming Street North 45 degrees 16 minutes 30 seconds East 20.00 feet;

RUNNING THENCE North 44 degrees 43 minutes 30 seconds West 25.00 feet;

RUNNING THENCE North 45 degrees 16 minutes 30 seconds East 120.00 feet;

RUNNING THENCE South 45 degrees 43 minutes 30 seconds East 125.00 feet;

RUNNING THENCE South 45 degrees 16 minutes 30 seconds West 140.00 feet;

RUNNING THENCE North 44 degrees 43 minutes 30 seconds West, 100 feet to

the Southeasterly side of Fleming Street and the point or place of BEGINNING.

Together with the buildings and improvements thereupon erected, made or being, and all and every of the rights, title, and interests of the Grantor in and to any alleys, streets, ways, strips, gores, roads, waters, privileges, appurtenances and advantages to the same belonging, abutting, adjoining or otherwise appertaining to the land.

TO HAVE AND TO HOLD, the above described property together with all rights, privileges, appurtenances, and advantages thereto belonging to the Grantee and its assigns, in fee simple.

AND, Grantor hereby covenants with the Grantee that he will warrant generally the land hereby conveyed as follows:

First. That Grantor is seized of said premises in fee simple, and has good right to convey the same;

Second. That the Grantee shall quietly enjoy the said premises;

Third. That the said premises are free from encumbrances;

Fourth. That the Grantor will execute or procure any further necessary assurance of the title to said premises;

Fifth. That Grantor will forever warrant the title to said premises.

The United States Coast Guard is the Federal Agency for which the property is being acquired.

The above described property was conveyed to the Grantor by deed from Wesley P. Miller, dated July 6, 1957, and recorded on August 5, 1957 in Liber 4339, Page 441 of the Suffolk County Registry of Deeds.

IN TESTIMONY WHEREOF, the Grantor, MARINO FRANCESCONI, JR., has hereunto set his hands and sealed this __ day of December, 2012.

ATTEST:

By:

Witness:
Address:


(SEAL)
MARINO FRANCESCONI, JR.
Grantor



SUFFOLK COUNTY TREASURER

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

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

ANGIE M. CARPENTER
COUNTY TREASURER

DOUGLAS W. SUTHERLAND
CHIEF DEPUTY

DIANE M. STUKE
DEPUTY

MEMORANDUM

TO: Ben Zwirn, County Executive Assistant for Intergovernmental Relations

FROM: Angie M. Carpenter, Suffolk County Treasurer

DATE: December 21, 2012

RE: RESOLUTION FOR CANCELLATION OF TAXES, CONTROL # 380

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

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

Should you need anything further, please contact me.

AMC:dz
Enc.

**RESOLUTION NO. -2013, TO CREATE A TASK FORCE TO
ENHANCE THE COUNTY'S PROCUREMENT PROCESS**

WHEREAS, the goals of competitive bidding statutes are to avoid favoritism, encourage competition and ensure the efficient use of taxpayer monies; and

WHEREAS, beginning in 2005 the New York State Legislature enacted legislation (codified in sections 139-j and 139-k of State Finance Law) to increase the transparency and fairness of the State's procurement process; and

WHEREAS, sections 139-j and 139-k of State Finance Law require every state contracting agency that undertakes a procurement to designate a person or persons to be responsible for communications relative to the procurement who may be contacted by bidders or potential bidders; require bidders and potential bidders to limit their contacts with the government to those persons designated by the contracting agency; and provide for the disclosure of contacts between bidders/contractors and the procuring government agency; and

WHEREAS, the County of Suffolk should determine whether the provisions of sections 139-j and 139-k of State Finance Law should be adopted by the County and made part of the County's procurement process; and

WHEREAS, a task force familiar with procurement issues should be formed to study this issue and make recommendations to the County Executive and this Legislature; now, therefore be it

1st RESOLVED, that a Procurement Process Task Force is hereby created to study the provisions of sections 139-j and 139-k of New York State Finance Law and make recommendations to this Legislature and the County Executive which provisions of this law, if any, should be adopted by the County to improve its procurement policy; and be it further

2nd RESOLVED, that the Task Force shall be comprised of the following seven (7) members:

- 1) the County Executive, or his or her designee;
- 2) the Presiding Officer, or his or her designee;
- 3) the Minority Leader, or his or her designee;
- 4) the County Attorney, or his or her designee;
- 5) the Suffolk County Comptroller, or his or her designee; and
- 6) two representatives of the Department of Public Works who are familiar with the County's procurement practices, to be designated by the Commissioner of the Department of Public Works;

and be it further

3rd **RESOLVED**, that the chairperson of the Task Force shall be selected by a majority of the membership of said Task Force; and be it further

4th **RESOLVED**, that the Task Force 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 for the purpose of organization and the appointment of a chair person, vice chairperson, and a secretary; and be it further

5th **RESOLVED**, that the members of said Task Force shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

6th **RESOLVED**, that the Task Force 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 Task Force. Written notice of the time and place of such special meetings shall be given to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

7th **RESOLVED**, that four (4) members of the Task Force shall constitute a quorum to transact the business of the Task Force at both regular and special meetings; and be it further

8th **RESOLVED**, that clerical services involving the month-to-month operation of this Task Force, as well as supplies and postage as necessary, will be provided by the staff of the County Legislature; and be it further

9th **RESOLVED**, that the Task Force 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

10th **RESOLVED**, that the Task Force may delegate to any member of the Task Force the power and authority to conduct such hearings and meetings; and be it further

11th **RESOLVED**, that the Task Force 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

12th **RESOLVED**, that this Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than one hundred eighty (180) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

13th **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate, as of December 31, 2013, at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; 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\lr-procurement-process-task-force

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)

MEMORANDUM

DATE: December 26, 2012
TO: Tim Laube, Clerk of the Legislature
FROM: George Nolan, Counsel to the Legislature
RE: Resolution; To Create a Task Force to Enhance the
County's Procurement Process

GN

Pursuant to the request of Legislator Gregory, enclosed please find the above referenced resolution for immediate filing.

GN:js
Enclosure

cc: Hon. DuWayne Gregory, County Legislator, 15th District

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RECEIVED
COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
HAUPPAUGE

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Intro. Res. No. -2013
Introduced by Legislator Horsley

Laid on Table 1/2/2013

**RESOLUTION NO. -2013; APPOINTING PAUL J. TONNA AS
A MEMBER OF THE SUFFOLK COUNTY INDUSTRIAL
DEVELOPMENT AGENCY (IDA)**

WHEREAS, Resolution Nos. 1142-1975 and 1245-1975 implemented the creation of the Suffolk County Industrial Development Agency ("IDA") pursuant to Section 991-a of the NEW YORK GENERAL MUNICIPAL LAW and made the initial appointments to that Agency; and

WHEREAS, Section 856 (2) of the NEW YORK GENERAL MUNICIPAL LAW permits the appointment of seven (7) members to said IDA; and

WHEREAS, all such members of the IDA serve at the pleasure of the Suffolk County Legislature; and

WHEREAS, Elizabeth Custodia has resigned from the IDA; now, therefore be it

1st **RESOLVED**, that Paul J. Tonna residing in Huntington, New York, be and he hereby is appointed as a member of the Suffolk County Industrial Development Agency (IDA) to replace Elizabeth Custodia; and be it further

2nd **RESOLVED**, that such member so appointed shall serve at the pleasure of the Suffolk County Legislature; and be it further

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

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15 (A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 856 (2) OF THE NEW YORK GENERAL MUNICIPAL LAW



Paul Jude Tonna Biography

The Honorable Paul Jude Tonna serves as Molloy College's Executive Director for The Emergeia Partnership, a leadership academy dedicated to identifying and addressing the serious, complex and multi-dimensional issues challenging the Long Island, New York region.

Mr. Tonna served from 1994 to 2005 as a Suffolk County Legislator and for three years, 2000, 2001, and 2002, his fellow legislators chose him to lead the Suffolk County Legislature as its Presiding Officer. During Legislator Tonna's 12 years of elected office, he had been a strong advocate for the poor, homeless and marginalized on Long Island, affordable housing, labor organizations and the environment. He sponsored, co-sponsored, and passed numerous laws and/or initiatives including: ground breaking non-smoking legislation; innovative programs focused on eliminating child poverty and homelessness; legislation designed to elevate the standard of living for all Suffolk County residents and innovative Greenways Funds to protect open space, farmlands and parklands.

Paul Tonna is a strong advocate of immigrants working and living on Long Island. The 2003 award-winning film documentary Farmingville chronicled some of those efforts. He has appeared on numerous radio and TV shows including: Lou Dobbs, CNN; The Oxygen Network; LI Telecare; TV 55, The Rosie O'Donnell Show; News 12 Long Island; NBC News 4 and PBS WLIW 21.

Mr. Tonna from 1990--2010 served as CEO of Professional Evaluation Medical Group and from 2004-2010 was an Adjunct Professor in Theology & Religious Studies at St. John's University. He serves as: Chairman, **NuHealth Foundation**; Trustee of the **Long Island State Parks & Recreation Commission** and Public Trustee of the **Stationary Engineer's Industry Stabilization Fund**. Mr. Tonna is a board member of: **United Way LI, Advanced Energy Research & Technology Center, Emergeia Board of Advisors; The Long Island Index Advisory Board** and **Erase Racism's College of Advisors**. Mr. Tonna serves as a founding director of **Empire National Bank** and as Chairman & Commissioner of the **South Huntington Water District**.

Paul Tonna has received many awards and honors including: Molloy College's Caritas Medal; St. John's University St. Vincent De Paul Medal; Suffolk County Human Rights Commission Legislator of the Year; National Association of Social Workers Public Citizen of the Year; Habitat for Humanity Man of the Year; The Nature Conservancy's Conservation Award Recipient; Networking Magazine's David Award; Long Island Business News 50 Around 50 Award; ACIT Community Advocate Award; Dr. Martin Luther King, Jr. Commission Public Service Award, American Jewish Committee Community Service Honoree and achieved the rank of Eagle Scout.

Mr. Tonna earned an undergraduate degree in philosophy from **New York University**, a Masters of Arts degree in theology from **Immaculate Conception Seminary** and conducted doctoral studies in systematic theology at **Fordham University**.

Paul Tonna resides in Huntington, New York with his wife Carol and his children: Peter, Paul, John, Grace, Mary, Carolann, Joseph and Lucy.