1131. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 915-2013). (Co. Exec.) BUDGET AND FINANCE

1132. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 385. (Co. Exec.) BUDGET AND FINANCE

1133. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Janelle Clark (SCTM No. 0500-055.01-01.00-072.000). (Co. Exec.) WAYS & MEANS

1134. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Timothy Allen-Morabito and Heather Allen-Morabito (SCTM No. 0200-677.00-05.00-005.000). (Co. Exec.) WAYS & MEANS

1135. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Carlos Ventura (SCTM No. 0500-224.00-02.00-046.002). (Co. Exec.) WAYS & MEANS

1136. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Selwyn E. Farber and Sylvia Farber (SCTM No. 0500-230.00-01.00-017.000). (Co. Exec.) WAYS & MEANS

1137. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Doreen Smith and Harlan Simonson, as joint tenants with right of survivorship (SCTM No. 0100-153.00-02.00-068.000). (Co. Exec.) WAYS & MEANS

1138. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Rose Marie Riggs (SCTM No. 0100-138.00-02.00-039.000). (Co. Exec.) WAYS & MEANS

1139. Sale of County-owned real estate pursuant to Local Law No. 13-1976 1923 Route 25 Corporation (SCTM No. 0200-350.00-01.00-012.000). (Co. Exec.) WAYS & MEANS

1140. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act James Klurfeld and Judith Klurfeld, his wife (SCTM No. 0200-173.00-09.00-021.000). (Co. Exec.) WAYS & MEANS

1141. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 916-2013). (Co. Exec.) BUDGET AND FINANCE

1142. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 917-2013). (Co. Exec.) BUDGET AND FINANCE

1143. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer By: County Legislature No. 386. (Co. Exec.) BUDGET AND FINANCE

1144. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 918-2013). (Co. Exec.) BUDGET AND FINANCE

1145. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act The Voutsinas Merrick Family Limited Partnership (SCTM No. 0100-189.00-02.00-005.000). (Co. Exec.) WAYS & MEANS

1146. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael Grottola and Linda Grottola, husband and wife (SCTM No. 0200-695.00-01.00-006.000). (Co. Exec.) WAYS & MEANS

1147. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Rana S. Ramjas and Mona K. Ramjas (SCTM No. 0500-315.00-03.00-051.000). (Co. Exec.) WAYS & MEANS

1148. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joseph Leone (SCTM No. 0200-403.00-03.00-018.000). (Co. Exec.) WAYS & MEANS

1149. Increasing transparency in RFP process. (Browning) PUBLIC WORKS AND TRANSPORTATION

1150. Authorizing use of Indian Island County Park by Birthright of Peconic, Inc., for a fundraising walkathon. (Krupski) PARKS & RECREATION

1151. Directing the Department of Health Services to become a certified training center for Narcan overdose responders. (Hahn) HEALTH

1152. Authorizing use of Smith Point County Park property by Mastic Beach Fire Department, Inc. for public safety services fund drive. (Browning) PARKS & RECREATION

1153. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - active recreation/Hamlet Park/Historic and/or Cultural Park component - for the Oakdale Greenhouses, LLC as assignee of Rolling Stone Estates, Inc. property - Town of Islip (SCTM Nos. 0500-354.00-02.00-002.000, 0500-354.00-02.00-003.000 and 0500-355.00-03.00-068.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1154. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(b)] - for the Ceraldo Construction Corporation property - Pine Barrens Trail County Park addition - Pine Barrens Core - Town of Brookhaven (SCTM Nos. 0200-461.00-03.00-039.001 and 0200-461.00-03.00-045.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1155. Appropriating planning funds for the New Replacement Correctional Facility at Yaphank Phase II (CP 3008). (Co. Exec.) PUBLIC SAFETY

1156. Accepting New York State Clean Water/Clean Air Grant Funds, amending the 2013 Capital Budget and Program and appropriating funds in connection with the Carmans River Fish Ladder (CP 7180). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1157. 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 Coastal Steward's Shellfish Restoration Project (CP 7180). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1158. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Timothy Caraftis (SCTM No. 0200-159.00-01.00-001.000). (Co. Exec.) WAYS & MEANS

1159. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Wyandanch Volunteer Fire Company, Inc. (SCTM No. 0100-056.00-03.00-060.000). (Co. Exec.) WAYS & MEANS

1160. Authorizing certain technical corrections to Adopted Resolution No. 1184-2012. (Co. Exec.) WAYS & MEANS

1161. Amending the 2013 Adopted Operating Budget to accept and appropriate 100% additional State Aid from the New York State Office of Mental Health for Health Information Technology. (Co. Exec.) HEALTH

1162. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Barrett L. Richards and Catherine N. Richards, a/k/a Nicole Richards, his wife (SCTM No. 0200-866.00-04.00-039.000). (Co. Exec.) WAYS & MEANS

1163. Approval of Auction Rules for the disposition of surplus property acquired under the Suffolk County Tax Act. (Co. Exec.) WAYS & MEANS

1164. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Alfred Bedford (SCTM No. 0100-173.00-01.00-127.002). (Co. Exec.) WAYS & MEANS

1165. Sale of County-owned real estate pursuant to Local Law No. 13-1976 John Fiorini Jr. and Deborah Fiorini, husband and wife (SCTM No. 0500-376.00-01.00-024.000). (Co. Exec.) WAYS & MEANS

1166. Authorizing the submission of an application to the United States Department of Commerce, Foreign Trade Zone Board for Foreign Trade Zone-Alternative Site Framework designation. (Co. Exec.) ECONOMIC DEVELOPMENT AND ENERGY

1167. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Richard J. Niegocki (SCTM No. 0200-206.00-04.00-006.000). (Co. Exec.) WAYS & MEANS

1168. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Desmond D'Souza (SCTM No. 0100-083.00-02.00-018.000). (Co. Exec.) WAYS & MEANS

1169. Confirming the appointment of (Dennis M. Brown) County Attorney of Suffolk County. (Co. Exec.) WAYS & MEANS

1170. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 919-2013). (Co. Exec.) BUDGET AND FINANCE

1171. Adopting Local Law No. -2013, A Charter Law to implement One-Year Rolling Debt Policy under 5-25-5 Law to mitigate budgetary shortfall. (Co. Exec.) BUDGET AND FINANCE

1172. Adopting Local Law No. -2013, A Charter Law to ensure a fully functional Board of Park Trustees. (Pres. Off.) PARKS & RECREATION

1173. Adopting Local Law No. -2013, A Local Law to ensure adequate ferry service. (Calarco) PUBLIC WORKS AND TRANSPORTATION

1174. Accepting and appropriating a Supplemental Award of Federal Funding in the amount of $10,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in Operation Northeast Shore Restore II with 78.90% support. (Co. Exec.) PUBLIC SAFETY

1175. Accepting and appropriating Federal Funding in the amount of $15,000 from the United States Department of Agriculture, Office of Inspector General, for the Suffolk County Police Department's Participation in the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP) Fraud Investigation with 78.89% support. (Co. Exec.) PUBLIC SAFETY

1176. Accepting and appropriating a grant in the amount of $259,500 from the New York State Division of Homeland Security and Emergency Services for the State Law Enforcement Terrorism Prevention Program (SLETPP) FFY2012 with 100% support. (Co. Exec.) PUBLIC SAFETY

1177. Accepting and appropriating a grant in the amount of $836,000 from the New York State Department of Transportation for the Long Island Expressway High Occupancy Vehicle Lane Enforcement Program in Suffolk County with 100% support. (Co. Exec.) PUBLIC SAFETY

1178. Appropriating funds in connection with Waterproofing, Roof and Drainage at Suffolk County Vanderbilt Museum (CP 7439). (Spencer) PARKS & RECREATION

1179. To appoint member to the Food Policy Council of Suffolk County (Robert A. Schaefer). (Hahn) HEALTH

1180. Approving payment to General Code Publishers for Administrative Code pages. (Pres. Off.) WAYS & MEANS

1181. Authorizing the County Treasurer to borrow cash funds from other County Funds for 2013. (Pres. Off.) BUDGET AND FINANCE

1182. Adopting Local Law No. -2013, A Charter Law to strengthen legislative oversight and public participation in lawmaking process. (Montano) WAYS & MEANS

1183. Adopting Local Law No. -2013, A Local Law to amend "Suffolk's Safer Waterways Act". (Schneiderman) PUBLIC SAFETY

1184. Appropriating funds in connection with the purchase of Communications Equipment for Sheriff's Office (CP 3060). (Co. Exec.) PUBLIC SAFETY

1185. Appropriating funds in connection with the purchase of heavy duty equipment for Sheriff's Office (CP 3047). (Co. Exec.) PUBLIC SAFETY

1186. Appropriating funds for the Study and Monitoring of Public Health Related Harmful Algal Blooms (CP 8224). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1187. Appropriating funds for the Purchase of Equipment for the Environmental Health Laboratory (CP 4079). (Co. Exec.) HEALTH

1188. Appropriating funds in connection with the Peconic Bay Estuary Program (CP 8235). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1189. Authorizing appraisal for the acquisition of development rights under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 – Volmut Farm property – Town of Riverhead (SCTM No. 0600-098.00-01.00-019.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1190. Amending the 2013 Capital Budget and Program and appropriating funds in connection with improvements to the Suffolk County Fire Training Center (CP 3405). (Co. Exec.) PUBLIC SAFETY

1191. Modifying Resolution No. 625-2002, to permit the Town of Southampton to construct affordable housing on parcels previously transferred pursuant to Section 72-h of the General Municipal Law and authorizing execution of agreements. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION

1192. Authorizing the lease of premises located at 15 Pinehurst Drive, Bellport NY for use by Suffolk County Department of Fire, Rescue and Emergency Services. (Co. Exec.) WAYS & MEANS

PROCEDURAL MOTIONS

PM.04 Apportioning Mortgage Tax By: County Treasurer. (Pres. Off.)

PM.05 Calling for a public hearing for the consent to the acquisition of additional land at Sag Harbor – East Hampton Turnpike (NYS Route 114), Town of East Hampton, County of Suffolk, State of New York, by Temple Adas Israel for cemetery expansion purposes. (Schneiderman)

PM.06 Approving partial settlement of AWP Litigation (Par Pharmaceutical Companies, Inc. "Par"). (Pres. Off.)

RESOLUTION NO. CONTROL#915-2013

Intro. Res. # 1131-13 Laid on Table 3/5/13

INTRODUCED BY THE PRESIDING OFFICER
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____2013
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #915-2013)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL#915-2013

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

RESOLUTION NO. CONTROL#915-2013

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
A	HUNTINGTON	12/13	0400 09800 0300 001000	0.00	13069.51	0.00
A	SMITHTOWN	12/13	0802 00400 0200 005001	53730.11	47895.31	5834.80
A	SMITHTOWN	12/13	0800 06300 0200 013000	16670.71	13975.60	2695.11
A	SMITHTOWN	12/13	0800 06800 0700 013000	15968.40	13285.77	2682.63
A	SMITHTOWN	12/13	0800 06500 0500 005000	17232.17	14649.08	2583.09
A	SMITHTOWN	12/13	0800 05200 0300 016000	15068.69	12151.50	2917.19
A	SMITHTOWN	12/13	0800 00600 0100 008016	32744.15	29850.79	2893.36
A	SMITHTOWN	12/13	0800 00600 0100 020015	15350.10	11578.93	3771.17
A	SMITHTOWN	12/13	0800 05100 0800 022000	25896.56	22599.70	3296.86
A	SMITHTOWN	12/13	0800 05200 0200 032000	17115.18	13766.95	3348.23
A	SMITHTOWN	12/13	0800 05200 0300 034000	16714.63	13510.19	3204.44

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

County Executive of Suffolk County Date of Approval:

1131

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

10. Typed Name & Title of Preparer
R. Motschenbacher RPAT II

11. Signature of Preparer

12. Date January 30, 2013

Additional back-up material regarding IR 1131 is on file

in the Legislative Clerk's Office, Hauppauge.

Intro Res. No. 1132-13 Laid on Table 3/5/13
Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OF ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE CONTROL #385

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.

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
BROOKHAVEN:				
0200-498.00-02.00-024.001 (Item #2229693)	**2012/13**	**$10,181.81**	**0.00**	**$10,181.81**
0200-708.00-04.00-016.000 (Item #5400920)	**2012/13**	**$ 6,838.17**	**0.00**	**$ 6,838.17**
0200-852.00-03.00-020.000 (Item #4509240)	**2011/12**	**$ 5,649.42**	**0.00**	**$ 5,649.42**
0200-852.00-03.00-020.000 (Item #4509240)	**2012/13**	**$11,558.29**	**0.00**	**$11,558.29**
0200-852.00-06.00-010.000 (Item #4509990)	**2012/13**	**$ 8,902.34**	**0.00**	**$ 8,902.34**
0200-853.00-09.00-040.000 (Item #4604800)	**2012/13**	**$ 7,194.94**	**0.00**	**$ 7,194.94**
0200-882.00-03.00-012.000 (Item #4605210)	**2012/13**	**$ 7,384.65**	**0.00**	**$ 7,384.65**
0200-939.00-03.00-011.000 (Item #4022710)	**2012/13**	**$ 7,953.79**	**0.00**	**$ 7,953.79**
0209-016.00-07.00-024.000 (Item #4316420)	**2012/13**	**$ 7,355.34**	**0.00**	**$ 7,355.34**
0209-020.00-03.00-014.000 (Item #3818890)	**2012/13**	**$ 6,435.93**	**0.00**	**$ 6,435.93**
0209-022.00-04.00-001.003 (Item #4425885)	**2012/13**	**$ 5,884.26**	**0.00**	**$ 5,884.26**

Dated: Approved By:

Suffolk County Executive
Date of Approval:

1132

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 1/29/13

Additional back-up material regarding IR 1132 is on file

in the Legislative Clerk's Office, Hauppauge.

Introductory Resolution No. 1133-13 Laid on Table 3/5/13

Introduced by 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
JANELLE CLARK
0500-055.01-01.00-072.000

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 055.01, Block 01.00, Lot 072.000, and acquired by tax deed on August 10, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 14, 2012, in Liber 12702, at Page 101, and otherwise known and designated by the Town of Islip, as Unit G2C, on a certain map entitled "Condominium Map of Plymouth Village Condominiums", filed in the office of the Clerk of Suffolk County on November 24, 1976 as Condominium Plan No. 50; 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 10, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 14, 2012 in Liber 12702 at Page 101.

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, JANELLE CLARK has made application of said above described parcel and JANELLE CLARK has paid the application fee and has paid $5,861.06, 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 JANELLE CLARK, 61 Adams Road, Apt G2C, Central Islip, NY 11722, 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

1133

1. Type of Legislation

Resolution X
Tax Map Number 0500-055.01-01.00-072.000

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

2013

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

Lori Sklar — Lori Sklar — 1/25/13
NEIL TOOMB — Neil Toomb — 2/13/13
Intergov. Rel Coord

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1133

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.

To be completed by the Executive Budget Office

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT 1133

January 25, 2013

Tax Map No.: 0500-055.01-01.00-072.000
Name of Last Legal Fee Owner: JANELLE CLARK

TREASURER'S COMPUTATION	$5,861.06
Taxes.....2012/2013	OPEN
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$5,861.06
Monies Received	$5,861.06
RESOLUTION AMOUNT	$5,861.06

APPROVED:

Annette Brouner 1.25.2013
Accounting
LS:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK		LOT
0500	055.01	01.00	1133	072.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2009/10	798.73
2010/11	1214.33
2011/12	3342.90

TOTAL: 5355.96

B. INTEREST DUE	226.00
C. TOTAL	5581.96
D. 5% LINE C	279.10
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $5,861.06

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. 20-Nov-12

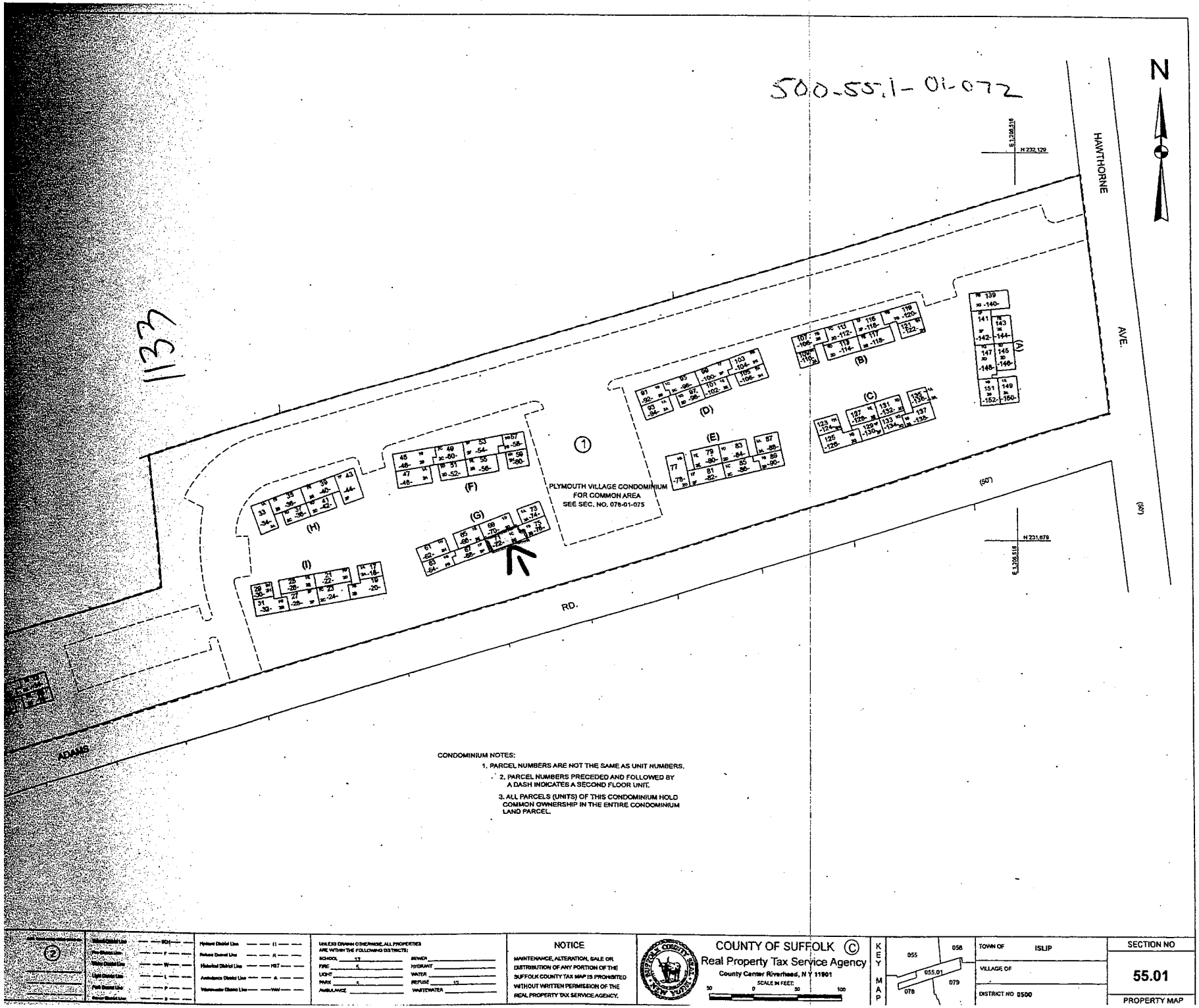
Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to and including 05/19/13

dz

500-55.1-01-072

1133



CONDOMINIUM NOTES:

1. PARCEL NUMBERS ARE NOT THE SAME AS UNIT NUMBERS.
2. PARCEL NUMBERS PRECEDED AND FOLLOWED BY A DASH INDICATES A SECOND FLOOR UNIT.
3. ALL PARCELS (UNITS) OF THIS CONDOMINIUM HOLD COMMON OWNERSHIP IN THE ENTIRE CONDOMINIUM LAND PARCEL.

UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS:

SCHOOL 13 — SEWER
FIRE 5 — HYDRANT
LIGHT — WATER
PARK 4 — REFUSE 12
AMBULANCE — WASTEWATER

NOTICE

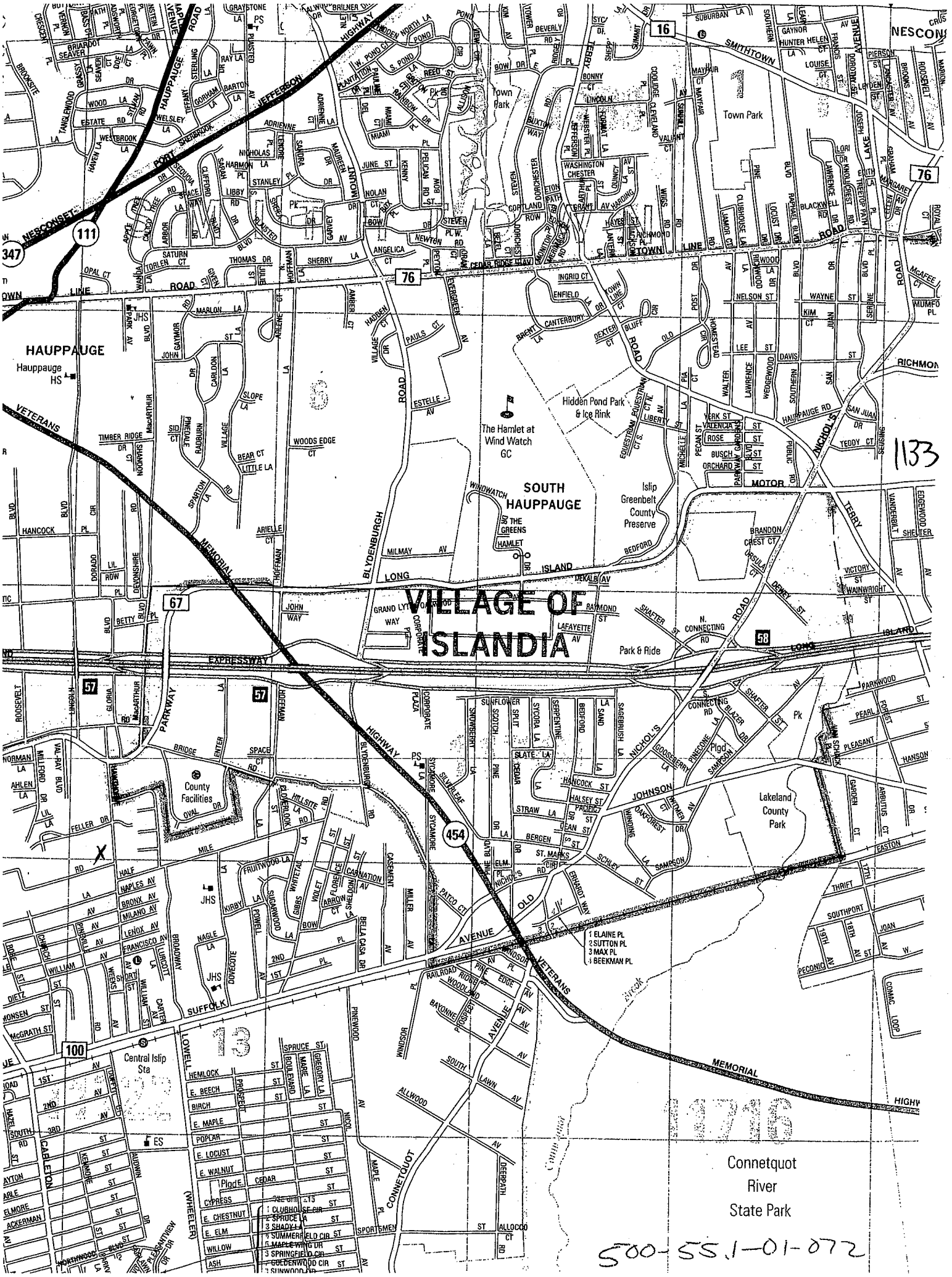
MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.

COUNTY OF SUFFOLK ©
Real Property Tax Service Agency
County Center Riverhead, N Y 11901
SCALE IN FEET 50 0 50 100

KEY MAP: 055 058 055.01 078 079

TOWN OF ISLIP
VILLAGE OF
DISTRICT NO 0500

SECTION NO 55.01
PROPERTY MAP


VILLAGE OF ISLANDIA
HAUPPAUGE
Hauppauge HS
SOUTH HAUPPAUGE
Islip Greenbelt County Preserve
Hidden Pond Park & Ice Rink
The Hamlet at Wind Watch GC
Town Park
Lakeland County Park
Connetquot River State Park
Central Islip Sta
County Facilities
Park & Ride
1133
1716
500-55.1-01-072

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

1133

January 30, 2013

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

Re: Tax Map No. 0500-055.01-01.00-072.000
JANELLE CLARK

Dear Mr. Schneider:

Enclosed herewith for your approval is an original 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

WRT: lag

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicsko, Inventory (e-copy)

Introductory Resolution No. 1134-13 Laid on Table 3/5/13

Introduced by 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
TIMOTHY ALLEN-MORABITO AND HEATHER ALLEN-MORABITO
0200-677.00-05.00-005.000

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 677.00, Block 05.00, Lot 005.000, and acquired by tax deed on January 31, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on February 02, 2011, in Liber 12650, at Page 108, and otherwise known and designated by the Town of Brookhaven, as Lot No. 9, on a certain map entitled "Map of Manorville Pinewoods, Section 1", filed in the office of the Clerk of Suffolk County on July 31, 1987 as Map No. 8360; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on January 31, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on February 02, 2011 in Liber 12650 at Page 108.

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, TIMOTHY ALLEN-MORABITO AND HEATHER ALLEN-MORABITO have made application of said above described parcel and TIMOTHY ALLEN-MORABITO AND HEATHER ALLEN-MORABITO have paid the application fee and have paid $99,924.95, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 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 TIMOTHY ALLEN-MORABITO AND HEATHER ALLEN–MORABITO, 6 Cristina Drive, Manorville, NY 11949, 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

1134

Resolution X
Tax Map Number 0200-677.00-05.00-005.000

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

2013

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

Peter Belyea
NEIL TOOMB
INTERGOV. REL COORD.

1-23-13
2/13/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1134

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.

To be completed by the Executive Budget Office

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1134

January 22, 2013

Tax Map No.: 0200-677.00-05.00-005.000
Name of Last Legal Fee Owner: TIMOTHY ALLEN-MORABITO AND HEATHER ALLEN-MORABITO

TREASURER'S COMPUTATION.....	$99,924.95
Taxes.....2012/2013.....	OPEN
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
TOTAL.....	$99,924.95
Monies Received.....	$99,924.95
RESOLUTION AMOUNT.....	$99,924.95

APPROVED:

Annette Brownell 1.23.2013
Accounting
PB:lag

PREPARED BY:
Peter Belyea
Redemption Unit
(631)853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0200	677.00	05.00 1134	005.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005-2006	$ 3,779.01
2006-2007	$ 15,298.64
2007-2008	$ 15,296.87
2008-2009	$ 14,552.94
2009-2010	$ 13,771.58
2010-2011	$ 11,598.05
2011-2012	$ 9,772.62

2012-2013 TAXES IN THE AMOUNT OF $10,256.29 NOT INCLUDED IN COMPUTATION

TOTAL: $84,069.71

B. INTEREST DUE	$ 11,096.91
C. TOTAL	$ 95,166.62
D. 5% LINE C	$ 4,758.33
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$99,924.95

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.

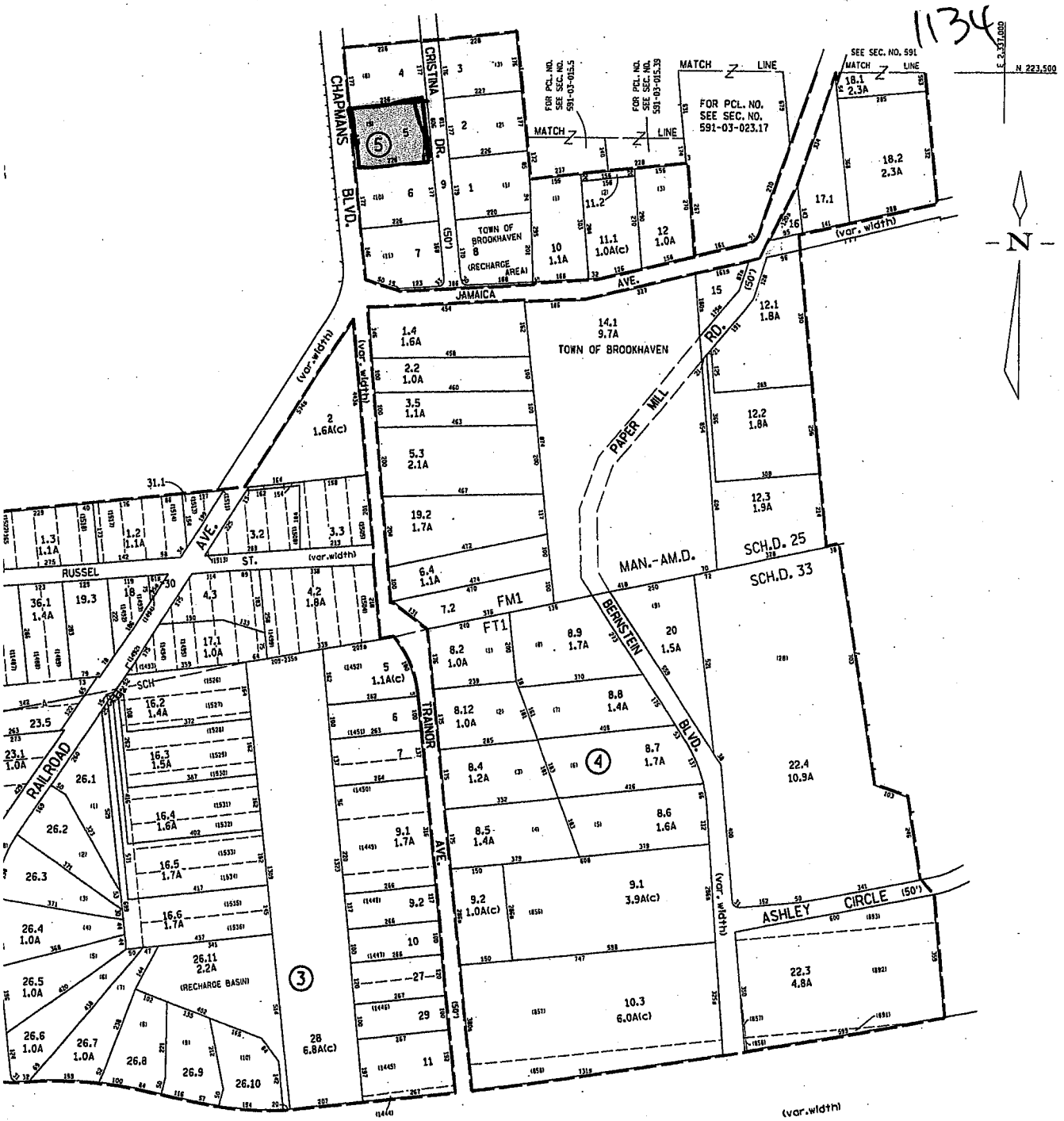
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 16-Jan-13

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 07/15/13

dms

1134



NOTE: APPARENT OVERLAP CONDITION EXISTS WITHIN SECTIONS 591-02-25.6, 677-02-12.2 INC. 1.1, 677-03-002, 677-04-1.3, 2.1, 3.4, 5.2, 19.1.

0200-677.00-05.00-005.000

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: 200 0 200 400

KEY MAP

TOWN OF BROOKHAVEN

VILLAGE OF

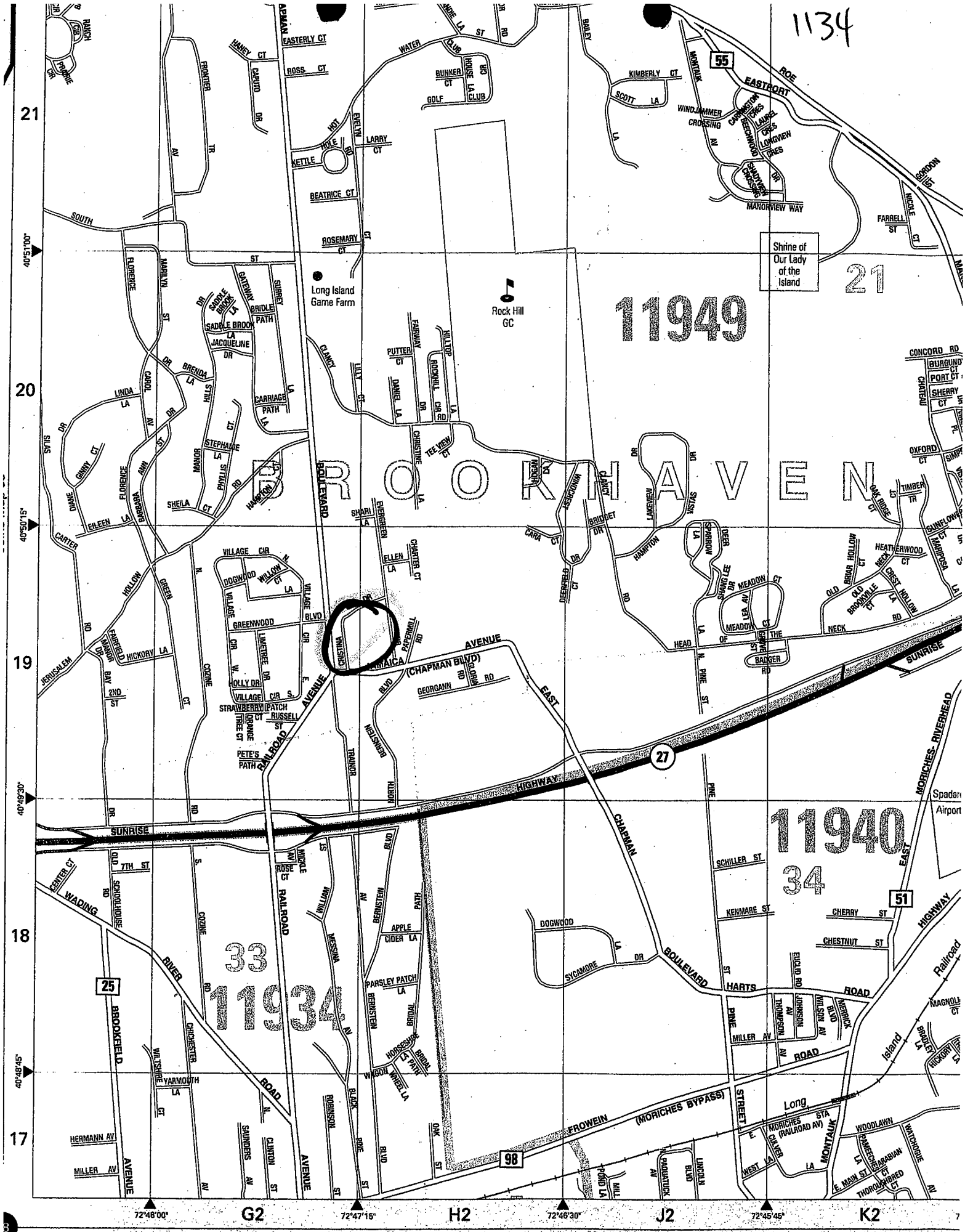
DISTRICT NO 0200

SECTION NO 677

PROPERTY MAP

CONVERSION DATE: Mar. 04,1986

1134



Joins Map 39

©Hagstrom Map Company, Inc.

0200-677-00-05-00-005-002

COUNTY OF SUFFOLK

1134

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

January 30, 2013

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

Re: Tax Map No. 0200-677.00-05.00-005.000
TIMOTHY ALLEN-MORABITO AND HEATHER ALLEN-MORABITO

Dear Mr. Schneider:

Enclosed herewith for your approval is an original 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

WRT:lag

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicsko, Inventory (e-copy)

Introductory Resolution No. 1135-13 Laid on Table 3/5/13

Introduced by 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
CARLOS VENTURA
0500-224.00-02.00-046.002

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 224.00, Block 02.00, Lot 046.002, and acquired by tax deed on November 23, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 30, 2010, in Liber 12644, at Page 471, and otherwise known and designated by the Town of Islip , as Part of Lot No. 196, Block 15, on a certain map entitled "Map of North Bay Shore, Section 2", filed in the office of the Clerk of Suffolk County on September 26, 1940 as Map No. 1320; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on November 23, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 30, 2010 in Liber 12644 at Page 471.

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

WHEREAS, CARLOS VENTURA has made application of said above described parcel and CARLOS VENTURA has paid the application fee and has paid $5,015.11, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2012, and

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

2nd - RESOLVED, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to CARLOS VENTURA, 211 Connecticut Avenue, Bay Shore, NY 11706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1135

1. Type of Legislation

Resolution **X**
Tax Map Number 0500-224.00-02.00-046.002

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

4. Will the Proposed Legislation have a fiscal impact? Yes **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

2013

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

Lori Sklar
NEIL TOOMB
INTERGOV. REL COORD.

Lori Sklar 1/25/13
Neil Toomb 2/13/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1135

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.

To be completed by the Executive Budget Office

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1135

January 24, 2013

Tax Map No.: 0500-224.00-02.00-046.002
Name of Last Legal Fee Owner: CARLOS VENTURA

TREASURER'S COMPUTATION	$5,015.11
Taxes.....2012/2013	OPEN
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$5,015.11
Monies Received	$5,015.11
RESOLUTION AMOUNT	$5,015.11

APPROVED:

Annette Brownell 1-25-2013
Accounting
LS:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0500	224.00	02.00	046.002

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: 1135

2007/08	948.21
2008/09	987.03
2009/10	948.27
2010/11	773.95
2011/12	562.19
TOTAL:	4219.65
B. INTEREST DUE	556.65
C. TOTAL	4776.30
D. 5% LINE C	238.81
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$5,015.11

CERTIFICATION BY COUNTY TREASURER

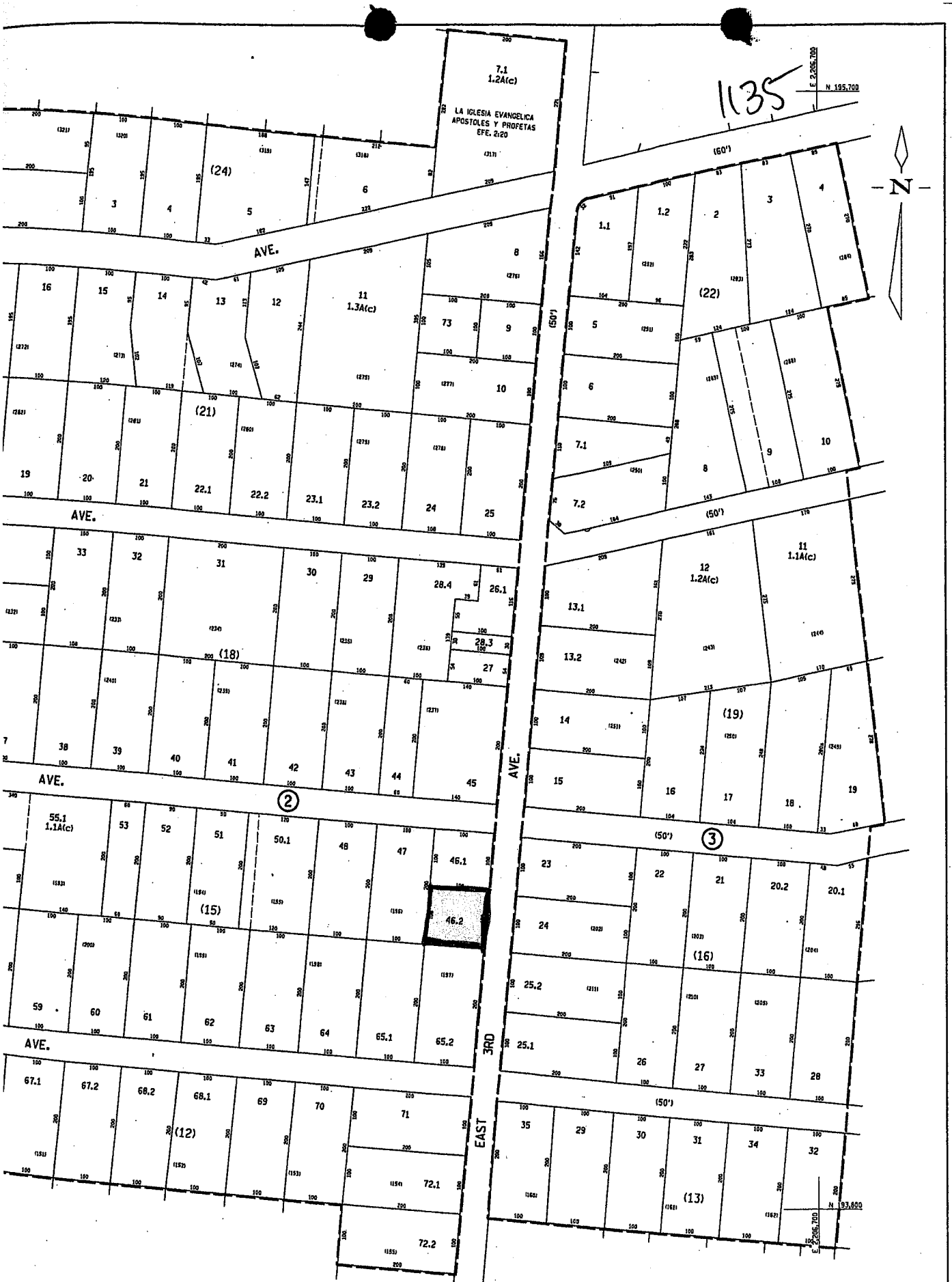
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 03-Jan-13

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 07/02/13

dz

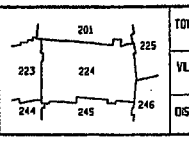


NOTICE

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: 100 0 100 200

KEY MAP



TOWN OF ISLIP

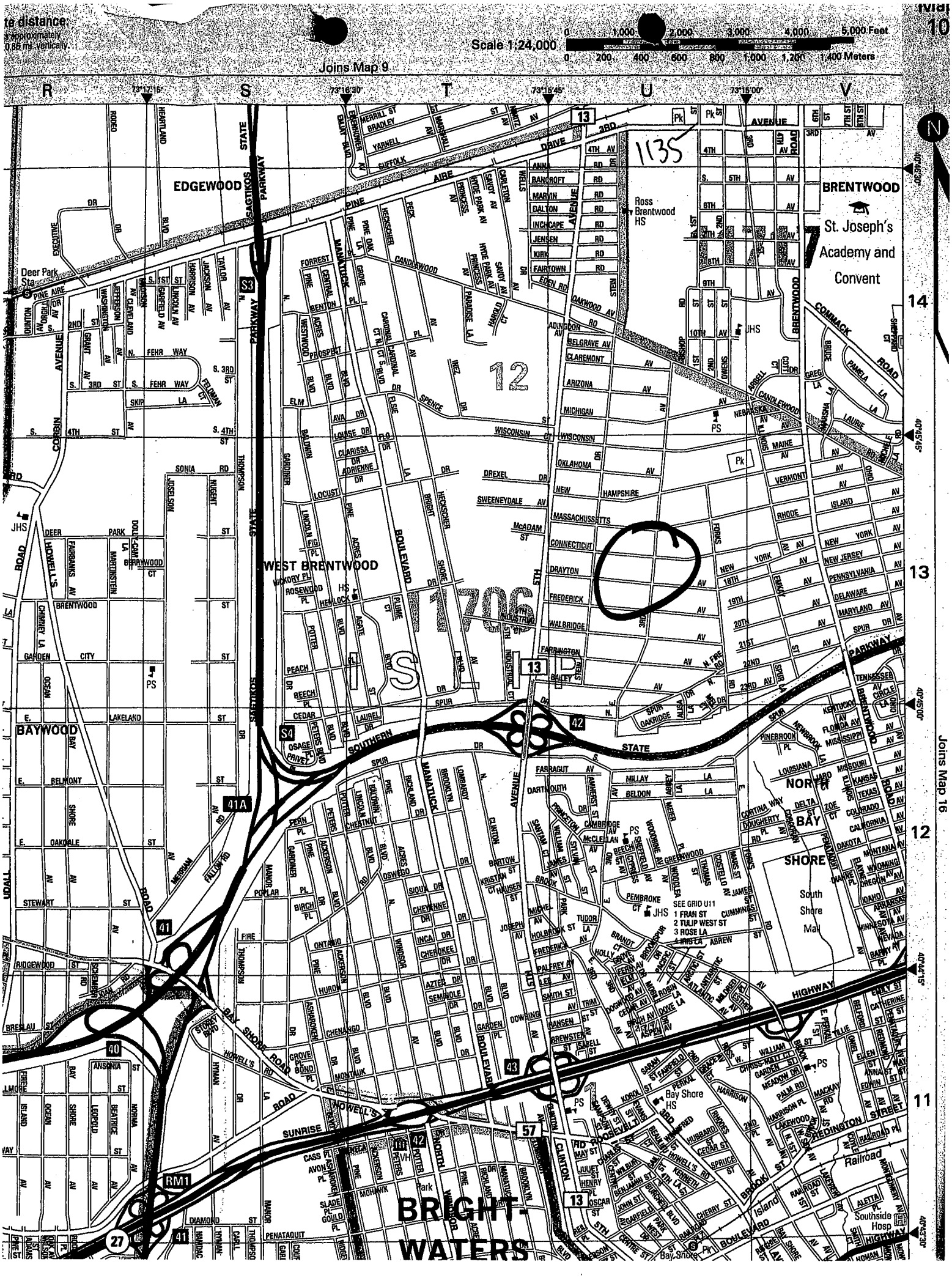
VILLAGE OF

DISTRICT NO 0500

SECTION NO 224

PROPERTY MAP

CONVERSION DATE: Sep. 04, 1998



Scale 1:24,000
0 1,000 2,000 3,000 4,000 5,000 Feet
0 200 400 600 800 1,000 1,200 1,400 Meters
Joins Map 9
Joins Map 16
R S T U V
73°17'15"
73°16'30"
73°15'45"
73°15'00"
40°46'30"
40°45'45"
40°45'00"
40°44'15"
40°43'30"
EDGEWOOD
BRENTWOOD
WEST BRENTWOOD
BAYWOOD
NORTH BAY SHORE
BRIGHT-WATERS
St. Joseph's Academy and Convent
Ross Brentwood HS
Deer Park Sta
Bay Shore HS
South Shore Mall
Southside Hosp
SEE GRID U11
1 FRAN ST
2 TULIP WEST ST
3 ROSE LA
4 IRIS LA
1135
11706
12
13
14
11

COUNTY OF SUFFOLK

1135

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

January 30, 2013

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

Re: Tax Map No. 0500-224.00-02.00-046.002
CARLOS VENTURA

Dear Mr. Schneider:

Enclosed herewith for your approval is an original 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

WRT: lag

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicsko, Inventory (e-copy)

Introductory Resolution No. 1136-13 Laid on Table 3/5/13

Introduced by 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
SELWYN E. FARBER AND SYLIVIA FARBER
0500-230.00-01.00-017.000

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 230.00, Block 01.00, Lot 017.000, and acquired by tax deed on October 31, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 02, 2012, in Liber 12710, at Page 130, and otherwise known and designated by the Town of Islip, as Westerly 75 feet of Lot 17, Block 40, on a certain map entitled "Map of Great River Estates, Section 2", filed in the office of the Clerk of Suffolk County on May 3, 1910 as Map No. 376; 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 31, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 02, 2012 in Liber 12710 at Page 130.

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, SELWYN E. FARBER AND SYLIVIA FARBER have made application of said above described parcel and SELWYN E. FARBER AND SYLIVIA FARBER have paid the application fee and will be paying $61,935.75, 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 SELWYN E. FARBER AND SYLIVIA FARBER, 6562 Via Benita, Boca Raton, FL 33433, 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 1136

Resolution **X**
Tax Map Number 0500-230.00-01.00-017.000

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

2013

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

Lori Sklar — Lori Sklar — 1/18/13
NEIL TOOMB — Neil Toomb — 2/13/13
INTERGOV. Rel. Coord

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1136

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.

To be completed by the Executive Budget Office

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1136

January 17, 2013

Tax Map No.: 0500-230.00-01.00-017.000
Name of Last Legal Fee Owner: SELWYN E. FARBER AND SYLIVIA FARBER

TREASURER'S COMPUTATION	$61,935.75
Taxes.....2012/2013	OPEN
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$61,935.75
Monies to be Received	$61,935.75
RESOLUTION AMOUNT	$61,935.75

APPROVED:

Annette Brownell 1-13-2013
Accounting
LS:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0500	230.00	01.00	017.000

11360

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08	13728.80
2008/09	7356.50
2009/10	13397.10
2010/11	12251.22
2011/12	9873.00

TOTAL: 56606.62

B. INTEREST DUE	2379.81
C. TOTAL	58986.43
D. 5% LINE C	2949.32
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $61,935.75

CERTIFICATION BY COUNTY TREASURER

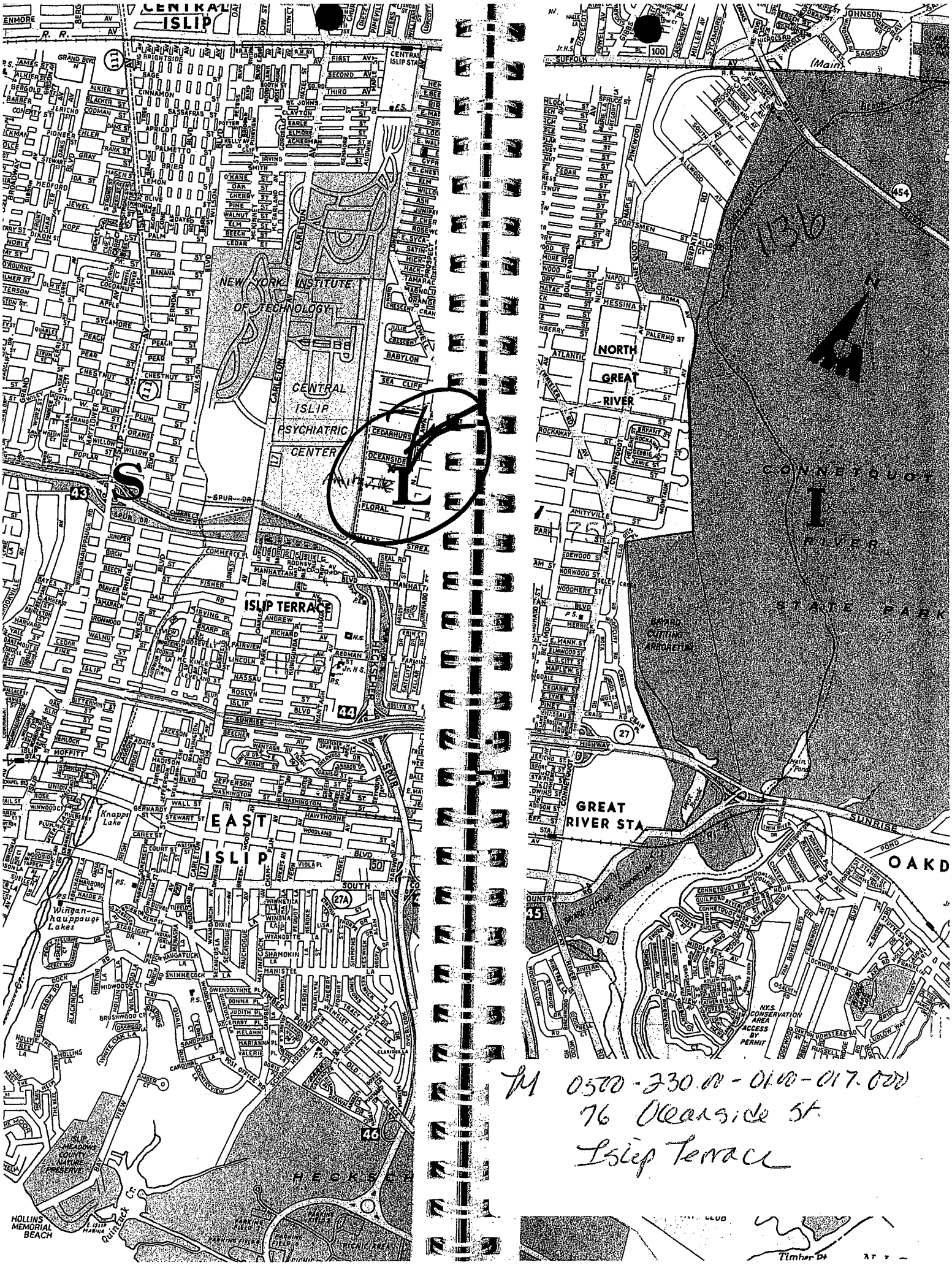
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 15-Jan-13

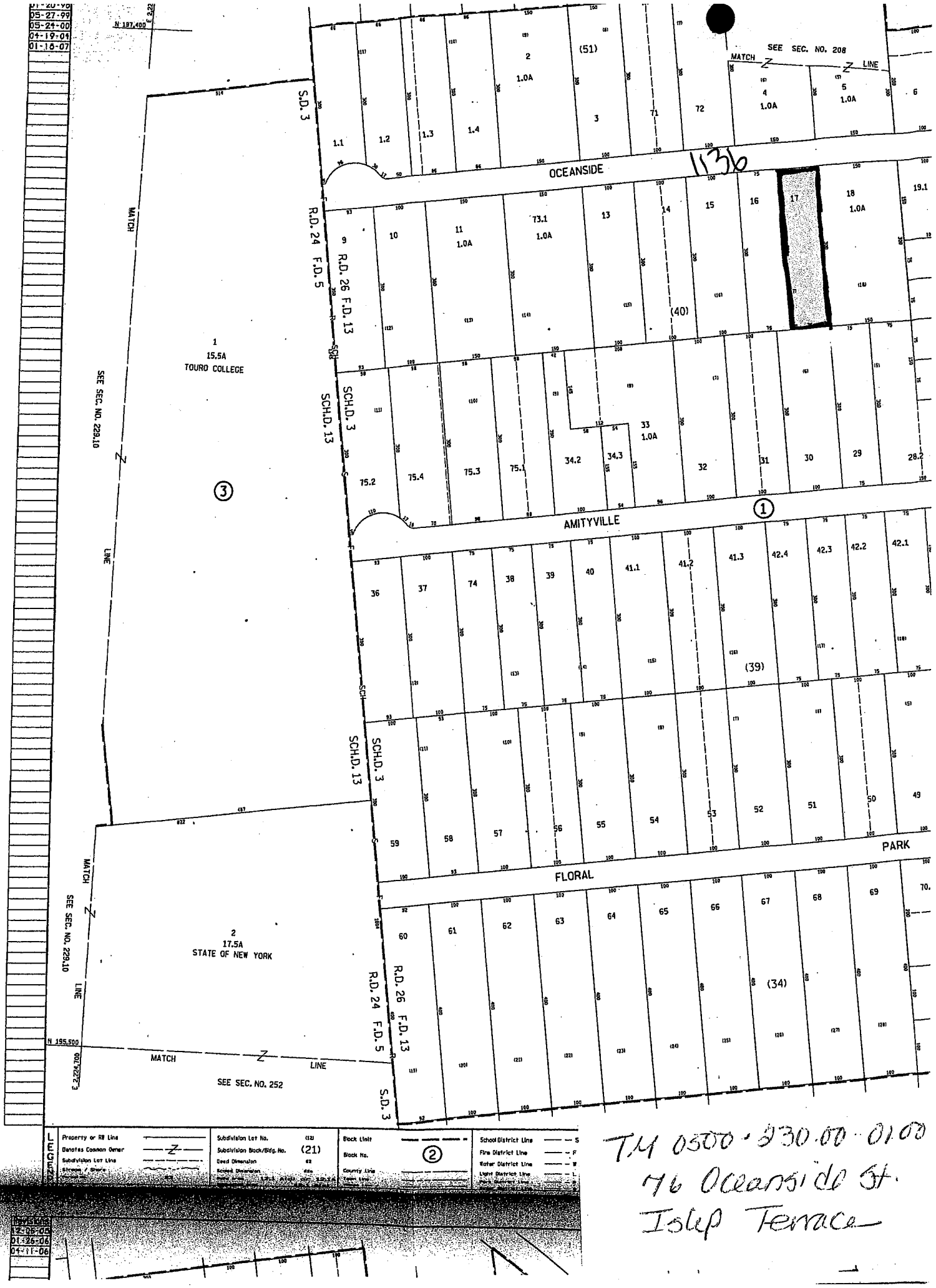
Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 07/14/13

dz



TM 0500-230.00-01.00-017.000
76 Oceanside St.
Islip Terrace



TM 0500-230.00-01.00
76 Oceanside St.
Islip Terrace

COUNTY OF SUFFOLK

1126

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

January 30, 2013

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

Re: Tax Map No. 0500-230.00-01.00-017.000
SELWYN E. FARBER AND SYLIVIA FARBER

Dear Mr. Schneider:

Enclosed herewith for your approval is an original 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

WRT:lag

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicsko, Inventory (e-copy)

Introductory Resolution No. 1137-13 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 DOREEN SMITH AND HARLAN SIMONSON, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP (SCTM NO. 0100-153.00-02.00-068.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 153.00 Block 02.00 Lot 068.000 and acquired by Tax Deed on September 23, 2009 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009 in Liber 12601 at CP 256 and described as follows, known and designated as part of Lot 1 on a certain map entitled "Map of Liberty Farms", and filed in the Office of the Clerk of the County of Suffolk on April 9, 1925 as Map No. 210,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Doreen Smith and Harlan Simonson, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 47' x 53' has been appraised at $1,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $1,000.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Doreen Smith and Harlan Simonson, 88 Liberty Avenue, North Babylon, New York 11703.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1137

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

   SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976
   DOREEN SMITH AND HARLAN SIMONSON, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
   (SCTM NO. 0100-153.00-02.00-068.000)

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

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

   Unknown

8. Proposed Source of Funding

   None

9. Timing of Impact

   2013

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

    R.J. Bhatt
    Land Management Specialist
    NEIL TOOMB
    INTERGOV REL COORD.

    R.J. Bhatt — 1/31/13

    Neil Toomb — 2/13/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1137

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.

To be completed by the Executive Budget Office

1137

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

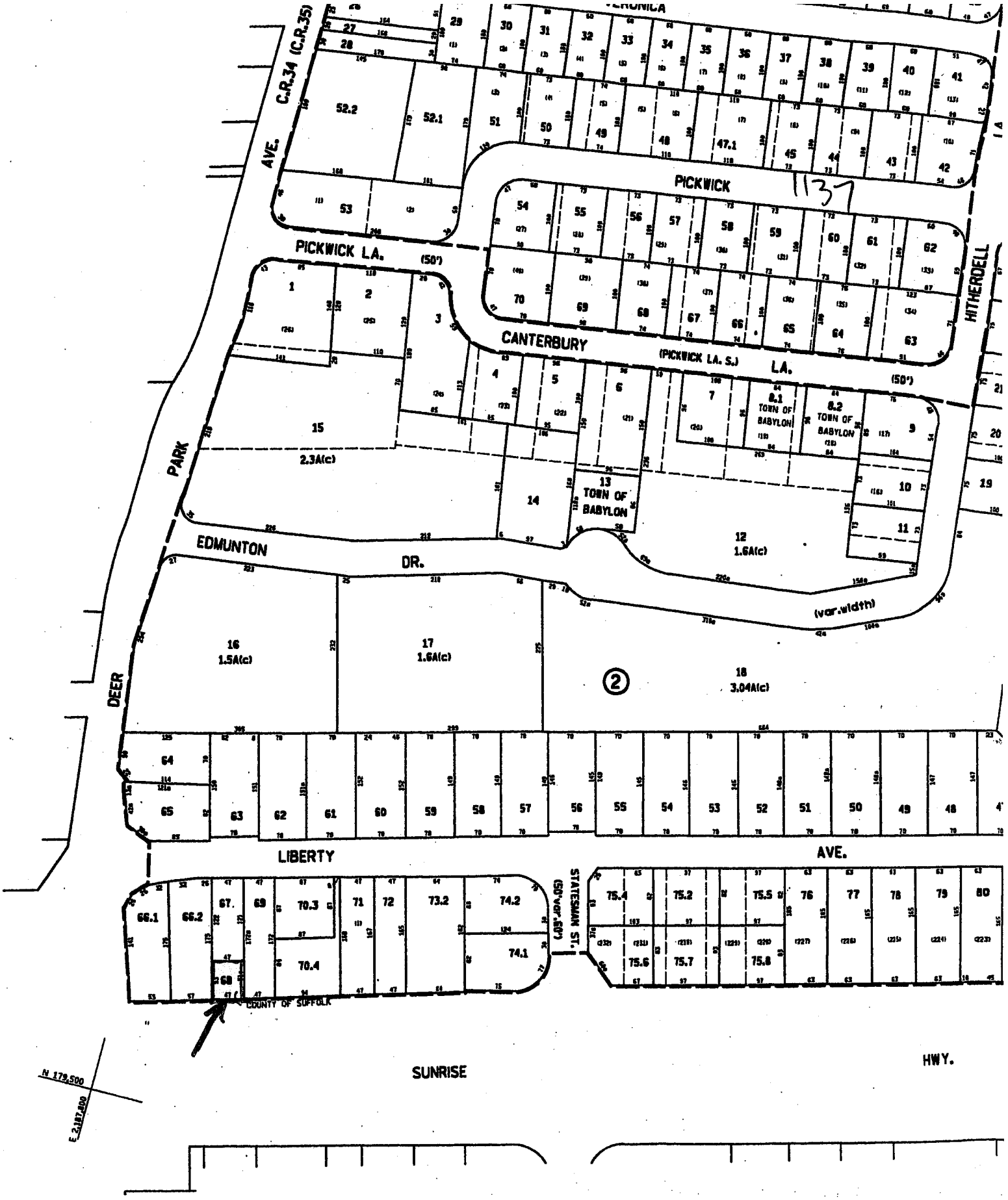
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0100-153.00-02.00-068.000

ADJOINING OWNER	BID	BID	BID
Doreen Smith and Harlan Simonson 88 Liberty Avenue North Babylon, New York 11703 0100-153.00-02.00-067.000	$1,000.00		
Patrick K. & Christine M. Chin 2563 Wantagh Avenue Wantagh, New York 11793 0100-153.00-02.00-066.002	$0		
Vincent & Karen Bravo 92 Liberty Avenue North Babylon, New York 11703 0100-153.00-02.00-069.000	$0		

SIZE OF PARCEL: 47' x 53'
APPRAISED VALUE: $1,000.00
COMMENT: Direct Sale to Adjacent Owner

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



TM # 0100-153.00-02.00-068.000

1137

Deer Park Ave
Liberty Ave
Sunrise Hwy
TM# 0100-153.00-02.00-068.000

TM # 0100-153.00-02.00-068.000

COUNTY OF SUFFOLK

1137

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

January 31, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0100-153.00-02.00-068.000

Dear Mr. Schneider:

Enclosed herewith is the original copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1 hard copy)
CE Reso Review, (electronic copy)

Introductory Resolution No. 1138-13 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 ROSE MARIE RIGGS (SCTM NO. 0100-138.00-02.00-039.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 138.00 Block 02.00 Lot 039.000 and acquired by Tax Deed on September 23, 2009 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009 in Liber 12601 at CP 256 and described as follows, known and designated as Lots 38 and 40 in Block 36 on a certain map entitled "Map of Belmont Terrace, Section C", and filed in the Office of the Clerk of the County of Suffolk on July 10, 1908 as Map No. 183,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Rose Marie Riggs, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $4,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 40' x 100' has been appraised at $3,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $4,000.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Rose Marie Riggs, 80 Silver Street, West Babylon, New York 11704.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1138

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

   SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO
   LOCAL LAW No. 13-1976
   ROSE MARIE RIGGS
   (SCTM NO. 0100-138.00-02.00-039.000)

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

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

   Unknown

8. Proposed Source of Funding

   None

9. Timing of Impact

   2013

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

    R.J. Bhatt
    Land Management Specialist
    R.J. Bhatt 1/31/13

    NEIL TOOMB
    INTERGOV Rel COORD.
    Neil Toomb 2/18/13

1138

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.

To be completed by the Executive Budget Office

1138

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

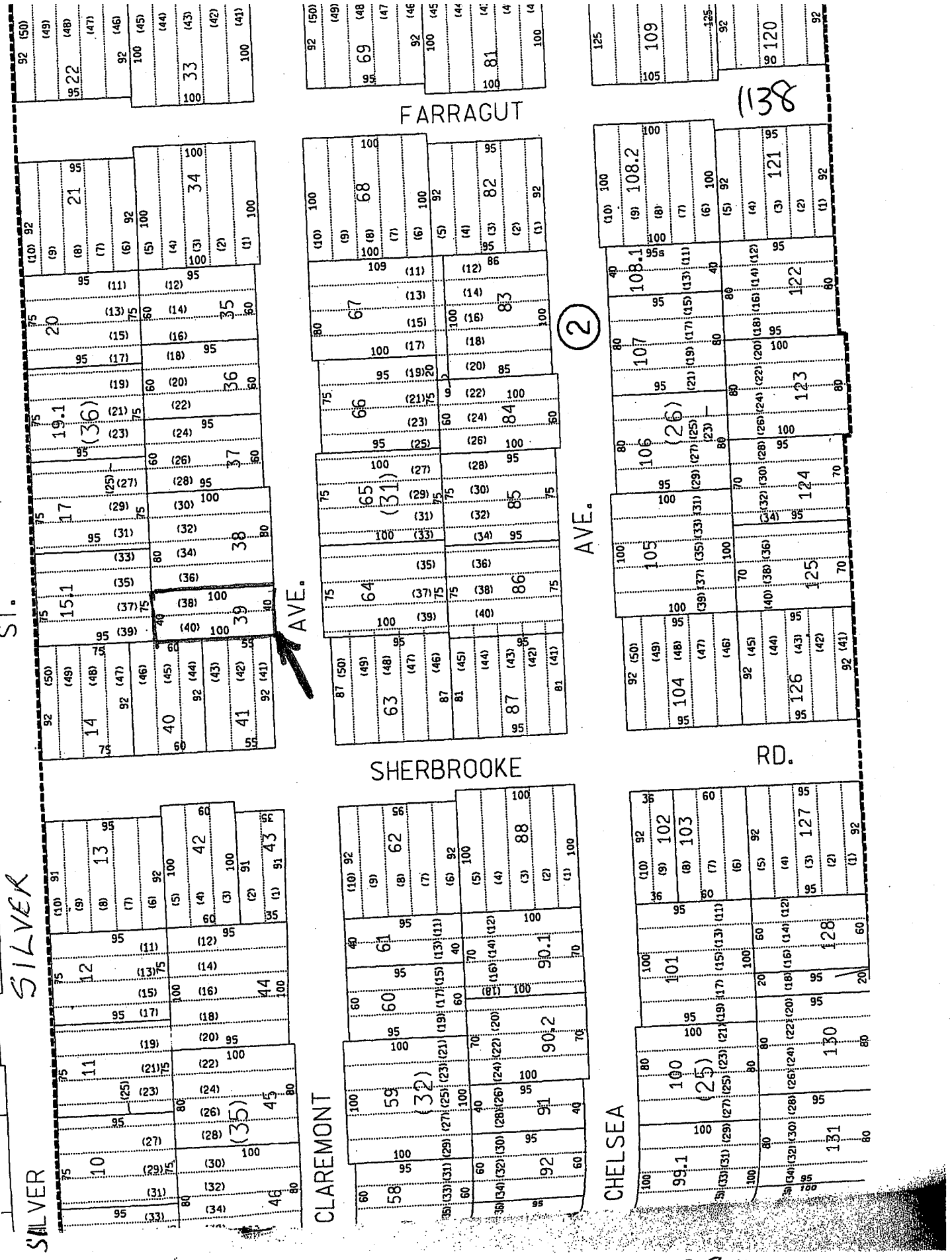
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0100-138.00-02.00-039.000

ADJOINING OWNER	BID	BID	BID
Rose Marie Riggs 80 Silver Street West Babylon, New York 11704 0100-138.00-02.00-015.001	$4,000.00		
Susan Oehler 47 Claremont Avenue North Babylon, New York 11704 0100-138.00-02.00-038.000	$0		
Linda Basedow 111 Sherbrooke Road West Babylon, New York 11704 0100-138.00-02.00-040.000	$0		
Alfred & Rose Esposito 101 Sherbrooke Road West Babylon, New York 11704 0100-138.00-02.00-041.000	$0		

SIZE OF PARCEL: 40' x 100'
APPRAISED VALUE: $3,500.00
COMMENT: Direct Sale to Adjacent Owner

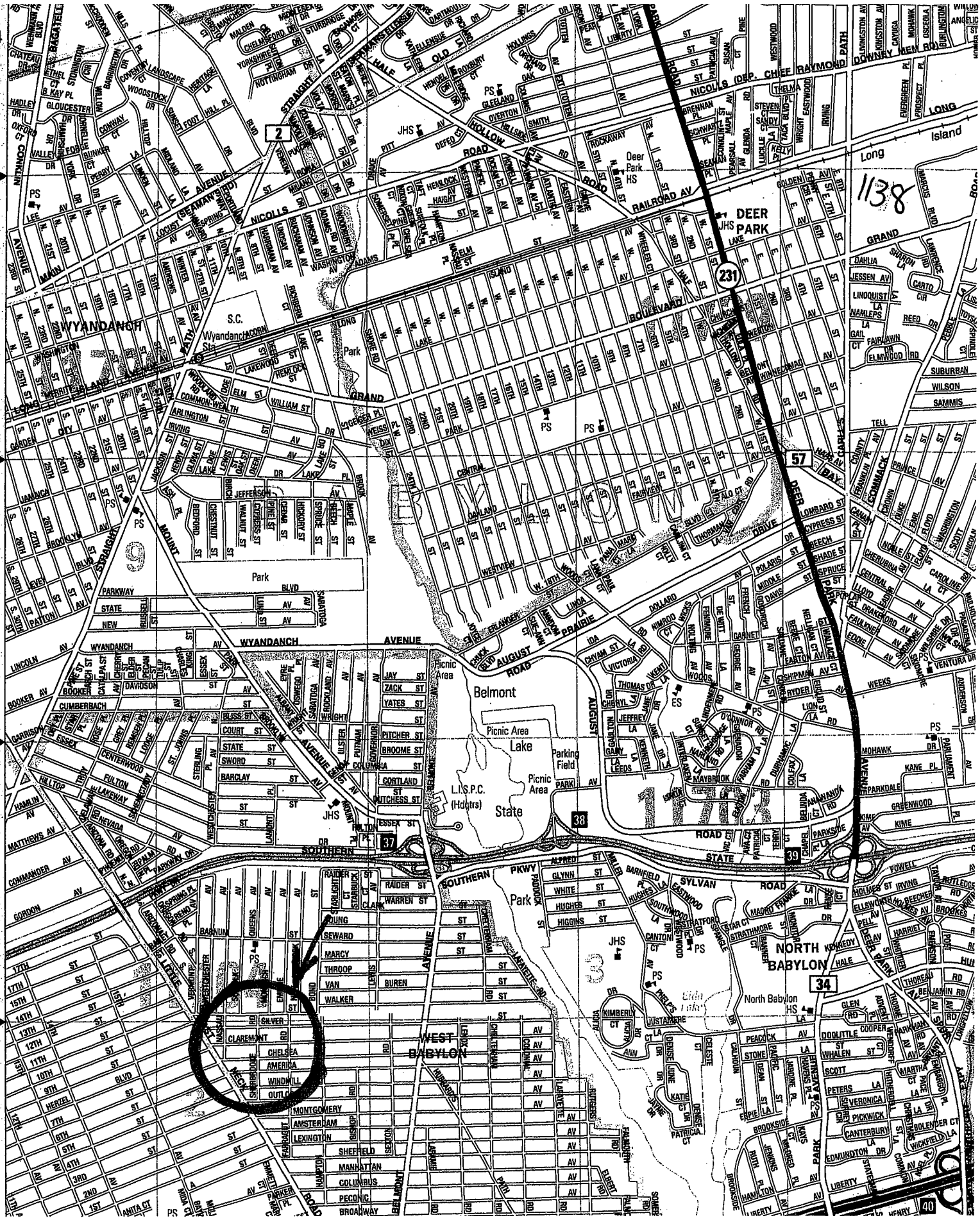
Wayne R. Thompson
Property Manager
(631) 853-5971



TM # 0100-138.00-02.00-039.000

1138

Silver St
Sherbrooke Rd
Claremont Ave
TM# 0100-138.00-02.00-039.000



Tm # 0100-138.00-02.00-039.000

COUNTY OF SUFFOLK

1138

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

January 31, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg., 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0100-138.00-02.00-039.000

Dear Mr. Schneider:

Enclosed herewith is the original copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1 hard copy)
CE Reso Review, (electronic copy)

Introductory Resolution No. 1139-13 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 1923 ROUTE 25 CORP. (SCTM NO. 0200-350.00-01.00-012.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 350.00 Block 01.00 Lot 012.000 and acquired by Tax Deed on November 2, 2009 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 4, 2009 in Liber 12605 at CP 51 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Brookhaven under SCTM # District 0200 Section 350.00 Block 01.00 Lot 012.000,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, 1923 Route 25 Corp., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $3,900.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 23' x 110' has been appraised at $3,800.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $3,900.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said 1923 Route 25 Corp., 1923 Middle Country Road, Ridge, New York 11961.

DATED:

APPROVED BY

_____
County Executive of Suffolk County

Date of Approval:

1139

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

   SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO
   LOCAL LAW No. 13-1976
   1923 ROUTE 25 CORP.
   (SCTM NO. 0200-350.00-01.00-012.000)

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

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

   Unknown

8. Proposed Source of Funding

   None

9. Timing of Impact

   2013

10. Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist NEIL TOOMB INTERGOV Rel COORD	RJ Bhatt Neil Toomb	1/31/13 2/13/13

1139

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.

To be completed by the Executive Budget Office

1139

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

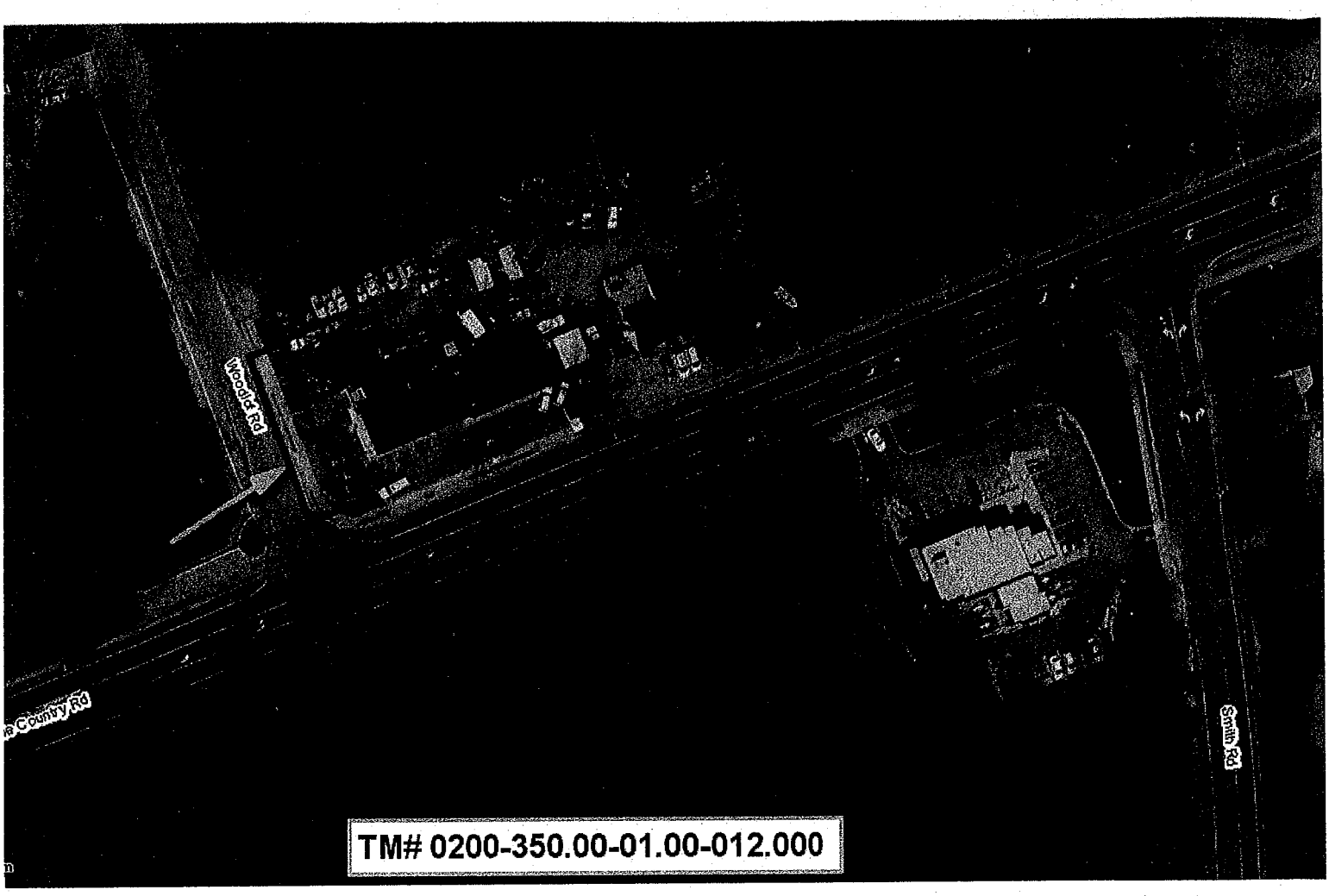
DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-350.00-01.00-012.000

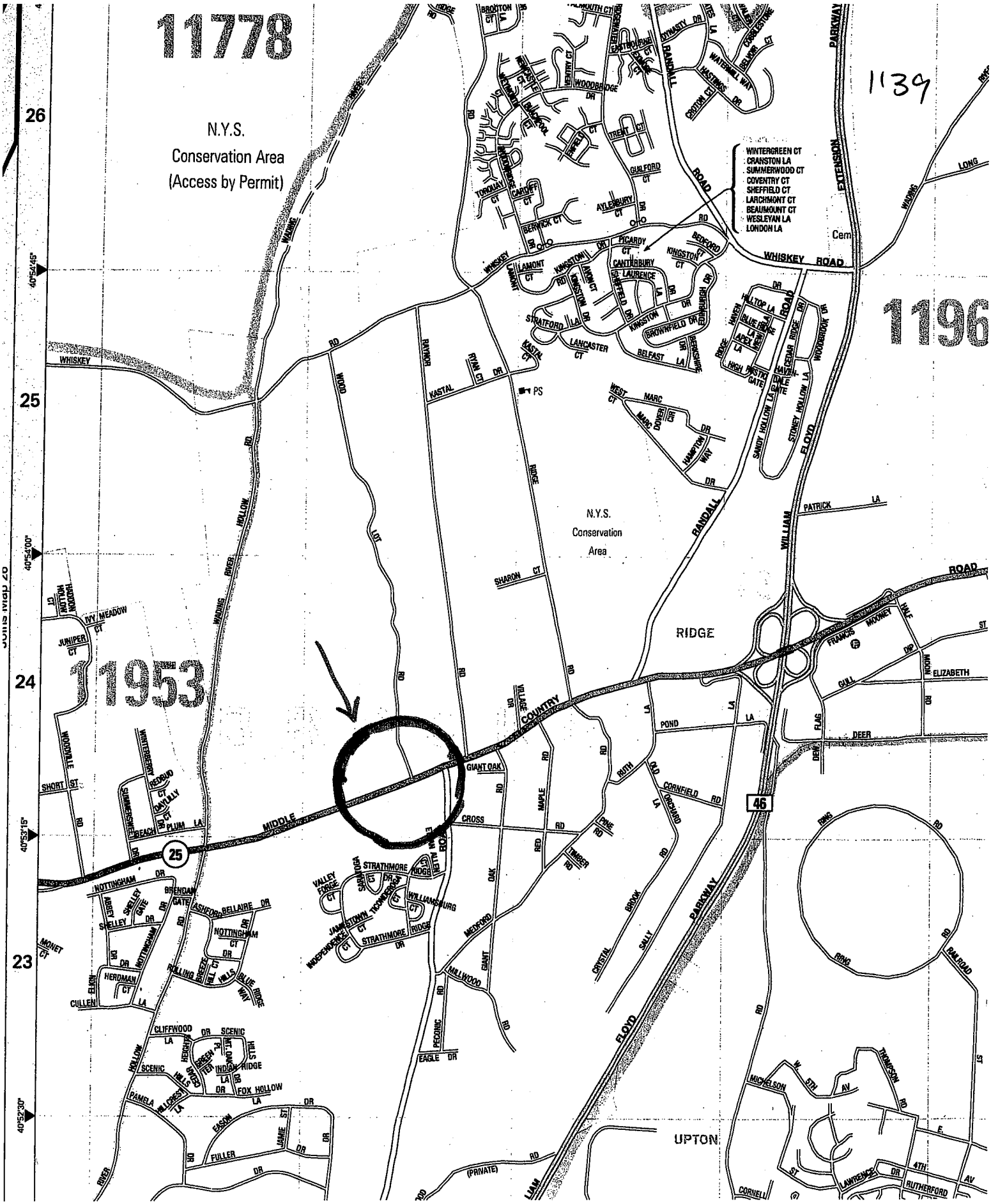
ADJOINING OWNER	BID	BID	BID
1923 Route 25 Corp. 1923 Middle Country Road Ridge, New York 11961 0200-350.00-01.00-013.000	$3,900.00		

SIZE OF PARCEL: 23' x 110'
APPRAISED VALUE: $3,800.00
COMMENT: Direct Sale to Adjacent Owner

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

TM# 0200-350.00-0/.00-0/2.000


Woodis Rd
Smith Rd
TM# 0200-350.00-01.00-012.000



TM# 0200-350.00-01.00-012.000

COUNTY OF SUFFOLK

1139

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

January 31, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0200-350.00-01.00-012.000

Dear Mr. Schneider:

Enclosed herewith is the original copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1 hard copy)
CE Reso Review, (electronic copy)

Introductory Resolution No. 1140-13 Laid on Table 3/5/13

Introduced by 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
JAMES KLURFELD AND JUDITH KLURFELD, HIS WIFE
0200-173.00-09.00-021.000

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 173.00, Block 09.00, Lot 021.000, and acquired by tax deed on September 19, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 21, 2011, in Liber 12671, at Page 889, and otherwise known and designated by the Town of Brookhaven, as Lot No. 7, on a certain map entitled "Map of Leatherstocking Woods, Section 2", filed in the office of the Clerk of Suffolk County on August 25, 1964 as Map No. 4133; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 19, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 21, 2011 in Liber 12671 at Page 889.

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, JAMES KLURFELD AND JUDITH KLURFELD, HIS WIFE have made application of said above described parcel and JAMES KLURFELD AND JUDITH KLURFELD, HIS WIFE have paid the application fee and have paid $128,373.56, 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 JAMES KLURFELD AND JUDITH KLURFELD, HIS WIFE, 1 Carriage Court, Stony Brook, NY 11790, 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: _____

1140

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution **X**
Tax Map Number 0200-173.00-09.00-021.000

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

2013

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

Peter Belyea | | 1/18/13
NEIL TOOMB | NeilToomb | 2/13/13
INTERGOV Rel Coord.

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1140

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.

To be completed by the Executive Budget Office

1140

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

January 17, 2013

Tax Map No.: 0200-173.00-09.00-021.000
Name of Last Legal Fee Owner: JAMES KLURFELD AND JUDITH KLURFELD, HIS WIFE

TREASURER'S COMPUTATION	$128,373.56
Taxes.....2012/2013	OPEN
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$128,373.56 <.01>
Monies Received	$128,373.56
RESOLUTION AMOUNT	$128,373.56 <.01>

APPROVED:

Annette Brownell 1·18·2013
Accounting
PB:lag

PREPARED BY:
Peter Belyea
Redemption Unit
(631)853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK		LOT
0200	173.00	09.00	1140	021.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	13908.02
2007/08	23178.65
2008/09	21822.86
2009/10	20582.30
2010/11	16311.58
2011/12	17006.78
TOTAL:	112810.19
B. INTEREST DUE	9450.35
C. TOTAL	122260.54
D. 5% LINE C	6113.03
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$128,373.56

CERTIFICATION BY COUNTY TREASURER

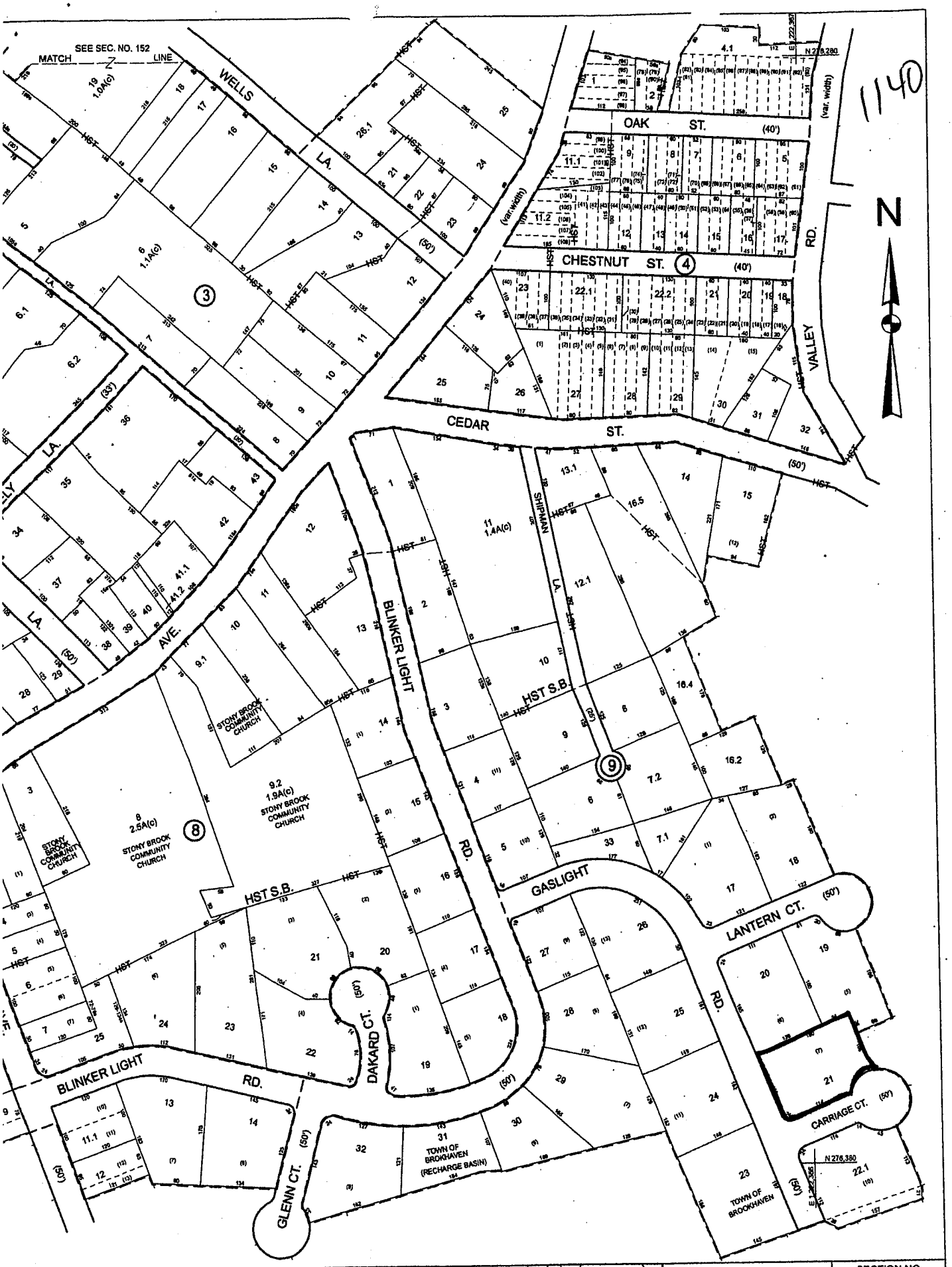
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 02-Oct-12

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 03/31/13

dz



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: 100 0 100 200

KEY MAP

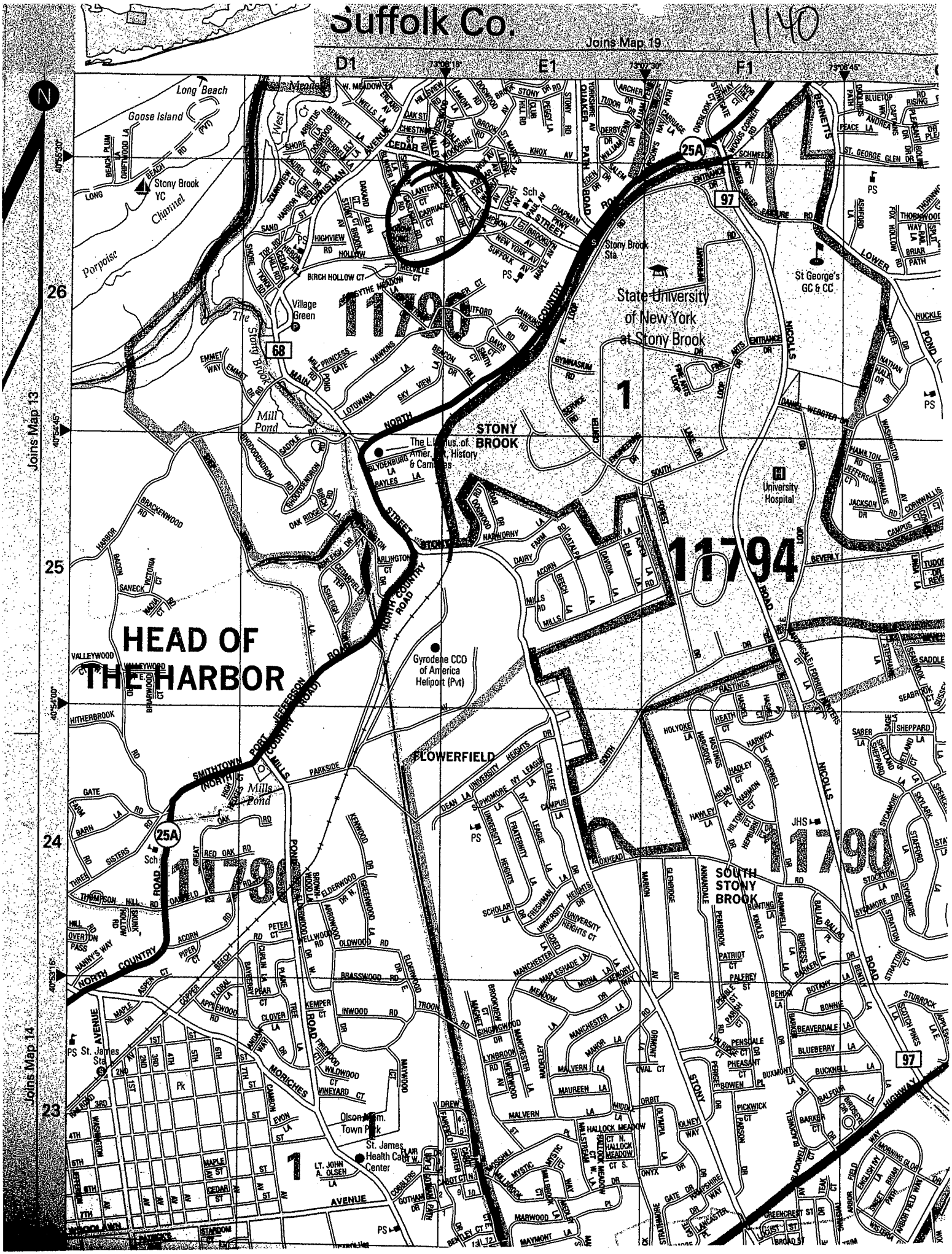
TOWN OF BROOKHAVEN

VILLAGE OF

DISTRICT NO 0200

SECTION NO 173

PROPERTY MAP



Suffolk Co.
1140
Joins Map 19
D1
E1
F1
73°08'15"
73°07'30"
73°06'45"
40°55'30"
40°54'45"
40°54'00"
40°53'15"
26
25
24
23
Joins Map 13
Joins Map 14
N
Long Beach
Goose Island
Stony Brook YC
Porpoise Channel
West Cr
Village Green
The Stony Brook
Mill Pond
Mills Pond
11796
11794
11790
11780
1
HEAD OF THE HARBOR
STONY BROOK
State University of New York at Stony Brook
Stony Brook Sta
St George's GC & CC
University Hospital
The L. Hus. of Amer. Art, History & Carriages
Gyrodene CCO of America Heliport (Pvt)
FLOWERFIELD
SOUTH STONY BROOK
St. James Sta
St. James Health Care Center
Olson Mem. Town Park
NORTH COUNTRY ROAD
SMITHTOWN (NORTH COUNTRY ROAD)
PORT JEFFERSON ROAD
NICOLLS ROAD
STONY BROOK ROAD
MORICHES AVENUE
HIGHWAY
25A
97
68

COUNTY OF SUFFOLK

1140

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

January 30, 2013

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

Re: Tax Map No. 0200-173.00-09.00-021.000
JAMES KLURFELD AND JUDITH KLURFELD, HIS WIFE

Dear Mr. Schneider:

Enclosed herewith for your approval is an original 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

WRT: lag

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicsko, Inventory (e-copy)

RESOLUTION NO. CONTROL#-916-2013

Intro. Res. # 1141-13 Laid on Table 3/5/13

INTRODUCED BY THE PRESIDING OFFICER
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____2013
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #916-2013)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL#-916-2013

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

RESOLUTION NO. CONTROL#916-2013

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
C	BROOKHAVEN	12/13	0200 34300 0700 019000	10745.98	511.72	10234.26
A	BROOKHAVEN	12/13	0204 00600 0300 017001	19979.91	12487.44	7492.47
A	BROOKHAVEN	12/13	0209 02800 0400 050000	5736.02	1312.32	4423.70
A	BROOKHAVEN	12/13	0200 32900 0200 003000	12911.78	10402.50	2509.28
C	ISLIP	12/13	0500 26400 0200 043000	9830.84	6778.40	3052.44
A	SMITHTOWN	12/13	0800 18200 0100 010012	4902.76	0	4902.76
A	SMITHTOWN	12/13	0800 18500 0200 047000	9351.97	0	9351.97
A	SMITHTOWN	12/13	0800 18200 0100 013000	13087.80	0	13087.80
A	SMITHTOWN	11/12	0800 05300 0100 013001	41102.40	36982.99	4119.41
A	SMITHTOWN	12/13	0800 18200 0100 021000	161026.18	1400643.21	20382.97
A	SMITHTOWN	12/13	0800 07201 0100 001000	10379.46	5699.72	4679.74
A	SMITHTOWN	12/13	0800 16900 0300 025000	6231.69	3639.40	2592.29
A	SMITHTOWN	12/13	0800 10400 0100 050001	4106.16	0	4106.16

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

County Executive of Suffolk County Date of Approval:

1141

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

10. Typed Name & Title of Preparer 11. Signature of Preparer 12.Date January 31, 2013

Bruce M. Hotchkiss RPAT. I

Additional back-up material regarding IR 1141 is on file

in the Legislative Clerk's Office, Hauppauge.

RESOLUTION NO.

CONTROL#-917-2013

Intro. Res. # 1142-13

Laid on Table 3/5/13

INTRODUCED BY THE PRESIDING OFFICER
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____2013
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #917-2013)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL#-917-2013

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

RESOLUTION NO. CONTROL#917-2013

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
A	SMITHTOWN	12/13	0800 00500 0500 024000	27164.41	24580.40	2584.01
A	SMITHTOWN	12/13	0800 09500 0500 054000	13876.58	10598.46	3278.12
A	SMITHTOWN	12/13	0800 09900 0100 013008	16464.83	12518.75	3946.08
A	SMITHTOWN	12/13	0800 13800 0500 013008	17103.00	13782.13	3320.87
A	SMITHTOWN	12/13	0800 14500 0300 012000	17108.30	8526.63	8581.67
A	SMITHTOWN	12/13	0800 00800 0100 030000	13037.75	10415.73	2622.02
A	SMITHTOWN	12/13	0800 08800 0400 020000	21722.84	17212.68	4510.16
A	SMITHTOWN	12/13	0800 00200 0900 023004	26088.32	21927.27	4161.05
A	SMITHTOWN	12/13	0800 02200 0100 007002	25033.81	20709.90	4323.91
A	SMITHTOWN	12/13	0800 04302 0200 017000	17001.88	13296.77	3705.11
A	SMITHTOWN	12/13	0800 05100 0800 007000	25138.72	18643.66	6495.06
A	SMITHTOWN	12/13	0801 00500 0100 023009	32920.06	29551.30	3368.76
A	SMITHTOWN	12/13	0800 04400 0400 030000	18837.95	15594.60	3243.35
A	SMITHTOWN	12/13	0800 13900 0400 046000	13062.43	9988.31	3074.12
A	SMITHTOWN	12/13	0800 15100 0100 050000	16389.12	13474.07	2915.05
A	SMITHTOWN	12/13	0800 15500 0800 007000	14398.89	11805.03	2593.86

*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

10. Typed Name & Title of Preparer 11. Signature of Preparer 12.Date February 1, 2013

Bruce M. Hotchkiss RPAT. I

Additional back-up material regarding IR 1142 is on file

in the Legislative Clerk's Office, Hauppauge.

Intro Res. No. 1143-13 Laid on Table 3/5/13
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 #386

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.

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
HUNTINGTON:				
0403-008.00-02.00-018.000	**2011/12**	**$40,681.75**	**$36,829.93**	**$3,851.82**
0400-208.00-01.00-027.002	**2011/12**	**$27,095.65**	**$24,565.27**	**$2,530.38**
0402-007.00-01.00-012.000	**2011/12**	**$25,761.48**	**$23,206.58**	**$2,554.90**
0403-001.00-03.00-007.003	**2011/12**	**$39,164.37**	**$36,563.04**	**$2,801.33**
0403-004.00-04.00-014.000	**2011/12**	**$40,331.60**	**$36,363.04**	**$3,968.56**

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

1143

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 2/5/13

Additional back-up material regarding IR 1143 is on file

in the Legislative Clerk's Office, Hauppauge.

RESOLUTION NO. CONTROL#918-2013

Intro. Res. # 1144 -13 Laid on Table 3/5/13

INTRODUCED BY THE PRESIDING OFFICER
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____2013
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #918-2013)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL#918-2013

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

RESOLUTION NO. CONTROL#918-2013

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

Key	Town	Year	S.C. Tax Map No.	Original Tax	Corrected Tax	Chargeback Refund If Tax Paid
A	BABYLON	12/13	0103 01800 0500 028000	6697.06	3543.06	3154.00
C	BABYLON	12/13	0100 16500 0100 008000	10070.06	7477.36	2592.70
C	BABYLON	11/12	0100 16500 0100 008000	9895.21	7357.92	2537.29
A	BABYLON	12/13	0100 15800 0100 029000	7686.65	1984.89	5701.76
A	BABYLON	12/13	0100 11200 0300 013000	6543.44	1881.73	4661.71
A	BABYLON	12/13	0100 05900 0100 099000	6981.92	2159.01	4822.91
C	BABYLON	12/13	0100 05400 0400 047000	13900.27	6454.14	7446.13
A	BROOKHAVEN	12/13	0200 21000 0200 220000	4384.01	1117.14	3266.87
A	BROOKHAVEN	12/13	0200 94400 0300 023000	22423.24	13082.72	9340.52
A	BROOKHAVEN	12/13	0200 38500 0400 011000	8823.24	4063.57	4759.67
A	BROOKHAVEN	12/13	0200 44800 0300 072000	5058.64	2328.56	2730.08
A	BROOKHAVEN	12/13	0200 97770 0300 018000	6759.30	3495.34	3263.96
A	BROOKHAVEN	12/13	0200 97950 0300 030000	7916.56	3591.41	4325.15
A	BROOKHAVEN	12/13	0200 21000 0200 200000	7362.71	2775.45	4587.26
A	BROOKHAVEN	12/13	0200 87100 0600 010000	6690.54	4108.62	2581.92
C	SOUTHAMPTON	11/12	0900 37600 0200 019000	20064.60	16451.27	3613.33

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

County Executive of Suffolk County Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

10. Typed Name & Title of Preparer
R. Motschenbacher RPAT II

11. Signature of Preparer

12. Date February 4, 2013

Additional back-up material regarding IR 1144 is on file

in the Legislative Clerk's Office, Hauppauge.

Introductory Resolution No. 1145-13 Laid on Table 3/5/13

Introduced by 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
THE VOUTSINAS MERRICK FAMILY LIMITED PARTNERSHIP
0100-189.00-02.00-005.000

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 189.00, Block 02.00, Lot 005.000, 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, as Lots 15 and 16, Block 2, on a certain map entitled "Map Amending Section No. 1, Map of American Venice", filed in the office of the Clerk of Suffolk County on January 27, 1926 as Map No. 224; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on 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, THE VOUTSINAS MERRICK FAMILY LIMITED PARTNERSHIP has made application of said above described parcel and THE VOUTSINAS MERRICK FAMILY LIMITED PARTNERSHIP has paid the application fee and has paid $6,410.83, 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 THE VOUTSINAS MERRICK FAMILY LIMITED PARTNERSHIP, 107 Serpentine Lane, Central Islip, NY 11722, 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: _____

1145

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution **X**

2. Title of Proposed Legislation

   Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act
   THE VOUTSINAS MERRICK FAMILY LIMITED PARTNERSHIP
   0100-189.00-02.00-005.000

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

   2013

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

Typed Name & Title of Preparer	Signature of Preparer	Date
Lori Sklar	Lori Sklar	2/7/13
NEIL TOOMB INTERGOV Rel COORD	Neil Toomb	2/13/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1145

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.

To be completed by the Executive Budget Office

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1145

February 05, 2013

Tax Map No.: 0100-189.00-02.00-005.000
Name of Last Legal Fee Owner: THE VOUTSINAS MERRICK FAMILY LIMITED PARTNERSHIP

TREASURER'S COMPUTATION	$4,620.15
Taxes.....2012/2013	$1,790.68
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$6,410.83
Monies Received	$6,410.83
RESOLUTION AMOUNT	$6,410.83

APPROVED:

Annette Brownell 2.7.2013
Accounting
LS:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK		LOT
0100	189.00	02.00	1145	005.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2009-2010	$ 203.63
2010-2011	$ 2,226.19
2011-2012	$ 1,744.89

2012-2013 TAXES IN THE AMOUNT OF $1,790.68 NOT INCLUDED IN COMPUTATION

TOTAL: $ 4,174.71

B. INTEREST DUE	$ 225.43
C. TOTAL	$ 4,400.14
D. 5% LINE C	$ 220.01
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$ 4,620.15

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.

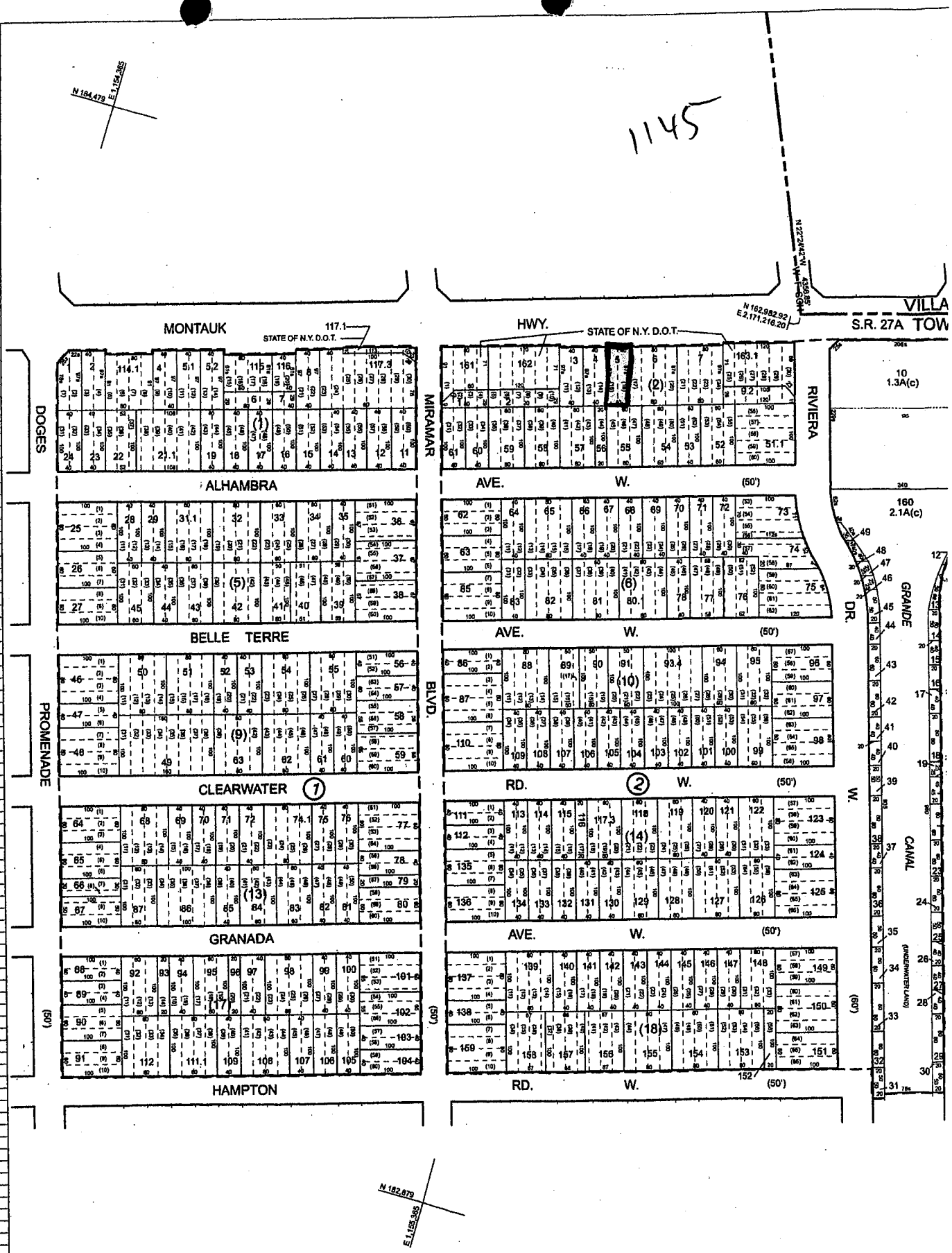
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 18-Jan-13

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 07/17/13

dms

Revisions
06-21-96
12-30-96
06-10-99
06-11-99
09-28-99
04-20-01
11-12-02
01-07-03
04-17-03
03-15-04
09-24-04
09-24-08



LEGEND						
Property or RW Line	Subdivision Lot No.	Block Limit	School District Line	Hydrant District Line	UNLESS DRAWN OTHERWISE, ALL PROPERT ARE WITHIN THE FOLLOWING DISTRICTS:
Denotes Common Owner	Subdivision Block/Bldg. No. (21)	Block No. (2)	Fire District Line	Refuse District Line	SCHOOL 5
Subdivision Lot Line	Deed Dimension	County Line	Water District Line	Historical District Line	FIRE 10
Stream / Shore	Sealed Dimension	Town Line	Light District Line	Ambulance District Line	LIGHT 55
Parcel No. 23	Deed Area 12.1 A(d) or 12.1A	Village Line	Park District Line	Wastewater District Line	PARK
					AMBULANCE

Joins Map 6

©Hagstrom Map Company

COUNTY OF SUFFOLK

1145

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

February 8, 2013

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

Re: Tax Map No. 0100-189.00-02.00-005.000
THE VOUTSINAS MERRICK FAMILY LIMITED PARTNERSHIP

Dear Mr. Schneider:

Enclosed herewith for your approval is an original 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

WRT:lag

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicsko, Inventory (e-copy)

Introductory Resolution No. 1146-13 Laid on Table 3/5/13

Introduced by 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 GROTTOLA AND LINDA GROTTOLA, HUSBAND AND WIFE
0200-695.00-01.00-006.000

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 695.00, Block 01.00, Lot 006.000, and acquired by tax deed on August 27, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 28, 2012, in Liber 12703, at Page 480, and otherwise known and designated by the Town of Brookhaven, as Lot No. 729, on a certain map entitled "Map of Woodedge Park, Sheet Four", filed in the office of the Clerk of Suffolk County on July 21, 1950 as Map No. 1776; 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 27, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 28, 2012 in Liber 12703 at Page 480.

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 GROTTOLA AND LINDA GROTTOLA, HUSBAND AND WIFE have made application of said above described parcel and MICHAEL GROTTOLA AND LINDA GROTTOLA, HUSBAND AND WIFE have paid the application fee and have paid $416.76, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2012, and

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

2nd - RESOLVED, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to MICHAEL GROTTOLA AND LINDA GROTTOLA, HUSBAND AND WIFE, 62 Powell Avenue, Farmingville, NY 11738, 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

1146

2. Title of Proposed Legislation

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act
MICHAEL GROTTOLA AND LINDA GROTTOLA, HUSBAND AND WIFE
0200-695.00-01.00-006.000

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

2013

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

Peter Belyea | [signature] | 2-6-13
INTEGRO Rel COORD | [signature] | 2/13/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1146

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.

To be completed by the Executive Budget Office

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1146

February 05, 2013

Tax Map No.: 0200-695.00-01.00-006.000
Name of Last Legal Fee Owner: MICHAEL GROTTOLA AND LINDA GROTTOLA, HUSBAND AND WIFE

TREASURER'S COMPUTATION	$416.76
Taxes.....2012/2013	OPEN
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$416.76
Monies Received	$416.76
RESOLUTION AMOUNT	$416.76

APPROVED:

Annette Brownell 2.6.2013
Accounting

PREPARED BY:
Peter Belyea
Redemption Unit
(631)853-5932

PB:lag

COMPUTATIC BY SUFFOLK COUNTY TRE SURER

DISTRICT	SECTION	BLOCK	11460	LOT
0200	695.00	01.00		006.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2009/10 377.47

2010/11 AND 2011/12 PROPERTY TAXES PAID BY MORTGAGE COMPANY

TOTAL: 377.47

B. INTEREST DUE 19.44
C. TOTAL 396.91
D. 5% LINE C 19.85
E. FEE
F. MISC
G. MISC

H. TOTAL DUE $416.76

CERTIFICATION BY COUNTY TREASURER

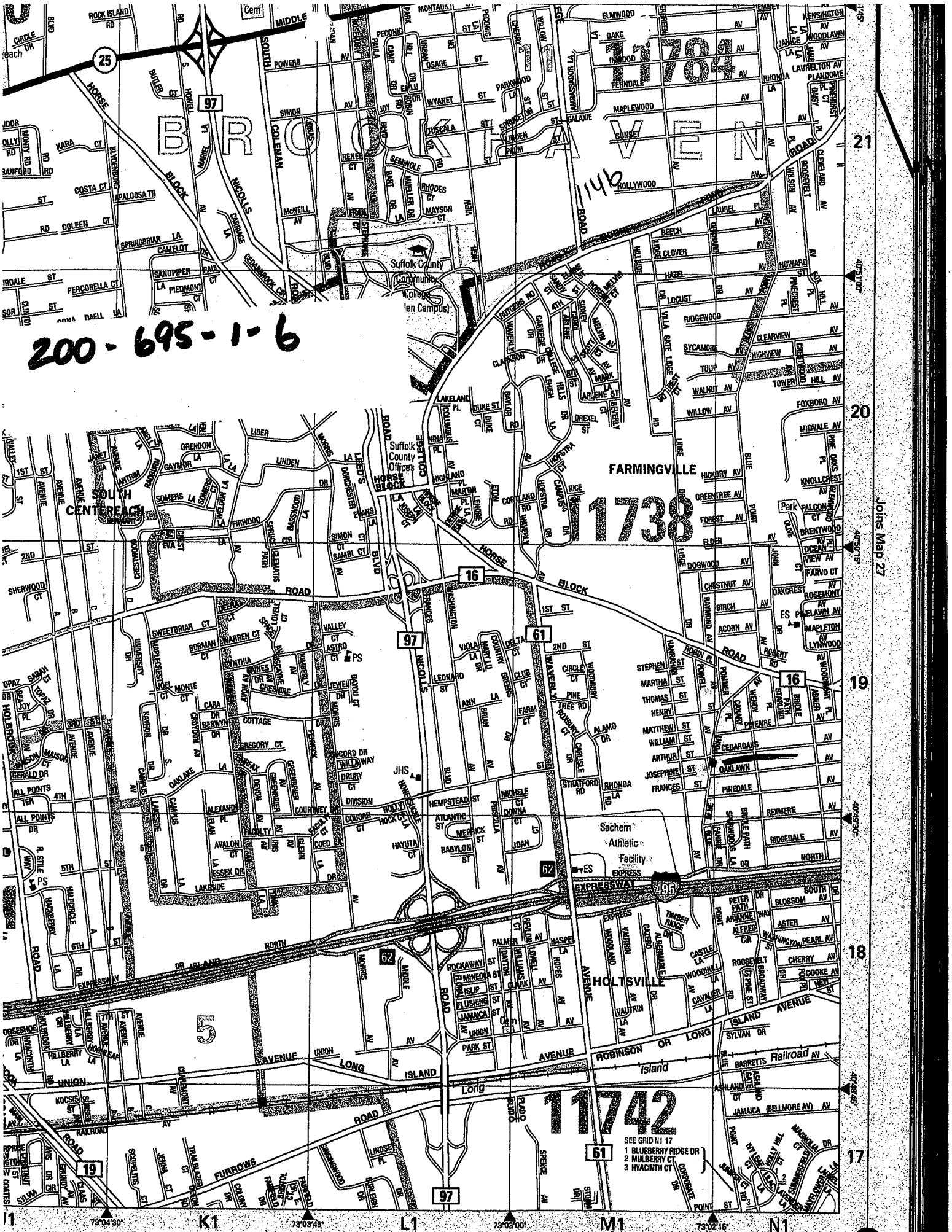
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 07-Jan-13

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 07/06/13

dz


1704
BROOKHAVEN
1146
200-695-1-6
1738
FARMINGVILLE
SOUTH CENTEREACH
1742
HOLTSVILLE
Suffolk County Community College
Suffolk County Offices
HORSE BLOCK
Sachem Athletic Facility
5
SEE GRID N1 17
1 BLUEBERRY RIDGE DR
2 MULBERRY CT
3 HYACINTH CT
Joins Map 27
Joins Map 22
73°04'30"
73°03'45"
73°03'00"
73°02'15"
K1
L1
M1
N1
40°50'15"
40°49'30"
40°48'45"
©Hagstrom Map Company, Inc.

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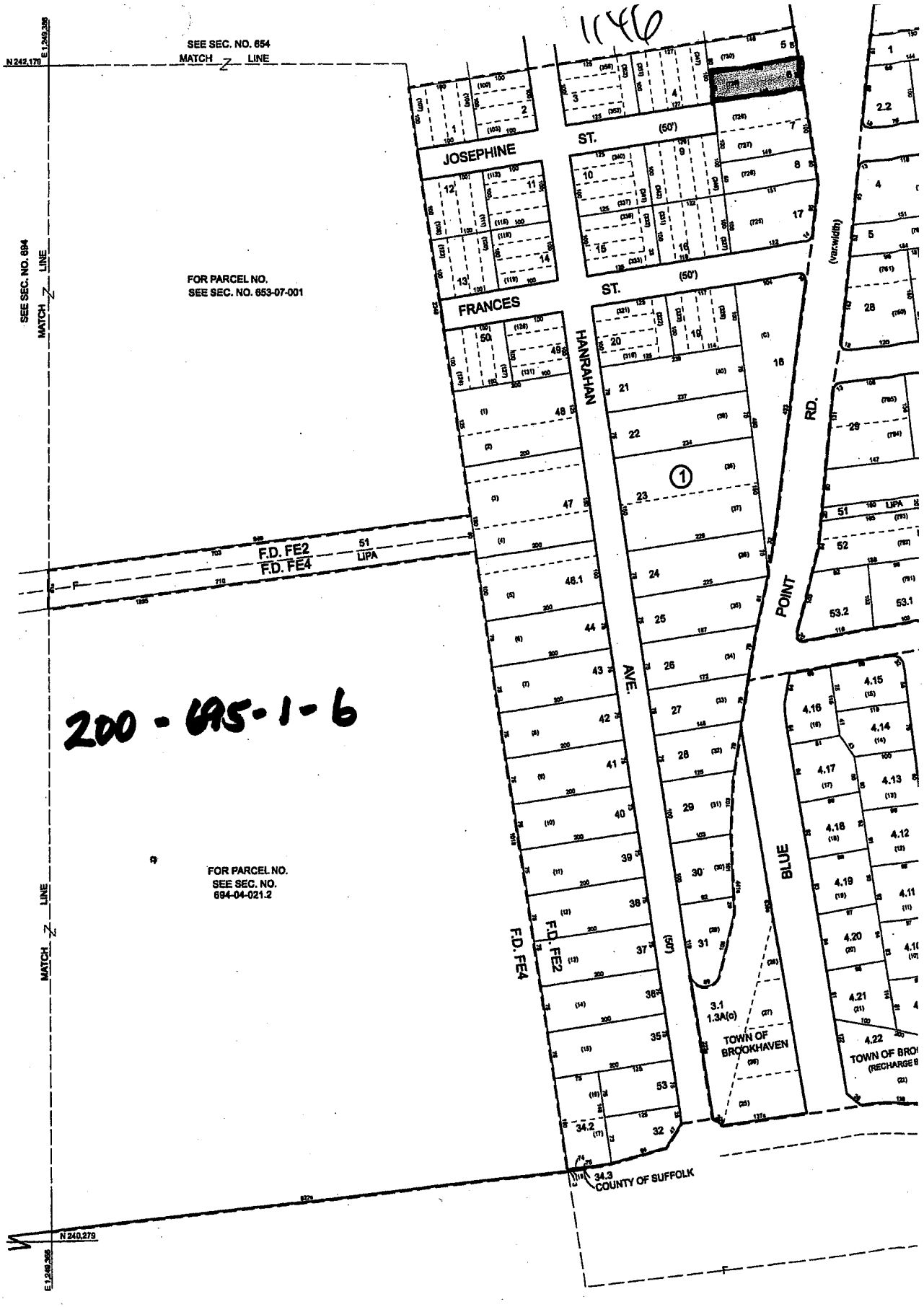


LEGEND

Property or RW Line		Subdivision Lot No.	(12)	Block Limit		School District Line	SCH
Denotes Common Owner	Z	Subdivision Block/Bldg. No.	(21)	Block No.	2	Fire District Line	F
Subdivision Lot Line		Deed Dimension	62	County Line		Water District Line	W
Stream / Shore		Survey Dimension	62b	Town Line		Light District Line	L
Parcel No.	23	Deed Area	12.1 A(d) or 12.1A	Village Line		Park District Line	P
		Calculated Area	12.1 A(c)			Sewer District Line	S

Hydrant District Line	H
Refuse District Line	R
Historical District Line	HST
Ambulance District Line	A
Waterwater District Line	WW

UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS:

SCHOOL	5	SEWER	
FIRE	FE2	HYDRA	
LIGHT	LX1	WATER	
PARK		REFUSE	
AMBULANCE		WASTE	

COUNTY OF SUFFOLK

1146

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

February 8, 2013

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

Re: Tax Map No. 0200-695.00-01.00-006.000
MICHAEL GROTTOLA AND LINDA GROTTOLA, HUSBAND AND WIFE

Dear Mr. Schneider:

Enclosed herewith for your approval is an original 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

WRT:lag

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santèramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicsko, Inventory (e-copy)

Introductory Resolution No. 1147-13 Laid on Table 3/5/13

Introduced by 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
RANA S. RAMJAS AND MONA K. RAMJAS
0500-315.00-03.00-051.000

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 315.00, Block 03.00, Lot 051.000, and acquired by tax deed on September 08, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 09, 2011, in Liber 12670, at Page 783, and otherwise known and designated by the Town of Islip, as Lot No. 8, on a certain map entitled "Map of Island Woods", filed in the office of the Clerk of Suffolk County on February 24, 2004 as Map No. 11063; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 08, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 09, 2011 in Liber 12670 at Page 783.

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, RANA S. RAMJAS AND MONA K. RAMJAS have made application of said above described parcel and RANA S. RAMJAS AND MONA K. RAMJAS have paid the application fee and will be paying $26,592.55, 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 RANA S. RAMJAS AND MONA K. RAMJAS, 6 Second Place, Bay Shore, NY 11706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1147

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution **X**

2. Title of Proposed Legislation

   Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act
   RANA S. RAMJAS AND MONA K. RAMJAS
   0500-315.00-03.00-051.000

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

   2013

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

    Lori Sklar — Lori Sklar — 2/6/13
    NEIL TOOMB INTERGOV Rel Coord — Neil Toomb — 2/13/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1147

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.

To be completed by the Executive Budget Office

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1147

February 05, 2013

Tax Map No.: 0500-315.00-03.00-051.000
Name of Last Legal Fee Owner: RANA S. RAMJAS AND MONA K. RAMJAS

TREASURER'S COMPUTATION	$26,592.55
Taxes.....2012/2013	OPEN
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$26,592.55
Monies to be Received	$26,592.55
RESOLUTION AMOUNT	$26,592.55

APPROVED:

Annette Brownee 2-6-2013
Accounting
LS:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0500	315.00	03.00	051.000

1147

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006-2007	1,913.53
2007-2008	5,687.74
2008-2009	4,632.69
2009-2010	4,285.14
2010-2011	3,342.36
2011-2012	3,456.73

TOTAL: $23,318.19

B. INTEREST DUE	2,008.05
C. TOTAL	25,326.24
D. 5% LINE C	1,266.31
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$26,592.55

CERTIFICATION BY COUNTY TREASURER

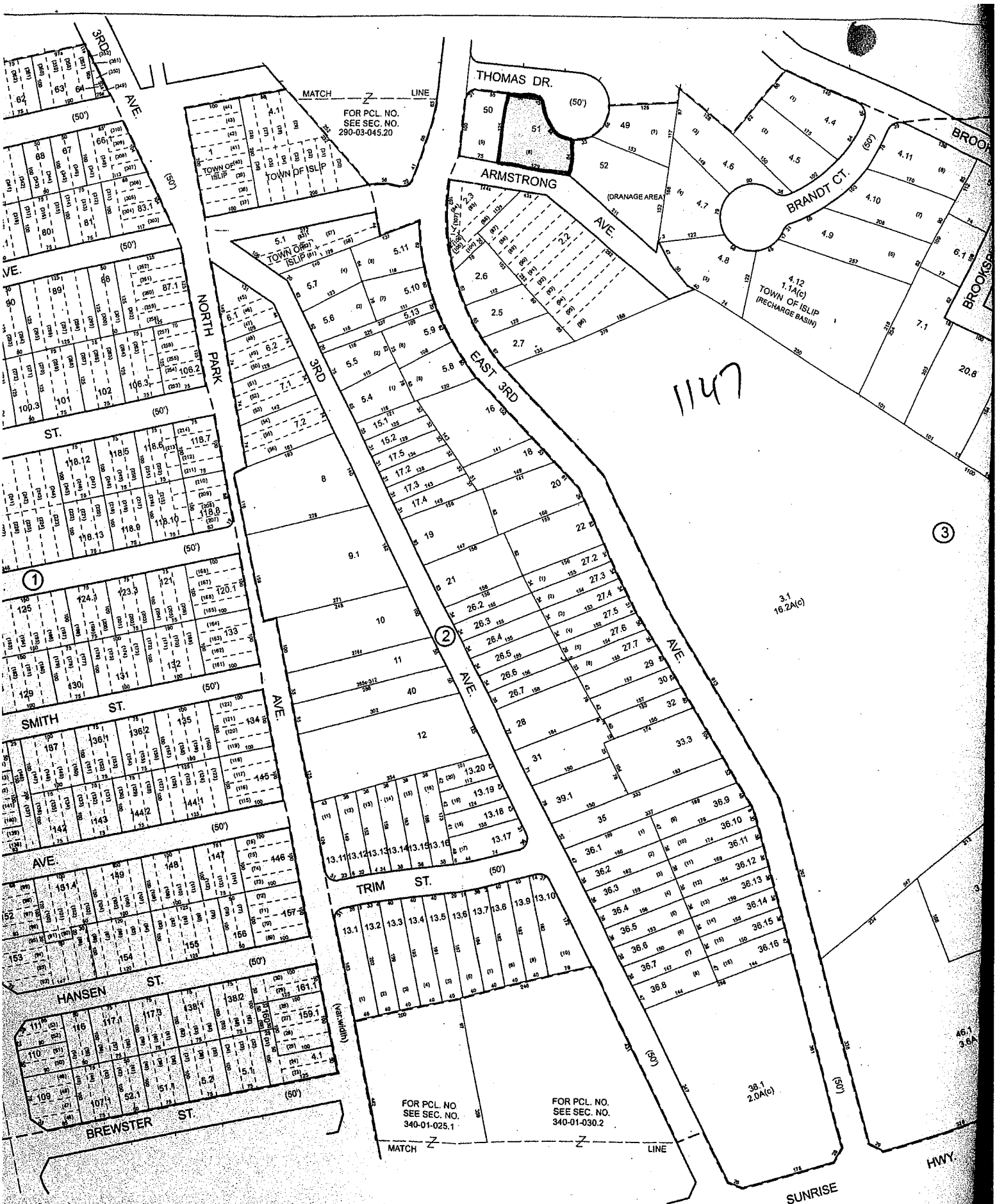
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

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

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 04/10/13

dms



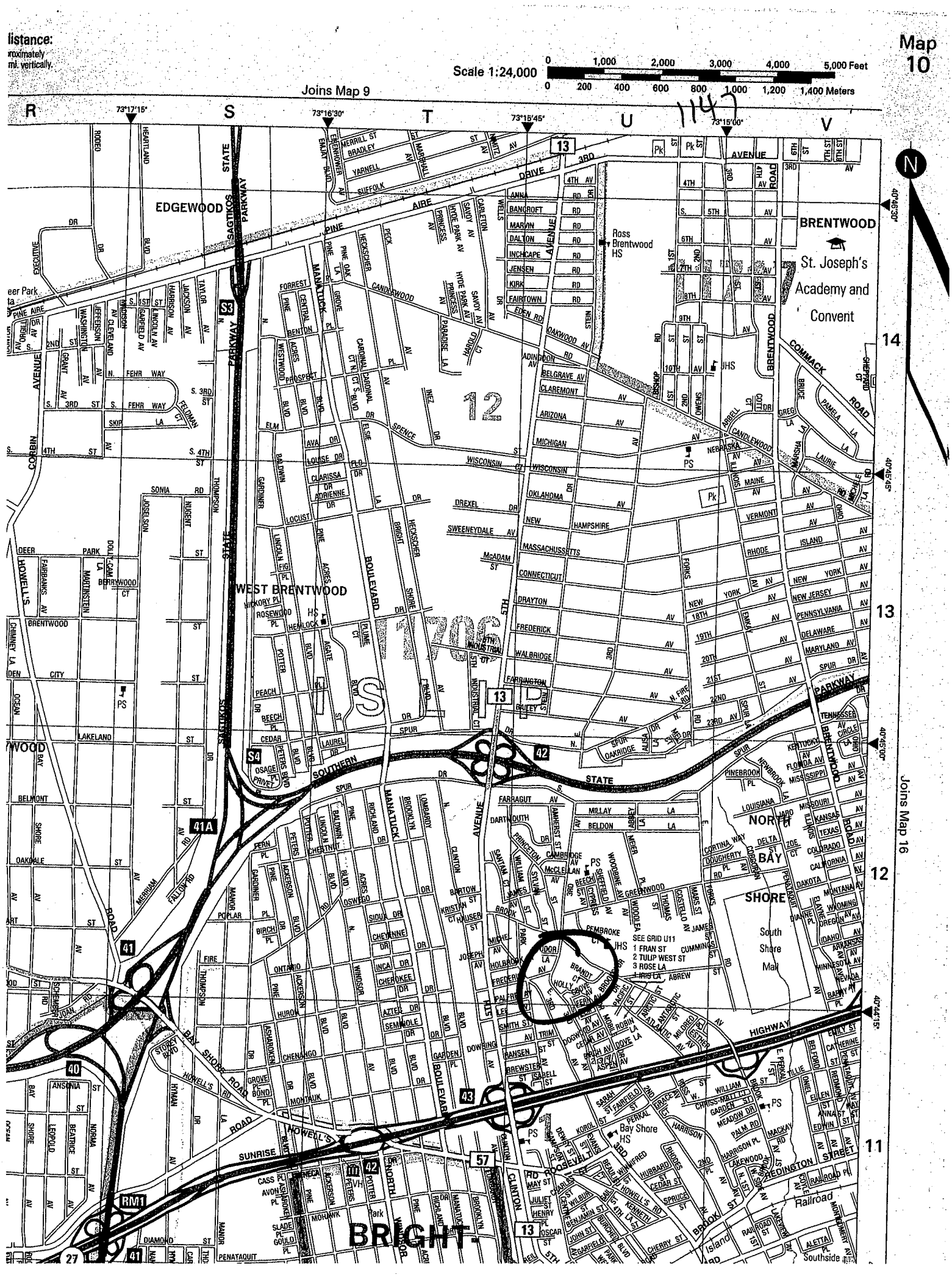
UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS:

SCHOOL 1 — SEWER 3
FIRE 15 — HYDRANT
LIGHT — WATER
PARK 3 — REFUSE 37.39
AMBULANCE — WASTEWATER

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 Age
County Center Riverhead, N Y 11901
SCALE IN FEET
100 0 100



listance:
roximately
ml. vertically.
Scale 1:24,000
0 1,000 2,000 3,000 4,000 5,000 Feet
0 200 400 600 800 1,000 1,200 1,400 Meters
Map 10
Joins Map 9
Joins Map 16
R S T U V
73°17'15"
73°16'30"
73°15'45"
73°15'00"
40°46'30"
40°45'45"
40°45'00"
40°44'15"
EDGEWOOD
BRENTWOOD
St. Joseph's Academy and Convent
Ross Brentwood HS
WEST BRENTWOOD
NORTH BAY SHORE
South Shore Mall
Bay Shore HS
BRIGHT
SEE GRID U11
1 FRAN ST
2 TULIP WEST ST
3 ROSE LA
4 IRIS LA
SAGTIKOS STATE PARKWAY
SOUTHERN STATE PARKWAY
BAY SHORE ROAD
HOWELL'S ROAD
SUNRISE HIGHWAY
COMMACK ROAD
BRENTWOOD ROAD
MANATUCK BOULEVARD
CLINTON AVENUE
ROOSEVELT
REDINGTON STREET
Railroad
Southside

COUNTY OF SUFFOLK

1147

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

February 8, 2013

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

Re: Tax Map No. 0500-315.00-03.00-051.000
RANA S. RAMJAS AND MONA K. RAMJAS

Dear Mr. Schneider:

Enclosed herewith for your approval is an original 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

WRT:lag

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicsko, Inventory (e-copy)

Introductory Resolution No. 1148-13 Laid on Table 3/5/13

Introduced by 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
JOSEPH LEONE
0200-403.00-03.00-018.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 403.00, Block 03.00, Lot 018.000, and acquired by tax deed on August 27, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 28, 2012, in Liber 12703, at Page 480, and otherwise known and designated by the Town of Brookhaven, as Home No. 17, in Building 2, together with a .2909% undivided interest in the common elements of "Artist Lake Condominium", filed in the Office of the Clerk of Suffolk County on January 31, 1974 as Condominium Map No. 30; 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 27, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 28, 2012 in Liber 12703 at Page 480.

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, JOSEPH LEONE has made application of said above described parcel and JOSEPH LEONE has paid the application fee and has paid $8,254.67 , as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2012, and

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

2nd - RESOLVED, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to JOSEPH LEONE, 17 Artist Lake Drive, Middle Island, NY 11953, 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: _____

1148

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution **X**

2. Title of Proposed Legislation

   AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
   JOSEPH LEONE
   0200-403.00-03.00-018.000

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

   2013

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

Typed Name & Title of Preparer	Signature of Preparer	Date
Peter Belyea		2-1-13
NEIL TOOMB INTERGOV Rel COORD		2/13/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1148

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.

To be completed by the Executive Budget Office

1148

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

January 31, 2013

Tax Map No.: 0200-403.00-03.00-018.000
Name of Last Legal Fee Owner: JOSEPH LEONE

TREASURER'S COMPUTATION	$8,254.67 √
Taxes.....2012/2013	OPEN
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$8,254.67 √
Monies Received	$8,254.67
RESOLUTION AMOUNT	$8,254.67 √

APPROVED:

Annette Brownee 2-1-2013
Accounting
PB:lag

PREPARED BY:
Peter Belyea
Redemption Unit
(631)853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

1148

DISTRICT	SECTION	BLOCK	LOT
0200	403.00	03.00	018.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2009/10	1232.56
2010/11	3810.11
2011/12	2490.81
TOTAL:	7533.48
B. INTEREST DUE	328.11
C. TOTAL	7861.59
D. 5% LINE C	393.08
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$8,254.67

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. 21-Nov-12

Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to and including 05/20/13

dz

CONDOMINIUM NOTES:

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

Hydrant District Line — H —
Refuse District Line — R —
Historical District Line — HST —
Ambulance District Line — A —

UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS:

SCHOOL	12	SEWER	
FIRE	FI 4	HYDRANT	
LIGHT	LX1	WATER	
PARK		REFUSE	
		WASTEWATER	

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: 100 0 100 200

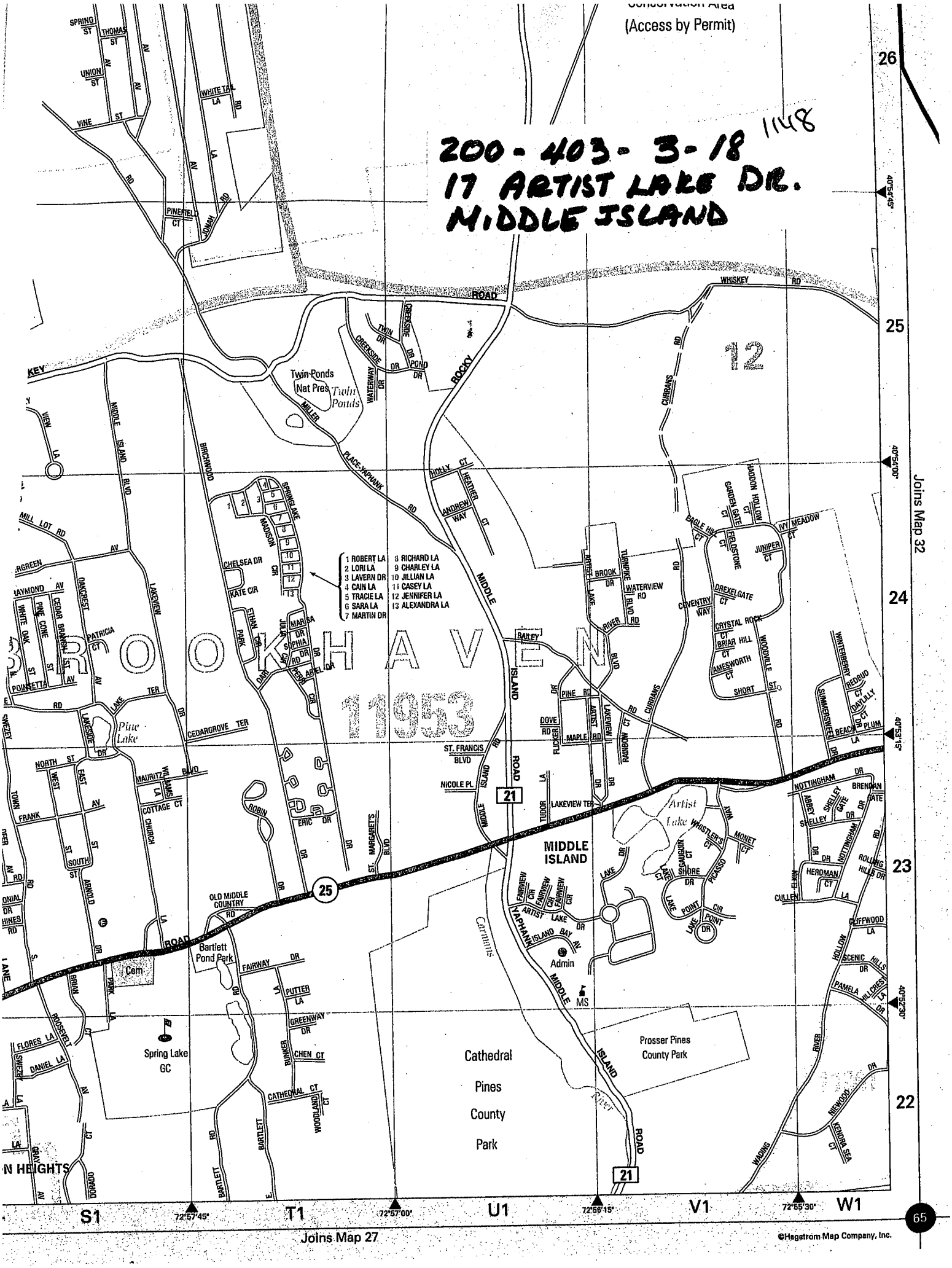
KEY MAP

377	378	379
402	403	404
433	434	435

TOWN OF BROOKHAVEN
VILLAGE OF
DISTRICT NO 0200

SECTION NO 403
PROPERTY MAP

CONVERSION DATE: Aug 02, 2012


200-403-3-18
1148
17 ARTIST LAKE DR.
MIDDLE ISLAND
(Access by Permit)
BROOKHAVEN
11953
Twin Ponds Nat Pres
Twin Ponds
Pine Lake
Artist Lake
MIDDLE ISLAND
Bartlett Pond Park
Spring Lake GC
Cathedral Pines County Park
Prosser Pines County Park
Admin
MS
Cem
Carmans River
ROCKY POINT ROAD
OLD MIDDLE COUNTRY RD
ST. FRANCIS BLVD
NICOLE PL
WHISKEY RD
1 ROBERT LA
2 LORI LA
3 LAVERN DR
4 CAIN LA
5 TRACIE LA
6 SARA LA
7 MARTIN DR
8 RICHARD LA
9 CHARLEY LA
10 JILLIAN LA
11 CASEY LA
12 JENNIFER LA
13 ALEXANDRA LA
12
25
40°54'45"
40°54'00"
40°53'15"
40°52'30"
72°57'45"
72°57'00"
72°56'15"
72°55'30"
S1
T1
U1
V1
W1
Joins Map 32
Joins Map 27
©Hagstrom Map Company, Inc.

COUNTY OF SUFFOLK

1148

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

February 8, 2013

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

Re: Tax Map No. 0200-403.00-03.00-018.000
JOSEPH LEONE

Dear Mr. Schneider:

Enclosed herewith for your approval is an original 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

WRT:lag

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Jill Rosen-Nikoloff, Director of Real Estate, Dept. of Economic Development and Planning (e-copy)
CE Reso Review (e-copy)
Sarah Lansdale, Planning Director, Division of Planning and Environment (e-copy)
Alice Kubicsko, Inventory (e-copy)

1149

Intro. Res. No. -2013 Laid on Table 3/5/13
Introduced by Legislator Browning

RESOLUTION NO. –2013, INCREASING TRANSPARENCY IN RFP PROCESS

WHEREAS, NEW YORK GENERAL MUNICIPAL LAW § 104-b requires the governing body of every political subdivision in the State to adopt policies and procedures for the procurement of goods and services, which are not subject to typical bidding requirements, "to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption"; and

WHEREAS, Chapter 1065 of the SUFFOLK COUNTY CODE sets forth the County's procedures for procuring consulting/personal services; and

WHEREAS, Chapter 1065 generally requires that a Request for Proposals ("RFP") be issued and advertised for consultant contracts in excess of $25,000; and

WHEREAS, NEW YORK GENERAL MUNICIPAL LAW § 104-b requires municipalities to regularly review their procurement policies; and

WHEREAS, this Legislature finds that prospective vendors should have a least ten days to respond to an advertised RFP in order to enhance competition and discourage favoritism; and

WHEREAS, giving County legislators and ordinary citizens ready access to basic information about the persons and entities responding to a RFP will also enhance transparency and oversight; now, therefore be it

1st RESOLVED, that § 1065-2 of the SUFFOLK COUNTY CODE is hereby amended to as follows:

§ 1065-2. Procedure

* * * *

C. RFP's shall be advertised in the County's official newspapers and on the website of the department requesting the RFP. At least ten days shall elapse between the publication and posting of such advertisement and the date when proposals responding to the RFP are required to be submitted to the County.

D. The name, business address and contact information of all persons and business entities responding to an advertised RFP shall be public record subject to prompt disclosure to any person requesting such information.

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations,

rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-transparency in RFP process

1150

Intro. Res. No. -2013 Laid on Table 3/5/13
Introduced by Legislator Krupski

RESOLUTION NO. -2013, AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY BIRTHRIGHT OF PECONIC, INC., FOR A FUNDRAISING WALKATHON

WHEREAS, Birthright of Peconic, Inc., would like to use the Indian Island County Park for the purpose of hosting a walkathon fundraising event; and

WHEREAS, the walkathon will be held on Saturday, October 12, 2013 at Indian Island County Park from 9:00 a.m. to 1:00 p.m.; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by Birthright of Peconic, Inc.; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Three Hundred and 00/100 Dollars ($300.00), which includes payment for use of the pavilion, payment of which shall be guaranteed by Birthright of Peconic, Inc.; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, i.e. the Indian Island County Park in Riverhead, in consideration of the payment of Three Hundred and 00/100 Dollars ($300.00), which includes payment for use of the pavilion, for the purpose of conducting a fundraising walkathon on Saturday, October 12, 2013, between the hours of 9:00 a.m. and 1:00 p.m. is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the County's receipt of a Certificate of Insurance naming the County of Suffolk as an additional insured from Birthright of Peconic, Inc., and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER and Section 643-7 of the SUFFOLK COUNTY CODE to issue a permit to Birthright of Peconic, Inc. The Department of Parks, Recreation and Conservation and the County Department of Public Works are further authorized, empowered and directed to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fundraising walkathon for Birthright of Peconic, Inc.; and be it further

3rd **RESOLVED**, that Birthright of Peconic, Inc. shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

4th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a

local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-use-indian-island-county-park-birthright-peconic

1151 **UPDATED VERSION AS OF 2/21/13**

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

Laid on Table 3/5/13

RESOLUTION NO. –2013, DIRECTING THE DEPARTMENT OF HEALTH SERVICES TO BECOME A CERTIFIED TRAINING CENTER FOR NARCAN OVERDOSE RESPONDERS

WHEREAS, opioid addiction is a growing problem in the County of Suffolk; and

WHEREAS, the County has established a number of programs to stem the tide of opiate addiction, including a heroin overdose tracking website and an opiate addiction task force; and

WHEREAS, the County has successfully implemented the Police Narcan Pilot Program, which has thus far saved at least 50 lives from opiate overdoses; and

WHEREAS, the New York State Department of Health established a program that allows municipalities to develop and maintain a program to train individuals as overdose responders authorized to administer Narcan; and

WHEREAS, trained overdose responders can help additional opiate users who overdose and would complement the County's Narcan Pilot Program; and

WHEREAS, the Department of Health Services should become a certified Narcan training center to increase the number of responders capable of administering Narcan safely and legally; now, therefore be it

1st **RESOLVED**, that the Department of Health Services is hereby authorized, empowered and directed to develop and submit to the New York Department of Health an Opioid Overdose Prevention Program to train individuals to administer Narcan; and be it further

2nd **RESOLVED**, that the Department of Health Services shall begin administering this program once it receives a certification of approval from the State; and be it further

3rd **RESOLVED,** that the Department of Health Services shall evaluate the program after its first year of operation and prepare a written program evaluation report detailing the number of people trained, location of trainings and any additional information necessary to determine the success of the program; and be it further

4th **RESOLVED**, that the Department of Health Services shall provide a copy of the report with its findings and determinations to the County Executive, each member of the County Legislature and the Clerk of the Legislature within 90-days of the program's first anniversary; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-health department training Narcan

1152

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

Laid on Table 3/5/12

RESOLUTION NO. -2013, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY BY MASTIC BEACH FIRE DEPARTMENT, INC. FOR PUBLIC SAFETY SERVICES FUND DRIVE

WHEREAS, the Mastic Beach Fire Department responds to over 100 calls at the Smith Point County Park each year; and

WHEREAS, the Mastic Beach Fire Department, Inc. (Department), would like to host a fundraising drive at Smith Point County Park in Shirley; and

WHEREAS, the fundraising drive for support of the public safety services provided by the Department will be held from July 3, 2013 through July 8, 2013; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Two Hundred and Fifty and 00/100 Dollars ($250.00), plus public safety services rendered by the Department to the Smith Point County Park, payment of which shall be guaranteed by the Department; and

WHEREAS, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured will be provided by the Department; and

WHEREAS, the use of County property for such fund drive for support of the public safety services provided by the Department would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, i.e., the Smith Point County Park in Shirley, by the Mastic Beach Fire Department, Inc. (Department), in consideration of the payment of Two Hundred and Fifty and 00/100 Dollars ($250.00), and in consideration of public safety services rendered by the Department to the Smith Point County Park, for the purpose of hosting a fund drive at the regular tollbooth for beach parking and at the east tollbooth at the outer beach entrance with signs asking the public to "Help Us Save You", for support of the public safety services provided by the Department from July 3, 2013 through July 8, 2013, between the hours of 8:00 a.m. and 4:00 p.m. each day is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

2nd **RESOLVED**, that before this event shall be permitted to occur, the Department must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 643-7 of the SUFFOLK COUNTY CODE; and be it further

3rd **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as

shall be necessary and appropriate to facilitate the hosting of the fund drive for support of the public safety services provided by the Department at Smith Point County Park in Shirley; and be it further

4th **RESOLVED**, that the Department shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

5th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-use-smith-point-mastic-beach-fire-dept

1153

Intro. Res. No. – 2013 Laid on Table 3/5/13

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

RESOLUTION NO. -2013 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – ACTIVE RECREATION / HAMLET PARK / HISTORIC AND/OR CULTURAL PARK COMPONENT - FOR THE OAKDALE GREENHOUSES, LLC AS ASSIGNEE OF ROLLING STONE ESTATES, INC. PROPERTY – (TOWN OF ISLIP - SCTM#'s 0500-354.00-02.00-002.000, 0500-354.00-02.00-003.000 & 0500-355.00-03.00-068.000)

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. 1368-2007, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Estate 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 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, Active Recreation / Hamlet Park/ Historic and/or Cultural Park component, for a total purchase price of One Million Four Hundred Ninety Thousand One Hundred Forty Three Dollars ($1,490,143.00), for 12.94± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0500	12.94±	Oakdale Greenhouses, LLC
	Section	354.00		as Assignee of
	Block	02.00		Rolling Stone Estate, Inc.
	Lot	002.000		95 Main Street
				Center Moriches, NY 11934
No. 2	District	05.00		
	Section	354.00		
	Block	02.00		
	Lot	003.000		
No. 3	District	05.00		
	Section	355.00		
	Block	03.00		
	Lot	068.000		

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Estate and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Active Recreation / Hamlet Park / Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of One Million Four Hundred Ninety Thousand One Hundred Forty Three Dollars ($1,490,143.00), 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 $1,490,143.00, 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, Active Recreation / Hamlet Park / Historic and/or Cultural Park component, Section C12-2(A)(1)(i) 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 the acquisition of such parcel(s) is for the following purpose as set forth under Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER:

a.) active recreational park

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

7th **RESOLVED,** if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town of the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who charged with the management and operation of said property; 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 set forth in Title 6 NYCRR Part 617.7 which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and recreational development of the site would have; and

3.) a vegetated buffer shall be installed to the greatest extent practicable on the southern border of the property adjacent to the residential development; and

4.) bike lanes shall be considered and installed on the site access if they can be accommodated; and

5.) no lighting shall be installed to illuminate the fields for night activities; and

6.) natural vegetated buffers shall be retained to the greatest extend practicable; and

7.) security fencing shall be installed on the northern border of the property adjacent to the Long Island Rail Road right-of-way; and

8.) bicycle racks shall be installed on site to accommodate and encourage non-motorized transportation; and

9.) The Town of Islip, as the operator of the facility shall address the severity of the traffic impacts by limiting the number of games to be placed on any given day and requiring the timing of the games to be staggered so that the trips from all three fields are not exiting and entering the facility at once; and

10.) All development on site shall be conducted in accordance with all applicable Suffolk County Department of Public Works permits and the Suffolk County Sanitary Code; 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

1153

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-Active Recreation, of the Oakdale Greenhouses, LLC as Assignee of Rolling Stone Estates, Inc. property, SCTM#0500-354.00-02.00-002.000, 0500-354.00-02.00-003.000 & 0500-355.00-03.00-068.000, (Town of Islip).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If 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-Active Recreation

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		January 8, 2013

SCIN FORM 175b (10/95)

NEIL TOOMB
INTERGOV Rel Coord

Neil Toomb 2/21/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1153

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1153

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

January 8, 2013

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 Oakdale Greenhouses, LLC as Assignee of Rolling Stone Estates, Inc. property, in the Town of Islip, under the New Suffolk County ¼% Drinking Water Protection Program-Active Recreation. The purchase price is $1,490,143.00± for 12.94± 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-Condemnation (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)

1154

Intro. Res. No. - 2013 Laid on Table 3/5/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2013 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] – FOR THE CERALDO CONSTRUCTION CORPORATION PROPERTY – PINE BARRENS TRAIL COUNTY PARK ADDITION – PINE BARRENS CORE (TOWN OF BROOKHAVEN - SCTM#0200-461.00-03.00-039.001 AND 0200-461.00-03.00-045.000)

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

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

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

WHEREAS, Resolution No. 264-2002, authorized planning steps for the acquisition of the subject property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(b), as amended and effective as of November 30, 2000, for a total purchase price of Two Hundred Thirty Six Thousand Dollars ($236,000.00±), at Twenty Thousand Dollars ($20,000.00) per acre, for 3.6± acres, and Eighty Two Thousand Dollars ($82,000.00) per Pine Barren Credit for 2.0 credits, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	3.6±	Ceraldo Construction Corp.
	Section	461.00		c/o John F. Ragano, Esq.
	Block	03.00		95-09 101st Avenue
	Lot	039.001		Ozone Park, NY 11416

No. 2	District	0200
	Section	461.00
	Block	03.00
	Lot	045.000

; 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 C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Two Hundred Thirty Six Thousand Dollars ($236,000.00±), 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 $236,000.00±, subject to a final survey, from previously appropriated funds in MY-475-1940 under the Old Drinking Water Protection Program, Section C12-5(E)(1)b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

4th RESOLVED, that the 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 the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

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

7th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) the proposed use of the subject parcel(s) will be passive recreation; and

3.) if not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, therefore be it

8th RESOLVED, 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.

DATE:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1154

1. Type of Legislation

Resolution **X** Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the Suffolk County Old Drinking Water Protection Program, of the Ceraldo Construction Corporation property (Pine Barrens Core), SCTM#0200-461.00-03.00-039.001 and 0200-461.00-03.00-045.000, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If 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

Suffolk County Old Drinking Water Protection Program

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		January 8, 2013

SCIN FORM 175b (10/95)

NEIL TOOMB
INTERGOV. REL. COORD.

NEIL TOOMB 2/21/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1154

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1154

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

January 8, 2013

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 Ceraldo Construction Corporation property (Pine Barrens Core), in the Town of Brookhaven, under the Suffolk County Old Drinking Water Protection Program. The purchase price is $236,000.00 for 3.6± 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-Condemnation (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
Bob Zaher, Acquisition Agent
CE Reso Review (e-mail copy only)

1155

Intro. Res. No. -2013 Laid on Table 3/5/13
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, APPROPRIATING PLANNING FUNDS FOR THE NEW REPLACEMENT CORRECTIONAL FACILITY AT YAPHANK PHASE II (CP 3008)

WHEREAS, Suffolk County has committed to Phase II at the New Replacement Correctional Facility at Yaphank to address the continued growth in the number of inmates; and

WHEREAS, sufficient funds are now included in the 2013 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $3,700,000 in Suffolk County Serial Bonds; now, therefore be it

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

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-one (71), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the proceeds of $3,700,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-3008.115 (Fund 001-Debt Service)	20	New Replacement Correctional Facility at Yaphank-Planning for Phase II	$3,700,000

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1155

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. – 2012, APPROPRIATING PLANNING FUNDS FOR THE NEW REPLACEMENT CORRECTIONAL FACILITY AT YAPHANK PHASE II (CP 3008)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

FY 2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		February 22, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1155

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$803,304**	**$1.55**	$0.003

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**	$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$803,304**	**$1.55**	$0.003

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1155

Term of Bonds	5
Amount to Bond:	$3,700,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$699,703.99	$103,600.00	$803,303.99	$803,303.99
			$42,004.14	$42,004.14	
11/1/2015	3.000%	$719,295.71	$42,004.14	$761,299.85	$803,303.99
			$31,934.00	$31,934.00	
11/1/2016	3.000%	$739,435.99	$31,934.00	$771,369.99	$803,303.99
			$21,581.90	$21,581.90	
11/1/2017	3.000%	$760,140.19	$21,581.90	$781,722.09	$803,303.99
			$10,939.94	$10,939.94	
11/1/2018	3.000%	$781,424.12	$10,939.94	$792,364.06	$803,303.99
11/1/2019		$3,700,000.00	$316,519.97	$4,016,519.97	$4,016,519.97
11/1/2020					
11/1/2021					
11/1/2022					
11/1/2023					
11/1/2024					
11/1/2025					
11/1/2026					
11/1/2027					
11/1/2028					
11/1/2029					
11/1/2030					
11/1/2031					

COUNTY OF SUFFOLK

1155

OFFICE OF THE SHERIFF

VINCENT F. DEMARCO
SHERIFF

To: Jon Schneider, Deputy County Executive

From: Michael P. Sharkey, Chief of Staff

Date: 01/15/2013

Re: **INTRODUCTORY RESOLUTION REQUEST – CP 3008 – New/Additional Correctional Facility at Yaphank**

Per the 2013 Adopted Capital Budget, the Sheriff's Office requests the introduction of a resolution to appropriate funds for the planning of Phase II of the new/additional Correctional Facility in Yaphank for 2013 under Capital Project 3008.

This resolution appropriates $3,700,000 in planning funds in 2013. This project is mandated by the New York State Commission of Correction and addresses the immediate and future need of Suffolk County's Correction System. A needs assessment was completed in 2004 which concluded that the County's Correctional System was badly in need of expansion. This was to be done in two phases. Phase I of this expansion is now substantially complete and planning for Phase II is about to commence.

Copies of a draft resolution, impact statement and introductory form are attached. An e-mail version was also sent to CE RESO REVIEW, under the titles:

"Reso-Sheriff-2013 funds for CP**3008**";

"Backup-SHF-CP**3008**-SCIN 175A";

"Backup-SHF-CP**3008**-SCIN 175B"; and

"Backup SHF-CP**3008**-Cover Letter-2013".

Thank you for your consideration in reviewing this draft resolution.

MPS/ars

cc: Dennis Cohen, Acting Chief Deputy County Executive

Tom Vaughn, Special Projects Coordinator

Attachments

100 CENTER DRIVE
RIVERHEAD, NEW YORK 11901-3390
(631) 852-2200

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

1155

TITLE OF BILL: 2013 Appropriating Funds in Connection with the New/Additional Correctional Facility at Yaphank (CP 3008).

PURPOSE OR GENERAL IDEA OF BILL: Appropriation of funds for the purpose of planning of Phase II of the New/Additional Correctional Facility in Yaphank for 2013 under CP 3008.

SUMMARY OF SPECIFIC PROVISIONS: Phase I of the New/ Additional Correctional Facility in Yaphank is substantially complete. This resolution will allow for the appropriation of $3,700,000 necessary for the planning portion of Phase II of the project (CP 3008) to commence.

JUSTIFICATION: This resolution appropriates $3,700,000 in planning funds in 2013. This project is mandated by the New York State Commission of Correction and addresses the immediate and future need of Suffolk County's Correctional System. A needs assessment was completed in 2004 which concluded that the County's Correctional System was badly in need of expansion. This was to be done in two phases. Phase I of this expansion is now substantially complete and planning for Phase II is about to commence.

FISCAL IMPLICATIONS: Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the Bonds.

1156

Intro. Res. No. -2013 Laid on Table 3/5/13

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

RESOLUTION NO. ACCEPTING NEW YORK STATE CLEAN WATER/CLEAN AIR GRANT FUNDS, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE CARMANS RIVER FISH LADDER (CP 7180)

WHEREAS, the Commissioner of the Suffolk County Department of Economic Development and Planning has requested funding for the Carmans River Fish Ladder; and

WHEREAS, the New York State Department of State (DOS) granted Suffolk County $252,000 in funding through New York State Clean Water/Clean Air Bond Act grant program; and

WHEREAS, the New York State DOS has executed Contract Number C006596 for this project; and

WHEREAS, the fish ladder project will be accomplished through the combined efforts of the Suffolk County Department of Economic Development and Planning and the Department of Public Works; and

WHEREAS, the Carmans River is one of only four State-designated Wild, Scenic, and Recreational Rivers within New York and the River contains State-designated Significant Costal Fish and Wildlife Habitat which include Upper and Lower Lakes and extends north to NYS Route 25; and

WHEREAS, in accordance with the South Shore Estuary Reserve Comprehensive Management Plan (CMP) and based upon guidance from the Diadromous Fish Work Group, alewife and American eel have been identified as priority diadromous fish species due to their historic presence within the tributaries of the Reserve but currently limited distribution within the Reserves tributaries; and

WHEREAS, to "restore diadromous fish populations in tributaries where the necessary habitat conditions exist or can be created" is a specific recommendation of the CMP; and

WHEREAS, Upper and Lower Lake Dams remain barriers to current fish passage; installing a fish ladder at Lower Lake Dam will move migratory fish safely and effectively across the stream barrier at Lower Lake Dam while protecting public welfare with regards to flooding and existing infrastructure; and

WHEREAS, a complimentary project that is currently being conducted by the Town of Brookhaven will install a fish ladder at Upper Lake Dam to allow fish passage beyond the dam into the upper reaches of the river; and

WHEREAS, all the initial engineering design work, including the acquisition of all required permits and the oversight of the construction phase of the project, will be completed by a contractor that was retained by the County pursuant to RFP # 12022; and

WHEREAS, the final design plans for the fish ladder will be submitted to the Suffolk County Council on Environmental Quality (CEQ) for the review under the State Environmental quality Review Act ("SEQRA"); 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, the Suffolk County Department of Economic Development and Planning will sponsor an aquatic habitat restoration project in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding $200,000 for this project during the July 26, 2011 as an appropriate use of the Suffolk County Water Quality Protection and Restoration and Land Stewardship Initiative funds; these funds will be appropriated after SEQRA is complete and construction costs are known; and

WHEREAS, sufficient funds have not been included within the 2013 Capital Budget and Program and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal and/or State Aid; and

WHEREAS, the County must in first instance fund the entire cost of the project and will subsequently be reimbursed for the State share of the project; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (c) (20) and (21) 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

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

3rd **RESOLVED**, that the County Treasurer and the County Comptroller are hereby authorized and directed to accept State funding in the amount of $252,000 into Capital Project 7180.118; and be it further

4th **RESOLVED**, that the 2013 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 7180
Project Title: Carmans River Fish Ladder

	Est'd Cost	Current 2013 Budget & Program	Revised 2013 Budget & Program
1. Planning	$252,000	$0	$252,000 S
TOTAL	$252,000	$0	$252,000

and be it further

5th RESOLVED, that these New York State DOS proceeds in the amount of $252,000 be and hereby is appropriated as follows:

Project Number	Project Title	Amount
525-CAP-7180.118	Carmans River Fish Ladder	$252,000

and be it further

6th RESOLVED, that the County Treasurer and the County Comptroller are hereby authorized and directed to accept State funding in the amount of $252,000 into Capital Project 7180.118; and be it further

7th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to advance funding to finance this capital project; and be it further

8th RESOLVED, that the Department of Economic Development and Planning will be the lead agency in overseeing the performance of this project and will coordinate with the Department of Public Works in communicating with the State agencies to ensure compliance and that all associated aid is captured; and be if further

9th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of State and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

1156

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. ACCEPTING NEW YORK STATE CLEAN WATER/CLEAN AIR GRANT FUNDS, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE CARMANS RIVER FISH LADDER (CP 7180)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

This resolution accepts $252,000 of New York State Clean Water/Clean Air grant funds into Capital Project 7180.118.

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

N/A

8. Proposed Source of Funding

Suffolk County will first instance fund the project and will be reimbursed

9. Timing of Impact

Upon adoption and execution of grant.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		February 22, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1156

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1156

STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING

JOANNE MINIERI
DEPUTY COUNTY EXECUTIVE AND COMMISSIONER

January 9, 2013

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 2013 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE CARMANS RIVER FISH LADDER, AND AMENDING THE ADOPTED 2013 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION

There are sufficient funds included in the 2013 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its July 26, 2011 meeting, approved "*Carmans River Fish Ladder*", submitted by the former Suffolk County Department of Environment and Energy, as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of $200,000.

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
Department of Economic Development and Planning

JM:eo
Enc.

cc: Dennis Cohen, Chief Deputy County Executive
Tom Vaughn, County Executive Assistant
Connie Corso, Budget Director

LOCATION
H. LEE DENNISON BLDG. – 11th FLOOR
100 VETERANS MEMORIAL HIGHWAY

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

PHONE (631) 853-4800
FAX (631) 853-4767

Intro. Res. No. 1157 -2013 Laid on Table 3/5/13
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 COASTAL STEWARD'S SHELLFISH RESTORATION PROJECT (CP 7180)

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

WHEREAS, the Suffolk County Water Quality Review Committee at the 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 this project which proposes restoration of the oysters population in the Port Jefferson and Mt. Sinai Harbors, which will improve water quality by removing pollutants, including excess nitrogen in coastal waters, and also to provide oysters for commercial and recreational harvesting to the community; and

WHEREAS, the project is consistent with the 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 Town of Brookhaven by Resolution No. 2011-802, adopted September 20, 2011, authorized the entering into an Agreement with Coastal Steward. Inc., to assist in the restoration of the shellfish population, for which the town will; provide up to 70,000 seed oysters per year to the Consultant, and authorizing the Consultant the use town equipment and facilities to conduct the project, 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 found as documented in resolution 04-2013 that this project constitutes an Unlisted Action, for which a Negative Declaration was issued; therefore the SEQRA review is complete and no further action needs to be taken by Suffolk County; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-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 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:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$115,786

and be it further

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

REVENUES:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Water	$115,786
(Ref. 525 -CAP-IFTR-R477)				Quality Protection	

and be it further

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

Project No.: 7180
Project Title: Coastal Steward's Shellfish Restoration Project

	Total Est. Cost	Current 2013 Capital Budget & Program	Revised 2013 Capital Budget & Program
	$115,786	$0	$115,786 W
TOTAL	$115,786	$0	$115,786

and be it further

7th RESOLVED, that the interfund revenues in the amount of $115,786 be and hereby is appropriated as follows:

Project Number	JC	Project Title	Amount
525-CAP-7180.117	50	Coastal Steward's Shellfish Restoration Project	$115,786

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, if required, with the Town of Brookhaven, under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW which shall include, but not be limited to, a provision authorizing the Town of Brookhaven to monitor the Coastal Steward Shellfish Restoration Project; and be it further

10th RESOLVED, the County of Suffolk is authorized to enter into contract with Coastal Steward Inc., in connection with the Coastal Steward Shellfish Restoration Project in the amount of $115,786, with an equivalent match required by Coastal Steward Inc.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1157

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X 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 COASTAL STEWARD'S SHELLFISH RESTORATION PROJECT (CP 7180)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

6. If the answer to item 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 7180- 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		February 20, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1157

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK 1157

STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT

COUNCIL ON ENVIRONMENTAL QUALITY

GLORIA RUSSO
CHAIRPERSON
CEQ

MICHAEL MULÉ
ENVIRONMENTAL PROJECTS
COORDINATOR

MEMORANDUM

TO: Honorable Steven Bellone, Suffolk County Executive
Honorable William J. Lindsay, Presiding Officer

FROM: Gloria Russo, Chairperson

DATE: January 17, 2013

RE: CEQ Review of the Proposed Coastal Steward Shellfish Restoration Program

At its January 16, 2013 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 450 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Frank Castelli, Director Division of Water Quality, Suffolk County Department of Economic Development and Planning and David Johnson, Director, Coastal Steward, the Council advises the Suffolk County Legislature and County Executive, in CEQ Resolution No. 04-2013, a copy of which is attached, that the proposed project be considered an Unlisted Action under SEQRA that will not have significant adverse impacts on the environment.

If the Legislature concurs with the Council on Environmental Quality's recommendation that the projects will not have a significant adverse impact on the environment, the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution determining that the proposed action is an Unlisted Action pursuant to SEQRA that will not have significant adverse impacts on the environment (negative declaration). However, if the Legislature has further environmental concerns regarding this project and needs additional information, the Presiding Officer should remand the case back to the initiating unit for the necessary changes to the project and EAF or submit a resolution authorizing the initiating unit to prepare a draft environmental impact statement (positive declaration).

Enclosed for your information is a copy of CEQ Resolution No. 04-2013 Which sets forth the Council's recommendations. The project EAF and supporting documentation can be viewed online at http://www.suffolkcountyny.gov/Departments/Planning/Boards/CouncilonEnvironmentalQuality.aspx

If the Council can be of further help in this matter, please let us know.
Enc.

cc: **All Suffolk County Legislators**
Tim Laube, Clerk of Legislature
George Nolan, Attorney for the Legislature
Sarah Lansdale, Director of Planning
Dennis Cohen, Suffolk County Attorney

1157

Project # PLN-03-2013 January 16, 2013

CEQ RESOLUTION NO. 04-2013, RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION AND DETERMINATION FOR THE PURPOSES OF CHAPTER 450 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED COASTAL STEWARD SHELLFISH RESTORATION PROGRAM

WHEREAS, at its January 16, 2013 meeting, the Suffolk County Council on Environmental Quality (CEQ) reviewed the EAF and associated information submitted by the Suffolk County Department of Economic Development and Planning Division of Water Quality; and

WHEREAS, a presentation regarding the project was given at the meeting by Frank Castelli, Director Division of Water Quality, Suffolk County Department of Economic Development and Planning and David Johnson, Director, Coastal Steward; and

WHEREAS, the project involves the restoration of oysters in the Port Jefferson and Mt. Sinai Harbors to improve water quality and provide oysters for commercial and recreational harvesting; now, therefore, be it

1st RESOLVED, that based on the information received and presented, a quorum of the CEQ hereby recommends to the Suffolk County Legislature and County Executive that the proposed activity be classified as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

2nd RESOLVED, that based on the information received, a quorum of the CEQ recommends to the Suffolk County Legislature and County Executive, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, that the proposed project will not have significant adverse impacts on the environment for the following reasons:

1. the proposed action will not exceed any of the criteria set forth in Title 6 NYCRR Part 617.7 which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2. the proposal does not significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. all work will be in compliance with all applicable New York State Department of Environmental Conservation Permits;
4. construction impacts for this alternative will be temporary and will not result in any long term environmental damage;
5. shellfish will not be put near any outfall pipes or areas that have increased contamination; and, be it further

3rd RESOLVED, that it is the recommendation of the Council that the Legislature and County Executive adopt a SEQRA determination of non-significance (negative declaration).

DATED: 1/17/2013

1157

PROJECT #: PLN-03-2013
RESOLUTION #: 04-2013
DATE: January 16, 2013

RECORD OF CEQ RESOLUTION VOTES

CEQ APPOINTED MEMBERS	AYE	NAY	ABSTAIN	NOT PRESENT	RECUSED
James Bagg	☒	☐	☐	☐	
Eva Growney	☐	☐	☐	☒	
Thomas C. Gulbransen	☒	☐	☐	☐	
Hon. Kara Hahn	☒	☐	☐	☐	
Michael Kaufman	☒	☐	☐	☐	
Richard Machtay	☒	☐	☐	☐	
Daniel Pichney	☐	☐	☐	☒	
Gloria G. Russo	☒	☐	☐	☐	
Mary Ann Spencer	☒	☐	☐	☐	
Larry Swanson	☒	☐	☐	☐	
CAC REPRESENTATIVES	☐	☐	☐	☐	

Recommendation: Unlisted Action, Negative Declaration

Motion: Mr. Bagg
Second: Mr. Machtay

Further information may be obtained by contacting:

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

Introductory Resolution No. 1158-13 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 TIMOTHY CARAFTIS (SCTM NO. 0200-159.00-01.00-001.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 159.00 Block 01.00 Lot 001.000 and acquired by Tax Deed on November 2, 2009 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 4, 2009 in Liber 12605 at CP 51 and described as follows, known and designated as Lots 1 and 2 in Block 6 on a certain map entitled "Map of Harbor View Park, Section No. 1", and filed in the Office of the Clerk of the County of Suffolk on May 19, 1928 as Map No. 161,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Timothy Caraftis, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $4,701.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 157' x 65' x 104' x 56' has been appraised at $4,700.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $4,701.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Timothy Caraftis, 1 Park Avenue, Port Jefferson, New York 11777.

DATED:

APPROVED BY

_____
County Executive of Suffolk County

Date of Approval:

1158

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

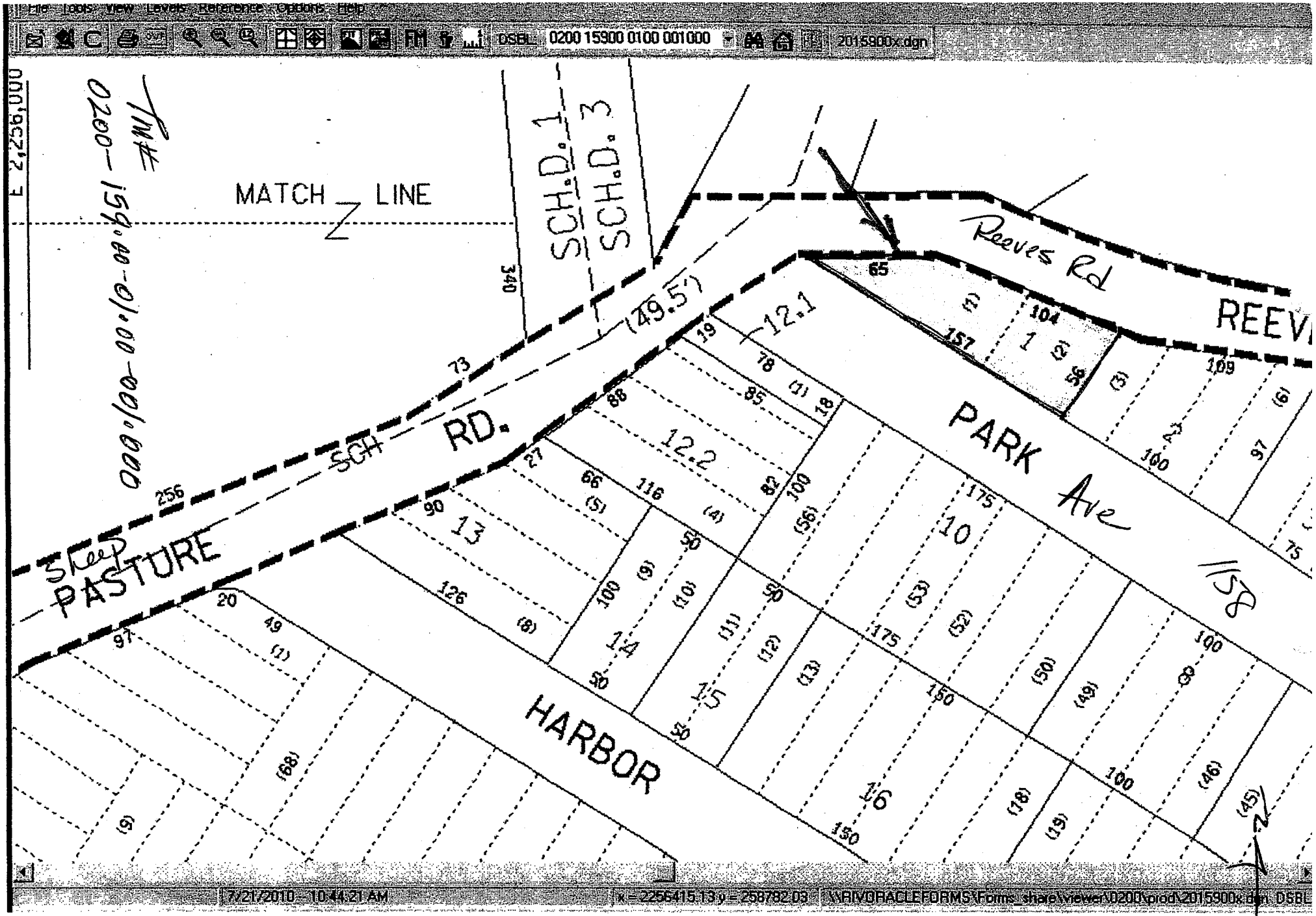
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-159.00-01.00-001.000

ADJOINING OWNER	BID	BID	BID
Timothy Caraftis 1 Park Avenue Port Jefferson, New York 11777 0200-159.00-01.00-002.000	$4,701.00		

SIZE OF PARCEL: 157' x 65' x 104' x 56'
APPRAISED VALUE: $4,700.00
COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971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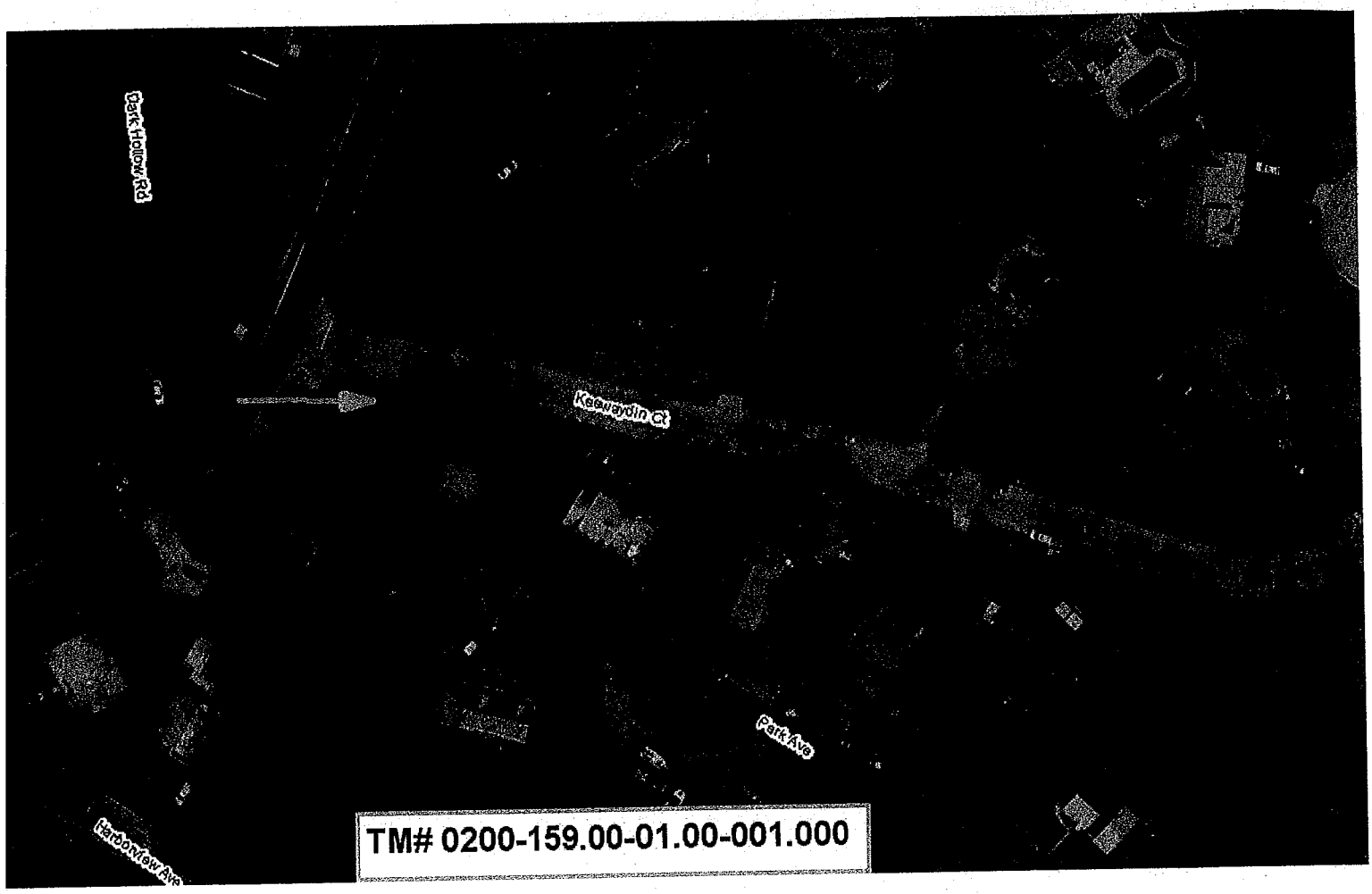
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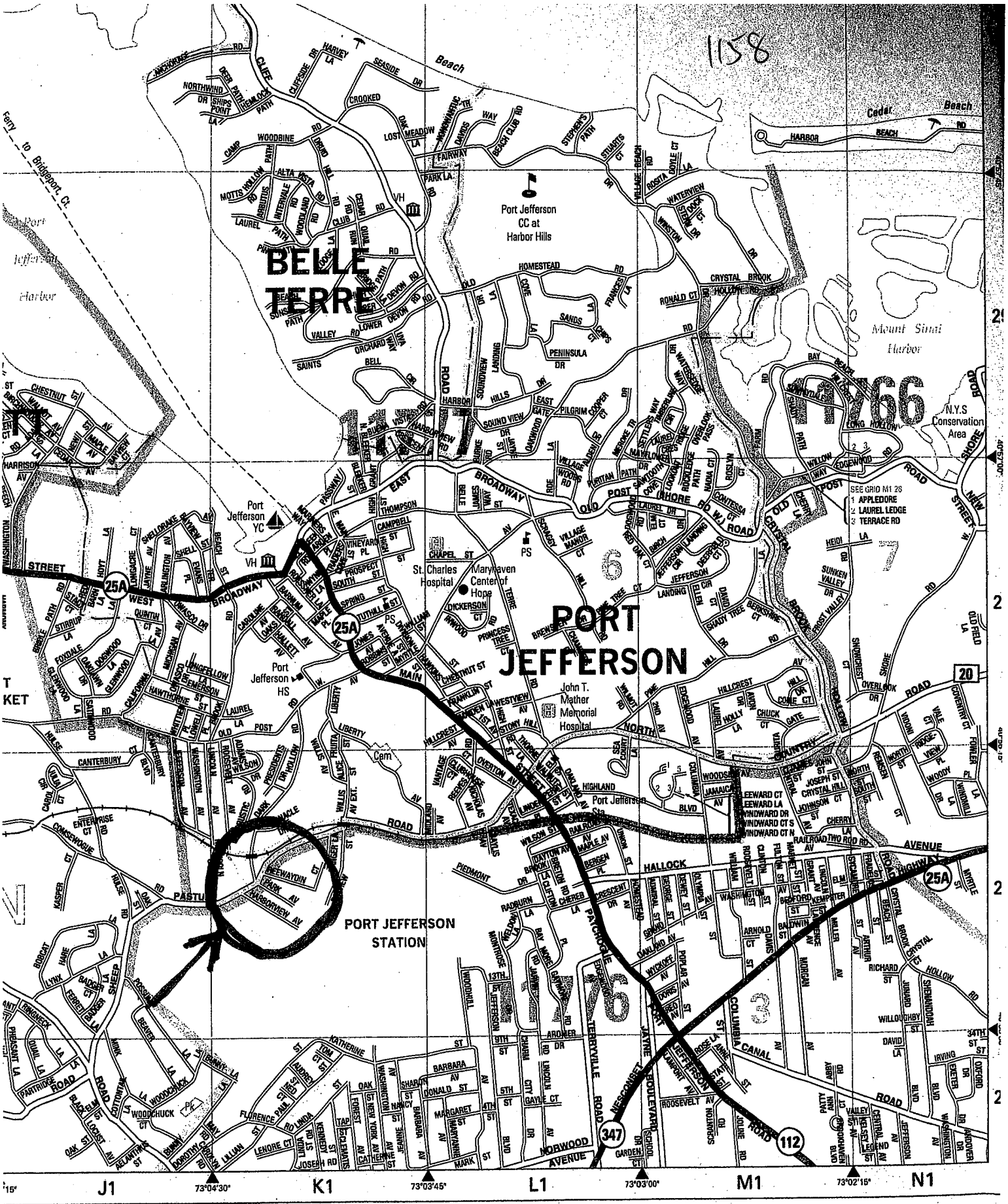
Harbor View Ave
TM# 0200-159.00-01.00-001.000



©Hagstrom Map Company, Inc.

TM# 0200-159.00-01.00-00/.000

1158

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

   Sale of County–Owned Real Estate Pursuant to Local Law No. 13-1976
   Timothy Caraftis
   0200-159.00-01.00-001.000

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

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

   Unknown

8. Proposed Source of Funding

   None

9. Timing of Impact

   2013

10. Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	R J Bhatt	1/25/13
NEIL TOOMB INTERGOV Rel Coord.	Neil Toomb	2/21/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1158

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1158

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

January 25, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0200-159.00-01.00-001.000

Dear Mr. Schneider:

Enclosed herewith is the original copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1hard copy)
CE Reso Review, (electronic copy)

Introductory Resolution No. 1159-13 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 WYANDANCH VOLUNTEER FIRE COMPANY, INC. (SCTM NO. 0100-056.00-03.00-060.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 056.00 Block 03.00 Lot 060.000 and acquired by Tax Deed on September 23, 2009 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009 in Liber 12601 at CP 256 and described as follows, known and designated as Lot 34 in Block 5 on a certain map entitled "28th Map of New York and Brooklyn Suburban Investment Company a/k/a Wyandanch Springs Park", and filed in the Office of the Clerk of the County of Suffolk on June 1, 1892 as Map No. 44,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS Wyandanch Volunteer Fire Company, Inc. has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 25' x 100' has been appraised at $2,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $2,000.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Wyandanch Volunteer Fire Company, Inc., a Domestic Non-for–Profit Corporation, Located at 1528 Straight Path, Wyandanch, New York 11798.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1159

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

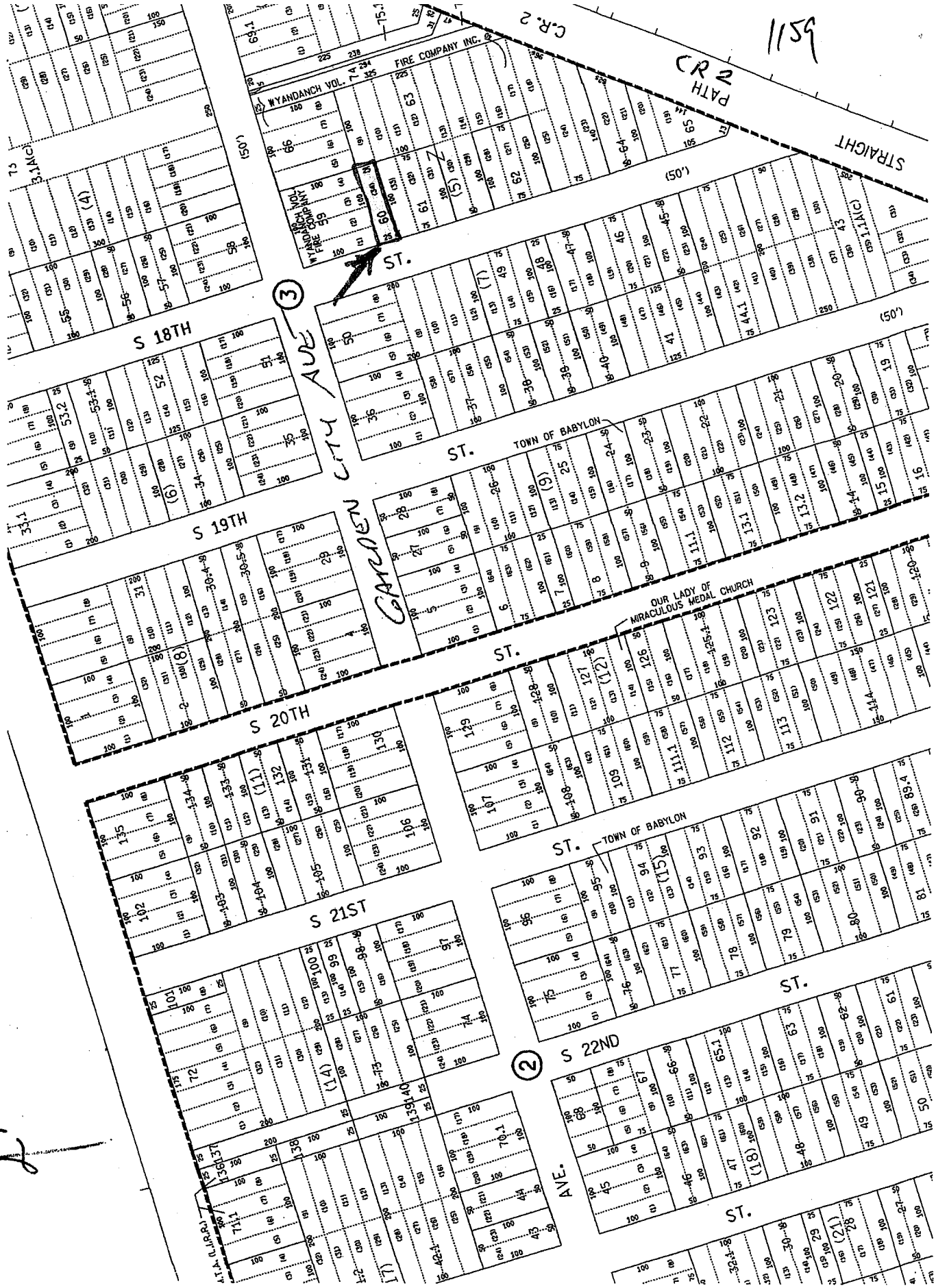
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0100-056.00-03.00-060.000

ADJOINING OWNER	BID	BID	BID
Wyandanch Volunteer Fire Company, Inc. 1528 Straight Path Wyandanch, New York 11798 0100-056.00-03.00-059.000, 061 & 063	$2,000.00		

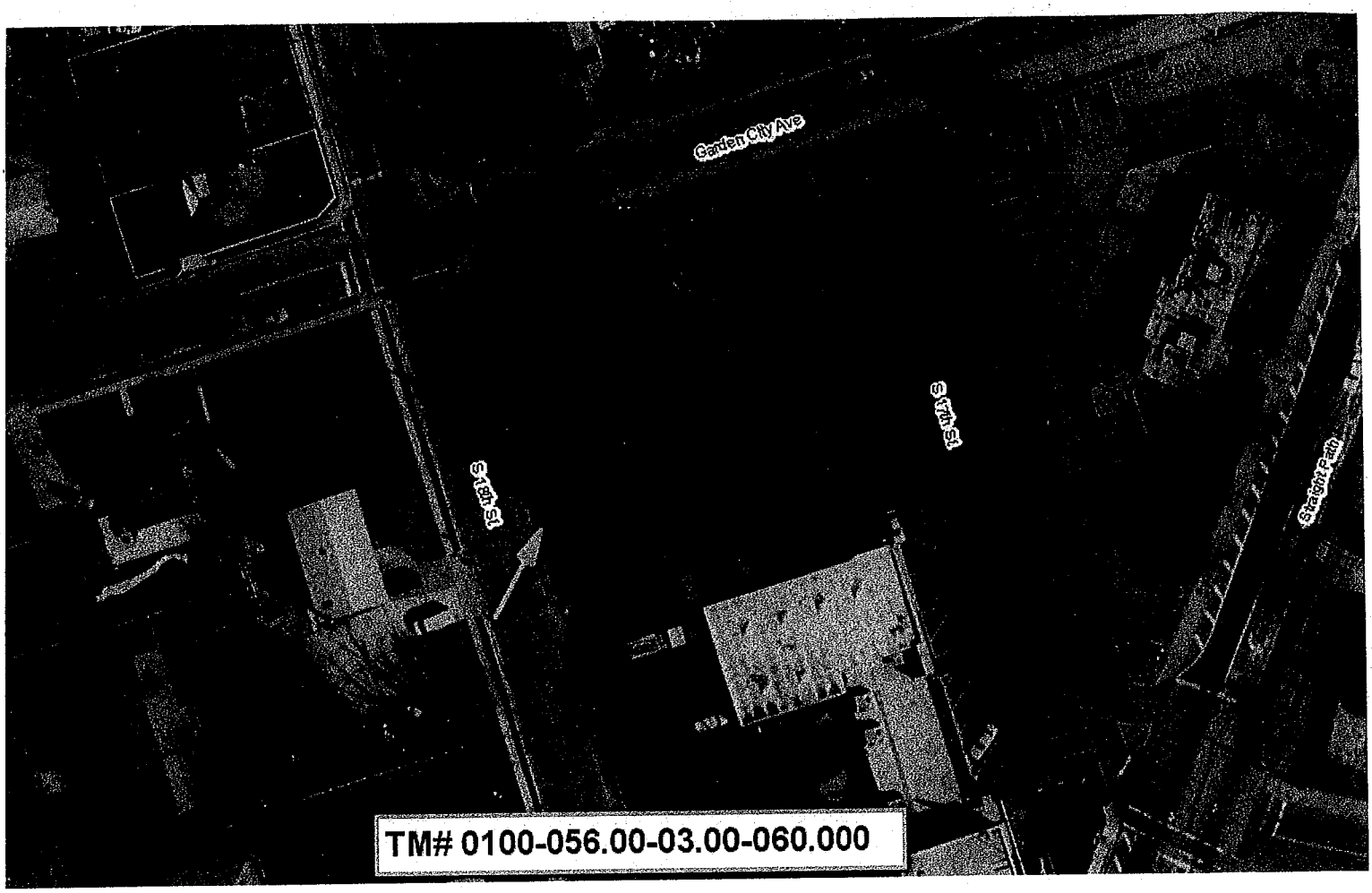
SIZE OF PARCEL: 25' x 100'
APPRAISED VALUE: $2,000.00
COMMENT: Direct Sale to Adjacent Owner

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



TM # 0100-056.00-03.00-060.000

1159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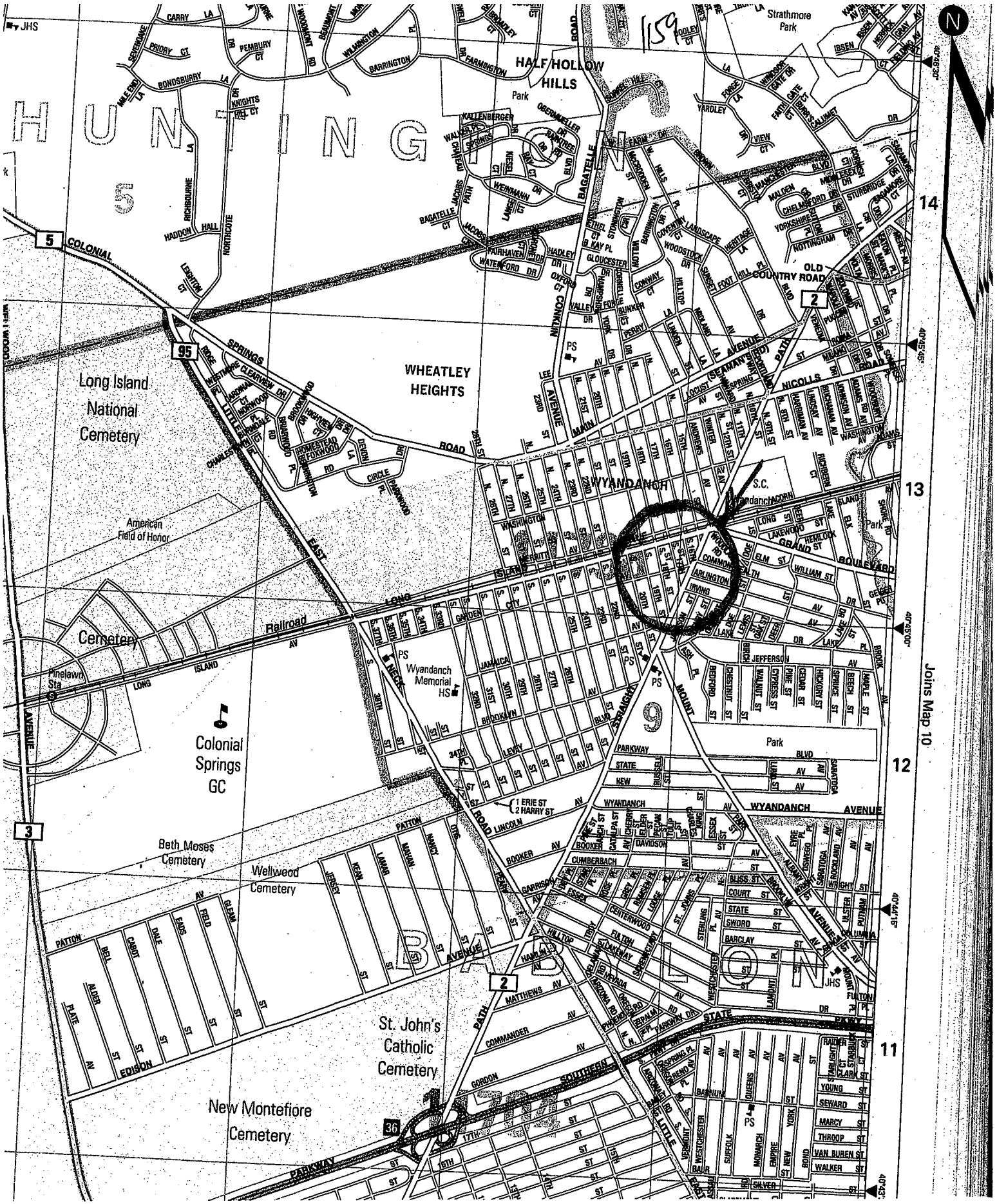
S 17th St
S 18th St
Straight Path
TM# 0100-056.00-03.00-060.000



TM # 0100-056.00-03.00-060.000

1159

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

   Sale of County–Owned Real Estate Pursuant to Local Law No. 13-1976
   Wyandanch Volunteer Fire Company, Inc.
   0100-056.00-03.00-060.000

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

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

   Unknown

8. Proposed Source of Funding

   None

9. Timing of Impact

   2013

10. Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	R J Bhatt	1/25/13
NEIL TOOMB INTERGOV Rel Coord	Neil Toomb	2/21/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1159

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1159

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

January 28, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0100-056.00-03.00-060.000

Dear Mr. Schneider:

Enclosed herewith is the original copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1hard copy)
CE Reso Review, (electronic copy)

Intro. Res. No. 1160-13 Laid on Table 3/5/13
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. –2013, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 1184-2012

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1184-2012; and

WHEREAS, this resolution when adopted contained technical errors; and

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

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

Resolution No. 1184-2012

In the last WHEREAS paragraph delete the verbiage "and 001-HSV-4028 as position number 1000-0005"; and

In the 1st RESOLVED paragraph under REVENUES

1. Under 001-POL-4370-SHSP 2012
   Change $140,000
   To **$112,500**

2. Under 001-HSV-4370-SHSP2012
   Change $112,500
   To **$ 50,000**

In the 1st RESOLVED paragraph under ORGANIZATIONS

1. Under Suffolk County Dept of Fire, Rescue & Emergency Services
   Change 001-FRE-3431
   To **001-FRE-3430**

2. Under Suffolk County Dept of Information Technology
   Change 001-PKS-1657
   To **001-ITS-1657**

3. Under Suffolk County Department of Public Works
   Change 001-SHF-5226
   To **001-DPW-5226**

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1160

1. Type of Legislation

Local Law: _____ Charter Law: _____ Resolution: X

2. Title of Proposed Legislation
AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 1184-2012

3. Purpose of Proposed Legislation

Technical Corrections to Reso 1184-2012

In the last WHEREAS paragraph delete the verbiage "and 001-HSV-4028 as position number 1000-0005"

In the 1st RESOLVED paragraph under REVENUES
Under 001-POL-4370-SHSP 2012
Change $140,000
To $112,500

Under 001-HSV-4370 – SHSP 2012
Change $112,500
To $ 50,000

In the 1st RESOLVED paragraph under ORGANIZATIONS
Under Suffolk County Department of Fire, Rescue & Emergency Services
Change 001-FRE-3431
To 001-FRE-3430

Under Suffolk County Dept of Information Technology
Change 001-PKS-1657
To 001-ITS-1657

Under Suffolk County Dept of Public Works
Change 001-SHF-5226

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

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

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

6. If 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
$778,500 - SHSP FY2012

8. Proposed Source of Funding
NYS Div of Homeland Security & Emerg Svcs pass-through of US Dept of Homeland Security

9. Timing of Impact: 09/01/2012 – 08/31/2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan M. Nielsen, Administrator I	Susan M. Nielsen	January 9, 2013

SCIN FORM 175b (10/95)

James P Burke 1/31/2013

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1160

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1160

JOSEPH F. WILLIAMS
COMMISSIONER

JOHN G. JORDAN SR.
DEPUTY COMMISSIONER

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

EDWARD K. SPRINGER
CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER
DIRECTOR OF EMERGENCY PREPAREDNESS

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES

TO: Jon Schneider
Deputy County Executive

FROM: Joseph F. Williams
Commissioner

DATE: January 9, 2013

SUBJECT: Request for Introductory Resolution: Technical Corrections to Res 1184-2012 SHSP FY2012 Grant

Enclosed for further processing is an introductory resolution for technical corrections to Res 1184-2012 with supporting documents.

If you have any questions, please contact Sue Nielsen of my office at x25338.

JFW:smn

Enclosures

cc: Thomas Vaughn, Intergovernmental Relations
Angela Kohl, Federal & State Aid Claims Unit

PO BOX 127 – YAPHANK AVENUE
YAPHANK, NEW YORK 11980-0127

COMMISSIONER'S OFFICE: (631) 852-4850
FIRE MARSHAL'S OFFICE: (631) 852-4855
EMERGENCY MGMT OFFICE: (631) 852-4900
COMM. CENTER (24-HOUR): (631) 852-4815
FAX: (631) 852-4861

1161

Intro. Res. No. - 2013 Laid on the Table 3/5/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, AMENDING THE 2013 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH FOR HEALTH INFORMATION TECHNOLOGY

WHEREAS, the New York State Office of Mental Health (OMH) has authorized $384,806 in additional 100% State Aid for the provision of Health Information Technology in Suffolk County to assist former Targeted Case Management providers that are now Health Home Care Managers (HHCM); and

WHEREAS, this funding is specific to assisting HHCM providers in developing electronic case management system capacity to share information with their respective Health Homes and health home network providers; and

WHEREAS, Clubhouse of Suffolk, Family Service League, Federation of Organizations and Sayville Project SUNY Stony Brook are currently operating Health Home Care Management programs for adults residing in Suffolk County; and

WHEREAS, Suffolk County Community Mental Hygiene Services has been designated by OMH to receive $35,050 of this funding, and this funding will be used to purchase SQL licenses, software upgrades and additional hardware to enhance our care management system; and

WHEREAS, these funds are available for expenditures from July 1, 2012 to June 30, 2013; and

WHEREAS, this additional 100% State Aid is not included in the 2013 Adopted Operating Budget; now, therefore be it

1st **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $384,806 in additional State aid as follows:

REVENUES:

001-3493 Community Support Services	$384,806

ORGANIZATIONS

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
001-HSV-4330

Equipment	$25,000
2020 – Office Machines	$25,000

Supplies, Material & Other Exp	$10,060
3160 – Software	$10,060
Contractual Expenses	$349,746
4980 – Contract Agencies	

XORG	OBJECT NAME	2013 Adopted Budget	Increase/ Decrease	2013 Modified Budget
GNS1	Clubhouse of Suffolk Support Case Mgt.	$327,600	+$79,021	$406,621
GUT1	Family Svc League Support Case Mgt.	$573,300	+$92,950	$666,250
GNR1	Fed of Org Supported Case Mgmt.	$737,100	+$105,332	$842,432
APK1	Sayville Proj Supprtv Case Mgt	$327,600	+$72,443	$400,043

and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with Clubhouse of Suffolk, Family Service League, Federation of Organizations and Sayville Project SUNY Stony Brook; and be it further

3rd **RESOLVED**, that the funding and expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV #3-2013

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1161

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Amending the 2013 Adopted Operating Budget to accept and appropriate 100% additional State aid from the New York State Office of Mental Health for Health Information Technology.

3. Purpose or Proposed Legislation

The purpose of this legislation is to accept and appropriate $384,806 in 100% additional State aid from the New York State Office of Mental Health to Health Home Care Management Providers in Suffolk County for health information technology.

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

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

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

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

Not applicable.

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

None

8. Proposed Source of Funding

100% State Aid from New York State Office of Mental Health

9. Timing of Impact

Immediate upon approval of the resolution and execution of contracts with provider agencies.

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Diane E. Weyer ***Principal Budget Analyst*** Theresa Lollo Budget Office	Theresa Lollo	2/6/13 2/20/13

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1161

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1161

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

To: James L. Tomarken, MD, MPH, MBA, MSW
Commissioner, Department of Health Services

From: Art Flescher, L.C.S.W., C.A.S.A.C. AF
Director, Division of Community Mental Hygiene Services

Date: January 29, 2013

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

The New York State Office of Mental Health's final 2012 State Aid letter contains funding for Health Information Technology in Suffolk County. This funding is stipulated to be used for Health Home Care Managers to cover expenditures from July 1, 2012 to June 30, 2013. The funding is to be used specifically for developing electronic care management systems.

Clubhouse of Suffolk, Family Service League, Federation of Organizations, Sayville Project and Suffolk County Community Mental Hygiene Services have all been designated by the NYS Office of Mental Health to receive this funding, which is not currently included in the 2013 Suffolk County Operating Budget.

The Division is requesting a Legislative Resolution to add $384,806 in additional 100% State Aid to these providers of care management services. I am attaching drafts of the fiscal impact statement, intro resolution and routing form as well as the Office of Mental Health's 2012 final state aid letter. Also attached is correspondence from the OMH Field Office Director detailing the specifics of the funding allocations to the providers.

AF:HM
Enclosures
Cc: L.Wright, D.Weyer, S.Reagan, C. Cullity

Public Health
Prevent. Promote. Protect.

DIVISION OF COMMUNITY MENTAL HYGIENE
North County Complex, Building C928, 725 Veterans Highway, P.O. Box 6100, Hauppauge, NY 11788
(631) 853-8500 Fax (631) 853-3117

1161

State of New York
Andrew M. Cuomo
Governor

Office of Mental Health
Long Island Field Office
998 Crooked Hill Rd Bldg 45-3
W. Brentwood, NY 11717

Martha A. Carlin, PsyD, Director

December 13, 2012

Mr. Art Flescher, Director
Suffolk County Department of Health Services
Division of Community Mental Hygiene Services
North County Complex - 725 Veterans Memorial Highway
Building C-928
Hauppauge, New York 11788

Re: Addition of 100% State Aid for Health Information Technology Assistance

Dear Mr. Flescher:

The New York State Office of Mental Health's 2012 State aid approval letter for Suffolk County includes $384,806 in non-recurring CSP Miscellaneous funding (OMH funding code 122) to provide Health Information Technology (HIT) funding to assist former Targeted Case Management (TCM) providers that are now Health Home Care Managers (HHCM) in developing electronic care management system capacity to share information with their respective Health Homes and Health Home network providers. The HIT funds must be used only for equipment and services necessary for the development of electronic care management system capacity and secure record-sharing between each HHCM agency and its partner Health Home(s). They may not be used for recurring costs. These funds should be reported under OMH program code 2620 ("Health Home Non-Medicaid Care Management") on all OMH financial reports. They are available for expenditure from July 1, 2012 to June 30, 2013.

The NYS Office of Mental Health has approved funding for the following former TCM agencies in Suffolk County for the period from July 1, 2012 to June 30, 2013. If you have any additional questions, feel free to contact Michael Katz at michael.katz@omh.ny.gov or at (518) 474-8547.

Agency	Amount
Clubhouse of Suffolk, Inc.	$+ 79,021
Family Service League, Inc.	$+ 92,950
Federation of Organizations for the NYS Mentally Disabled, Inc.	$+105,332
Sayville Project-SUNY Stonybrook	$+ 72,443
Suffolk County Community Mental Hygiene Services	$+ 35,060
Total:	$+384,806

Sincerely,

Martha Carlin

Martha Carlin, PsyD
Director-Long Island Field Office

RECEIVED
DEC 18 2012
COMMUNITY MENTAL HYGIENE DIVISION

cc: Michael Hoffman
Michael Katz

1161

2013 Intergovernmental Relations
Memorandum of Support

TITLE OF BILL: Amending the 2013 Adopted Operating Budget to accept and appropriate 100% additional State aid from the New York State Office of Mental Health for Health Information Technology.

PURPOSE OR GENERAL IDEA OF BILL: The purpose of this legislation is to accept and appropriate $384,806 in 100% additional State aid from the New York State Office of Mental Health to Health Home Care Management Providers in Suffolk County for health information technology.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: The New York State Office of Mental Health (OMH) has authorized additional funds for the provision of Health Information Technology in Suffolk County to assist former Targeted Case Management providers that are now Health Home Care Managers (HHCM). This funding is specific to assisting HHCM providers in developing electronic case management system capacity to share information with their respective Health Homes and health home network providers.

FISCAL IMPLICATIONS: None

COUNTY OF SUFFOLK

1161

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

February 6, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to amend the 2013 Adopted Operating Budget to accept and appropriate 100% additional State aid from the New York State Office of Mental Health for Health Information Technology. Clubhouse of Suffolk, Family Service League, Federation of Organizations and Sayville Project SUNY Stony Brook are currently operating Health Home Care Management programs for adults residing in Suffolk County. This funding is specific to assisting Health Home Care Manager providers in developing electronic case management system capacity to share information with their respective Health Homes and health home network providers.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Carolyn Cullity at 853-6990. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-MH HIT.docx."

Sincerely,

James Tomarken

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

Enclosures

C: Dennis M. Cohen, Chief Deputy County Executive
Thomas Vaughn, Director of Intragovernmental Relations
Lisa Santeramo, Assistant Deputy County Executive
Margaret B. Bermel, MBA, Director of Health Administrative Services
Barry S. Paul, Deputy Commissioner
Art Flescher, LCSW, Director, Division of Community Mental Hygiene Services
Carolyn Cullity, Coordinator of Community Based Drug Programs
Diane E. Weyer, Principal Financial Analyst

Public Health
Prevent. Promote. Protect.

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

Introductory Resolution No. 1162-13 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 BARRETT L. RICHARDS AND CATHERINE N. RICHARDS (A/K/A NICOLE RICHARDS), HIS WIFE (SCTM NO. 0200-866.00-04.00-039.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 866.00 Block 04.00 Lot 039.000 and acquired by Tax Deed on November 2, 2009 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 4, 2009 in Liber 12605 at CP 51 and described as follows, known and designated as part of Lot 84 on a certain map entitled "Map of Property of O.L. Schwencke Land and Investment Company Map No. 4", and filed in the Office of the Clerk of the County of Suffolk on July 10, 1901 as Map No. 545,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Barrett L. Richards and Catherine N. Richards (a/k/a Nicole Richards), has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,150.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 118' x 150' (Landlocked) has been appraised at $2,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $2,150.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Barrett L. Richards and Catherine N. Richards (a/k/a Nicole Richards), 34 Bayside Avenue, Medford, New York 11763.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1162

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

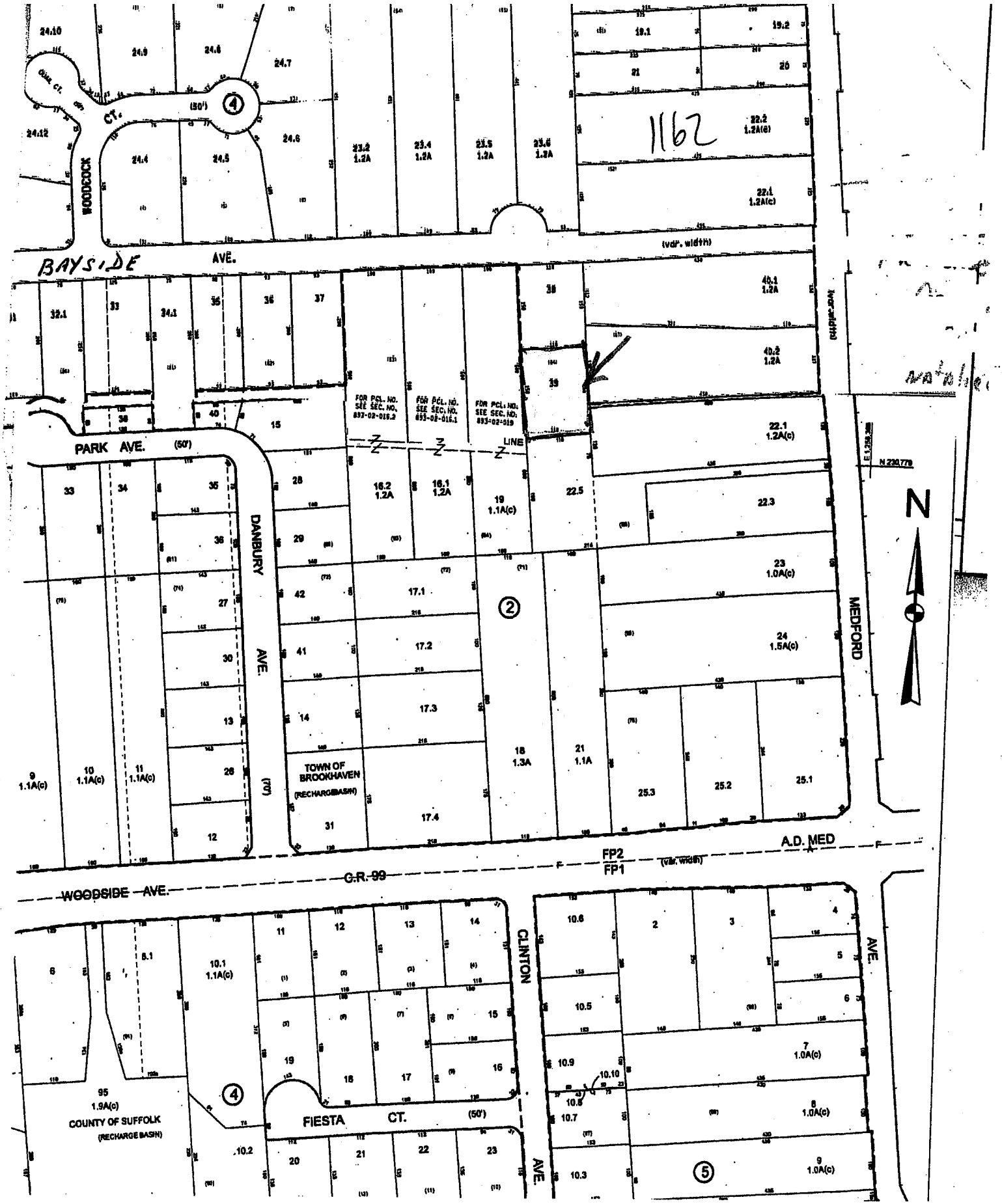
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-866.00-04.00-039.000

ADJOINING OWNER	BID	BID	BID
Barrett L. Richards And Catherine N. Richards (A/K/A Nicole Richards) 34 Bayside Avenue Medford, New York 11763 0200-866.00-04.00-038.000	$2,150.00		
Rudy E. & Linda M. Andre 680 Old Medford Avenue Medford, New York 11763 0200-866.00-04.00-040.002	$0		
Deborah Curtis & Gregory Smith 30 Bayside Avenue Medford, New York 11763 0200-893.00-02.00-019.000	$0		
John & Doreen Ziegler 676 Old Medford Avenue Medford, New York 11763 0200-893.00-02.00-022.001	$0		
Ronald S. & Julia R. Hlaky 674 Old Medford Avenue Medford, New York 11763 0200-893.00-02.00-022.005	$0		

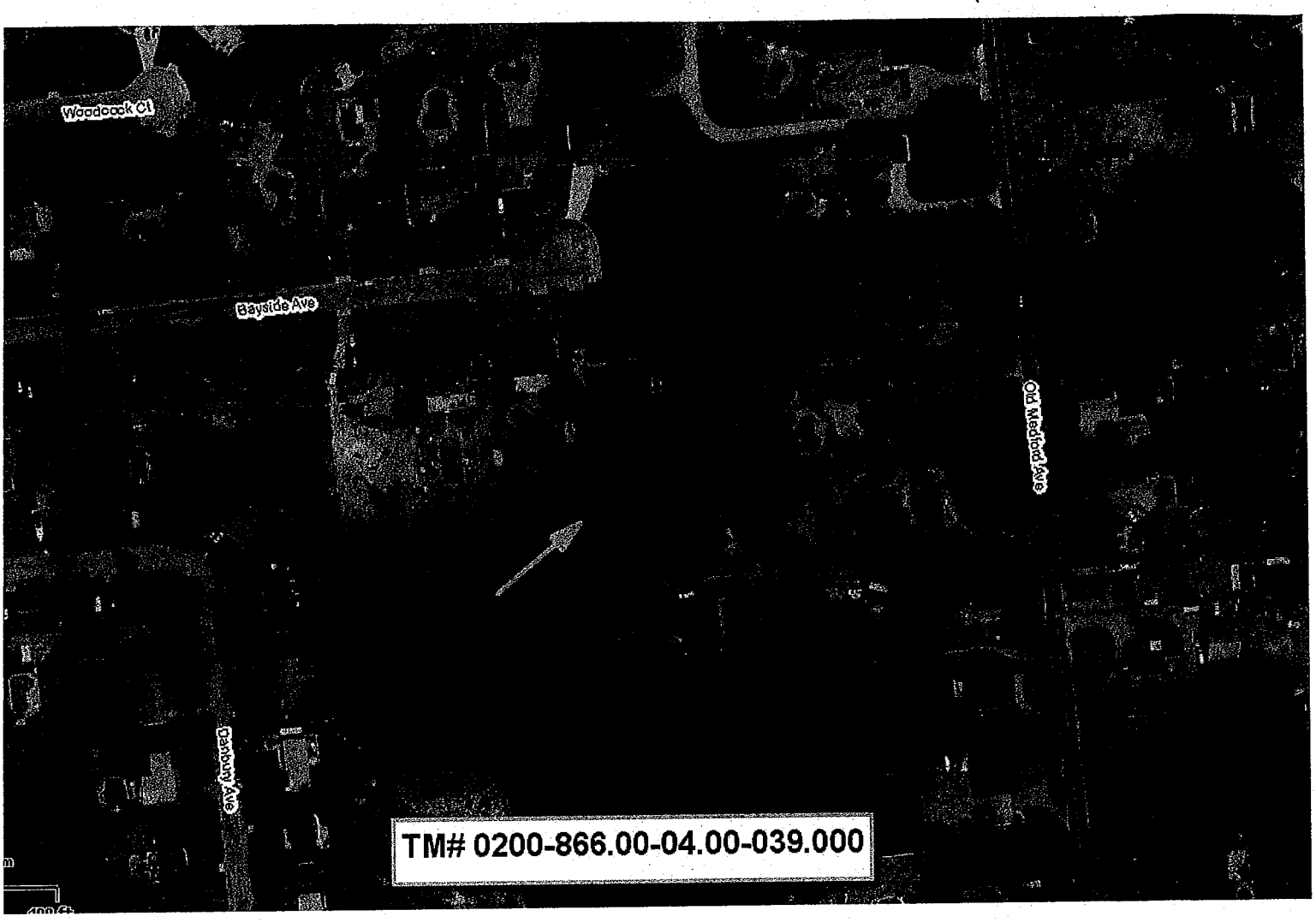
SIZE OF PARCEL: 118' x 150'
APPRAISED VALUE: $2,000.00
COMMENT: Direct Sale to Adjacent Owner

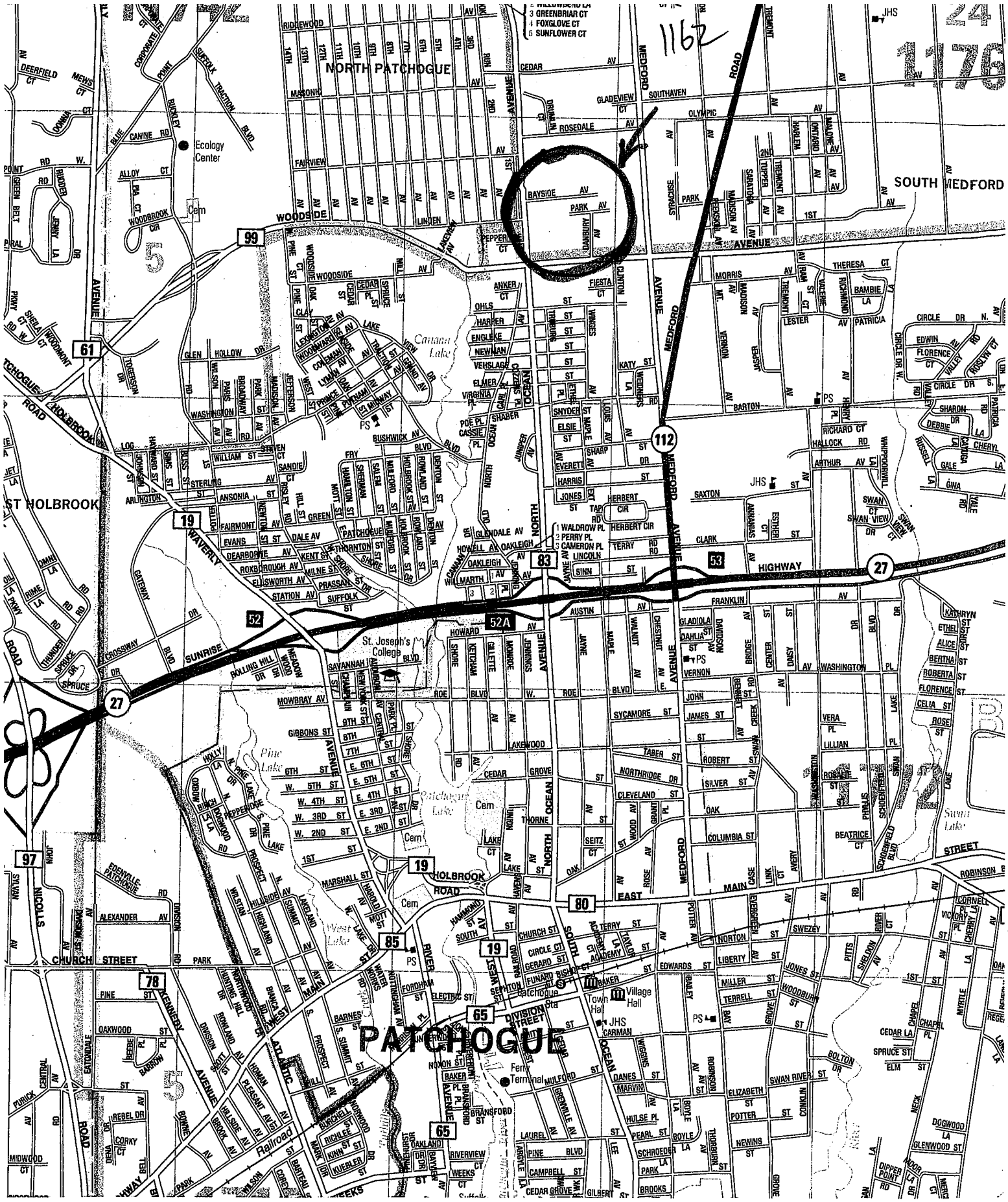
Wayne R. Thompson
Property Manager
(631) 853-5971



TM # 0200-866.00-04.00-039.000

1162


Woodcock Ct
Bayside Ave
Old Medford Ave
Factory Ave
TM# 0200-866.00-04.00-039.000



TM# 0200-866.00-04.00-039.000

1162

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

   Sale of County–Owned Real Estate Pursuant to Local Law No. 13-1976
   SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976
   BARRETT L. RICHARDS AND CATHERINE N. RICHARDS (A/K/A NICOLE RICHARDS), HIS WIFE
   (SCTM NO. 0200-866.00-04.00-039.000)

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

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

   Unknown

8. Proposed Source of Funding

   None

9. Timing of Impact

   2013

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

    R.J. Bhatt
    Land Management Specialist
    NEIL TOOMB
    INTERGOV Rel COORD

    R.J. Bhatt
    NEIL TOOMB

    2/11/13
    2/21/13

1162

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1162

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

February 11, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0200-866.00-04.00-039.000

Dear Mr. Schneider:

Enclosed herewith is the original copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R Thompson

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1 hard copy)
CE Reso Review, (electronic copy)

1163

Intro. Res. No. -2013 Laid on Table 3/5/13

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, APPROVAL OF AUCTION RULES FOR THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT

WHEREAS, the disposition of property acquired through the Suffolk County Tax Act is regulated pursuant to Article A42 of the Administrative Code, Laws of Suffolk County, and Part III, Chapter 1070, Laws of Suffolk County (together hereinafter the "Code"); and

WHEREAS, §A42-4(M) and §1070-6 of the Code pertain to the formulation and adoption of auction rules and procedures; and

WHEREAS, §1070-6 requires the approval by the Suffolk County Legislature of auction rules and regulations formulated by the Department of Economic Development and Planning, Division of Real Property Acquisition and Management; and

WHEREAS, the Department of Economic Development and Planning, Division of Real Property Acquisition and Management, has previously filed a copy of the proposed rules for the auction of surplus County real estate with the County Executive and the Clerk of the Legislature and a copy of said proposed rules is annexed as Exhibit "A"; now, therefore be it

1st **RESOLVED**, that the auction rules annexed as Exhibit "A" are approved for use immediately on filing of this approved resolution with the Clerk of the Legislature.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

Exhibit "A"

Auction Terms and Conditions - Definitions

Affiliate: A Business Entity in which the Purchaser has, directly or indirectly, a voting, controlling or ownership interest of twenty percent (20%) or more, or which has such an interest in Purchaser.

Assignment: The transfer or conveyance of a right or contract from one person or Business Entity to another.

Business Entity: A legal being, other than an individual, natural person, e.g., a corporation, limited liability company, partnership, joint venture or syndication. A Business Entity must be duly formed in accordance with all applicable provisions of law and have the legal capacity, among other things, to be sued and to own property in the State of New York.

County: The County of Suffolk.

Deed: An instrument in writing, duly executed and delivered, that conveys title to real property.

Default: A failure by the Purchaser to comply with any provision of the Terms and Conditions.

Director: The Director of the Division of Real Property Acquisition and Management.

Immediate Family: A spouse, issue, including adopted children, sibling or parent.

Lien: A claim or encumbrance of property, e.g., for the payment of a debt.

Landlocked: A parcel of land that has no routes of ingress and egress (by deed, easement or filed map roadways). Note a parcel located on an unopen roadway, a/k/a **paper street, is NOT** landlocked but is considered inaccessible at present.

Memorandum of Sale: The contract between the County and the Purchaser for the purchase of the Property, which incorporates, by reference, the Terms and Conditions of Sale and any special terms and conditions.

Occupancy/Occupy: The Inhabiting of a parcel improved by a residential structure as a person's sole residence.

Principal: Any individual or Business Entity who participates at the auction through a duly authorized agent.

Property: The particular parcel of County-owned real property and any improvements thereon, sold at public auction to the Purchaser.

Purchase Price: The highest bid made and accepted for the Property at the auction.

Purchaser: The successful bidder(s) at the auction sale and, where the Purchaser is a Business Entity, then each partner or any director(s), officer(s), or shareholder(s) having a total of twenty percent (20%) or more of the Purchaser's voting stock, ownership interest or control.

Third party bidder: An individual who bids solely as a duly authorized agent of another individual or Business Entity.

Third party bidding: Bidding on behalf of a Purchaser/Principal through a duly authorized agent.

Title Closing: The transfer of title to or ownership of the Property to the Purchaser; the date upon which such transfer is made.

Upset Price: The amount at which bidding starts on the Property.

AUCTION TERMS AND CONDITIONS

The public auction of surplus land by the County of Suffolk will be conducted by the Division of Real Property Acquisition and Management pursuant to auction terms and conditions approved by the Suffolk County Legislature. This document contains the terms and conditions which might pertain to such auctions. It may be supplemented by the subsequent approval by the Suffolk County legislature of additional or different terms and conditions.

Each separate auction will be governed by those particular terms and conditions included herein that are determined by the Director of Real Estate to be applicable to said auction. The terms and conditions that pertain to an auction will be published in the Auction Brochure published for that auction.

1. **AUCTION INVENTORY** - Properties that will be auctioned by the County include parcels forfeited by the prior owners as a result of failure to pay taxes. The County's rights thereto are pursuant to the Suffolk County Tax Act as set forth in Chapter 1195 of the laws of Suffolk County and Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law are believed to have been extinguished by the tax sale proceedings, and/or as a result of forfeiture. Auction parcels may also include parcels acquired by condemnation, but no longer needed as part of the public project. The County reserves the right, in its sole discretion, to withdraw from the auction at any time, any of the properties listed in the Auction Brochure or in any other listing of surplus real property available for auction.

2. **OFFICIAL IDENTIFICATION** - For purposes of the auction, each parcel is identified by a district, section, block and lot number as shown on the Suffolk County Tax Map. No other identification is guaranteed. Descriptions in the auction materials pertaining to any

information as to existing structures, are approximate only. Purchasers should verify all information relative to each property.

3. **NOTIFICATION OF AUCTION** - The Notice of Auction will be published in the official newspapers as required by the Suffolk County Code. In addition to said publication, not less than one month prior to each auction, an Auction Brochure which includes both a list of the properties expected to be offered by auction and a document entitled "Terms and Conditions of Sale 2013 Auction(s)" will be published on the internet at www.suffolkcountyny.gov. *Copies of the Auction Brochure will be available at the Division of Real Property Acquisition and Management Offices and at the Riverhead County Center, the Offices of the Suffolk County Legislature, each Town Hall and various County offices.

* Internet address will be relocated to Suffolk County Department of Economic Development & Planning, Division of Real Property Acquisition and Management.

4. **TERMS AND CONDITIONS OF SALE** - The "Terms and Conditions of Sale - 2013 Auction(s)" document will specify the rules applicable to the auction for which it is prepared and dated. Failure of the purchaser to comply with the published auction rules, terms and conditions shall constitute a default and may result in cancellation of a sale and forfeiture of both the down payment and the auction fee.

5. **AUCTION RULES** - In addition to those rules and conditions that are set forth in the "Terms and Conditions of Sale - 2013 Auction(s)" all sales of surplus County property will be subject to the following:

   a) Approval of the deed and proposed conveyance by the Suffolk County Legislature, which approval may precede the sale or follow it;

   b) Any state of facts an accurate survey or personal inspection of the premises would disclose;

   c) Applicable zoning/land use/building/health and environmental regulations;

   d) Easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale;

   e) For the immediate tax year, pro rata real estate taxes; and

   f) For assessment purposes, the purchaser shall be deemed to be the owner prior to the next taxable status date following the closing;

   g) The rights, if any, of tenants and persons in possession, and;

   h) Outstanding water and sewer assessments and other unpaid liens or charges (including, but not limited to, demolition charges, interest and penalties, condominium fees) whether they have been billed or not as of the date of the auction, all as specified in the Auction Brochure;

i) Any covenants, easements or conditions imposed by the County Planning or any other Department and listed in the Auction Brochure, or by the Legislature as part of its approval of the sale;

j) Purchaser's signing a Certification as part of the bid finalization that he or she has read and understood the Terms and Conditions as set forth in the pertinent Auction Brochure;

k) Such additional contract terms and conditions as may be set forth in the Auction Brochure or Memorandum of Sale.

6. **NO WARRANTIES** - All real property in the auction, including any building thereon, is sold **"AS IS"** and without any representation or warranty whatsoever as to the physical condition or as to title.

7. **REFUNDS** - In the event that a sale is cancelled or the bid is rejected by the Suffolk County Legislature, the down payment and other monies paid when the Memorandum of Sale was executed will be refunded without interest.

8. **AUCTION PROCEDURES** - As determined by the Director to be appropriate or necessary, the following rules or conditions shall be included in the "Terms and Conditions of Sale - 2013 Auction(s)".

a) County **general auctions** are Public Auctions at which a person must be present to participate as a bidder. Third party bidding may be accepted provided the bidder identifies the purchaser/principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein. **No absentee bids** are accepted.

b) The County may conduct **special auctions**, that is, auctions limited to certain properties, based on their type or condition, for example, Brownfield sites; or their potential use, for example, affordable housing sites and commercial properties; or based on any other special circumstance relating to the properties to be auctioned. At special auctions, sealed bids from bidders who are not physically present and third party bidding may be accepted provided the bidder identifies the purchaser/ principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein.

c) **Registration** shall be required prior to any auction. Prior to the auction, each registered bidder will be assigned a bidding number that must be displayed in order to bid.

d) **The auction may be divided into Sessions**. The auctioneer will accept bids in increments, as described below, until such time as no further bids are entered. Thereupon the parcel is declared, "Sold" to the highest bidder. All successful bids in one Session must be finalized (see the next subsection regarding finalization) before commencement of the next Session, or the underlying sales will be deemed cancelled.

e) Directly after the sale of a parcel, the **purchaser or third party bidder, in purchaser's absence, must finalize** the sale by signing the Terms and Conditions of

Sale, or Memorandum of Sale, as applicable, and depositing the down payment and the auction fee with the auction cashier. Delay in finalizing the sale may be cause for cancellation. *If a purchaser fails to finalize the purchase of any parcel, he, she or it shall not be permitted to bid on any further parcels and the Director may immediately cancel all other sales that took place at the same auction to the same purchaser.* In the event of cancellation due to failure to finalize a purchase, the subject parcel(s) may be returned to the auction block or withdrawn from the auction.

9. **PRE-AUCTION INFORMATION** - Collecting and verifying any information in regard to auctioned parcels, including, for example, address, location, zoning and land use restrictions, building or health code requirements, taxes or assessed value is the responsibility of the buyer. Much of this information may be obtained from the Town or Village in which the property is located. The County is not responsible to provide real property information, other than the Suffolk County Tax Map number. Purchaser's misunderstanding or failure to verify property information is not grounds for rescinding or canceling an auction sale. THE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH ANY AUCTION SALE.

10. **INSPECTION OF PROPERTY** - The Auction Brochure will indicate whether the property may be inspected and how arrangements for inspection can be made. Inspection or entry onto the property may be prohibited by the County due to safety or any other reason. Where inspection is permitted, persons intending to participate at the auction should inspect and investigate the property in which they are interested prior to the auction sale. Inspection of commercial and industrial properties must not interfere with businesses operating thereon. Parcels that are improved by occupied homes may only be inspected on the dates and at the times set by the County in its publications, or on the dates and at the times confirmed in writing by the Division of Real Property Acquisition and Management. Entering onto any auction parcel at any other time will be grounds for disqualification from the auction and may amount to a trespass subject to prosecution.

11. **REGISTRATION OF BIDDERS** - All bidders, except third party bidders, shall be required to register prior to all auctions. In the event of third party bidding, the purchaser/principal shall be required to register prior to the auction. Such registration will be a condition of participation in said auction and shall consist of the execution of a registration form designated for use by the Director and may further require providing an official photographic identification, address, social security number or tax identification number, disclosure statement or other personal or financial documentation that would verify the identity and financial ability of the person or business entity to participate in the auction. As designated by the Director, pre-registration may require filing a bond, deposit or other evidence (as may be required) of financial ability to complete the terms and conditions of the sale at the estimated fair market value.

When third party bidding is permitted, individuals acting on behalf of others, not in attendance at the auction, must produce a "Power of Attorney" or other appropriate

authorizing documentation, duly executed and notarized. Incorporated entities (Inc., Corp., LLC.) are required to provide a corporate resolution prior to the auction authorizing the entity's participation in said auction and a corporate resolution authorizing the purchase of real property prior to the transfer of title.

12. **FORM OF BIDDING** - Each bidder is responsible to signal his or her bid to the auctioneer. Bids may be signaled either by raising the paddle bearing the unique number issued to him or her for purposes of bidding at the auction or, in auctions not requiring individual bidder paddles, by securing a floor usher to signal the desired bid.

13. **MEMORANDUM OF SALE** - The purchaser's offer and agreement to purchase will be formalized in a "Terms and Conditions of Sale" or "Memorandum of Sale", referred to hereafter jointly as the "Memorandum of Sale", as may be utilized at the particular auction. Purchaser or third party bidder in purchaser's absence is obligated to execute the Memorandum of Sale and pay the down payment and auction fee before the end of the auction session at which the property was sold. As a material condition of the Memorandum of Sale:

a. Purchaser waives any claim to special, consequential or punitive damages, attorney's fees, reimbursement for any expenses incurred in reliance on completion of the sale, improvements of property, or for license fees already paid should the sale subsequently not be approved or closing not occur; and

b. Purchaser acknowledges that no property interest, either real or personal, is acquired by purchaser and any and all claims for specific performance and/or any right to file a Notice of Pendency against any property offered for bidding and/or sale should the sale subsequently not be approved or closing not occur are hereby waived.

14. **DOWNPAYMENT** - Following acceptance of the winning bid, and prior to the start of the next auction Session, the purchaser or third party bidder in purchaser's absence shall deposit a down payment in the amount of twenty percent (20%) of the sale price, or as otherwise specified. **ONLY cash, certified checks, bank checks, money orders or traveler's checks are acceptable for the down payment.** If the purchaser fails to produce the acceptable payment, as described, the parcel may be resold at the same auction or withdrawn from the auction, in the sole discretion of the County.

15. **RESTRICTIVE COVENANT ON RESIDENTIALLY-IMPROVED PARCELS** - A parcel offered at auction which is improved by a residential structure, may be offered subject to a restrictive covenant that will be noted in the Auction Brochure and included in the deed conveying the parcel. The covenant requires the owner of the parcel, or his or her children, parents, successors and assigns to occupy said premises. Said restriction requiring owner occupancy shall run with the land for a period of ten (10) years subsequent to the transfer of title from the County of Suffolk. The owner of the parcel may sell the parcel at any time in which case the new owner, his or her children, parents, successors and assigns shall be required to occupy the premises for the balance of the

ten (10) year period. The County shall be given written notice of any transfer of the parcel within said ten (10) year period. The Director shall reserve to the County a right of reverter should this restriction be violated. It is the responsibility of the purchaser to note which parcels are sold subject to the said restrictive covenant.

16. **SPECIFICALLY DESIGNATED SMALL LOT PARCELS**–In order to promote the development of residential dwellings for first time home buyers and/or occupants, parcels which may not meet minimum zoning code requirements of the municipal zoning district in which the parcel is located shall be offered to convey such parcel to the highest bidder at a special auction who:

(i) agrees, in writing, within sixty (60) days of the date of such auction, to apply for and diligently pursue, using best efforts and at such bidder's sole cost and expense, a building permit, to allow the construction of a single family residential dwelling on such parcel that substantially conforms in size and appearance to the residential dwellings located within the immediately surrounding residential community; (ii) agrees, in writing, within one hundred eighty (180) days of the date of such auction, to apply for and diligently pursue, using best efforts and at such bidder's sole cost and expense, any and all variances and/or other relief from such minimum zoning requirements; and (iii) agrees, in writing, to accept title to such parcel subject to the covenants contained in this section.

1.) Upon the granting of any required variance or other relief from the minimum zoning requirements of the municipal zoning district in which the parcel is located, and the issuance of a building permit to construct such single family residential dwelling on such parcel, fee title shall be promptly conveyed to such highest bidder by deed containing the following covenants, which covenants shall run with the land:

a.) "The use of the parcel herein described by the grantee is hereby restricted solely to the development of a single family residential dwelling unit for first time home owners or buyers; with all right, title, and interest reverting back to the County of Suffolk, at the sole option of the County of Suffolk, in the event the grantee, at any time, uses or attempts to use the parcel herein described for any other use or purpose, including, without limitation, no use or purpose. This reverter clause shall also apply to any transferee from the grantee who is not a first time home owner or buyer."

b.) "All right, title, and interest to the parcel herein described shall revert back to the County of Suffolk should any one or more of the following events occur:

[1.] If the grantee, or any transferee from the grantee who is not a first time home owner or buyer, fails to substantially complete the construction of a single family residential

dwelling upon the parcel described herein within three (3) years from the date of transfer to the grantee, unless one or more extensions of time is granted, in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Notwithstanding the foregoing, such extensions shall not exceed, in the aggregate, a period of four (4) years from the date of transfer to the grantee, unless approved by a duly enacted resolution of the County of Suffolk;

[2.] If the income of the first time home owner or buyer, at the time of occupancy of the single family dwelling constructed on the parcel described herein, should exceed 80% of the HUD established median income for the Nassau-Suffolk Primary Metropolitan Statistical Area adjusted by family size;

[3.] If the sale price of the single family dwelling constructed on the parcel described herein exceeds 60% of the median sales price for Suffolk County single family dwellings, based upon the State of New York Mortgage Agency Guidelines;

[4.] If the first time home owner or buyer of the single family dwelling constructed on the parcel described herein fails to occupy such single family dwelling as his and/or her primary residence for a period of ten (10) consecutive years from the time of occupancy of such single family dwelling; provided, however, that the right, title and interest to the parcel herein described shall not revert to the County of Suffolk if:

[a.] the first time home owner or buyer sells to a first time home owner or buyer meeting the income qualifications set forth in paragraph (1.)(b.)[2.], or as amended; and

[b.] any gain realized from such sale up to and including the fifth anniversary of ownership, and declining ratably thereafter to fifty (50%) percent of any realized gain during the sixth year of ownership up to and including the tenth anniversary of ownership, shall be paid to the County of Suffolk; and

[c.] the income qualifications and the formula for recapture of realized gain set forth in this

paragraph shall apply to each and every subsequent sale;

[5.] If all or any portion of the single family residential dwelling is rented or leased to any other person, whether or not by written agreement;

[6.] If the grantee fails to certify to the Suffolk County Director of Affordable Housing, (or his or her designee), prior to closing of the title by a first time home buyer, or occupancy by a first time home owner, as the case may be:

[a.] the dates of completion and occupancy of the single family dwelling constructed on the parcel described herein; and

[b.] the total income, from all sources, of all occupants of the single family dwelling constructed on the parcel described herein; and

[c.] in the case of a first time home buyer, the sales price of the single family dwelling constructed on the parcel described herein; and

[d.] the single family dwelling constructed on the parcel described herein meets all applicable building and zoning codes, rules and regulations;

[7.] If the grantee fails to provide the Suffolk County Director of Affordable Housing, (or his or her designee), with a detailed, annual written report no later than December 31 of each year commencing in the year immediately subsequent to the date of this deed, which report shall include any and all information as may be required by the said Director, including, but not limited to, the status of the development and/or sale of the parcel described herein, and an accounting of all sums directly or indirectly attributable to the use of the parcel described herein."

2.) In the event such highest bidder, after using best efforts to apply for and diligently pursue any variance or other relief from such minimum zoning requirements and a building permit, to allow the construction of a single family residential dwelling on such parcel that substantially conforms in size and appearance to the residential dwellings located within the immediately surrounding residential community, does not obtain such variance and building permit within the time prescribed herein, the auction

sale shall be deemed cancelled and the County shall return to the bidder any sum paid under the terms and conditions of the auction.

3.) In the event a parcel offered for sale pursuant to the preceding provisions of this Subsection is not sold the first time it is offered at an auction, and the parcel is appraised for less than $50,000, the Commissioner, or his or her designee, shall offer the parcel to appropriate adjoining property owners at not less than the appraised value before offering it for sale by general auction.

4.) In the event a parcel does not meet applicable minimum zoning code requirements in order to be developed, is appraised for less than $50,000, and fails to satisfy the criteria for auction under the provisions of this Subsection, the Commissioner, or his or her designee, shall offer the parcel to appropriate adjoining property owners at not less than the appraised value before offering it for sale by general auction.

5.) The Commissioner, or his or her designee, is authorized to execute and deliver, by a bargain and sale deed without covenants, or by quitclaim deed, for the transfer of any properties which are the subject matter of this section. All deed transfers shall be subject to the express approval of the County Legislature, and all contracts negotiated by the County shall provide that the proposed conveyance is subject to legislative approval and subject to such restrictive covenants as may be provided for by law.

17. **PURCHASER IDENTIFICATION** - Prior to closing, the purchaser shall provide information necessary to complete forms and documents required for recording the deed in the Suffolk County Clerk's Office, including, among others as may be requested, the NYS Department of Taxation and Finance TP-584 form.

18. **FORMER OWNER BIDDING RESTRICTED** - The former owner of the property, or his agent, shall not be permitted to bid on the property or purchase same at the public auction, unless his or her bid amount exceeds the total of tax arrears, penalties and interest or surcharges that would have been due as of the day of the auction, without regard to limits on the time to redeem. If the former owner or his agent is the successful bidder at auction all liens existing prior to the foreclosure will be reinstated and added to the auction price.

19. **ASSIGNMENT RESTRICTED** - A Memorandum of Sale executed at the auction cannot be assigned unless the Director agrees thereto in writing. Assignments shall only be approved upon good cause shown. In the event that an assignment is approved, a fee of no less than $300 can be charged.

20. **BROKERS** - The County of Suffolk will not pay any broker's commissions or fees. If a broker or attorney acting in the capacity of a broker is authorized to bid as the designee or agent of the actual purchaser, it is the sole responsibility of the purchaser to pay any brokerage fees or commissions earned thereby.

21. **PARTICIPATION BY SUFFOLK COUNTY EMPLOYEES PROHIBITED** - County employees and/or their immediate families, whether or not residing with the employees, are not permitted to participate as a purchaser or bidder at a County auction. Purchasers will be required to furnish an affidavit at the closing to the effect that the Purchasers are not employees or immediate family members of any Suffolk County Employee.

22. **SALE SUBJECT TO APPROVAL BY LEGISLATURE** - The Suffolk County Code requires that the disposition of surplus property must be approved by the County Legislature. A list of proposed auction sales will be presented to the Legislature for review and approval. All offers to sell are conditioned on approval from the County Legislature which in its sole discretion, can decline to approve.

23. **SALE SUBJECT TO CANCELLATION BY COUNTY** - At the County's discretion, sales remain subject to cancellation even after legislative approval, but prior to the title closing in the event that insurable title cannot be conveyed, or for other good cause as determined to exist by the Director. In the event that a sale is cancelled due to the purchaser's violation of any of the conditions set forth herein, any monies paid by or on behalf of the purchaser to the County shall be forfeited by purchaser and shall be retained by the County.

24. **RISK OF LOSS** - Damage by fire or other casualty loss that occurs between the sale and the title closing, the repair of which exceeds 10% of the purchase price as determined by the Director in his or her sole discretion, may permit the purchaser to cancel the sale. If the damage is less than 10% of the purchase price, the Division of Real Property Acquisition and Management may cancel the sale, or may reduce the purchase price, after verifying the amount and value of damage by an appraisal by up to 10% in order to induce the purchaser to close.

25. **TITLE CLOSINGS** - Closings can be scheduled only after the legislative resolution approving the sale is filed with the County Clerk. The County will use its best efforts to close within six months of this approval. Closing dates for the sale of properties purchased at auction will be determined by the Director. Notice of a closing date will be sent to the purchaser, at least ten (10) calendar days in advance. The County reserves the right, in its sole discretion, to extend the time for closing or to compel the completion of the sale by an action for specific performance. If an adjournment is requested by the purchaser, then the Director may declare the adjourned date, or any subsequent adjourned date to be the final law date set for closing of title. On purchaser's failure to

accept delivery of the deed on the final law date the sale may be cancelled and all monies paid to date may be retained by the County. In such event, purchaser will have no further rights or any claim regarding the sale or the parcel.

26. **METHOD OF PAYMENT** - Except for the auction fee (see below) **cash, certified checks, bank checks, money orders or traveler's checks are the only forms of payment acceptable** for amounts due at auction or closing. At the discretion of the Director, such certified or bank checks, money orders or traveler's checks, if payable to the order of the Purchaser, may be endorsed over to the Division of Real Property Acquisition and Management. The balance of the purchase price together with the pro rata share of taxes for a parcel sold at auction shall be due and payable at the time of the closing of title.

27. **AUCTION FEES** - In addition to the amount of the accepted winning bid, the purchaser of each parcel must pay an auction administrative fee (generally 1%, or up to 3% of the sales price), but not less than $25, if auction fees are required for the subject auction. The auction fee is separate and apart from the purchase price and must be paid by separate check or cash. Payment of the auction fee may be made by any of the methods mentioned in the immediately prior section or by personal check. There will be a $25 fee imposed as an additional closing cost for checks that are not collectible after one presentation to the bank. Auction fees offset the costs of advertising, printing and other expenses of this auction and may be increased or decreased as appropriate to the auction, but may not exceed 3% of the winning bid without approval of the County Legislature.

Additionally in accordance with Local Law No. 40-2007, a local law to offset the cost of maintaining surplus County Property, there shall be imposed on the purchase of all surplus County property sold at public auction a surcharge for each parcel purchased, in addition to any other fees and/or surcharges imposed, which surcharge shall be collected at closing and in accordance with the Auction Terms and Conditions promulgated by the County Division of Real Property Acquisition and Management, and which surcharge shall be deposited with the Suffolk County Sheriff for the sole purpose of funding the Sheriff's Labor Assistance Program (SLAP) or any successor program thereto. This surcharge shall be collected according to the following schedule:

A) a .5% surcharge on winning bids between $0 and $50,000;

B) a .75% surcharge on winning bids between $50,001 and $100,000; an

C) a 1% surcharge on winning bids between $100,001 and $250,000, said surcharge to be applied only to the first $250,000 for winning bids exceeding that amount.

28. **DEFAULT BY THE PURCHASER** - If, due to failure on the part of the purchaser, title does not close on any auctioned parcel, the down payment and auction fee are subject to forfeiture as liquidated damages for the County's auction costs, overhead expenses and loss of the transaction. *In the event of a default on one parcel, the Defaulting Purchaser may not be permitted to close on any other parcels for which he or she is the successful bidder.* If the purchaser fails to pay the balance of the purchase price as herein required, the deposit and auction fee shall be forfeited.

29. **UPSET PRICE** - Bidding will begin at the upset price as specified in the Auction Brochure.

30. **BIDDING INCREMENTS** - During the auction, the auctioneer will announce the minimum increments required to advance bidding. A bid will not be accepted unless it meets or exceeds the increment then in effect. The Director may modify the Bidding Increments at any time without notice. Generally, increments will increase as a multiple of each $20,000 that the sale price increases.

Typical increments are as follows:

Bid Amount (Range)	*Minimum Increment of Subsequent Bid*
$ 5,000 to $ 25,000	$ 500
$25,000 to $ 50,000	$1,000
$50,000 to $100,000	$2,000

31. **OCCUPANCY PRIOR TO CLOSING** - After the close of the Auction, the purchaser of any parcel may contact the Division of Real Property Acquisition and Management to attempt to arrange for a license agreement that would permit inspection or use and occupancy of the auctioned parcel prior to closing. A license agreement may be approved at the discretion of the Director, on such terms as the Director may deem reasonable. No entry onto the auctioned property is permitted without a license agreement.

32. **PERSONAL PROPERTY** - No personal property is included in the sale of any of the parcels auctioned by Suffolk County, except as may remain on the premises after the closing. The disposition of any personal property, located on any parcel following the closing shall be the responsibility of the purchaser.

33. **DEED FORMAT** - The Auction Brochure will set forth the type of deed approved by the legislature for conveyance of each parcel to the winning bidder. One of three types of deeds may be employed:

a) Bargain and Sale Deed without Covenants, or with Covenants against Grantor's Acts;

b) Quitclaim Deed;

c) Directed Deed (from the Treasurer to the Purchaser.)

34. **QUITCLAIM DEED** - A quitclaim deed issued to convey a parcel sold at auction may contain the following provisions:

"Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein";

"Excepting and reserving all the right, title and interest of the County of Suffolk in and to any portion or interest of the lands herein conveyed, which interest was heretofore acquired other than pursuant to the provisions of the Real Property Tax Law of the State of New York".

35. **OTHER DEED/CLOSING CONDITIONS** - If an auctioned parcel is contiguous with other real property owned by the Purchaser, the County may require as a condition of closing that Purchaser request the Town Assessor in writing to combine the two parcels; Purchaser shall not convey either parcel(s) without also conveying the adjoining parcel to the same grantee, unless approved by the local planning board. These restrictions shall run with the land.

36. **CLOSING COSTS** - The Purchaser is responsible to pay all closing costs, unless specific provision was otherwise made in advance and approved by the County Legislature. All closings will take place at the Division of Real Property Acquisition and Management, or the Department of Law, unless otherwise agreed to in writing no less than one week in advance of the closing. If the Purchaser demands a closing in Suffolk County other than at County offices, an attendance fee will be charged at the rate of $250 Base Fee for the first two hours, excluding travel time, plus $150 for every hour, or fraction thereof, thereafter. For closings in Nassau County, the Base Fee will be $350; in New York City or the boroughs thereof, the Base Fee is $450.

37. **TITLE INSURANCE** - All objections to title (including survey objections) must be submitted to the Director within 45 days after the date the sale is approved by the County Legislature or the objections are deemed to be waived. In the instance of a Bargain and Sale Deed without Covenants against Grantor's Acts, or a Bargain and Sale Deed with Covenants against Grantor's Acts, the County may , but is not obligated to, deliver such title as a title company licensed in the State of New York and approved to

do business with the County will insure. The County may pre-qualify certain parcels for title insurance. Where it is noted in the brochure that certain parcels have already been examined by a named title company; the Purchaser may choose to use that title company or a different qualifying company.

38. **TITLE OBJECTIONS** - If the purchaser's title company refuses to insure without exceptions, the County may select a different, equally-qualified title company. Purchaser agrees to accept insurance from the alternative insurer, provided no additional cost results thereby, over and above the cost of insurance from the first company. If the purchaser's title company will not insure title without exceptions, and if the Director chooses not to pursue insurance from an alternative title insurer, the Director may cancel the transaction and return the down payment and auction fee. In such event, the parties will have no further rights one against the other.

39. **DISPUTE RESOLUTION FINAL** - The decision of the Director regarding any dispute related to the auction or the conveyance of auctioned property is final. The Director reserves the right to reject any bid for failure to comply with auction procedures, or for any other reason related to the conduct of the auction, or to cancel an approved sale if the County elects not to proceed or if the purchaser fails to complete his or her obligations in timely fashion.

40. **FORM OF COMMUNICATION** - In connection with a "limited auction", that is, an auction among persons owning property adjacent to the parcel to be sold pursuant to §A42-4(H)(3) or (4), the County will send an "Initial Inquiry Response" to solicit the interest of each such owner in participating in an auction. The form is sent to the owner at the address listed with the County Treasurer by certified mail, return receipt requested. All subsequent communications or notices may be sent by regular mail. For publicly advertised auctions, all communications with prospective participants or with purchasers will be sent be regular mail to the address that they provide.

41. **NO WARRANTY OF VACANCY** - The County makes no warranty that the premises will be delivered vacant. If an auctioned property becomes occupied following the sale, then following closing and recording of the deed, an eviction, if necessary, will be the responsibility of the Purchaser. The County expects not to place a licensee, other than the prospective purchaser, in any auctioned premises after the auction. However, it will do so in order to safeguard the premises or for other property management reasons.

42. **PERMISSION TO REMOVE SIGN** - The purchaser on each auction parcel may remove the auction sign after signing the Memorandum of Sale and tendering the down payment.

43. **INELIGIBILITY TO PURCHASE** No bidder, or purchaser/principal in the event of third party bidding, including, without limitation, any business entity or subsidiary, parent or

affiliate thereof, or any trustee(s), director(s), officer(s) or shareholder(s) with voting interests or owning a total of twenty percent (20%) or more of any of the foregoing, who or which is or has been in default in or on any contract, obligation or agreement of any kind or nature whatsoever entered into with the County, or any of its agencies, within a period of five (5) years prior to the date of the auction sale, will be accepted as an eligible bidder for any property. Such obligations include, among other things, the obligation to pay in full all Suffolk County property taxes and charges when due. If the purchaser owns, alone or with others, any other property for which outstanding and delinquent taxes are owed to Suffolk County, those delinquent taxes must be paid in full prior to closing on any parcels purchased at auction.

The County reserves the right to deny access to the auction, cancel a sale or exercise its right of reversion herein, if an investigation reveals to the Director's satisfaction that the registration form is not adequately, properly and/or truthfully completed; if the identification supplied is not sufficient, if the purchaser or bidder is deemed to be financially unqualified; if the purchaser or bidder has been found guilty of any housing code or building code violation which violation resulted in death or personal injury or has been found guilty of any crime or violation under any Federal, State, County, including but not limited to Articles 7 and 12 of the Suffolk County Sanitary Code, Local Law or permit involving the treatment, handling, storage and/or disposal of any toxic and/or hazardous substance, material or waste; or has been found guilty of any predatory and/ or discriminatory lending practices involving, but not limited to, violations of the Racketeer Influenced and Corrupt Organization Act, the Equal Credit Opportunity Act, the Federal Fair Housing Act, the Real Estate Settlement Procedures Act, the Federal Truth in Lending Act, the N.Y. General Business Law or the Suffolk County Human Rights Law or if the taking of title and/or occupancy by purchaser will result in a violation of any Federal, State, County or Local Law.

44. **FINAL SALE** – Except as provided in paragraph 45 hereinafter, all sales shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall Suffolk County be or become liable for any defects in title for any cause whatsoever; no claim, demand or suit of any nature shall exist against Suffolk County in favor of the purchaser, its heirs, success or assigns, arising from this sale.

45. **MATERIAL MISREPRESENTATION** – If any material misrepresentation, omission or false statement relating to any representation required herein is discovered after the title closing, the County may avail itself of all remedies available to it at law, it being acknowledged that these representations are being relied upon by the County and are material to this transaction. If such misrepresentation, omission or false statement occurs, the purchaser understands that he/she/it may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser and others for cancellation of the transaction. This clause shall survive the title closing. The verified registration statement is a sworn statement and the making of a false representation or intentional omission in it may be punishable as a crime.

46. **CERTIFICATION OF NON-AGENCY** – The purchaser shall be required to certify that he/she is not representing the former owner(s) of the property and has no intent to defraud Suffolk County of the unpaid taxes, assessment, penalties and charges, which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom Suffolk County foreclosed. If such conveyance occurs, the purchaser understands that he/she may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser, the former owner and others for cancellation of the transaction, and/or any deficiency between the purchase price at auction and such sums as may be owed to Suffolk County as related to the property.

47. **JURISDICTION** – Bidder and/or purchaser at this auction agrees that the sole forum for any dispute or cause of action arising out of this auction shall be the Supreme Court of the State of New York, County of Suffolk and related Appellate Courts.

1163

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation- Approval of Auction Rules for the Disposition of Surplus Property Acquired Under the Suffolk County Tax Act.

3. Purpose of Proposed Legislation

   Annual approval of Auction Rules

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

   Auction revenues

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

   Unknown

8. Proposed Source of Funding

   Unknown

9. Timing of Impact

   2013-2014

10. Name & Title of Preparer	Signature of Preparer	Date
Wayne R. Thompson, Property Manager	Wayne R Thompson	2/14/13
NEIL TOOMB INTERGOV Rel COORD	Neil Toomb	2/21/13

1163

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.

To be completed by the Executive Budget Office

1163

2013 INTRAGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL:

APPROVAL OF AUCTION RULES FOR THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT

PURPOSE OR GENERAL IDEA OF BILL: Yearly approval of Suffolk County Auction Rules.

SUMMARY OF SPECIFIC PROVISIONS: No additions or deletions from 2012 approved auction rules.

JUSTIFICATION: **WHEREAS**, §1070-6 requires the approval by the Suffolk County Legislature of auction rules and regulations formulated by the Department of Economic Development and Planning, Division of Real Property Acquisition and Management; and

FISCAL IMPLICATIONS: Dependent on the number of auction parcels sold-will effect mostly 2014

COUNTY OF SUFFOLK

1163

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

February 14, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Flr.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: RESOLUTION NO. -2013, REVIEW OF AUCTION RULES FOR THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT

Dear Mr. Schneider:

Enclosed herewith for your approval is the original copy of the proposed resolution with documentation pursuant to:

Yearly Approval of Auction Rules.
Please note changes in rules- additions are underlined and deletions in [ ]

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson
Division of Real Property
Acquisition and Management

JRN:WRT:slb

Enc: Resolution + 1 copy
Summary Statement
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1hard copy)
CE Reso Review, (electronic copy)

Introductory Resolution No. 1164-13 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 ALFRED BEDFORD (SCTM NO. 0100-173.00-01.00-127.002)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 173.00 Block 01.00 Lot 127.002 and acquired by Tax Deed on January 29, 1976 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on January 29, 1976 in Liber 7981 at CP 289 and described as follows, known and designated as part of Lot 41 and part of Lot 42 on a certain map entitled "Map of American Park at Amityville", and filed in the Office of the Clerk of the County of Suffolk on May 23, 1967 as Map No. 4851,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Alfred Bedford, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $800.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 10' x 99' x 21' x 10' x 20' x 96" has been appraised at $650.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $800.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Alfred Bedford, 4 Melody Lane, Amityville, New York 11701.

DATED:

APPROVED BY

_____
County Executive of Suffolk County

Date of Approval:

1164

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0100-173.00-01.00-127.002

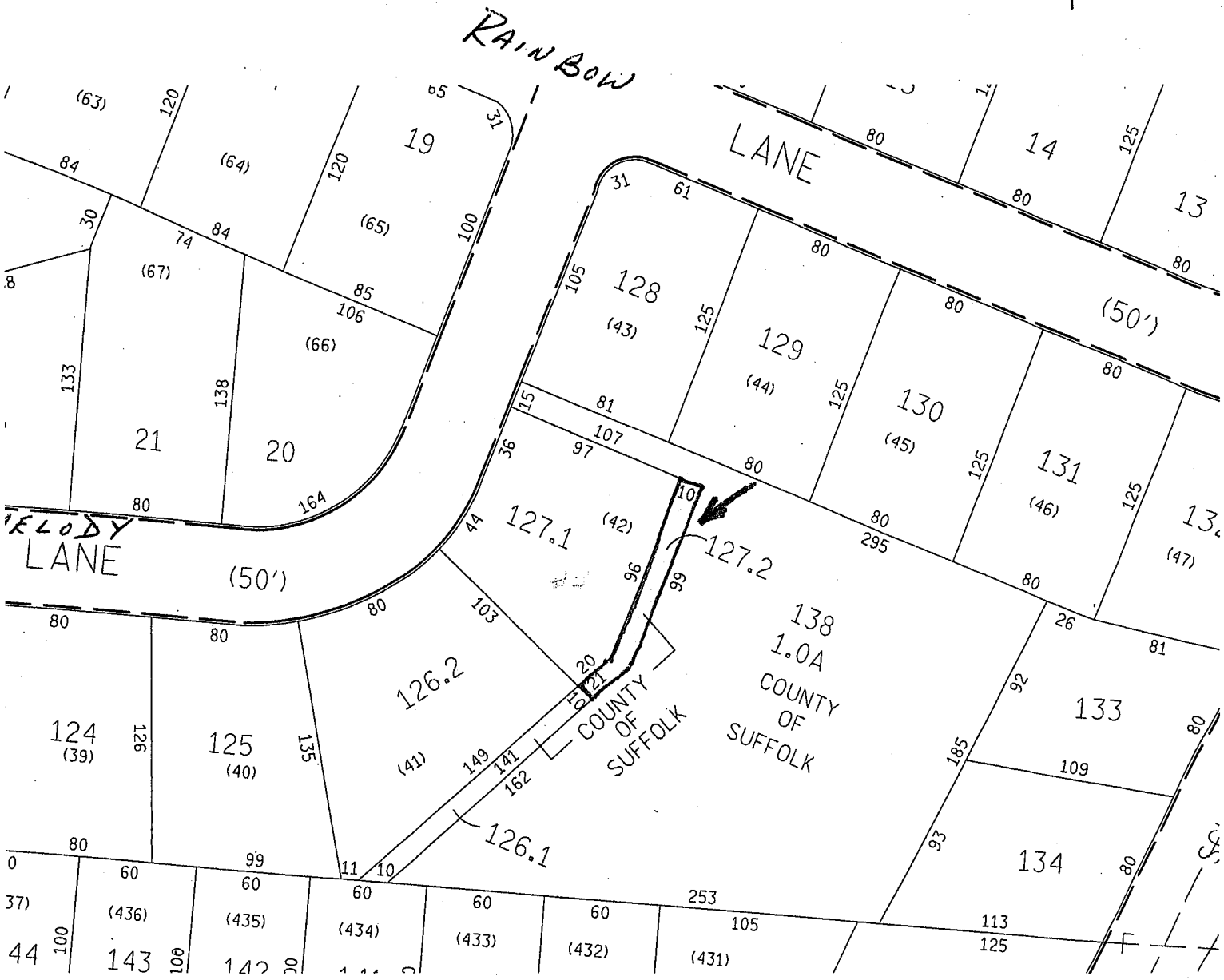
ADJOINING OWNER	BID	BID	BID
Alfred Bedford 4 Melody Lane Amityville, NY 11701 0100-173.00-01.00-127.001	$800.00		
County of Suffolk 330 Center Drive Riverhead, NY 11901 0100-173.00-01.00-126.001 & 138.000	$0		

SIZE OF PARCEL: 10' x 99' x 21' x 10' x 20' x 96'
APPRAISED VALUE: $650.00
COMMENT: Direct Sale to Adjacent Owner

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

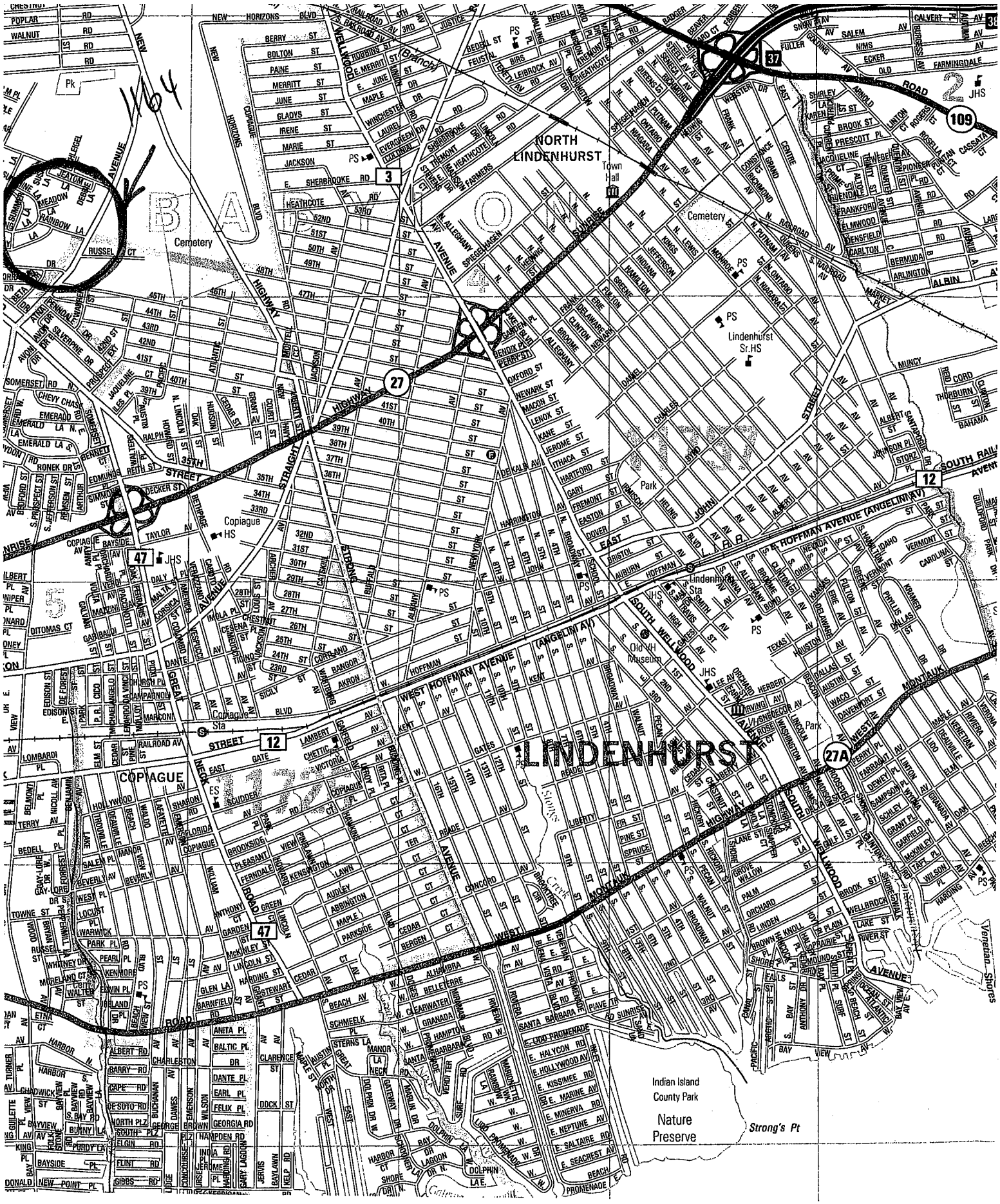
1164

N



Tm# 0100-173.00-01.00-127.002

Rainbow Ln
Melody Ln
Ashley Ave
50 m
100 ft
TM# 0100-173.00-01.00-127.002



TM# 0100-173.00-01.00-127.002

1164

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

   Sale of County–Owned Real Estate Pursuant to Local Law No. 13-1976
   SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO
   LOCAL LAW No. 13-1976
   ALFRED BEDFORD
   (SCTM NO. 0100-173.00-01.00-127.002)

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

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

   Unknown

8. Proposed Source of Funding

   None

9. Timing of Impact

   2013

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

    R.J. Bhatt
    Land Management Specialist
    NEIL TOOMB
    INTERIOR Rel COORD

    R.J. Bhatt
    Neil Toomb

    2/14/13
    2/21/13

1164

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1164

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

February 14, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0100-173.00-01.00-127.002

Dear Mr. Schneider:

Enclosed herewith is the original copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1 hard copy)
CE Reso Review, (electronic copy)

Introductory Resolution No. 1165-13 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 JOHN FIORINI JR. AND DEBORAH FIORINI, HUSBAND AND WIFE (SCTM NO. 0500-376.00-01.00-024.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 376.00 Block 01.00 Lot 024.000 and acquired by Tax Deed on October 3, 2001 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 10, 2001 in Liber 12146 at CP 199 and described as follows, known and designated as Lot 751 on a certain map entitled "Map of Idle Hour South", and filed in the Office of the Clerk of the County of Suffolk on August 11, 1926 as Map No. 158,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, John Fiorini Jr. and Deborah Fiorini, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $10,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 50' x 100' has been appraised at $10,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $10,000.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, Without Covenants, to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said John Fiorini Jr. and Deborah Fiorini, Husband and Wife, 21 Ormond Avenue, Oakdale, New York 11769.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1165

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

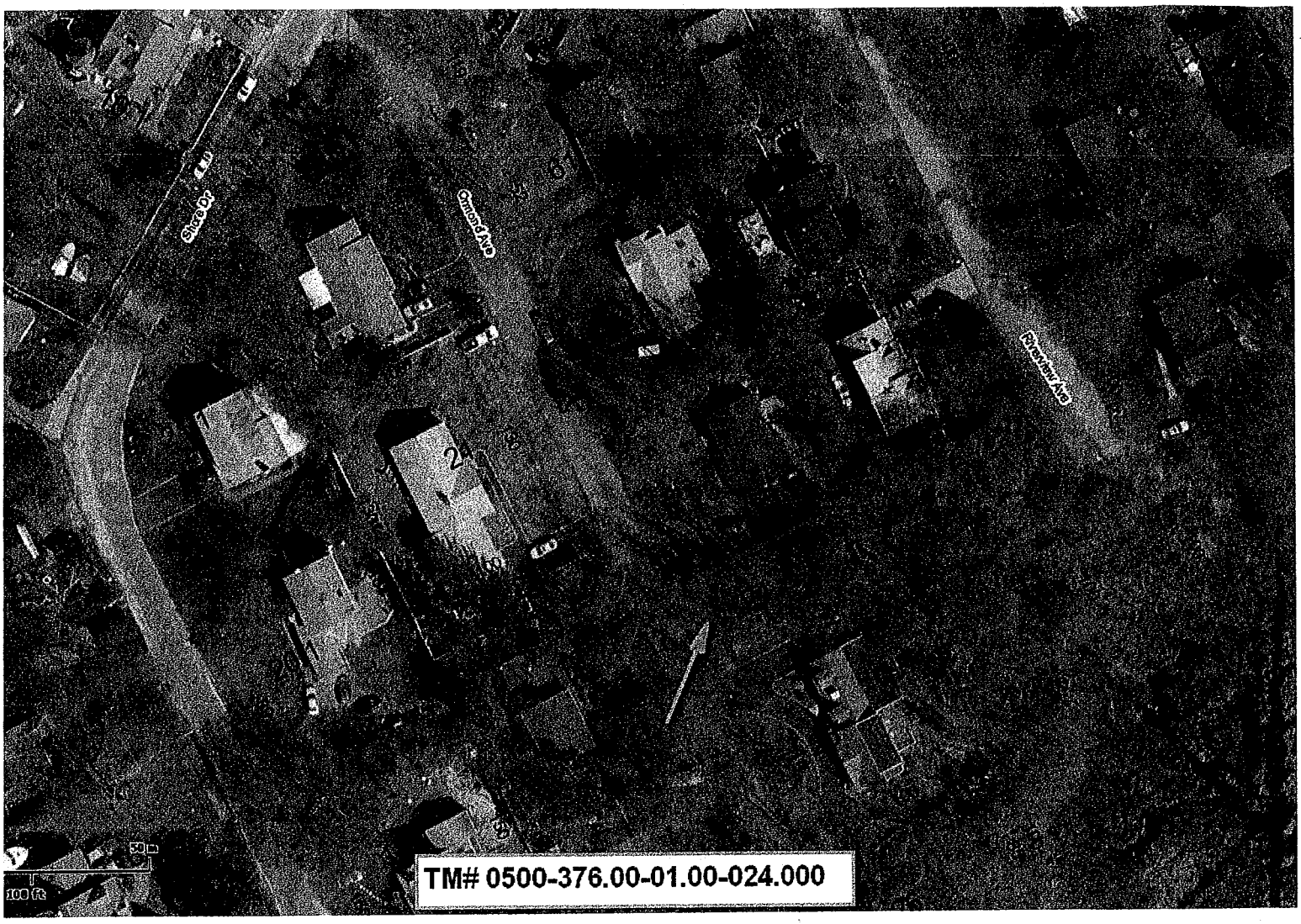
DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0500-376.00-01.00-024.000

ADJOINING OWNER	BID	BID	BID
John Fiorini Jr. & Deborah Fiorini 21 Ormond Avenue Oakdale, New York 11769 0500-376.00-01.00-025.000	$10,000.00		
John R. & Joyce P. Garbarino 17 Ormond Avenue Oakdale, New York 11769 0500-376.00-01.00-023.000	$0		
Town of Islip 655 Main Street Islip, New York 11751 0500-376.00-01.00-034.000	$0		

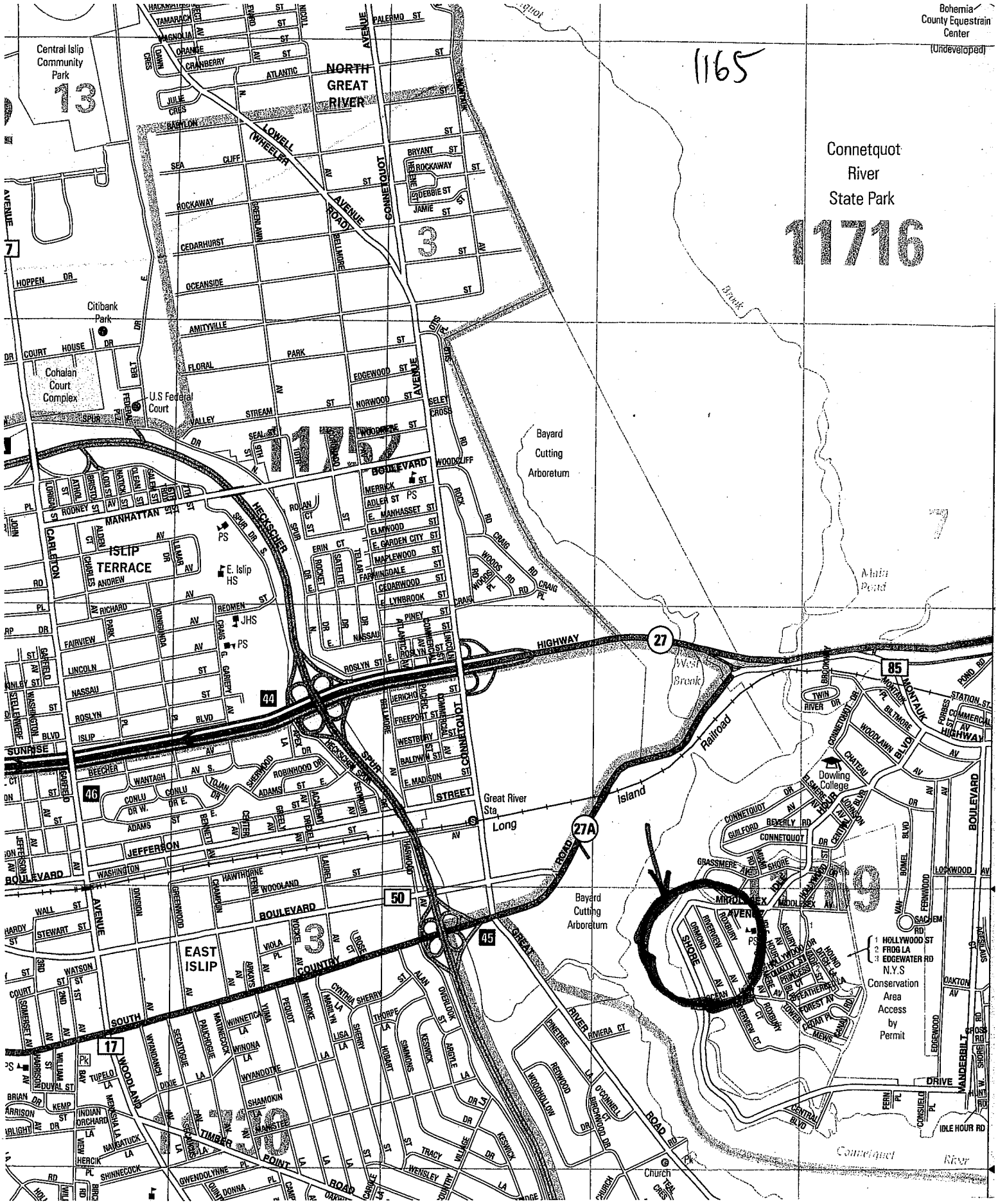
SIZE OF PARCEL: 50' x 100'
APPRAISED VALUE: $10,000.00
COMMENT: Direct Sale to Adjacent Owner

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

Tm # 0500-376.00-01.00-024.000



TM# 0500-376.00-01.00-024.000



TM # 0500-376.00-01.00-024.000

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution X Local Law X Charter Law _____

2. Title of Proposed Legislation

   Sale of County–Owned Real Estate Pursuant to Local Law No. 13-1976

   SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976
   JOHN FIORINI JR. AND DEBORAH FIORINI, HUSBAND AND WIFE
   (SCTM NO. 0500-376.00-01.00-024.000)

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   X County _____Town _____Economic Impact

   _____Village _____School District Other (Specify):

   _____Library District _____Fire District

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

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

   Unknown

8. Proposed Source of Funding

   None

9. Timing of Impact

   2013

10. Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	R.J. Bhatt	2/15/13
NEIL TOOMB INTERIOR Rel (COPY)	Neil Toomb	2/21/13

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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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1165

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

February 14, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0500-376.00-01.00-024.000

Dear Mr. Schneider:

Enclosed herewith is the original copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and
Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1 hard copy)
CE Reso Review, (electronic copy)

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Intro. Res. No. -2013 Laid on the Table 3/5/13

Introduced by Presiding Officer at the request of the County Executive

RESOLUTION NO. – 2013 AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE UNITED STATES DEPARTMENT OF COMMERCE, FOREIGN TRADE ZONE BOARD FOR FOREIGN TRADE ZONE-ALTERNATIVE SITE FRAMEWORK DESIGNATION

WHEREAS, a foreign-trade zone (FTZ) is a designated location in the United States where eligible companies can access benefits that help encourage U.S. business activity in competition with foreign alternatives; and

WHEREAS, the fundamental benefit of the Foreign Trade Zone program is to allow U.S.-based companies the ability to defer, reduce and/or eliminate customs duties on products admitted to a zone, without effect on a companies' tax or other legal liabilities in the County and State, and

WHEREAS, a location that has been granted zone status may not be used for zone activity until the site has been separately approved for FTZ activation by local U.S. Customs and Border Protection (CBP) officials, which supervises zone activity. FTZ sites and facilities remain under the jurisdiction of local, state or federal governments or agencies, and

WHEREAS, under Section 224 of the New York County Law, counties may be authorized to make application to the United States Foreign Trade Zones Board to establish foreign trade zones within their boundaries to encourage and expedite foreign commerce and to stimulate local economic growth and development through job retention and creation; and

WHEREAS, under Section 224 (18) of the County Law, Suffolk County was authorized to make an application to establish, operate and maintain a foreign trade zone within the County of Suffolk. In 1980, Suffolk County made such an application and presently holds a grant of authority from the Foreign Trade Zones Board to operate a foreign trade zone within Suffolk County and has operated a foreign trade zone since that time; and

WHEREAS, the Suffolk County Foreign Trade Zone includes the general purpose zone adjacent to LI MacArthur Airport, operated through a contract between Suffolk County and the Town of Islip Foreign Trade Zone Authority; and the Special Purpose Foreign Trade Sub-Zone at FESTO Corp. in Hauppauge; and

WHEREAS, the U.S. Foreign Trade Zones Board has amended its regulations to allow grantees to restructure their currently designated FTZ from the Traditional Site Framework defined as set geographic areas where companies must locate and Special Purpose Sub-Zones, to the Alternative Site Framework (ASF) where designation is reviewed and approved based upon the activity that takes place at the site; and

WHEREAS, restructuring to the Alternative Site Framework would allow the County to apply for ASF Usage Driven Designation for eligible companies without the current lengthy federal review and boundary modification process; and

WHEREAS, this reduction in time will allow for companies to access the benefits more quickly, benefiting not only the company but the County overall through the increased economic impacts of production, sales and jobs; and

WHEREAS, this restructuring will give the County a valuable tool to assist with its business attraction and retention efforts in a timely manner; now, therefore, be it

1st RESOLVED, that the County Executive or his designee is hereby authorized to submit an application in substantially the form attached hereto as "Exhibit A" to the United States Foreign Trade Zones Board requesting approval to restructure to the Alternative Site Framework under the Foreign Trade Zones Program ; and be it further

2nd RESOLVED, that the County Legislature hereby authorizes the County Executive or his designee to execute any necessary revised agreement on behalf of the County of Suffolk with the Town of Islip Foreign Trade Zone Authority providing for continuing participation in the Suffolk County Foreign Trade Zone under the Alternative Site Framework; and be it further

3rd RESOLVED, that the Department of Economic Development and Planning is hereby authorized to review and the County Executive authorized to submit to the United States Foreign Trades Zones Board future individual company Usage Driven Site applications that may qualify under the Alternative Site Framework; and be it further

4th RESOLVED, that Suffolk County acknowledges as part of its application that the County commits to working with U.S. Customs and Border Protection (CBP), as appropriate, to meet current and future CBP automated-systems requirements (such as ACS or ACE) and to meet any CBP security requirement related to activation; and be it further

5th RESOLVED, 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 (27) of the NEW YORK CODE OF RULES AND REGULATIONS (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 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.

Dated:

Approved by:

_____

County Executive of Suffolk County

Date of Approval:

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APPLICATION -- PART ONE
(STANDARD INFORMATION REQUIRED TO REORGANIZE YOUR ZONE)

IMPORTANT: Make sure that you have read and understood the guidance provided in "Instructions for All Applications" and "Instructions Specific to the Alternative Site Framework" sections of the separate document entitled "Instructions and Definitions for General-Purpose Reorganization/Expansion Applications."

APPLICATION LETTER (incorporating Executive Summary)

1. The core of the application is a letter from the grantee that summarizes the application and transmits the full application (this format with attachments) to the FTZ Board. The letter should summarize the authority being requested and how the proposed reorganization would serve trade-related needs. If you are proposing to add new sites, they should be discussed specifically in the letter including explaining how they would meet a demonstrated need for FTZ services. The letter must be currently dated and signed by an authorized officer of the grantee corporation (see Question 10 under "Legal Authority for the Application" below) and should bear the corporate seal.

[Your Application Letter will be attached as the cover letter to your application document.]

PROPOSED SERVICE AREA

2. To define the Service Area for your FTZ, name the counties/localities in which you propose to be able to request designation of FTZ sites in the future. Explain how the Service Area complies with the "adjacency" requirement of the FTZ Board's regulations (within 60 miles or 90 minutes' driving time from the limits of your CBP Port of Entry), state enabling legislation and the grantee organization's charter. Separately, in an attachment called "Support from Local Jurisdictions," attach documentation of support from each county in your proposed Service Area (using the standard language provided in the relevant "Sample Service Area Concurrence Letter" on the FTZ Board web site). If your focus is less broad than a county-wide level, support may instead be documented from the appropriate sub-county jurisdiction(s). Finally, if your CBP Port of Entry is served by more than one FTZ grantee, contact the FTZ Staff for additional guidance on addressing the issue in your application's documentation.

Proposed Service Area

Suffolk County, New York - As further defined by U.S. Customs and Border Protection in Exhibit A.

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GENERAL JUSTIFICATION FOR REORGANIZATION

3. Explain the need for the proposed reorganization of your FTZ under the ASF, including current and projected levels of international trade in the community. Describe the local economy's strengths and weaknesses, in general, including established and emerging industries and particular challenges. Indicate how reorganizing your FTZ under the ASF ties to local/state/regional economic development plans. Explain the anticipated economic impact, direct and indirect, of reorganizing your FTZ under the ASF (including the ability to sponsor Usage-Driven sites throughout your proposed Service Area).

Suffolk County's economic base has changed dramatically since its original Grantee designation in 1980. The economically devastating downsizing of the defense industry after the Cold War in the late 1980s and early 1990s gave birth to a new employment base, in part spurred by the entrepreneurial spirit of the affected defense industry companies. The region saw a spike in startup aerospace, electronics and engineering companies which diversified into high-tech homeland security, homeland defense industry clusters that no longer rely solely on military contracts, and managed to bring products successfully to the market. Other industry clusters, such as health and education, social services, bio high-tech (pharmaceuticals and nutrients and over-the-counter manufacturing), graphic design, and electronics have grown and continue to thrive in Suffolk.

An educated workforce, a strong infrastructure, high disposable incomes, and proximity to New York City, have been crucial to Suffolk's recent growth. But the county has repaired to only sub-par growth from its new set of growth industries. Economic activity in the last decade has been tepid by historical standards. Employment was largely flat from 2000 to 2011. Though Gross Metropolitan Product, which measures the value of all the goods and services produced on Long Island, increased by 10 percent over the decade -- even with the downturn since 2008 -- this rate of growth has lagged the national economic average. Slower growth and a changing industry mix have also resulted in a flattening of wages for those who work in Nassau and Suffolk Counties. After adjusting for inflation, average wages declined by 3 percent between 2000 and 2010. Even before the recession brought them down, wages were largely flat through most of the decade. By 2010, wages on Long Island were only slightly higher than the U.S. average, closing an advantage that the Island has long held.

Economic growth in Suffolk, such as it is, has been mostly the result of "non-tradable" sectors of the economy, primarily those that are dependent on government expenditures. Two of the largest employment sectors – education and health services – are also the fastest growing. Driven by advances in medicine and an aging population, health services have grown through both ups and downs in the economy, and can be expected to continue to grow in the future. But "tradable" goods and services, the engine of wealth creation, need the boost that the Alternative Site Framework has the potential to provide.

More than 70 percent of the world's purchasing power is located outside of the United States, according to the U.S. Department of Commerce. Long Island has been expanding its international reach with total exports growing from $8.6 billion in 2007 to close to $11 billion in

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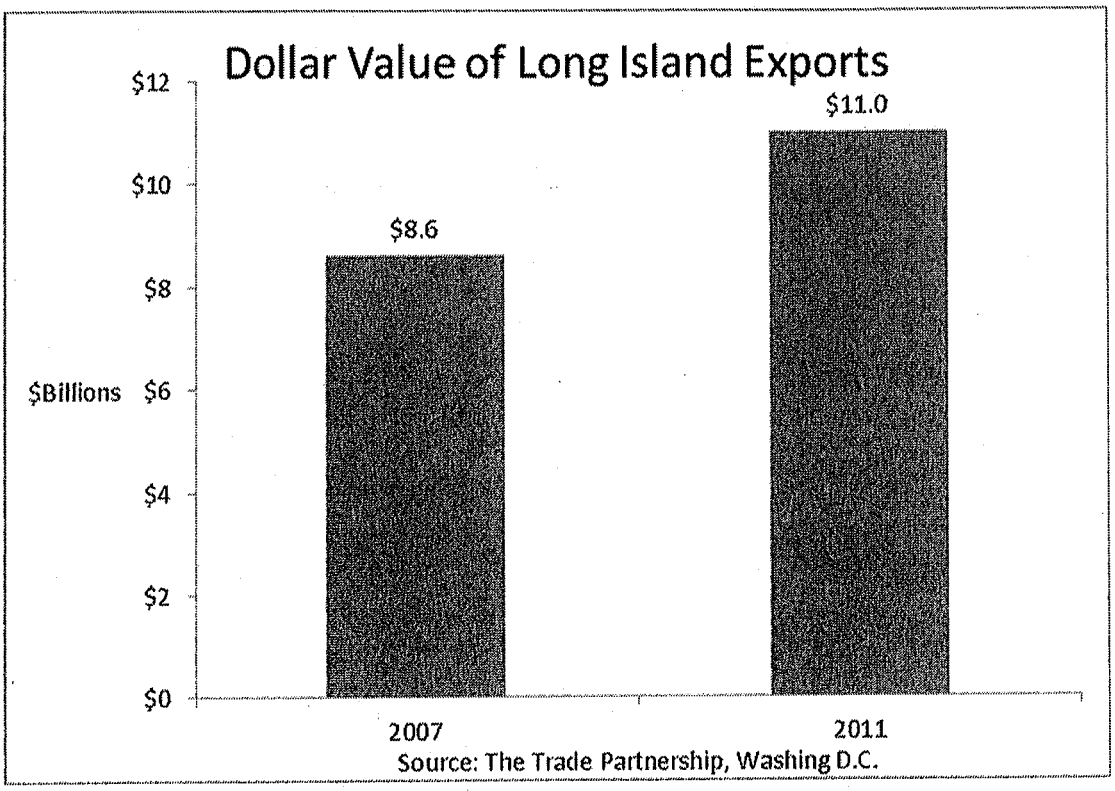
2011, according to estimates from The Trade Partnership, a Washington-based economic research firm. That amounts to 13.3% of the $82.9 billion of the value of exports from the entire state of New York in 2011.



New York State accounted for 5.6% of the dollar value of U.S. exports and 5.8% of the dollar value of U.S. imports in 2011. There was an 18.9% increase in state exports and a 12.2% increase in state imports between 2010 and 2011.

Within the 13 industrial categories that produce New York's "Critical Export Commodities," Suffolk had 42,000 paid employees in 2010, roughly 6% of its total resident employment. With the change in both the local and worldwide economies, assisting domestic companies to expand into foreign markets is critical. In recognition of the Nassau-Suffolk region's potential in the area of foreign trade, the Export-Import Bank, which provides export financing, has backed about $252.8 million in loans to Long Island ventures since 2007.

Warehousing and storage operations in Suffolk have grown considerably between 2000 and 2010. The number of paid employees in this industry has increased from 1,560 in 2000 to 5,096 in 2010. At the same time, annual payroll has grown from $43,212,000 in 2000 to $245,902,000 in 2010. The number of total establishments in this area of economic activity has grown from 68 in 2000 to 188 in 2010.

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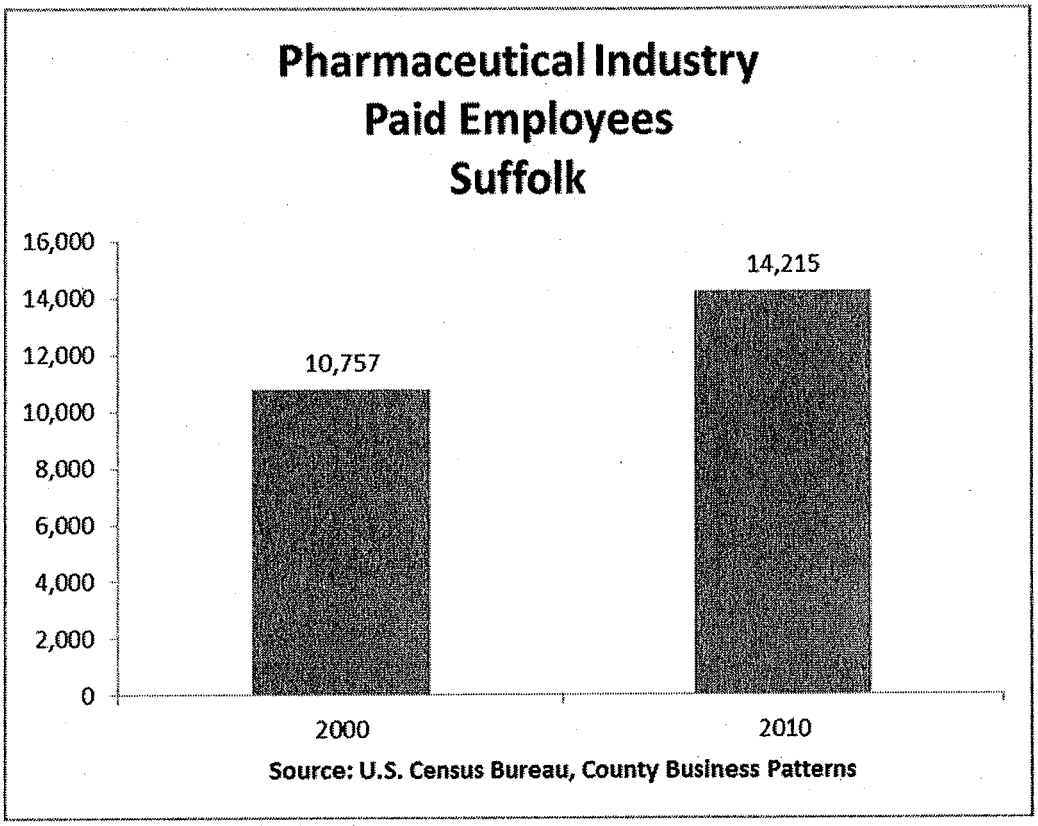
Pharmaceutical manufacturing in Suffolk County has seen an explosive growth over the last decade. Jobs associated with Pharmaceutical & Medicine mfg, Medicine and Botanical mfg and Pharmaceutical preparation mfg., increase by 32% from 10,757 in 2000 to 14,215 in 2010. Annual payrolls increase by from $424.5m to $728.3m reflecting a 29% increase. This industry cluster will continue play a vital role in the new economy of Suffolk County.



Going forward, these industries promises to be areas of significant economic growth for the region and are prime candidates for the Alternative Site Framework.

While Suffolk County has had success in attracting new businesses such as the Canon Americas Headquarters and Leviton World Headquarters, our focus remains on retaining and assisting our manufactures, and warehouse and logistics companies by offering programs that help to expand their domestic and international customer base, offer financial assistance for new equipment and facilities, upgrade the skills of current and new employees and reduce the time associated with government approvals. The ASF Usage-Driven site designation with its expedited review and simplified application process will be one more tool that help Suffolk County succeed in these efforts. As such, Suffolk stands ready to assist any company interested in pursuing this program and to expedite the County review and approval part of the application process.

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INFORMATION ON EXISTING ZONE SITES

4. For all of your existing FTZ sites, please fill in the table immediately below (adding additional rows, as needed). Here is a description of the information to fill in about each site:

   Site Number -- This is the number assigned by the FTZ Board and should be reflected in the FTZ Board's documents to you. You can confirm this information by contacting the FTZ Staff.

   Site Name and Address -- This is the name (for example, the Acme Industrial Park) and the street address (or similar indicator) that is the primary indication of the site's physical location.

   Acreage within Current Site Boundaries -- Indicate the number of acres within the current boundaries of the site. This figure should match the FTZ Board's records regarding the site's acreage.

Site Number	Site Name and Address	Acreage w/in Current Site Boundaries
1	Suffolk County/Town of Islip FTZ 1 Trade Zone Drive, Ronkonkoma, NY 11779	52.6

INFORMATION ON NEW OR MODIFIED ZONE SITES (IF APPLICABLE)

5. You only need to fill in the table below if there are 1) new sites that you are proposing for your FTZ or 2) existing sites that you propose to modify in any way. All new or modified sites should be included in this table (whether they are proposed for Magnet or Usage-Driven designation). Add additional rows to the table, as needed. Here is a description of the information to fill in about each site:

   Site Number -- For a modification to an existing site, this will be the number already assigned to the site by the FTZ Board (as reflected in the FTZ Board's documents to you). For any new site, the proposed number will follow the instructions in the "How to Prepare Your Application" document.

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Change to Site -- Fill in this field as follows:

- If the site being proposed will be entirely new, indicate "New."

- If the site already exists in your zone and you are proposing to remove it, indicate "Remove."

- If the site already exists in your zone and you propose to retain the site but with modified site boundaries, indicate "Modify."

- If the site already exists in your zone and you are simply proposing to renumber it, indicate "Renumber" followed by the new number for the site (for example, "Renumber to Site 5").

Site Name and Address -- This is the name (for example, the Acme Industrial Park) and the street address (or similar indicator) that is the primary indication of the site's physical location. For an existing site that you are modifying or removing, if the name and address remain the same as listed in the table in Question 4 above, simply indicate "Same as Existing."

Acreage within Proposed Site Boundaries -- Indicate the number of acres within the proposed (rather than existing) boundaries of the site.

Site Number	Change to Site	Site Name and Address	Acreage w/in Proposed Site Boundaries

SUMMARY OF PROPOSED ZONE STRUCTURE

6. In the table below, list all general-purpose sites (both Magnet and Usage-Driven) that you are proposing for inclusion as part of your FTZ at this time. Add additional rows to the table, as needed. Here is a description of the basic information you will need to provide about each site:

Site Number -- This number associated with a site should match the information you provided in the tables for Questions 4 and 5 above.

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Site Category – For sites you are retaining or proposing, indicate "Magnet" or "Usage-Driven" designation, as appropriate.

Acreage within Site Boundaries -- Indicate the number of acres within the boundaries of each site proposed as part of your future zone structure. For existing sites that are not being modified, this figure should match the acreage indicated for the site in the table for Question 4 above. For new or modified sites, this figure should match the acreage indicated for the site in the table for Question 5 above.

Activation Limit -- From the overall 2,000-acre activation limit that will apply to your FTZ under the ASF, indicate the activation limit in acres that you propose to apply to the individual site in question (in other words, the number of acres of the 2,000-acre activation limit that you propose to allot to the site).

Total Allotted Activation Limit -- At the bottom right corner of the table, enter the sum of the activation limits proposed for the individual sites.

Site Number	Site Category	Acreage within Site Boundaries	Activation Limit (in Acres)
1	Magnet	52.6	52.6
		Total Allotted Activation Limit:	52.6

7. Please explain the circumstances (including reference to the specific site number(s)) if you are proposing to remove or renumber any existing site(s):

[Answer to Question 7 goes here, if applicable.]

8. For any current and future sites of your zone, confirm that you commit to working with Customs and Border Protection (CBP), as appropriate, to meet current and future CBP automated-systems requirements (such as ACS or ACE) and to meet any CBP security requirements related to activation?

Suffolk County, through this application and as noted in Suffolk County Resolution No. ____-2013 commits to working with Customs and Border Protection (CBP), as appropriate, to meet current and future CBP automated-systems requirements and to meet any CBP security requirement related to activation.

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OTHER REQUESTS (OPTIONAL)

The following two questions relate to optional flexibility that is possible for some Magnet sites. You may put "N/A" in response to each of these questions unless you are requesting the specific flexibility they address (in which case you will need to provide detailed response(s)).

9. Provide responses regarding the following optional requests, if applicable:

   a. There is a default sunset period of five years for each designated Magnet site in a zone reorganized under the ASF. The ASF allows for a grantee to request waiver of the sunset limit for one Magnet site. If you would like to request waiver of the sunset limit for one of your Magnet sites, indicate the site number and describe in detail why this site was chosen for permanent status. Key considerations would be the publicly owned nature of a site and public processes leading to the site's selection.

      Site 1 - In the more than thirty (30) years since FTZ No. 52 was established, the only General Purpose Zone is a 52 acre site owned by the Town of Islip. The fifty two (52) acre site consists of multi-user commercial warehouse space which has had a number of tenants throughout the years. The Town of Islip has made significant investment in the infrastructure and the properties are actively marketed to the business community. On the basis of the financial investment which has been made to develop the property, the continuing effort to market the program and the properties we respectfully request that the sunset limit be permanently waived for this site.

   b. If you believe that a sunset period of longer than five years is justified for one or more specific Magnet sites, provide <u>separately for each such site</u> a detailed description of the specific circumstances that you believe justify a sunset period of longer than five years for the site in question.

LEGAL AUTHORITY FOR THE APPLICATION

10. In an attachment called "Legal Authority for Application," submit:

    a. A certified copy of the state enabling legislation regarding FTZs. (Consult the separate application-instructions document for an explanation of options to meet the regulatory requirement for a "certified" copy.)

    AND

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b. The sections of the grantee's charter (or organization papers) that are pertinent to FTZs. (For non-public grantees, consult the separate application-instructions document regarding the additional requirement specific to non-public grantees regarding demonstration of current legal standing.)

Section 224 (18) of the County Law authorized Suffolk County to make an application to establish, operate and maintain a foreign trade zone within the County of Suffolk. Suffolk County previously made such an application and presently holds a grant of authority from the Foreign Trade Zones Board to operate a foreign trade zone within Suffolk County. The Zone has been operated for over 30 years. In 2007, Section 224 (18) of New York County Law was amended to authorize Suffolk County to establish a foreign trade subzone in Nassau County with the approval of the governing body of Nassau County.

AND

c. A certified copy of a resolution authorizing the grantee official to sign the application letter. The resolution should indicate the nature of the application.

Rest of page left blank intentionally.

APPLICATION EXHIBIT A

JFK Airport, Building 77
Jamaica, NY 11430

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U.S. Customs and Border Protection

SEP 2 9 2011

Carolyn E. Fahey
Intergovernmental Relations Coordinator
Suffolk County Economic Development and
Workforce Housing
H.L. Dennison Bldg.
Hauppauge, NY11788

SEP 15 2011

Dear Ms. Fahey:

Customs and Border Protection at the Port of JFK Airport has identified within Suffolk County, New York, geographical limits for a possible expansion of Foreign Trade Zone (FTZ) 52.

In regard to port of entry adjacency requirements, the FTZ Board regulations (15 CFR 400.21) state that the general-purpose zone site may be approved if located within 60 statue miles or 90 minutes driving time from the outermost limits of the port of entry. A site may be authorized if it meets either mileage or the driving time standard.

The Port of JFK Airport's outermost limits are defined by the boundaries of the airport proper, located in Jamaica, New York. Therefore, a determination has been made that a FTZ general purpose zone may not be established beyond the furthest most eastern limits, delineated by the North-South boundary starting with Roanoke Avenue/ CR-73. Heading south, this becomes Old Riverhead Road/ CR-104, which then becomes Oak Street, then Potunk Lane, and finally ends as Jessup Lane at the south shore. The only deviation from this would be to include the 58 acre Hampton Business and Technology Park, which is located east of Roanoke Avenue. The southern boundary would be Cook Street, continuing on the east side to Rust Avenue, and concluding on the northern side on North Perimeter Road. Please refer to the enclosed map which identifies this boundary line.

It is the intention of Suffolk County Economic Development and Workforce Housing to benefit from FTZ status. This office has no objection to their request. If you require further assistance or wish to discuss this matter in greater detail, please contact Cargo Branch Chief, Robert Redes at (718)-487-2642.

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Sincerely

Brian Humphrey
Port Director
JFK Airport.

General Overview Map

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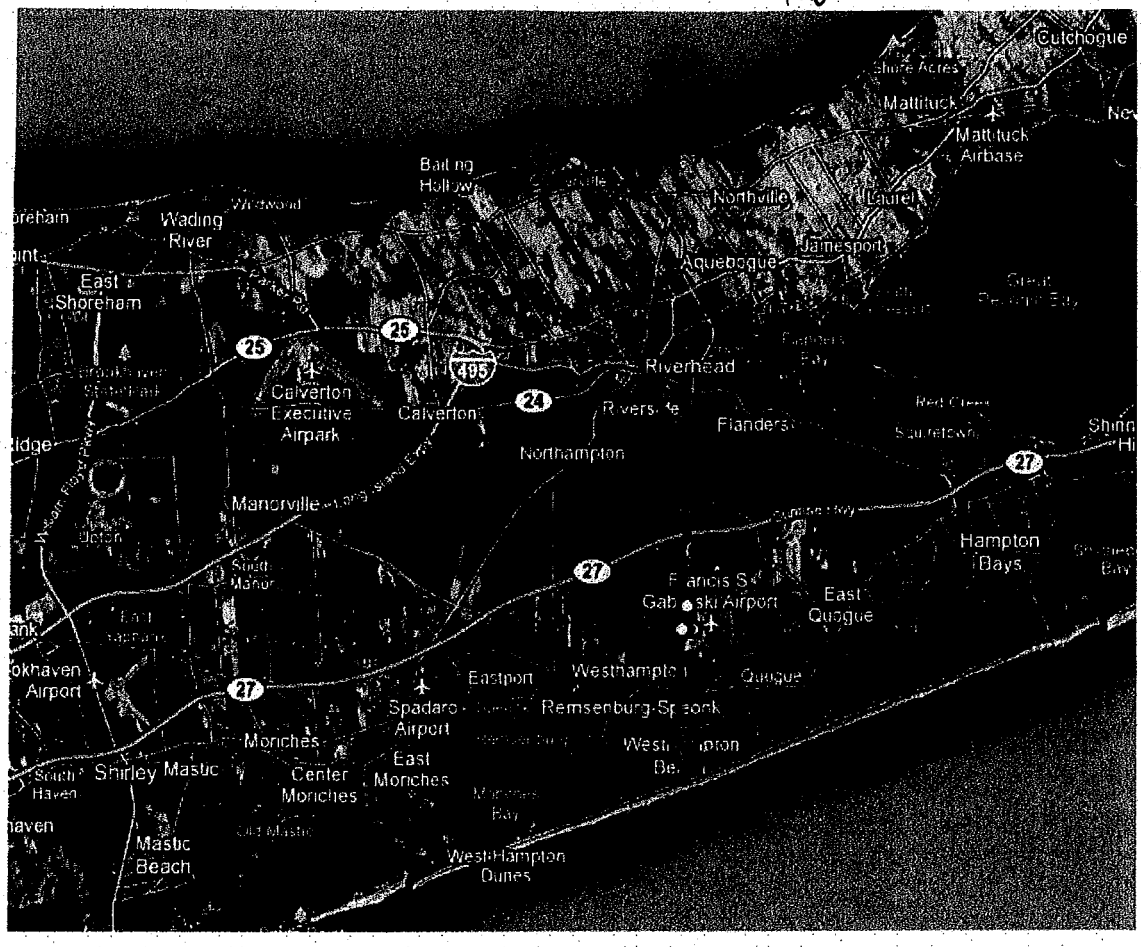
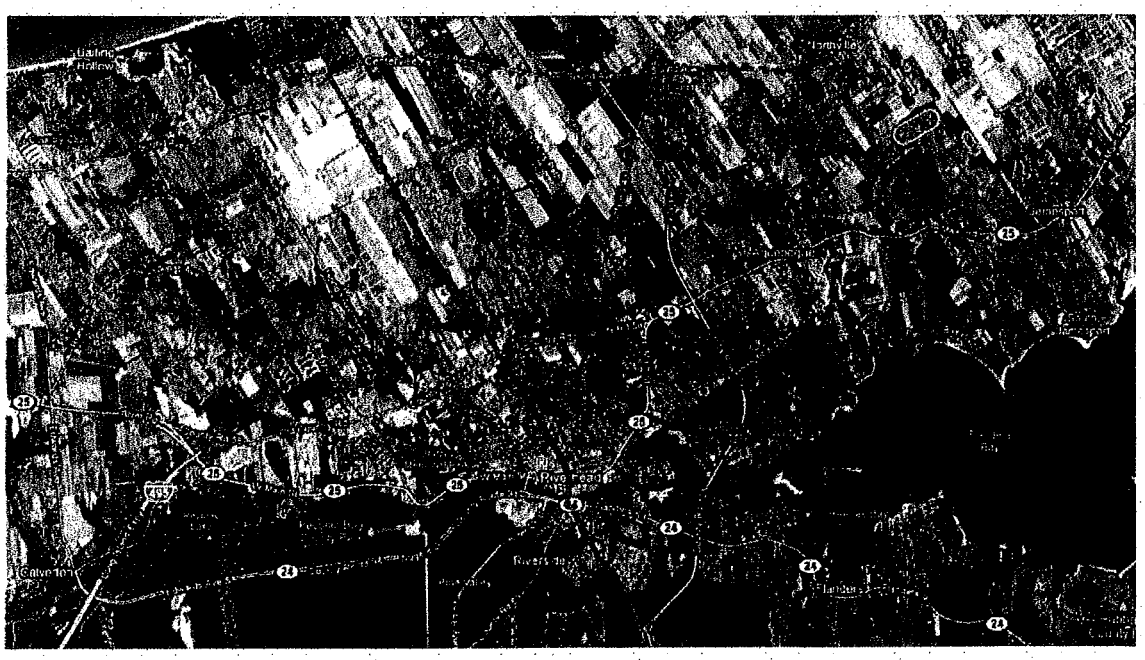


Enhance Map



1166

Flip Flop Gymnastics
Sky Sailors Glider School
Holey Moses Cheesecake
Pine Barrens Printing
N Perimeter Rd
Avenue B
Avenue A
McCay Rd
Sheldon Way
Tedesco Dr
County Rd 31
Collins Way (Planned)
Avenue B (Planned)
Smith Ln
Warman St
Cook St
Cook

CERTIFIED COPY
I hereby certify that this is a complete and accurate transcription of the official copy of the within bill.
Dated at Albany, N.Y. 9/1 2010
ANGELO TARTAGLIONE
Secretary of the Senate
By Thomas A. Testo 1166
Thomas A. Testo
Journal Clerk of the Senate

2007-2008 Regular Sessions

IN SENATE

March 22, 2007

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the county law, in relation to authorizing the county of Suffolk to establish, operate and maintain a foreign trade sub-zone located in the county of Nassau

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 18 of section 224 of the county law, as added by chapter 584 of the laws of 1975, is amended to read as follows:

18. The county of Suffolk may make application to the Foreign Trade Zones Board established by the act of Congress, approved June eighteenth, nineteen hundred thirty-four, entitled "An act to provide for the establishment, operation and maintenance of foreign trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," for a grant to Suffolk county of the privilege to have established, operated and maintained, a foreign trade zone or zones within such county, pursuant to the provisions of such act, and if such application be granted, to have established, operated and maintained such zone in accordance with law, *including a sub-zone to be located in the county of Nassau, which has the authority to create such zones pursuant to subdivision twenty of this section. Such sub-zone shall only be created upon the approval of the governing body of the county of Nassau*. The county of Suffolk may [contract with a non-profit agency] *enter into such contracts* and may appropriate such sums of money as it may deem proper, subject to the provisions of this article, towards the promotion and establishment of such zones.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD09979-01-7

PRINTED ON RECYCLED PAPER

1166

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 SUBMISSION OF AN APPLICATION TO THE UNITED STATES DEPARTMENT OF COMMERCE, FOREIGN TRADE ZONE BOARD FOR FOREIGN TRADE ZONE - ALTERNATIVE SITE FRAMEWORK DESIGNATION

3. Purpose of Proposed Legislation

SAME AS ABOVE

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
NEIL TOOMB INTERGOV. Rel Coord.	Neil Toomb	2/21/13

SCIN FORM 175b (10/95)

1166

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.

To be completed by the Executive Budget Office

1166

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT
DEPARTMENT OF ECONOMIC DEVELOPMENT & PLANNING

TITLE OF BILL:

Authorizing the Submission of an Application to the United States Department of Commerce, Foreign Trade Zone Board for Foreign Trade Zone - Alternative Site Framework Designation.

PURPOSE OR GENERAL IDEA OF BILL:

The existing Foreign Trade Zone is considered a Traditional Framework Zone, under which applications for sub-zone (site specific) status are subject to lengthy reviews on the federal level. Changes in the federal rules and regulations for Foreign Trade Zones offer the option to restructure to the Alternative Site Framework which offers a quicker review process.

SUMMARY OF SPECIFIC PROVISIONS:

Authorizes the submission of the application for Alternative Site Framework Designation.

JUSTIFICATION:

Restructuring to the Alternative Site Framework would allow the County to apply for company/site specific designation (to be known as Usage Driven Designation) for eligible companies without the current lengthy federal review. The current federal review time is 18-20 months. The timeline has proven to be a strong deterrent to a company applying. The Alternative Site Framework cuts the federal review to 6 months..

FISCAL IMPLICATIONS:

None

COUNTY OF SUFFOLK

OFFICE OF THE COUNTY EXECUTIVE

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Joanne Minieri
Deputy County Executive and Commissioner

Department of
Economic Development and Planning

MEMORANDUM

TO: Jon Schneider, Deputy County Executive
Office of the County Executive

FROM: Carolyn E. Fahey, Intergovernmental Relations Coordinator
Department of Economic Development and Planning

DATE: February 13, 2013

SUBJECT: **AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE UNITED STATES DEPARTMENT OF COMMERCE, FOREIGN TRADE ZONE BOARD FOR FOREIGN TRADE ZONE-ALTERNATIVE SITE FRAMEWORK DESIGNATION**

****

The Department of Economic Development and Planning requests the submittal of the attached resolution authorizing the submission of an application for Foreign Trade Zone-Alternative Site Framework Designation. This restructuring of the County's current designation will assist the County in its economic development retention and attraction efforts.

Attached please find the draft resolution, Alternative Site Framework Application, Memorandum of Support and the required SCIN forms. Electronic copies have been filed as required.

Thank you.

JM/CEF/kmb
Attachments

cc: Dennis M. Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations

Introductory Resolution No. 1167-13 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 RICHARD J. NIEGOCKI (SCTM NO. 0200-206.00-04.00-006.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 206.00 Block 04.00 Lot 006.000 and acquired by Tax Deed on November 2, 2009 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 4, 2009 in Liber 12605 at CP 51 and described as follows, known and designated as Lots 493 to 495 inclusive on a certain map entitled "Map of Port Jefferson Plaza", and filed in the Office of the Clerk of the County of Suffolk on November 26, 1906 as Map No. 469, which lot is also shown as an un-numbered lot on the map entitled "Map of Suffolk Farms, Section 3", filed in the Office of the Clerk of the County of Suffolk on November 4, 1999 as Map No. 10350,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Richard J. Niegocki, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 120' x 100' (sterilized) has been appraised at $1,300.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $2,500.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Richard J. Niegocki, 8 Oakwood Avenue, Miller Place, New York 11764.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1167

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

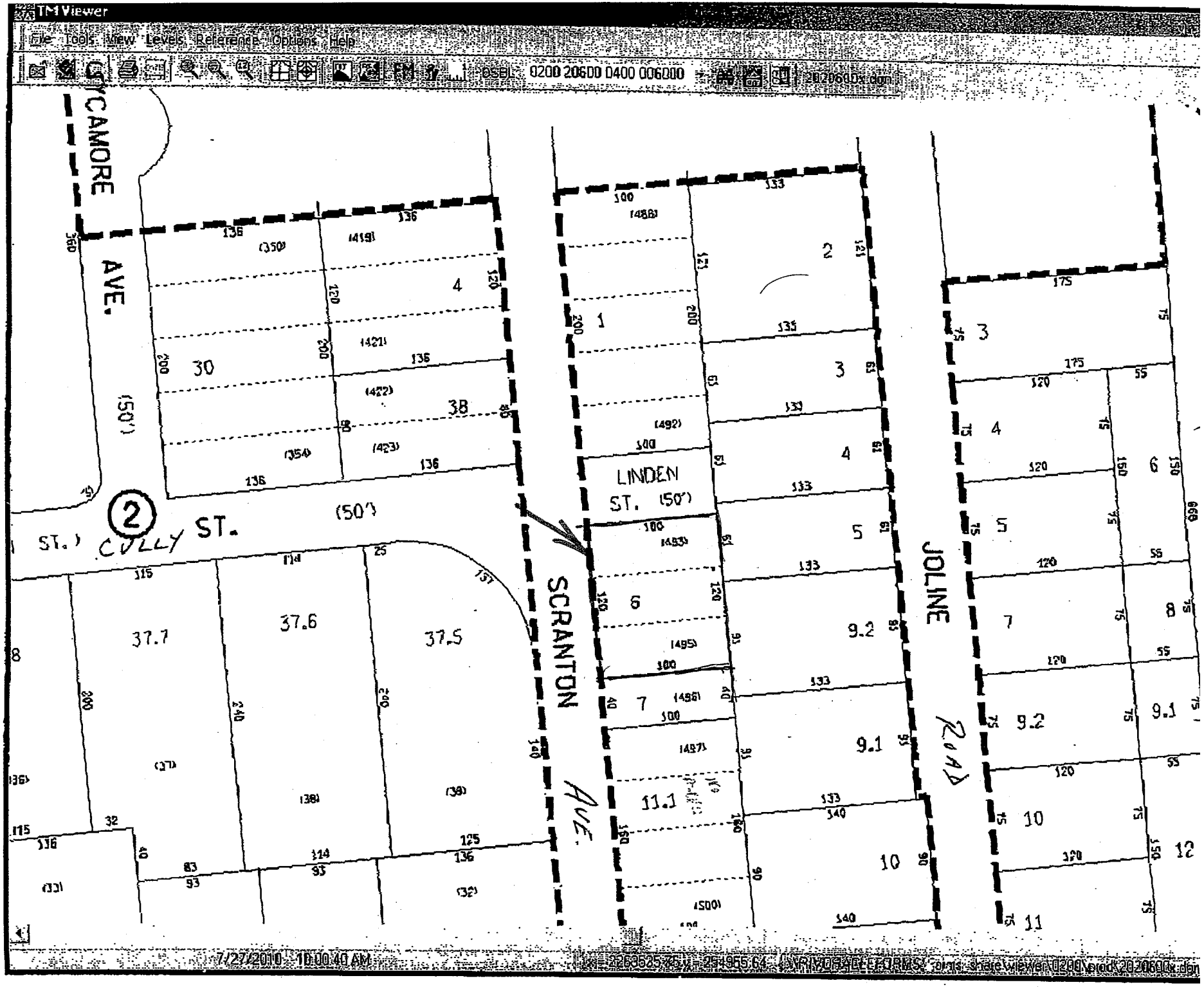
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-206.00-04.00-006.000

ADJOINING OWNER	BID	BID	BID
Richard J. Niegocki 8 Oakwood Avenue Miller Place, New York 11764 0200-206.00-04.00-007.000	$2,500.00		
Gilbert M. Roan & Rose Glena 30 Joline Road Port Jefferson Station, New York 11776 0200-206.00-04.00-005.000	$0		
Joseph R. & Joanne Orelli 76 Van Buren Street Port Jefferson Station, NY 11776 0200-206.00-04.00-009.002	$0		

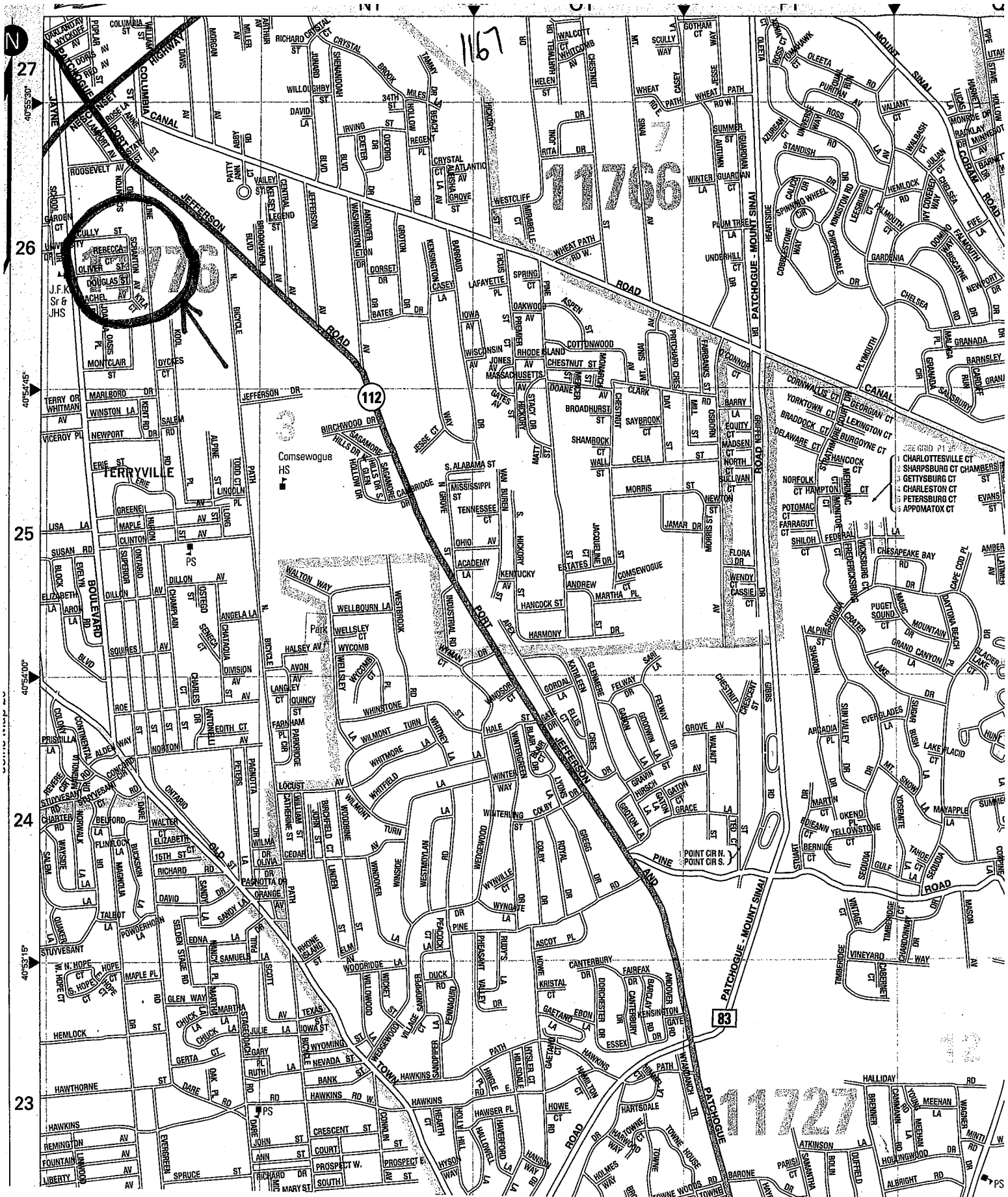
SIZE OF PARCEL: 120' x 100'
APPRAISED VALUE: $1,300.00
COMMENT: Direct Sale to Adjacent Owner

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



TM # 0200-20600-0400-006000

Patchogue Rd
Linden St
Scranton Rd
Jayne Rd
Scranton Rd
Rebecca Ct
Scranton Ave
400 ft
TM# 0200-206.00-04.00-006.000



TM # 0200-206.00-04.00-006.000

1167

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution X Local Law X Charter Law _____

2. Title of Proposed Legislation

   Sale of County–Owned Real Estate Pursuant to Local Law No. 13-1976

   SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO
   LOCAL LAW No. 13-1976
   RICHARD J. NIEGOCKI
   (SCTM NO. 0200-206.00-04.00-006.000)

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   X County _____Town _____Economic Impact

   _____Village _____School District Other (Specify):

   _____Library District _____Fire District

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

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

   Unknown

8. Proposed Source of Funding

   None

9. Timing of Impact

   2013

10. Name & Title of Preparer Signature of Preparer Date

    R.J. Bhatt
    Land Management Specialist
    NEIL TOOMB
    INTERGOV. REL. COORD.

    R.J. Bhatt
    NEIL TOOMB

    2/19/13
    2/21/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1167

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1167

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

February 19, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0200-206.00-04.00-006.000

Dear Mr. Schneider:

Enclosed herewith is the original copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1 hard copy)
CE Reso Review, (electronic copy)

Introductory Resolution No. 1168-13 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 DESMOND D'SOUZA (SCTM NO. 0100-083.00-02.00-018.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 083.00 Block 02.00 Lot 018.000 and acquired by Tax Deed on June 22, 2006 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006 in Liber 12457 at CP 34 and described as follows, known and designated as Lots 53 and 54 in Block 42 on a certain map entitled "Map of Colonial Springs", and filed in the Office of the Clerk of the County of Suffolk on March 16, 1926 as Map No. 223,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Desmond D'Souza, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $3,600.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 40' x 100' has been appraised at $3,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $3,600.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Desmond D'Souza, 8 Nantucket Lane, Deer Park, New York 11729.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1168

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

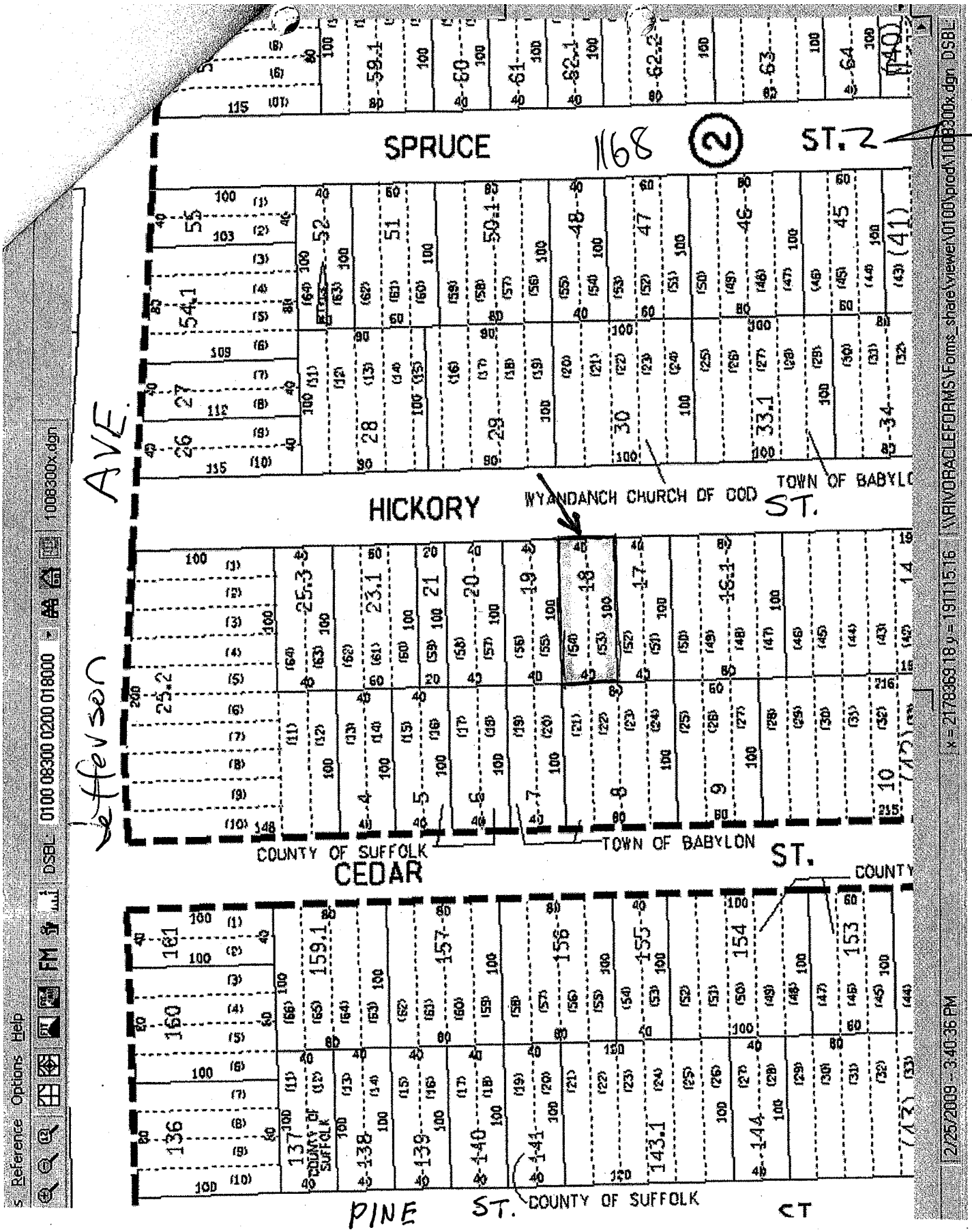
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0100-083.00-02.00-018.000

ADJOINING OWNER	BID	BID	BID
Desmond D'Souza 8 Nantucket Lane Deer Park, New York 11729 0100-083.00-02.00-017.000	$3,600.00		
Town of Babylon 200 East Sunrise Highway Lindenhurst, New York 11757 0100-083.00-02.00-008.000	$0		
Ioannis Karagiannis 64 Liberty Avenue Lindenhurst, New York 11757 0100-083.00-02.00-019.000	$0		

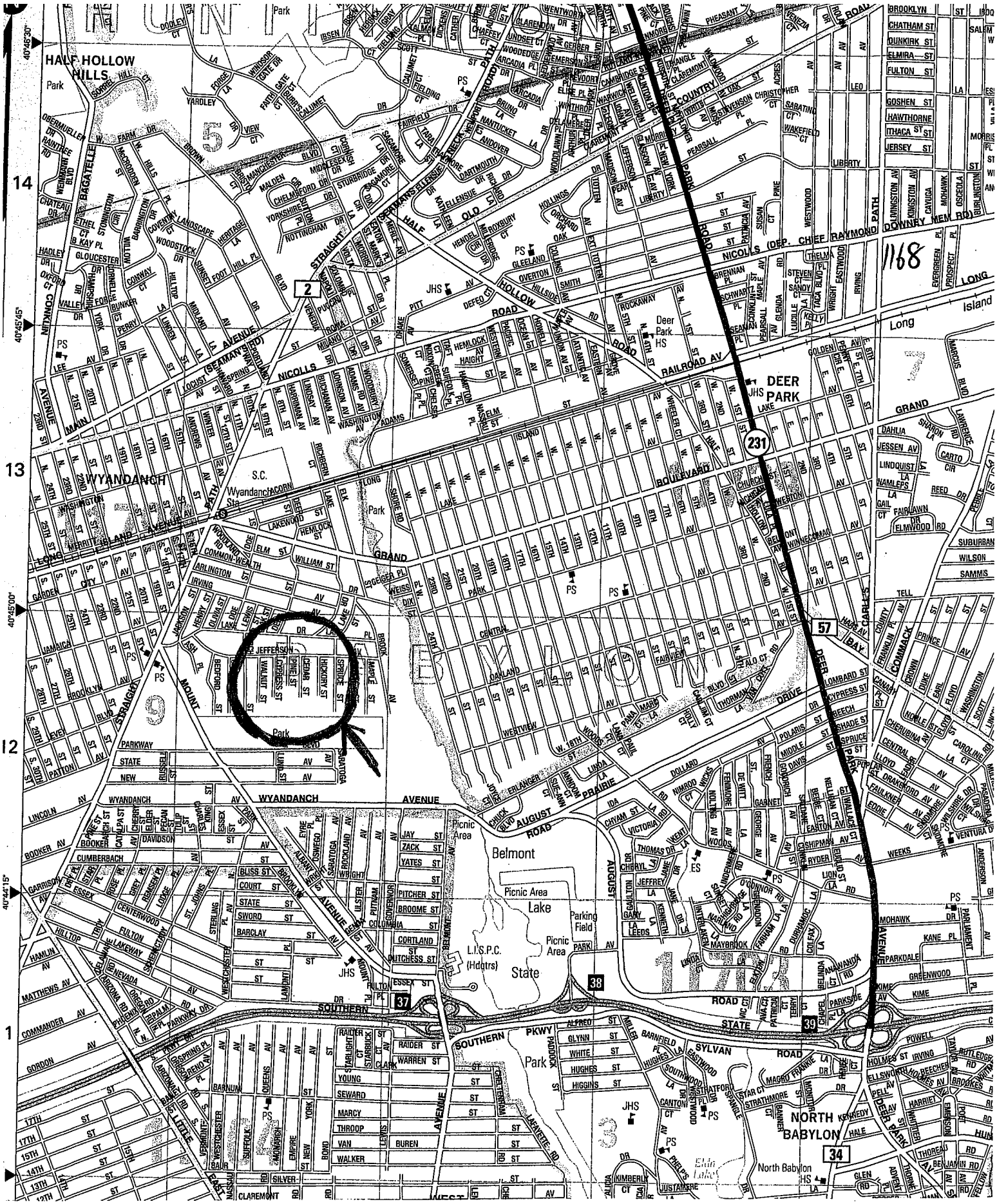
SIZE OF PARCEL: 40' x 100'
APPRAISED VALUE: $3,500.00
COMMENT: Direct Sale to Adjacent Owner

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



Tm# 0100-083.00-02.00-018.000

Jefferson Ave
Cedar St
S Lincoln
S Spruce St
TM# 0100-083.00-02.00-018.000
200 ft



Tm # 0100-083.00-02.00-018.000

1168

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

   Sale of County–Owned Real Estate Pursuant to Local Law No. 13-1976
   SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO
   LOCAL LAW No. 13-1976
   DESMOND D'SOUZA
   (SCTM NO. 0100-083.00-02.00-018.000)

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

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

   Unknown

8. Proposed Source of Funding

   None

9. Timing of Impact

   2013

10. Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist NEIL TOOMB INTERGOV Rel Coord.	R.J. Bhatt Neil Toomb	2/19/13 2/21/13

1168

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:
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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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1168

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

February 19, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0100-083.00-02.00-018.000

Dear Mr. Schneider:

Enclosed herewith is the original copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1 hard copy)
CE Reso Review, (electronic copy)

1169

Intro. Res. No. ____-2013 Laid on Table 3/5/13
Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, CONFIRMING THE APPOINTMENT OF COUNTY ATTORNEY OF SUFFOLK COUNTY

WHEREAS, the County Attorney, as head of the Suffolk County Department of Law, is appointed by the County Executive of Suffolk County, subject to the approval of the County Legislature, under Section C16-1(A) of the SUFFOLK COUNTY CHARTER; and

WHEREAS, Steven Bellone, the County Executive of Suffolk County has appointed Dennis M. Brown, currently residing in Sayville, New York, as County Attorney of Suffolk County; now, therefore, be it

1st **RESOLVED**, that the appointment of Dennis M. Brown as County Attorney of Suffolk County is hereby approved, pursuant to Section 16-1(A) of the SUFFOLK COUNTY CHARTER, and will serve at the pleasure of the County Executive of Suffolk County; and be it further

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

DATED:

APPROVED BY:

_____
Steven Bellone
County Executive of Suffolk County

Date:

Dennis M. Brown, Esq.

1169

Employment

Suffolk County Department of Law
Municipal Law Bureau Chief since January, 2006;
Deputy Bureau Chief, General Litigation, August, 2005 to January, 2006;

Private Practice
Tort defense and insurance coverage litigation, November 1995 to August 2005;

Richard J. Inzerillo, P.C., Smithtown, New York
Counsel, litigation defense, April, 1987 to November, 1995;

Weidman & Spatz, New York, New York
Counsel, general practice, June, 1985 to April, 1987;

Robert S. Starr, P.C., New York, New York
Counsel, general practice, May, 1984 to June, 1985;

Education

Brooklyn Law School, JD, 1983
Hunter College of the City University of New York, BA, *cum laude*, 1980

Client Seminars Conducted

January 20, 2005 and February 2, 2005
Late Notice of Claim Developments;

January 21, 2003
Liens on Settlements;

October 21, 2002
Threshold Issues post *Toure*;

January 25, 2002
Tort Update;

February 7, 2001
Sidewalk Liability;

July 17, 1998
Animal Liability;

March 28, 1998
Issues in Bad Faith Litigation;

November 13, 1997
Intentional Torts and Insurance Coverage;

Articles & Publications

Shared Services (co-authored with Jessica Hogan)	Suffolk County Bar Association News, April 2009
"RJC Realty" & "Ace Fire" Anti-Coverage Models	NYLJ, February 13, 2004
Finding Coverage When a Complaint Triggers Exclusions	NYLJ, November, 20, 2002
Slayko: Bucking Public Policy of Finding Coverage	NYLJ, August 20, 2002

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1169

1. Type of Legislation Resolution __X__ Local Law _____ Charter Law _____
Title of Proposed Legislation RESOLUTION NO. -2013, CONFIRMING THE APPOINTMENT OF COUNTY ATTORNEY OF SUFFOLK COUNTY
3. Purpose of Proposed Legislation APPROVING THE APPOINTMENT OF DENNIS M. BROWN AS COUNTY ATTORNEY OF SUFFOLK COUNTY
4. Will the Proposed Legislation Have a Fiscal Impact? **YES** ___ **NO** **X**
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category) County Town Economic Impact Village School District Other (Specify): Library District Fire District
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A
8. Proposed Source of Funding N/A
9. Timing of Impact UPON ADOPTION OF THE RESOLUTION

10. Typed Name & Title of Preparer	11. Signature of Preparer	Date
JACQUELINE MALL, BUDGET TECHNICIAN		2/22/13

SCIN FORM 175b (10/95)

1169

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.

To be completed by the Executive Budget Office

RESOLUTION NO.

CONTROL#919-2013

Intro. Res. # 1170-13

Laid on Table 3/5/13

INTRODUCED BY THE PRESIDING OFFICER
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____2013
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #919-2013)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL#919-2013

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

RESOLUTION NO. CONTROL#919-2013

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

Key	Town	Year	S C Tax Map No	Original Tax	Corrected Tax	Chargeback Refund if Tax Paid
A	BABYLON	11/12	0100 06200 0200 049000	9222.09	3194.37	6027.72
A	BROOKHAVEN	11/12	0200 66000 0200 050000	5964.46	1510.74	4453.72
A	BROOKHAVEN	12/13	0200 66000 0200 050000	6094.18	1493.68	4600.50
A	BROOKHAVEN	12/13	0200 04700 0500 020000	14878.07	11586.84	3291.23
A	BROOKHAVEN	12/13	0200 47900 0500 018000	9921.82	6629.81	3292.01
A	BROOKHAVEN	12/13	0200 07400 0700 003000	12654.41	10024.95	2629.46
A	BROOKHAVEN	12/13	0200 58900 0100 030002	11876.21	8456.22	3419.99
C	BROOKHAVEN	12/13	0204 01300 0200 013000	4058.42	936.56	3121.86
C	BROOKHAVEN	12/13	0204 01300 0200 024000	4152.06	1248.75	2903.31
A	BROOKHAVEN	12/13	0200 53500 0400 002003	5275.65	1470.45	3805.20
A	BROOKHAVEN	12/13	0200 77000 0200 012000	10149.55	6944.77	3204.78
A	BROOKHAVEN	12/13	0201 00800 0100 005001	16243.14	13704.24	2538.90
A	BROOKHAVEN	12/13	0201 00800 0400 007004	18866.18	15715.13	3151.05
A	BROOKHAVEN	12/13	0200 80600 0200 151000	15513.38	12171.10	3342.28
A	HUNTINGTON	12/13	0400 12800 0300 017000	6977.86	3129.32	3848.54
A	ISLIP	12/13	0500 39303 0100 002000	8730.64	5867.67	2862.97

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

County Executive of Suffolk County Date of Approval:

1170

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

10. Typed Name & Title of Preparer
R. Motschenbacher RPAT II

11. Signature of Preparer

12. Date February 20, 2013

Additional back-up material regarding IR 1170 is on file in the

Clerk's Office, Hauppauge.

REVISED 2-27-13

Intro Res. No. 1171 -2013 Laid on Table 3/05/2013
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, ADOPTING LOCAL LAW NO. -2013, A CHARTER LAW TO IMPLEMENT ONE-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on March 5th, 2013, a proposed Charter law entitled, " **A CHARTER LAW TO IMPLEMENT ONE-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL**," and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO IMPLEMENT ONE-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL

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 Local Law 23-1994, "A Charter Law to Establish 5-25-5 Debt Policy," was adopted for the purpose of making the Capital Program and Budget approval and appropriation process more meaningful and more responsive to the needs of the public and to accommodate increased future debt service payments by prohibiting the issuance of debt to pay for the following County operating expenses:

1.) repair and maintenance not significantly extending the useful life of an asset;
2.) dredging projects - $100,000. or less;
3.) road and equipment repairs;
4.) roof replacement;
5.) equipment purchases that may not occur in the same location or department if:
    a.) costs are incurred on annual basis;
    b.) item price is $5,000 or less;
    c.) aggregate cost is less than $25,000.00; and
    d.) useful life is five (5) years or less;
6.) 9 mm guns; and
7.) soft body armor vests.

This Legislature further finds that the County of Suffolk has waived the application of the 5-25-5 during periods of significant economic downturns.

This Legislature also finds that the County of Suffolk continues to face severe cash-flow difficulties in 2013 as a result of the slow economic recovery.

Therefore, the purpose of this law is to waive the application of the 5-25-5 Law for a one-year period of time and to permit traditional normal bonding for items that would otherwise be required to be paid for under the 5-25-5 law in order to deal with the anticipated budget shortfall,

Section 2. Amendment.

§ C4-19 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

§4-19. Adoption of capital program.

A.) Not less than two weeks after the public hearing required by § C4-18 and not later than the 30th day of June, the County Legislature shall adopt the proposed capital program, with or without amendments.

B.) If the County Legislature does not adopt a capital program on or before the 30th day of June, the proposed capital program shall be deemed adopted as submitted.

1.) Commencing in fiscal year 1996, funding for recurring expenses shall be paid by a transfer from the General Fund rather than through the issuance of debt.

2.) The requirement of subsection (1) of this paragraph shall not apply to recurring expenses incurred, or necessary to be paid, during fiscal years **[**2012**]** 2013.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law only during fiscal years 2013.

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to

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

Section 6. Effective Date.

This law shall not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the office of the Secretary of State.

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1171

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

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

DATE: FEBRUARY 25, 2013

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 CHARTER LAW TO IMPLEMENT ONE-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL

SPONSOR: PRESIDING OFFICER, ON THE REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 2/25/2013 **PUBLIC HEARING:** 3/19/2013

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

Enactment of this proposed charter law would suspend the application of the "5-25-5 Law" for the duration of fiscal year 2013. The 5-25-5 law, codified in Section C4-19(B)(1) of the SUFFOLK COUNTY CHARTER, requires that recurring expenses be paid by a transfer from the General Fund rather than through the issuance of debt.

This law would be subject to the 60-day permissive referendum requirement.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\r28\28-suspend-application-5-25-5-law

1171

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ____ Local Law ____ Charter Law X

2. Title of Proposed Legislation

ADOPTING LOCAL LAW NO. -2013, A CHARTER LAW TO IMPLEMENT A ONE- YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL

3. Purpose of Proposed Legislation

SEE #2 ABOVE

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

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

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

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

The purpose of this resolution waives the application of the 5-25-5 Law for a one-year period (2013), permitting normal bonding of projects that would otherwise be classified as "G" funded projects. This Law will avoid adding to the financial burden anticipated during the 2013 operating budget year. This local law has no immediate fiscal impact on debt service. The impact will be incurred as the projects that would be classified as "G" funded projects under the 5-25-5 Law, are now appropriated and adopted as serial bond projects.

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

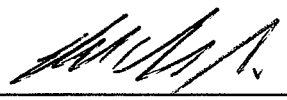
N.A.

8. Proposed Source of Funding

Allow for the appropriation of projects that would be classified as "G" funded projects under the 5-25-5 Law, to be adopted as "B" funded projects, allowing Serial Bonds to be authorized for these projects.

9. Timing of Impact

Shall not take effect until at least sixty (60) days after its adoption and upon filing in the Office of the Secretary of State.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E Paglia Jr. Asst Executive Analyst		February 22, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1171

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.

To be completed by the Executive Budget Office

1172

Intro. Res. No. -2013 Laid on Table 3/5/13

Introduced by Presiding Officer Lindsay

RESOLUTION NO. – 2013, ADOPTING LOCAL LAW NO. -2013, A CHARTER LAW TO ENSURE A FULLY FUNCTIONAL BOARD OF PARK TRUSTEES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2013 a proposed local law entitled, "**A CHARTER LAW TO ENSURE A FULLY FUNCTIONAL BOARD OF PARK TRUSTEES**"; now, therefore, be it

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

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO ENSURE A FULLY FUNCTIONAL BOARD OF PARK TRUSTEES

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

Section 1. Legislative Intent.

This Legislature hereby finds that the Board of Trustees of the Suffolk County Department of Parks, Recreation and Conservation makes advisory recommendations to the Parks Commissioner regarding the management and development of the County's parks and recreation programs.

This Legislature determines that several legislative changes must be enacted to ensure that Suffolk County has a fully staffed and functional Board of Park Trustees.

This Legislature further determines that the County Legislature appoints one person from each of the County's ten towns to the Board of Trustees based upon the recommendations of the town supervisors.

This Legislature further finds that Local Law 9-1990 prohibits the appointment of any person to the Board of Trustees "who is an appointee to a position employment with the State of New York or any political subdivision thereof....which position does not require a competitive civil service examination...."

This Legislature also determines that Local Law 9-1990 unnecessarily limits the discretion of town supervisors when they are considering their park trustee appointments and provides no significant offsetting benefit to the County of Suffolk.

This Legislature also finds that some towns have great difficulty identifying "citizen volunteers" who meet all other eligibility criteria for appointment to the Board of Trustees.

This Legislature further finds that there is no rational basis for a policy that allows civil service employees to serve on the Board of Trustees while excluding appointed employees of the State of New York and its political subdivisions.

This Legislature also determines that some park trustee positions have remained vacant for unreasonably long periods of time because recommendations for successors have not been forthcoming from the towns; accordingly, the County Legislature should have the authority to fill Board vacancies if a town supervisor fails to forward a recommendation within 120 days of the creation of a vacancy.

Therefore, the purpose of this law is to lift the ban on the appointment of state and municipal employees to the Board of Trustees of the Department of Parks, Recreation and Conservation and to authorize the County Legislature to fill a Board vacancy if a town fails to timely nominate a successor to fill such vacancy.

Section 2. Amendment.

Article XXVIII the SUFFOLK COUNTY CHARTER is hereby amended as follows:

Article XXVIII. Department of Parks, Recreation and Conservation

§ C28-1. Department established; appointment of Commissioner; Board of Trustees.

* * * *

C. The Board of Trustees of Parks, Recreation and Conservation shall consist of 11 members, one member to be appointed by the County Legislature from each of the 10 towns of Suffolk County upon recommendation of the Supervisor of each town and one member to be appointed at large by the County Executive subject to the approval of the County Legislature. In the event a town supervisor fails to forward a recommendation to fill a Board vacancy within 120 days after the creation of such vacancy, the County Legislature shall be authorized to appoint a successor from the subject town. The term of each member shall be for five years, except that, of the members first appointed, two shall be appointed for terms of one year, two shall be appointed for terms of two years, two shall be appointed for terms of three years, two shall be appointed for terms of four years, and two shall be appointed for terms of five years.

* * * *

G. No person shall be appointed to a position under Subsection C of this section who is an elected official of the State of New York or of any political subdivision thereof, who is an appointee to a position of employment with the [State of New York or any political subdivision thereof, including the] County of Suffolk, which position does not require a competitive civil service examination for appointment thereto, or who is a party officer. For the purposes of this section, "party officer" shall mean one who holds any party position or any party office, whether by election, appointment or otherwise, excluding committeemen, and "party" shall mean any political organization which, at the last preceding election for Governor, polled at least 50,000 votes for its candidate for Governor.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\laws\cl-amend qualifications for Park Trustees

OFFICE OF THE COUNTY LEGISLATURE

1172

COUNTY OF SUFFOLK

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

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

DATE: FEBRUARY 27, 2013

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; CHARTER LAW TO ENSURE A FULLY FUNCTIONAL BOARD OF PARK TRUSTEES

SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 2/19/13 **PUBLIC HEARING:** 3/19/13

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

This proposed law would amend Article 28 of the SUFFOLK COUNTY CHARTER to lift the ban on the appointment of non-civil service employees of New York State and its political subdivisions to the Suffolk County Board of Park Trustees.

This law would also authorize the County Legislature to fill a vacancy on the Board of Parks Trustees in the event a town supervisor fails to nominate a successor from his town within 120 days of the creation of the vacancy.

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-Park Trustees Board

Intro. Res. No. 1173-2013 Laid on Table 3/5/2013
Introduced by Legislator Calarco

RESOLUTION NO. -2013, ADOPTING LOCAL LAW NO. -2013, A LOCAL LAW TO ENSURE ADEQUATE FERRY SERVICE

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2013, a proposed local law entitled, **"A LOCAL LAW TO ENSURE ADEQUATE FERRY SERVICE"**; now, therefore be it

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

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ENSURE ADEQUATE FERRY SERVICE

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 Suffolk County Legislature is empowered and authorized by State Law to license ferry services within the County and to approve the fare schedules of licensed ferry operators.

This Legislature also finds and determines that operators seeking a ferry license or rate increase generally submit a proposed schedule of ferry service they will provide during the term of their license.

This Legislature further finds and determines that some ferry operators, after obtaining a license or fare increase, will dramatically alter their schedules and reduce ferry service to communities that have no other transportation alternatives.

This Legislature determines that a ferry operator's proposed schedule of service is a key factor that the County Legislature considers when it determines whether to issue a license and/or approve a fare increase. Accordingly, a ferry operator's decision to curtail services it provides to the public should trigger a review of their license and fare schedule by the County Legislature.

Therefore, the purpose of this local law is to expressly authorize the County Legislature to review a ferry license when an operator substantially reduces the service it provides and to amend or revoke a license or rescind a previously granted fare increase if such action is warranted.

Section 2. Amendments.

CHAPTER 455 of the SUFFOLK COUNTY CODE is hereby amended as follows:

CHAPTER 455. FERRY SERVICE

* * * *

§ 455-2. License and franchise required; application and issuance procedure; term of license.

...

B. Application for a license and franchise shall be made by a verified written petition to the Suffolk County Legislature and shall contain such information as is required by the relevant New York State legislation. The petition shall specify:

(1) The service to be rendered, including a year-round schedule of ferry service to be offered during the term of the license.

* * * *

D. A license and franchise granted by the Suffolk County Legislature shall remain in effect during the term specified therein unless terminated as herein provided. Upon application of the licensee or franchisee or on the motion of the Suffolk County Legislature, the license and franchise may be amended or surrendered or revoked, in whole or in part, for failure to comply with the terms of the license and franchise, including a substantial reduction to the ferry service schedule set forth in the license, any provisions of this chapter or of any relevant law or regulation governing the operation of ferry service operators. A reduction of 20% or more in round trips between terminals on any given day during the term of the license shall constitute a substantial reduction in service and may serve as a basis to revoke in whole or in part, a previously granted fare increase. A license may be amended, revoked or surrendered only after a public hearing has been held before the Suffolk County Legislature. Upon a motion of the Suffolk County Legislature to revoke or amend a license and franchise, the licensee or franchisee shall be given seven days' written notice of the public hearing.

E. The license and franchise shall set forth the rates to be charged by the ferry service operator for the transportation of persons and property and the schedule of ferry services to be provided. The petition for a license and franchise shall comply with the provisions of § 455-3 of this chapter, if applicable.

* * * *

Section 3. Applicability.

This law shall apply to all ferry licenses, ferry schedules and fares approved on or after the effective date of this law.

Section 4. Severability.

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

partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1173

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

DATE: FEBRUARY 27, 2013

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 ADEQUATE FERRY SERVICE

SPONSOR: LEGISLATOR CALARCO

DATE OF RECEIPT BY COUNSEL: 2/25/2013 **PUBLIC HEARING:** 3/19/2013

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

This proposed local law would amend Chapter 455 of the SUFFOLK COUNTY CODE to require ferry operators to include a year-round schedule of service with their license applications. This law would further authorize the County Legislature to review a ferry license when an operator substantially reduces service[1] and to use that reduction in service as a basis for amending or revoking a license or rescinding a previously granted fare increase.

This law will take effect immediately upon its filing in the Office of the Secretary of State and apply to all licenses, schedules and fares approved after that date.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-amend-ferry

[1] A 20% reduction in round trips between terminals on any given day will constitute a substantial reduction in service.

Intro. Res. No. 1174-2013 Laid on Table 3/5/2013
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, ACCEPTING AND APPROPRIATING A SUPPLEMENTAL AWARD OF FEDERAL FUNDING IN THE AMOUNT OF $10,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, U.S. MARSHALS SERVICE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN OPERATION NORTHEAST SHORE RESTORE II WITH 78.90% SUPPORT

WHEREAS, the United States Department of Justice, U.S. Marshals Service, made an initial award of $10,000 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in Operation Northeast Shore Restore II an initiative designed to verify the addresses of sex offenders who reside in neighborhoods affected by Hurricane Sandy and who may have been displaced; and

WHEREAS, said funding was accepted by Resolution No. 1182-2012; and

WHEREAS, the United States Department of Justice, U.S. Marshals Service, has awarded the Suffolk County Police Department a supplemental amount of $10,000; and

WHEREAS, the operational period of the supplemental program is from February 20, 2013 through March 8, 2013; and

WHEREAS, said supplemental funds have not been included in the 2013 Suffolk County Operating Budget; now, therefore be it

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

REVENUE:	AMOUNT
001-4356-Federal Aid: Operation Northeast Shore Restore II	$10,000

ORGANIZATIONS:

Police Department (POL)
Operation Northeast Shore Restore II
001-POL-3618

1000-Personnel Services	$10,000
1120-Overtime Salaries	$10,000

and be it further

2nd **RESOLVED**, that the non-reimbursable fringe benefits of approximately $2,675 associated with the overtime salaries for this program are included in the 2013 Suffolk County Operating Budget; and be it further

3rd **RESOLVED**, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, U.S. Marshals Service.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1174

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL: Accepting & appropriating a supplemental award of Federal funding in the amount of $10,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in Operation Northeast Shore Restore with 78.90% support.

PURPOSE OR GENERAL IDEA OF BILL: To accept a grant award of $10,000 to support the participation of the Suffolk County Police Department in an initiative designed to locate sex offenders who may have been displaced by Hurricane Sandy and who have not reported their new location.

SUMMARY OF SPECIFIC PROVISIONS: This legislation will allow the County to accept additional funding in the amount of $10,000 from the U.S. Department of Justice, U.S. Marshals Service to continue a joint project to locate sex offenders who may have been displaced by Hurricane Sandy. This project was begun in December 2012. Funding for the initial stage was accepted by Resolution No. 1182-2012.

JUSTIFICATION: In December 2012 the U.S. Marshals Service, due to the volume of possibly displaced sex offenders, proposed assisting the Suffolk County Police Department's Special Victims Section with the address verification of those registered sex offenders residing in neighborhoods affected by Hurricane Sandy. During December approximately 400 address verifications were made and 35 cases were initiated. Several arrests have been made as a result of these investigations. Due to the success of the December activity, the U.S. Marshals have again indicated that they would like to assist the SCPD to complete the verifications of the remaining sex offenders with addresses in storm (Hurricane Sandy) affected areas. Due to the nature of crimes committed by sex offenders it is vital that their locations be verified and monitored. A storm like Hurricane Sandy can displace large populations of people among them sex offenders who may take the opportunity provided by a storm's chaotic aftermath to slip under law enforcement radar and disappear. This was observed during the aftermath of Hurricane Katrina. Address verification is something the SCPD engages in during its regular course of business, however, verifying the addresses of storm displaced offenders places a larger than normal burden on the Department. Accepting the assistance of the U.S. Marshals Service will provide resources both in manpower and funding that will enhance the ability of the SCPD to verify the whereabouts of displaced sex offenders and increase the safety of Suffolk County's citizens.

1174

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law ____ Charter Law

2. Title of Proposed Legislation

ACCEPTING & APPROPRIATING A SUPPLEMENTAL AWARD OF FEDERAL FUNDING IN THE AMOUNT OF $10,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, U.S. MARSHALS SERVICE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN OPERATION NORTHEAST SHORE RESTORE WITH 78.9% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The resolution provides $10,000 for participation in Operation Northeast Shore Restore, an initiative designed to verify the addresses of displaced sex offenders who reside in neighborhoods affected by Hurricane Sandy.

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

The funds provided by this grant must be expended between February 20, 2013 and March 8, 2013.

8. Proposed Source of Funding

United States Dept. of Justice

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		2-22-13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1174

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 2/11/2013
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980	1174
Contact Person In Department/Agency Sarah Furey Senior Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: Operation Northeast Shore Restore II

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) The Controlled Substances Act, 21 U.S.C 881(e); Civil Asset Forfeiture Reform Act (CAFRA), 18 U.S.C 981(e), U. S. Department of Justice, Administered by the U.S. Marshals Service.

3. Grant/Contract Status (Check One Box)
A. ___ New Program Application
B. _X_ Renewal Application
C. ___ Supplemental (Specify)
D. ___ Extension of Funding Period
E. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
This funding will provide reimbursement for the Suffolk County Police Department's participation in the U.S. Marshals Operation Northeast Shore Restore. A short-term inter-agency program designed to locate sex offenders who may have been displaced due to Hurricane Sandy.

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

II. BUDGET INFORMATION

1. Term of Contract From: 2/20/2013 To: 3/8/2013

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*FIRST FUNDING CYCLE SUPPLEMENTAL*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$10,000	78.90%	$10,000	78.90%	$	%
State	$		$		$	
Private	$		$		$	
County	$2,675	21.10%	$2,675	21.10%	$	%
Total	$12,675	100%	$12,675	100%	$	%

1174

3. Explanation of Requested County Financial Assistance			
Category	***Total Requested***	***Personnel Costs Requested***	***Non-Personnel Costs Requested***
TOTAL COUNTY SHARE:	$2,675	$	$2,675
A. Cash Contribution	$2,675	$	$2,675
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0	5. Can This Program Be Refunded by the Proposed Non-County Sources? X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

Some additional indirect costs resulting from administrative oversight may be incurred.

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

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved _____ Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved _____ Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2013			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	**10,000** 10,000			
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Automobiles & Motorcycles 2070 Cameras and Photographic 2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				
4000 UTILITIES: 4010 Telephone & Telegraph				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				ALL

SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2013			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		**2,675** 2,530 145		These benefits are not eligible for funding under this program.
OTHER (List Source & Brief Explanation)				

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

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES					Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY	IN-KIND	
Detective	4	$98.31 HR/OT	To be determined	100%			
Detective Sergeant		108.72 HR/OT	To be determined	100%			

4211

SCIN Form 164D (10-80)

1174

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution X Local Law ___ Charter Law ___

2. Title of Proposed Resolution
   Accepting & appropriating a supplemental award of Federal funding in the amount of $10,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in Operation Northeast Shore Restore with 78.90% support.

3. Purpose of Proposed Legislation
   To accept supplemental funding in the amount of $10,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in an inter-agency initiative to locate sex offenders who may have been displaced by Hurricane Sandy.

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

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

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

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

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:
   Non-reimbursable employee fringe benefit costs of approximately $2,675 will be incurred through March 8, 2013. Additional costs will only be incurred if the program receives additional funding in the future.

8. Proposed Source of Funding
   The United States Department of Justice, U.S. Marshals Service

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan C. Krause Grants Analyst		2/11/2013

SCIN FORM NO. 175b (10/95)

United States Marshals Service
Short-Term Joint Operation – Memorandum of Understanding

PARTIES AND AUTHORITY:
This Memorandum of Understanding (MOU) is entered into by the participating agency and the United States Marshals Service (USMS) pursuant to 28 U.S.C. § 566(e)(1)(B) and 42 U.S.C. § 16941(a). Under those statutes, the USMS is authorized to assist state and local jurisdictions in executing arrest warrants for certain violent state felons and in locating and apprehending sex offenders who are non-compliant with the requirement that they register as a sex offender. This MOU is for use in temporary, short-term, joint operations with state/local agencies not a part of standing USMS regional and/or district task forces and in geographic areas not routinely served by standing USMS regional and/or district task forces.

MISSION:
The primary mission of the operation is to investigate and/or arrest, as part of temporary, short-term joint law enforcement operations, persons who have active state arrest warrants adopted by the USMS and/or federal warrants for their arrest and/or who are in potential violation of the Adam Walsh Act. The intent of this joint effort is to investigate and/or arrest local, state, and federal fugitives, to improve public safety, reduce violent crime, and reduce the number of fugitive non-compliant sex offenders.

PERIOD OF PERFORMANCE/EFFECTIVE DATE/TERMINATION:
Once signed, this MOU will become effective upon the commencement of the operation and terminate upon the operation's conclusion.

PERSONNEL:
Administrative matters which are internal to the participating agencies remain the responsibility of the respective agencies. Furthermore, each agency retains responsibility for the supervision/conduct of its personnel in this joint endeavor.

REIMBURSEMENT:
If the Marshals Service receives Asset Forfeiture funding for either 1) overtime incurred by state and local investigators who provide support to USMS joint law enforcement operations; or 2) travel, training, purchase or lease of police vehicles, fuel, supplies or equipment for state and local investigators in direct support of state and local investigators, the USMS shall, pending availability of funds, reimburse your organization for expenses incurred, depending on which category of funding is provided. Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped at the equivalent of 25% of a GS-1811-12, Step 1, of the general pay scale for the RUS. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the joint operation during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator, and the total quarterly cost. The request for reimbursement must be submitted to the District Chief Deputy, who will review the request for reimbursement, stamp and sign indicating that services were received and that the request for reimbursement is approved for payment. Supporting documentation must accompany requests

for reimbursement for equipment, supplies, training, fuel, and vehicle leases. **Reimbursable Funds for all USMS approved expenditures are capped at no more than** 10,000. TEN THOUSAND

USE OF FORCE:
All members of the participating agency shall comply with their agencies' guidelines concerning the use of firearms and deadly force. All members of the participating agency shall comply with United States Justice Department guidelines concerning the use of less-lethal devices. Copies of all applicable firearms, deadly force, and less-lethal policies shall be provided to the District Chief Deputy and each concerned task force officer. In the event of a shooting involving task force personnel, the incident will be investigated by the appropriate agency(s).

NEWS MEDIA:
Media inquires will be referred to the District Chief Deputy. A press release may be issued and press conference held, upon agreement and through coordination with participant agencies' representatives. All press releases will exclusively make reference to the task force.

RELEASE OF LIABILITY:
Each agency shall be responsible for the acts or omissions of its employees. Participating agencies or their employees shall not be considered as the agents of any other participating agency. Nothing herein waives or limits sovereign immunity under federal or state statutory or constitutional law.

SHORE RESTORE II
Operation Name

SUFFOLK COUNTY POLICE DEPARTMENT
Participating Agency Name

Edward Webber
Participating Agency Representative

7/8/13
Date

United States Marshal

EDNY
Participating USMS District

Date

COUNTY OF SUFFOLK

1174

STEVEN BELLONE
COUNTY EXECUTIVE

EDWARD WEBBER
POLICE COMMISSIONER

POLICE DEPARTMENT

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

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

DATE: **February 11, 2013**

SUBJECT: **Resolution Packets & SCIN Forms for**
U.S. Marshals Service sponsored Operation Northeast Shore Restore II

Attached please find the following for Operation Northeast Shore Restore II:

1. Draft Resolution
2. Memorandum of Support
2. SCIN Forms
3. Request for Introduction of Legislation
4. Financial Impact Statement
5. Copy of the Short Term Joint Operation – Memorandum of Understanding

The purpose of this Resolution is to accept $10,000 in supplemental funding from the U.S. Marshals Service to continue the initiative, which was begun in December 2012, to verify the addresses of sex offenders who may have been displaced by Hurricane Sandy.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

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

Thank you as always for your assistance with this project.

MW/sck

CC: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Evelyn Creen, Senior Federal & State Aid Claims Examiner

Intro. Reso. No. 1175-13 **Laid on Table** 3/5/13
Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $15,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, OFFICE OF INSPECTOR GENERAL, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE U.S. DEPARTMENT OF AGRICULTURE'S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) FRAUD INVESTIGATION WITH 78.89% SUPPORT.

WHEREAS, the United States Department of Agriculture, Office of Inspector General, has made $15,000 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department (SCPD) in the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP) Fraud investigation; and

WHEREAS, said project involves SCPD participation with the Department of Agriculture in an operation involving the enforcement and investigation of Supplemental Nutrition Assistance Program (SNAP) Fraud and related violations of law; and

WHEREAS, the operational period of the project is from October 1, 2012 through September 30, 2013; and

WHEREAS, said reimbursement funds have not been included in the 2013 Suffolk County Operating Budget; now, therefore be it

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

REVENUE:	**Amount**
001-4380-Federal Aid: SNAP Fraud FFY2013	$15,000

ORGANIZATIONS:

Police Department (POL)
SNAP Fraud FFY2013
001-POL-3658

1000-Personal Services	**$15,000**
1120-Overtime Salaries	15,000

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately $4,013 associated with the overtime salaries for this program are included in the 2013 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Agriculture, Office of Inspector General.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1175

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL: Accepting & appropriating Federal Funding in the amount of $15,000 from the United States Department of Agriculture, Office of Inspector General, for the Suffolk County Police Department's participation in the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP) fraud investigation with 78.89% support.

PURPOSE OR GENERAL IDEA OF BILL: To continue SCPD participation in an ongoing joint investigation program in conjunction with the Department of Agriculture, Office of the Inspector General with $15,000 in reimbursement.

SUMMARY OF SPECIFIC PROVISIONS: This legislation will allow the Suffolk County Police Department to receive reimbursement for its participation in the joint law enforcement initiative to identify and locate individuals and businesses involved in SNAP fraud and related violations of law.

JUSTIFICATION: The Suffolk County Police Department engages in joint operations with several Federal Agencies. These programs enable the SCPD to enhance its enforcement activities through the receipt of resources over and above those supplied by the County budget. Funding has been accepted for this initiative in the past. (Resolution #s 659-2009, 436-2010, 434-2010 and 231-2011) This program is a continuation of investigation and intelligence gathering regarding SNAP fraud, dealing in proceeds of unlawful activity and related violations of law, originally begun in 2010.

1175

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $15,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, OFFICE OF INSPECTOR GENERAL, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE U.S. DEPARTMENT OF AGRICULTURE'S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) FRAUD INVESTIGATION WITH 78.89% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The resolution provides $15,000 for participation in the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program Fraud Investigation.

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

The funds provided by this grant must be expended between October 1, 2012 and September 30, 2013.

8. Proposed Source of Funding

United States Dept. of Agriculture

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		2-22-13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1175

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 2/19/2013
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980	1175
Contact Person In Department/Agency Sarah Furey Senior Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: Supplemental Nutrition Assistance Program (SNAP) Fraud FFY2013

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) The Controlled Substances Act, 21 U.S.C. 881 (e); Civil Asset Forfeiture Reform Act (CAFRA), 18 U.S.C. 981 (e), administered by the U. S. Department of Agriculture, Administered by the Office of the Inspector General

3. Grant/Contract Status (Check One Box)
A. ___New Program Application
B. _X _Renewal Application
C. ___Supplemental (Specify) _____
D. ___Extension of Funding Period
E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
This funding will provide reimbursement for the Suffolk County Police Department's participation in Department of Agriculture investigations into Supplemental Nutrition Assistance Program Fraud.

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

II. BUDGET INFORMATION

1. Term of Contract From: 10/1/12 To: 09/30/13

2. Financial Assistance Requested

SOURCE	*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*		*FOURTH FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$10,000	83.37%	$15,000	83.37%	$15,000	78.89%
State	$		$			
Private	$		$			
County	$1,995	16.63%	$2,993	16.63%	$4,013	21.11%
Total	$11,995	100%	$17,993	100%	$19,013	100%

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$4,013	$	$4,013
A. Cash Contribution	$4,013	$	$4,013
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

Some additional indirect costs resulting from administrative oversight may be incurred.

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

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved _____ Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved _____ Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2013			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	**15,000** 15,000			
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Automobiles & Motorcycles 2070 Cameras and Photographic 2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				
4000 UTILITIES: 4010 Telephone & Telegraph				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				1175

SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2013			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		**4,013** 3,795 218		Fringe benefits are not an allowable cost under this funding program
OTHER (List Source & Brief Explanation)				

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

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES					Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY	IN-KIND	
Detective Lieutenant		$121.04/hr OT	Various	100%			
Detective Sergeant		$108.72/hr. OT	Various	100%			
Detective	4	$98.31/hr. OT	Various	100%			

1175

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1175

1. Type of Legislation

   Resolution X Local Law ___ Charter Law ___

2. Title of Proposed Resolution
   Accepting & appropriating Federal funding in the amount of $15,000 from the United States Department of Agriculture, Office of Inspector General, for the Suffolk County Police Department's participation in the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP) Fraud investigation with 78.89% support.

3. Purpose of Proposed Legislation
   To accept $15,000 from the United States Department of Agriculture, Office of Inspector General, as reimbursement for the SCPD's participation in the U.S. Department of Agriculture's investigation of Supplemental Nutrition Assistance Program (SNAP) fraud and related violations of law.

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

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

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

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

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:
   Non-reimbursable employee fringe benefit costs of approximately $4,013 will be incurred through September 30, 2013. Additional costs will only be incurred if the program receives additional funding in subsequent years.

8. Proposed Source of Funding
   The United States Department of Agriculture, Office of Inspector General

9. Timing of Impact
   Immediate

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

    Susan C. Krause
    Grants Analyst 2/19/2013

SCIN FORM NO. 175b (10/95)

1175

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF INSPECTOR GENERAL

COST REIMBURSEMENT AGREEMENT

This Agreement is made between the United States Department of Agriculture, Office of Inspector General (OIG) and the Suffolk County Police Department, assigned to the Criminal Intelligence Bureau (tax identification number 11-6000464).

WHEREAS, OIG and the Suffolk County Police Department are conducting an investigation into Supplemental Nutrition Assistance Program (SNAP) fraud that began in 2010 and the investigation is continuing and ongoing. The parties agree to the following:

1. To conduct and participate in joint law enforcement operations and to:

a. Cooperate in a comprehensive law enforcement effort to identify and locate individuals and businesses involved in SNAP fraud and related violations of law throughout the State of New York and other States in violation of State and Federal laws including but not, limited to:

7 U.S.C. § 2024 (SNAP Fraud); and
18 U.S.C. § 371 (Conspiracy);
18 U.S.C. § 1343 (Wire Fraud);
18 U.S.C. § 1956 (Money Laundering);
18 U.S.C. § 1957 (Engaging in Monetary Transactions);
18 U.S.C. § 1962 (Racketeer Influenced Corrupt Organizations "RICO");
18 U.S.C. § 2314 (Transportation of Stolen Goods);
18 U.S.C. § 2315 (Sale or Receipt of Stolen Goods);
21 U.S.C. § 841 (Drug Trafficking)
21 U.S.C. § 846 (Attempt or Conspiracy to Attempt a Controlled Substance Offense)
N.Y. PENAL LAW §155.35 (Grand larceny)
N.Y. SOC. SERV. LAW §147 (Misuse of food stamps)

b. Conduct appropriate law enforcement operations and engage in traditional methods of investigation to effectuate prosecutions before the courts of the United States, the State of New York, and/or other States.

c. Gather intelligence relating to SNAP fraud, dealing in proceeds of unlawful activity, and related violations of law.

2. To accomplish the objectives of the joint law enforcement operations outlined above, the Suffolk

County Police Department agrees to assign experienced officers to the joint activities, as requested by the OIG, Northeast Region, Special Agent-in-Charge (SAC).

3. To accomplish the objectives of the joint law enforcement operations outlined above, OIG agrees to participate with the Suffolk County Police Department to coordinate resources as needed to assist in meeting the goals of the joint task force effort. Permissible expenses reimbursable under this Agreement may include overtime relating to Suffolk County Police Department Criminal Intelligence Bureau Detectives, investigative equipment, travel, training, intelligence data gathering expenditures, and other joint operation support costs, relating to State or local law enforcement officers. For Fiscal Year (FY) 2013, funds under this CRA must be used primarily (at least 90 percent) for overtime expenses; no more than 10 percent of funds may be used for permissible expenses other than overtime. With respect to approved funding for this joint law enforcement operation, OIG will obligate in its financial management system an amount equal to the total authorized funding under this Agreement for the joint operation, as specified below in paragraphs four through nine.

4. Subject to the availability of funds from the Department of Justice Assets Forfeiture Fund, OIG will administer the funds to Suffolk County Police Department for reimbursement of overtime relating to Detectives assigned to the Criminal Intelligence Bureau, investigative equipment, travel, training, intelligence data gathering expenditures, and other joint operation support costs incurred while engaged in the joint law enforcement operations under this Agreement. For FY 2013, funds under this CRA must be used primarily (at least 90 percent) for overtime expenses; no more than 10 percent of funds may be used for permissible expenses other than overtime.

5. The Suffolk County Police Department will submit a reimbursement request to the regional OIG office on a monthly basis by the 15th of the following month, covering incurred costs to OIG for disbursement of funds for overtime relating to Detectives assigned to the Criminal Intelligence Bureau, investigative equipment, travel, training, intelligence data gathering expenditures, and other joint operation support costs. For FY 2013, funds under this CRA must be used primarily (at least 90 percent) for overtime expenses; no more than 10 percent of funds may be used for permissible expenses other than overtime. The reimbursement request must include the following information: FMMI Code 135410R2200706RADOJAJR706AG; and Purchase Order No. 4500039532.

6. Upon receipt, the regional SAC will review the reimbursement request to ensure that the request contains only costs that may be lawfully reimbursed based upon the standards and criteria enunciated in 28 U.S.C. § 524(c)(1)(I). The maximum total amount for authorized reimbursement pursuant to this Agreement is fifteen thousand dollars ($15,000), of which only 10 percent, i.e. one thousand five hundred dollars ($1,500), may be used to reimburse the Suffolk County Police Department for permissible expenses other than overtime.

1175

7. During the period of the joint law enforcement operations outlined above, the Suffolk County Police Department will remain responsible for the payment of costs incurred by Suffolk County Police Department personnel.

8. More than one law enforcement agency may be involved in the joint law enforcement operation as outlined above. OIG will reimburse funds for expenses incurred in the conduct of the joint law enforcement operation as outlined above only to the entity identified in this Agreement. If more than one State or local law enforcement agency is participating in the joint law enforcement operation, separate reimbursable agreements must be entered into with each law enforcement agency in order to reimburse costs as approved by the Department of Justice Assets Forfeiture Fund.

9. In no event will the Suffolk County Police Department charge any indirect costs to OIG for the administration or implementation of this Agreement.

10. The Suffolk County Police Department shall maintain, on a current basis, complete and accurate records and accounts of all obligations and expenditures of funds under this Agreement, in accordance with generally accepted accounting principles and instructions provided by OIG to facilitate onsite auditing and inspection of such records and accounts.

11. The Suffolk County Police Department shall permit and have readily available for examination and auditing by OIG, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts, and expenditures relating to this Agreement. The Suffolk County Police Department shall maintain all such reports and records until all audits and examinations are completed and resolved, or for a period of three (3) years after termination of this Agreement, whichever is later.

12. The Suffolk County Police shall comply with Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d et seq., and all requirements imposed by applicable regulations.

13. All overtime payments from all Federally-provided sources for each individual State or local officer participating in the joint law enforcement operation with the Federal Government shall not exceed 25 percent yearly base pay of a GS-12, Step 1, taken from the general pay scale at the beginning of each Federal Government fiscal year, without any locality pay or other adjustments during the fiscal year. For purposes of this Agreement, "overtime" shall not include any costs for benefits, such as retirement, FICA, or other expenses.

14. All final costs must be incurred by September 30, 2013. All requests for payment and supporting

1175

documentation must be submitted to the regional SAC no later than October 15, 2013. Reimbursement requests for permissible expenses other than overtime must be provided to OIG for processing after September 1, 2013.

15. Billings for all outstanding expenditures must be received by OIG within thirty (30) days of the termination date for the joint law enforcement operation, but no later than October 15, 2013. OIG will only be responsible for the disbursement of funds for authorized overtime relating to Suffolk County Police Detectives assigned to the Criminal Intelligence Bureau, investigative equipment, travel, training, intelligence data gathering expenditures, and other joint operation support costs, as specified by and during the term of this Agreement. For FY 2013, funds under this CRA must be used primarily (at least 90 percent) for overtime expenses; no more than 10 percent of funds may be used for permissible expenses other than overtime.

16. The regional SAC will ensure that all final billing is received by the Investigations Business Operations Division SAC no later than October 20, 2013.

17. In the event that OIG's Financial Management Division needs to contact the Suffolk County Police Department for additional financial information in order to process authorized reimbursements pursuant to this Agreement, the Suffolk County Police Department designates the following official as the point of contact:

James Hickey, Detective Lieutenant
Commanding Officer, Criminal Intelligence Bureau
Suffolk County Police Department
30 Yaphank Avenue
Yaphank, New York
631-852-6105 (Office)
631-852-6547 (Fax)
james.hickey@suffolkcountyny.gov

18. This Agreement becomes effective upon the date that the last party signs the Agreement. This Agreement may be terminated by either party with thirty (30) days advance written notice. Any amendments to this Agreement must be in writing and signed by both parties.

for KAREN L. ELLIS — Date 1·3·13
Assistant Inspector General
for Investigations
OIG

CHIEF JAMES BURKE — Date
Chief of the Department
Suffolk County Police Department

COUNTY OF SUFFOLK

1175 135

STEVEN BELLONE
COUNTY EXECUTIVE

EDWARD WEBBER
POLICE COMMISSIONER

POLICE DEPARTMENT
MEMORANDUM

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

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

DATE: **February 19, 2013**

SUBJECT: **Resolution Packets & SCIN Forms for The United States Department of Agriculture Supplemental Nutrition Assistance Program Fraud Investigation SNAP Fraud FFY2013**

Attached please find the following for the SNAP Fraud FFY2013 reimbursement program:

1. Draft Resolution
2. Memorandum of Support
3 Grant SCIN Forms
4. Request for Introduction of Legislation
5. Financial Impact Statement
6. Copy of the Cost Reimbursement Agreement between the U.S. Department of Agriculture, Office of Inspector General and the Suffolk County Police Department.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

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

Thank you as always for your assistance with this project.

MW/sck
Att. Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Evelyn Creen, Senior Federal & State Aid Claims Examiner

Intro. Reso. No. 1176-13 Laid on Table 3/5/13
Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $259,500 FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (SLETPP) FFY2012 WITH 100% SUPPORT.

WHEREAS, the New York State Division of Homeland Security and Emergency Services has made $259,500 in Federal pass-through funds from the 2012 State Homeland Security Grant program available to Suffolk County for the SLETPP FFY2012 Program to be administered by the Suffolk County Police Department; and

WHEREAS, this program is designed to assist law enforcement in the prevention, deterrence and response to terrorist attacks; and

WHEREAS, the operational period of the Program will be from September 1, 2012 through August 31, 2014; and

WHEREAS, said grant funds have not been included in the 2013 Suffolk County Operating Budget; and

WHEREAS, the SLETPP FFY2012 grant includes funding for the purchase of a Mobile Command Post Vehicle for use by the Suffolk County Police Department for command and control at large-scale and multi-agency events; and

WHEREAS, Resolution No. 1183-2012 accepted and appropriated $249,000 to be applied to the purchase the afore mentioned Mobile Command Post Vehicle in addition to the instant allocation; and

WHEREAS, Resolution No. 1183-2012 included language to increase the fleet with respect to this vehicle, therefore, no such language is required here; now, therefore, be it

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

REVENUE:	**AMOUNT**
001-4349 - Federal Aid: SLETPP FFY2012	$259,500

ORGANIZATIONS:

Police Department (POL)
SLETPP FFY2012
001-POL-3661

2000 – Equipment	**$259,500**
2040 – Trucks, Trailers & Jeeps	259,500

And be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1176

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL: Accepting & appropriating a grant in the amount of $259,500 from the New York State Division of Homeland Security and Emergency Services for the State Law Enforcement Terrorism Prevention Program (SLETPP) FFY2012 with 100% support.

PURPOSE OR GENERAL IDEA OF BILL: To accept a grant award of $259,500 to support the purchase of a Mobile Command Post for the Suffolk County Police Department.

SUMMARY OF SPECIFIC PROVISIONS: This legislation will allow the County to accept funding in the amount of $259,500 from the New York State Division of Homeland Security and Emergency Services which will be used to support the purchase of a Mobile Command Post for the Suffolk County Police Department.

JUSTIFICATION: The SCPD is generally involved in all major emergencies occurring in the County. Emergencies requiring a high level of command and control, such as the large propane tank leak of January 2011 or the extensive wildfires of 2012, do not always take place in locations with a ready-made brick and mortar facility. Such facilities are required to support proper multi-agency command and control, as well as shelter and bathroom facilities, so a mobile capability is essential. The Mobile Command Post currently in use by the SCPD is twelve (12) years old and is fast approaching the end of its useful life. It is vital that we replace this vehicle to ensure the safety our emergency responders as well as to facilitate the quick resolution of any situation that may incur the loss of life or property of our citizenry.

1176

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law ____ Charter Law

2. Title of Proposed Legislation

ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $259,500 FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE STATE LW ENFORCEMENT TERRORISM PREVENTION PROGRAM (SLETPP) FFY2012 WITH 100% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The resolution provides $259,500 for participation in the Law Enforcement Terrorism Prevention Program.

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

The funds provided by this grant must be expended between September 1, 2012 and August 31, 2014.

8. Proposed Source of Funding

NYS Division of Homeland Security and Emergency Services

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		2-22-13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1176

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 2/7/2013
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank 1176	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title **SLETPP (State Law Enforcement Terrorism Prevention Program) FFY12**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Public Law No. 112-74, Consolidated Appropriations Act, 2012, administered by the NYS Division of Homeland Security and Emergency Services (DHSES).

3. Grant/Contract Status (Check One Box)
A. ___New Program Application
B. _X__Renewal Application
C. ___Supplemental (Specify) _____
D. ___Extension of Funding Period
E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.).
Grant funding will allow the Suffolk County Police Department to purchase a mobile command post which will enhance its abilities in terrorism prevention, deterrence and response.

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

II. BUDGET INFORMATION

1. Term of Contract From 9/1/12 To: 8/31/14

2. Financial Assistance Requested

SOURCE	*SEVENTH FUNDING CYCLE*		*EIGHTH FUNDING CYCLE*		*NINTH FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$580,249	100%	$596,908	100%	$259,500	100%
State	$	%	$	%	$	%
Private	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	$580,249	100%	$596,908	100%	$259,500	100%

SCIN FORM 164

1176

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$ NONE	$	$
A. Cash Contribution	$	$	$
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0	5. Can This Program Be Refunded by the Proposed Non-County Sources? X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

Some additional indirect costs resulting from administrative oversight may be incurred.

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

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

SCIN FORM 164

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2013			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries				
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2040 Trucks, Trailers & Jeeps 2070 Cameras & Photographic 2090 Radio and Communication 2500 Other Equip Not Otherwise	**259,500** 259,500			
3000 SUPPLIES MATERIALS & OTHERS: 3160 Computer Software 3500 Other Unclassified 3520 Rent: Automobiles				
4000 UTILITIES: 4010 Telephone & Telegraph 4210 Computer Services				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				

SCIN Form 164D (10-80)

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GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2013			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4750 Law Enforcement Expenditures 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance				
OTHER (List Source & Brief Explanation)				1126

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

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES					Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY	IN-KIND	
NONE							

SCIN Form 164D (10-80)

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution X Local Law ___ Charter Law ___

2. Title of Proposed Resolution
   Accepting & appropriating a grant in the amount of $259,500 from the New York State Division of Homeland Security and Emergency Services for the State Law Enforcement Terrorism Prevention Program (SLETPP) FFY2012 with 100% support.

3. Purpose of Proposed Legislation
   To accept $259,500 from the New York State Division of Homeland Security and Emergency Services to assist law enforcement in the prevention, deterrence and response to terrorist attacks. Program will be administered by the Suffolk County Police Department and will provide for equipment purchases.

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

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

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

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

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

   The current project is 100% funded by the grantor. It is anticipated that any future funding for this program would also be 100% funded by the grantor.

8. Proposed Source of Funding
   New York State Division of Homeland Security and Emergency Services

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan C. Krause Grants Analyst		2/7/2013

SCIN FORM NO. 175b (10/95)

1176

NEW YORK STATE
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

Andrew M. Cuomo, Governor | Jerome M. Hauer, Commissioner

April 9, 2012

The Honorable Steve N. Bellone
Suffolk County Executive
100 Veterans Memorial Highway
PO Box 6100
Hauppauge, New York 11788-0099

Dear Mr. Bellone:

I am pleased to announce that, contingent upon the state receiving the official grant award from FEMA, Suffolk County is awarded $1,038,000 under the FY2012 State Homeland Security Program (SHSP). Funding for this grant is provided by the U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA). The New York State Division of Homeland Security and Emergency Services (DHSES) will administer the funding on behalf of FEMA. DHSES anticipates receiving a final determination of the state's award by September 30, 2012.

The State Homeland Security Program (SHSP) supports the implementation of State Homeland Security Strategies to address the identified planning, organization, equipment, training, and exercise needs to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events. Your SHSP projects and initiatives must comply with Federal grant guidelines and support the New York State Homeland Security Strategy. To qualify for the award, you are required to submit by April 25th an application that details how the grant will be used to support the state and federal priorities detailed in the enclosed FY2012 Program Guidance and Application Worksheet.

The Federal government has identified three priority areas for the FY2012 SHSP. These areas are: Whole Community Approach to Security and Emergency Management, Building and Sustaining Law Enforcement Terrorism Prevention Capacities, and the Maturation and Enhancement of State and Major Urban Area Fusion Centers.

To help achieve these Federal priorities, I have identified the following State priorities to guide the State's Homeland Security investments. These priorities are: Building Sustainable Systems, Sustaining and Maintaining Useful Capabilities, Building and Sustaining Interoperable Communications Systems, Maintaining Core Planning and Response Capabilities, Developing Regional Capabilities (including the sharing of data and intelligence with regional Crime Analysis Centers and the New York State Intelligence Center), and Focusing on Worst Case Planning. Both the Federal and State Priorities are described in further detail in the attached programmatic guidance.

Communications plays a critical role in incident response. To emphasize the importance of interoperable communications, grant applications must clearly demonstrate you are investing to close gaps that may exist related to achieving the strategic goal of Federal, State, regional and local interoperability.

The purchase of vehicles, especially command vehicles, is strongly discouraged and applications will not be approved without very clear and convincing justification.

Specifics on each of these priority areas are contained in the Program Guidance accompanying this letter.

Per federal guidelines, 25% ($259,500) of your total award must be directed towards law enforcement terrorism prevention activities. These initiatives should be consistent with the efforts of your local Counter-Terrorism Zone (CTZ).

1220 Washington Avenue, State Office Building Campus
Building 7A, Suite 710
Albany, NY 12242

Our federal grants program management office will work with your designated SHSP grant program points of contact to provide additional administrative guidance.

The performance period for FY2012 grants is now 24 months from the official grant award date and extensions are highly unlikely. Therefore, in order for DHSES to provide these critical funds to you as quickly as possible your application must be submitted to DHSES no later than April 25, 2012. Failure to meet this deadline will result in the loss of funding. If you need assistance in completing your application, please contact DHSES' Contract Unit at 866-837-9133.

We anticipate further reductions in federal homeland security grant funding in the future. As a result, beginning in 2013, not all counties will receive homeland security grant funding. Our focus and priority will be to provide available homeland security grant funding only to those counties with the highest risks based on terror threat. However, all counties will remain eligible for Emergency Management Performance Grant (EMPG) program funding that is provided by the federal government.

Thank you for your continued support of New York State's homeland security program. DHSES remains committed to providing you outstanding support in the administration of your homeland security initiatives. If you have any questions please feel free to contact me directly at (518) 242-5000.

Sincerely,

Jerome M. Hauer
Commissioner

Enclosures

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STATE AGENCY New York State Division of Homeland Security and Emergency Services 1220 Washington Avenue Building 7A Suite 710 Albany, NY 12242	NYS COMPTROLLER'S NUMBER: C973722 (Contract Number) ORIGINATING AGENCY CODE: 01077
GRANTEE/CONTRACTOR: (Name & Address) Suffolk County H Lee Dennison Building 100 Veterans Memorial Highway Hauppauge, NY 11788	TYPE OF PROGRAMS: WM2012 SLETPP CFDA NUMBER: 97.067 DHSES NUMBERS: WM12973722
FEDERAL TAX IDENTIFICATION NO: 11-6000464 MUNICIPALITY NO: (if applicable) 470100000 000 SFS VENDER NO: 1000000809	INITIAL CONTRACT PERIOD: FROM 09/01/2012 TO 08/31/2014 FUNDING AMOUNT FOR INITIAL PERIOD: $259,500.00
STATUS: Contractor is not a sectarian entry. Contractor is not a not-for-profit organization.	MULTI-YEAR TERM: (if applicable)
CHARITIES REGISTRATION NUMBER: N/A (Enter number of Exempt) if "Exempt" is entered above, reason for exemption. n/a Contractor has ____ has not ____ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.	APPENDIX ATTACHED AND PART OF THIS AGREEMENT _X_ APPENDIX A Standard Clauses required by the Attorney General for all State contracts _X_ APPENDIX A1 Agency-specific Clauses _X_ APPENDIX B Budget _X_ APPENDIX C Payment and Reporting Schedule _X_ APPENDIX D Program Workplan and Special Conditions __ APPENDIX X Modification Agreement Form (to accompany modified appendices for changes in terms or considerations on an existing period or for renewal periods) __ DHSES-55 Budget Amendment/Grant Extension Request __ Other - Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion _____

IN WITNESS THEREOF, the parties hereto have electronically executed or approved this AGREEMENT on the dates of their signatures.

NYS Division of Homeland Security and Emergency Services

BY: , Date:

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

GRANTEE:

BY: Mr. Dennis M. Cohen , Chief Deputy County Executive Date:

ATTORNEY GENERAL'S SIGNATURE	COMPTROLLER'S SIGNATURE
_____ Title: _____ Date: _____	_____ Title: _____ Date: _____

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Award Contract **LETPP/SLETPP**

Project No.	Grantee Name	
LE12-1042-D00	Suffolk County	01/29/2013

Award Contract **LETPP/SLETPP**

Project No.	**Grantee Name**	
LE12-1042-D00	Suffolk County	01/29/2013

APPENDIX A

STANDARD CLAUSES FOR NYS CONTRACTS 1176

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

1. EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State's previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller's approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor's business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. COMPTROLLER'S APPROVAL. In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds $50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds $10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed $85,000 (State Finance Law Section 163.6.a).

4. WORKERS' COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of $50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the

ıremium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, ıffective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and ıgrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition ırecedent to payment by the State of any State approved sums due and owing for work done upon the project.

'. NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was ıwarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at ıdependently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor ıubmitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification ın Contractor's behalf.

ı. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the ɔtate Finance Law, if this contract exceeds $5,000, the Contractor agrees, as a material condition of the contract, that neither the ɔontractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or ıhall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections ?401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is ɔtherwise found to have violated said laws or regulations upon the final determination of the United States Commerce ɔepartment or any other appropriate agency of the United States subsequent to the contract's execution, such contract, ımendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within ive (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

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

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

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for ransactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification ıumber. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal ɔocial security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure ɔo include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, ɔn its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor ɔf real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure ɔf this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is ɔo enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of $25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of $100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of $100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

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

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

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

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

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

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

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

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

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

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section

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165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

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

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

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

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

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

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

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

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

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

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

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

21. RECIPROCITY AND SANCTIONS PROVISIONS. Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and

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2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT. Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW. If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4-g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

24. PROCUREMENT LOBBYING. To the extent this agreement is a 'procurement contract' as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS. To the extent this agreement is a contract as defined by Tax Law Section 5-a, if the contractor fails to make the certification required by Tax Law Section 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

December, 2011

Certified by - on

Project No.	Grantee Name	
LE12-1042-D00	Suffolk County	01/29/2013

APPENDIX A-1
New York State Division of Homeland Security and Emergency Services
AGENCY-SPECIFIC CLAUSES

A. GENERAL TERMS AND CONDITIONS

1. This contract (Agreement) is hereby made by and between the Division of Homeland Security and Emergency Services (DHSES), on behalf of the State of New York (State) and the Grantee.

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

3. This Agreement incorporates the face pages attached, this Appendix and all of the marked Appendices identified on the face page hereof.

4. Funding for the entire Agreement Period shall not exceed the funding amount specified as 'Funding Amount for the Initial Period' on the face page hereof.

5. The period of this Agreement shall be as specified on the face page hereof. Should funding become unavailable, this Agreement may be suspended until funding becomes available. In such event DHSES shall notify the Grantee immediately of learning of such unavailability of funds, however, any such suspension shall not be deemed to extend the term of this Agreement beyond the end date specified on the face page hereof.

6. To modify the Agreement, the parties shall revise or complete the appropriate appendix form(s). Any change in the amount of consideration to be paid, change in scope, or change in the term, is subject to the approval of the NYS Office of the State Comptroller. Any other modifications shall be processed in accordance with DHSES guidelines as stated in this Agreement.

7. The Grantee must meet the program objectives summarized in the Program Work Plan and Special Conditions (Appendix D) to the satisfaction of DHSES in accordance with provisions of the Agreement, relevant laws, rules and regulations, administrative and fiscal guidelines and, where applicable, operating certificates for facilities or license for an activity or program.

8. If the Grantee enters into subcontracts for the performance of work pursuant to this Agreement, the Grantee shall take full responsibility for the acts and omissions of its sub-grantees. Nothing in the subcontract shall impair the rights of the State under this Agreement. No contractual relationship shall be deemed to exist between the sub-grantee and neither DHSES nor the State of New York.

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

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

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

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

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

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

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

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

3. BUDGET, PAYMENT, REIMBURSEMENT AND REPORTING REQUIREMENTS

1. The Grantee is not permitted to make any changes to the Agreement budget without the written approval of DHSES. Furthermore, any proposed modification to the Agreement which results in a change of greater than 10 percent to any budget category, must be submitted to NYS Office of State Comptroller for approval.

2. To be eligible for payment, the Grantee shall submit to the DHSES' designated payment office (identified in Appendix C) any appropriate documentation as required by the Payment and Reporting Schedule (Appendix C) and by agency fiscal guidelines, in a manner acceptable to DHSES.

3. DHSES shall make payments and any reconciliation in accordance with the Payment and Reporting Schedule (Appendix C). DHSES shall pay the Grantee for completed, approved projects, a sum not to exceed the amount noted on the face page hereof. The Grantee must not seek or accept reimbursement from any other sources for Grantee costs and services pursuant to this Agreement.

4. Grantee shall provide complete and accurate vouchers to the Agency in order to receive payment. Vouchers submitted to DHSES must contain all information and supporting documentation required by the Agreement, DHSES and the State Comptroller. Payment for vouchers submitted by the Grantee shall only be rendered electronically, unless a paper check is expressly authorized by the Director of DHSES, at the Director's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with the ordinary State procedures and practices. The Grantee shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at www.osc.state.ny.us/epay/index.htm, by email at epunit@osc.state.ny.us, or by telephone at (518) 474-4032. Grantee acknowledges that it will not receive payment on any vouchers submitted under this Agreement if it does not comply with the State Comptroller's electronic payment procedures, except where the Director has expressly authorized payment by paper check as set forth above.

5. The Grantee shall meet all audit requirements of the federal government and State of New York.

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

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

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

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

b) Grantee must adhere to the following guidelines at a minimum when obtaining consultant services.

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

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

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

c) A Grantee that is a local government must contract for consultants in accordance with General Municipal Law Article 5-A and any other applicable regulations.

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

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

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

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

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

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

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

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

a) Grantee must also make all procurements as noted below:

. If the Grantee is eligible to purchase an item or service from a government contract or is able to purchase such item or service elsewhere at a lower than or equal price, then such purchase may be made immediately.

i. A Grantee purchasing any single piece of equipment, single service or multiples of each that cost up to $15,000 may do so by proving reasonableness of price. One method of proving reasonableness of price is to obtain three quotations from responsible vendors, on the vendor's letterhead. A description of the selection process must be maintained, as well as a record of the

quotations.

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

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

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

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

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

13. The Grantee shall submit detailed itemization forms or a form deemed acceptable to DHSES for personal service, fringe benefit and non-personal service expenditures with any voucher and fiscal cost report requesting reimbursement. Grant-related expenditures shall be reported on Fiscal Cost Reports approved by DHSES. These reports must be prepared periodically and as defined in Appendix C of this Agreement. All reported expenditures must reconcile to the program accounting records and the approved budget. Prior period adjustments shall be reported in the same accounting period that the correction is made.

14. The Grantee must submit program progress reports and final reports as specified in Appendix C.

15. Where advance payments are approved by DHSES, the Grantee agrees to expend the advance payments in accordance with the purposes set forth in Appendix D and consistent with Appendix B. The advanced funds must be placed in an interest-bearing account and are subject to the rules outlined in 44 CFR Part 13, (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) and 2 CFR 215 (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations), which require Grantees to promptly remit back to the federal government, through New York State Division of Homeland Security and Emergency Services, any interest earned on these advanced funds. The Grantee may keep interest earned up to $100 per federal fiscal year if a local unit of government and $250 per federal fiscal year if a not-for-profit for administrative expenses. This maximum limit is not per award; it is inclusive of all interest earned as the result of all federal grant program funds received per year. Interest must be reported on Fiscal Cost Reports and remitted to DHSES quarterly.

C. ACCOUNTING FOR GRANT EXPENDITURES

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

2. Grantee agrees that it shall maintain adequate internal controls and adhere to Generally Accepted Accounting Principles for Government or Generally Accepted Accounting Principles for Not-for-Profit Organizations.

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

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compliance with allowable cost and expenditure documentation standards prescribed by applicable federal, State, and DHSES guidelines.

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

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

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

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

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

D. PROPERTY

1. Any equipment, furniture or supplies or other property purchased pursuant to this Agreement is deemed to be the property of the State, except as may otherwise be governed by federal or State laws, rules or regulations or stated in this Agreement.

2. Upon completion of all contractual requirements by the Grantee under this Agreement, DHSES shall accept a request for continued use and possession of the equipment purchased with grant funds providing the equipment continues to be used in accordance with the contracted activities and guidelines in this Agreement.

3. The Grantee must conduct a physical inventory of property records at least once every two years to verify the existence, current utilization and continued need for the property. In the event the property is no longer required by the Grantee, this fact should be reported to DHSES as soon as possible and appropriate guidelines followed, as specified in this Appendix.

4. If Grantee disposes of any equipment purchased under this Agreement during the active lifespan of said equipment, Grantee must reinvest any proceeds from the disposal into additional equipment items to continue Grantee's organization's activities subject to the guidelines of this Agreement. If the Grantee does not reinvest proceeds to continue activities subject to this Agreement, the percentage of the proceeds equal to the proportion of the original purchase price paid by funds for the Agreement must be repaid to the State of New York.

E. FEDERAL REQUIREMENTS

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

2. A list of regulations commonly applicable to United States Department of Homeland Security (DHS) grants are listed below, including the guidance:

a) Administrative Requirements:

. 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments

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2. 2 CFR Part 215, Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)

b) Cost Principles:

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

c) Audit Requirements:

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

3. The Grantee shall ensure it is aware of and complies with all applicable laws, regulations and program guidance. It is the responsibility of the Grantee to become familiar with and comply with all terms and conditions associated with acceptance of funds.

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

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

6. The Grantee must provide one copy of such audit report to DHSES within nine months of the end of its fiscal year, or communicate in writing to DHSES that Grantee is exempt from such requirement.

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

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

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

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

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

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

F. SAFEGUARDS FOR SERVICES AND CONFIDENTIALITY

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

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

3. Information relating to individuals who may receive services pursuant to this Agreement shall be maintained and used only for the purposes intended under the Agreement and in conformity with applicable provisions of federal and State laws and regulations, or as specified in this Agreement.

G. AMENDMENT, SUSPENSION, TERMINATION OF AGREEMENT

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

2. DHSES will be allowed to extend, increase, amend, decrease or terminate this Agreement, upon appropriate approval of the NYS Offices of Attorney General and/or State Comptroller, as follows:

a) Upon approval by the NYS Office of State Comptroller, the term of this Agreement may be extended in conjunction with the extension of the federal grant award from which this Agreement is funded, not to exceed a term of five years from the initial start date.

b) Upon approval by the NYS Office of State Comptroller, the amount of this Agreement may be increased provided the funds are used in accordance with the guidelines associated with this Agreement grant application kit, as outlined in Appendix D, and the scope of work has not substantially changed.

c) This Agreement may be terminated at any time upon mutual written consent of DHSES and the Grantee.

d) DHSES may decrease the level of funding or terminate the Agreement immediately, upon written notice of termination to the Grantee, if the Grantee fails to comply with the terms and conditions of this Agreement and/or with any laws, rules, regulations, policies or procedures affecting this Agreement.

e) This Agreement may be terminated for convenience upon thirty (30) days' notice to the Grantee.

3. DHSES reserves the right to suspend program funds if the Grantee is found to be in noncompliance with the provisions of this Agreement or other grant agreements between the Grantee and DHSES or, if the Grantee or principals of the Grantee are under investigation by a New York State or local law enforcement agency for noncompliance with State or federal laws or regulatory provisions or, if in DHSES' judgment, the services provided by the Grantee under the Agreement are unsatisfactory or untimely.

. DHSES shall provide the Grantee with written notice of noncompliance.

i. Upon the Grantee's failure to correct or comply with the written notice by DHSES, DHSES reserves the right to terminate this Agreement, recoup funds and recover any assets purchased with the proceeds of this Agreement.

ii. DHSES reserves the right to use approved grant related expenditures to offset disallowed expenditures from any grant funded through its offices upon appropriate notification to the Grantee, or upon reasonable assurance that the Grantee is not in compliance with these terms.

4. All notices permitted or required hereunder shall be in writing and shall be transmitted either:

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(a) via certified or registered United States mail, return receipt requested;
(b) by facsimile transmission;
(c) by personal delivery;
(d) by expedited delivery service; or
(e) by e-mail.

5. Any such notice shall be deemed to have been given either at the time of personal delivery or, in the case of expedited delivery service or certified or registered United States mail, as of the date of first attempted delivery at the address and in the manner provided herein, or in the case of facsimile transmission or email, upon receipt.

6. The parties may, from time to time, specify any new or different address in the United States as their address for purpose of receiving notice under this Agreement by giving fifteen (15) days written notice to the other party sent in accordance herewith. The parties agree to mutually designate individuals as their respective representatives for the purposes of receiving notices under this Agreement. Additional individuals may be designated in writing by the parties for purposes of implementation and administration/billing, resolving issues and problems and/or for dispute resolution.

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

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

H. AVAILABILITY OF FUNDS

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

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

. RETENTION OF RECORDS

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

I. INDEMNIFICATION

. The Grantee shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons including death) or property arising out of or related to the services to be rendered by the Grantee or its sub-grantees pursuant o this Agreement. The Grantee shall indemnify and hold harmless the State of New York and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this Agreement.

. The Grantee is an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of

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the State nor make any claim, demand or application to, or for, any right based upon any different status.

Revised 02/26/2010

Certified by - on

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Award Contract **LETPP/SLETPP**

Project No.	Grantee Name	
LE12-1042-D00	Suffolk County	01/29/2013

Budget Summary by Participant

Suffolk County - Version 1

#	Equipment	AEL	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Command Post Vehicle	12VE-00-SPEC	1	$259,500.00	$259,500.00	$259,500.00	$0.00
	Total				$259,500.00	$259,500.00	$0.00

Total Project Costs	Total Cost	Grant Funds	Matching Funds
	$259,500.00	$259,500.00	$0.00

Suffolk County Police Department

Total Contract Costs	Total Cost	Grant Funds	Matching Funds
	$259,500.00	$259,500.00	$0.00

Award Contract 1176 **LETPP/SLETPP**

Project No.	**Grantee Name**	
LE12-1042-D00	Suffolk County	01/29/2013

APPENDIX C
PAYMENT AND REPORTING SCHEDULE

For All Grantees:

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

Reimbursement requests need to include the following documents:

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

2. Grantee shall provide complete and accurate vouchers to the Agency in order to receive payment. Vouchers submitted to DHSES must contain all information and supporting documentation required by the Agreement, DHSES and the State Comptroller. Payment for vouchers submitted by the Grantee shall only be rendered electronically, unless a paper check is expressly authorized by the Director of DHSES, at the Director's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with the ordinary State procedures and practices. The Grantee shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at www.osc.state.ny.us/epay/index.htm, by email at epunit@osc.state.ny.us, or by telephone at (518) 474-4032. Grantee acknowledges that it will not receive payment on any vouchers submitted under this Agreement if it does not comply with the State Comptroller's electronic payment procedures, except where the Director has expressly authorized payment by paper check as set forth above.

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

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

NYS Division of Homeland Security and Emergency Services
Federal Fiscal Unit
State Campus - Building 7A
1220 Washington Avenue
Albany, NY 12242

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

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

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

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

7. For purposes of prompt payment provisions, the Designated Payment Office for the processing of all vouchers is the Contract Unit of DHSES. Payment of grant vouchers shall be made in accordance with the provisions of Article XI-A of the State Finance Law. Payment shall be preceded by an inspection period of 15 business days which shall be excluded from calculations of the payment due date for purposes of determining eligibility for interest payments. The Grantee must notify the Federal Fiscal Unit in writing of a change of address in order to benefit from the prompt payment provision of the State Finance Law. When progress reports are overdue, vouchers will not be eligible for prompt payment.

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

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

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

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

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

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

Revised 02/26/2010

Certified by - on

1176

Award Contract **LETPP/SLETPP**

Project No.	Grantee Name	
LE12-1042-D00	Suffolk County	01/29/2013

Work Plan

Goal

Prevent terrorist attacks; protect the people of New York, our critical infrastructure and key resources; prepare to respond to and recover from terrorist attacks.

Objective #1

G & T Workplan Code - 30. Enhance capabilities to respond to all-hazards events.

Investment Justification - Emergency Management

Target Capability
Primary - On-Site Incident Management
Secondary - Counter-Terror Investigation and Law Enforcement
Secondary - Emergency Public Safety and Security Response

Enhance capabilities to respond to all-hazards events.

Task #1 for Objective #1

Purchase allowable CBRNE incident response vehicle. Train appropriate personnel in the proper use of the equipment and place the equipment into service.

#	Performance Measure
1	Idnetify equipment ordered and received. Provide a brief narrative on the training of personnel and the deployment of equipment. Describe how the project enhanced response or recovery capablilities in the jurisdiction. Equipment accountability records are properly maintained. Provide explanation if equipment is received but not deployed, include deployment plans as appropriate.

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Award Contract **LETPP/SLETPP**

Project No.	Grantee Name	
LE12-1042-D00	Suffolk County	01/29/2013

Special Conditions

I. ALL GRANT FUNDS:
A. Permissible Use of Funding
1. Homeland Security Grant Program (HSGP) funds must be used in accordance with the guidelines set forth in the HSGP application kit, which can be located at http://www.fema.gov/government/grant/hsgp/index.shtm.
2. All planning, training and Chemical, Biological, Radiological and Nuclear Explosives (CBRNE) exercises and/or equipment purchased with HSGP funds must support the prevention, response and/or recovery goals set forth in New York State's Homeland Security Strategy represented by the list of priorities included in the grant applications and approved investment justifications. New York State's Homeland Security Strategy can be located on the NYS Division of Homeland Security and Emergency Services' (DHSES) website at http://www.dhses.ny.gov/planning/#strat.
3. Designated Urban Areas under the Urban Areas Security Initiative (UASI) must have a charter document on file with the Federal Emergency Management Agency (FEMA) prior to drawing down UASI funding. The charter must address critical issues such as membership, governance structure, voting rights, grant management and administration responsibilities, and funding allocation methodologies.

B. Record Requirements
1. Grantees shall keep an agenda and meeting minutes on file for all meetings conducted regarding HSGP funded activities.
2. Any documents produced as a result of these meetings such as plans, schedules, or procedures, will also be kept on file and be made available to DHSES, upon request.

C. Equipment Purchases
1. Equipment purchased with grant funds must fall within the allowable equipment categories for HSGP as listed on the web-based Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB) (https://www.rkb.us).
2. Grantees are responsible to request a determination of eligibility from the U.S. Department of Homeland Security (DHS), through DHSES, for any item in question. Unless otherwise stated in the program guidance, equipment must meet all mandatory regulatory and/or DHS-adopted standards to be eligible for purchase using HSGP funds.
3. The New York State Communication Interoperability Plan (SCIP), as well as DHS Grant Guidance for grant funding, requires that all interoperable communications equipment must be on the Authorized Equipment List (AEL) and that the use of APCO P-25 compliant equipment is a recommended technology to achieve emergency interoperable communications.

D. Training & Exercise Related Activities
1. Any non-DHS approved training courses to be supported by this award must be submitted to DHS, through DHSES for certification.
2. All exercises conducted must be managed and executed in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP). An After-Action Report/Improvement Plan (AAR/IP) must be prepared and submitted to DHSES following every exercise, regardless of type or scope. AAR/IPs must conform to the HSEEP format and must be submitted within 60 days of completion of the exercise.
3. Grantees are required to be NIMS compliant. DHSES requires that Grantees contact their county point of contact to determine how the particular county requires reporting. Grantees are expected to complete the web based NIMSCAST report or provide the county with a completed paper copy of the NIMSCAST report.

E. Law Enforcement Requirements
1. Grantees that are law enforcement agencies agree that such funding shall be utilized for prevention, preparedness, and response initiatives consistent with the New York State Homeland Security Strategy, and with Counter Terrorism Zone (CTZ) efforts at the State and local level. This will ensure that fiscal resources are used for seamless and effective counter terrorism planning, training, information sharing, investigation, equipment acquisition, and response functions.
2. Particular attention must be paid to equipment and technology acquisitions, and, where similar technology already exists in the State's law enforcement communities, grantees will ensure that interoperability between and among existing law enforcement systems, and the New York State Intelligence Center (NYSIC), is accomplished.
3. Grantees further agree to consult with the NYSIC to ensure agency participation and inclusion in New York State's Field

Intelligence Officer (FIO) Program. 1176

F. EHP Requirements
1. Grantees shall comply with all applicable federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898).
2. Failure of Grantees to meet federal, State, and local EHP requirements and obtain applicable permits may jeopardize federal funding. Grantees shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Grantees must comply with all conditions placed on the project as the result of the EHP review.
3. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements.
4. If ground disturbing activities occur during project implementation, Grantees must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, such Grantee will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office.
5. Any construction activities that have been initiated prior to the full environmental and historic preservation review could result in non-compliance finding. For your convenience, the screening form is available at: http://www.dhses.ny.gov/grants/#ehp

G. Equipment Maintenance Requirements
1. Grantees must track grant funds used for maintenance contracts, warranties, repair or replacement costs and upgrades, and report such expenditures in fiscal and program reports.

COUNTY OF SUFFOLK

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STEVEN BELLONE
COUNTY EXECUTIVE

EDWARD WEBBER
POLICE COMMISSIONER

POLICE DEPARTMENT
MEMORANDUM

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

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

DATE: **February 7, 2013**

SUBJECT: **Resolution Packet for the State Law Enforcement Terrorism Prevention (SLETPP) FFY2012 Grant Program**

Certificate of Necessity Requested

Attached please find two copies of the following for the New York State Division of Homeland Security and Emergency Services sponsored **SLETPP FFY2012** grant program:

1. Draft Resolution
2. Certificate of Necessity Request Form
3. Memorandum of Support
4. Grant SCIN Forms
5. Request for Introduction of Legislation
6. Financial Impact Statement
7. Copy of Award Letter and proposed contract between Suffolk County and the New York State Division of Homeland Security and Emergency Services

A Certificate of Necessity is being requested to insure the maximum amount of time to affect grant purchases. We have been advised that an extension of the August 31, 2014 end date is highly unlikely. Funding has been awarded to purchase a Mobile Command Post. This will be a complicated and lengthy process which needs to be started as soon as possible.

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

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

Thank you for your assistance with this project.

MW/sck
Att. Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations
Evelyn Creen, Senior Federal & State Aid Claims Examiner

Intro. Reso. No. 1177-13 Laid on Table 3/5/13
Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $836,000 FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE LONG ISLAND EXPRESSWAY HIGH OCCUPANCY VEHICLE LANE ENFORCEMENT PROGRAM IN SUFFOLK COUNTY WITH 100% SUPPORT

WHEREAS, the New York State Department of Transportation (DOT) has made $836,000 available to Suffolk County for the continued Suffolk County enforcement efforts targeting the High Occupancy Vehicle (HOV) lane regulations on the Long Island Expressway in Suffolk County; and

WHEREAS, the operational period of the Program will be from January 4, 2013, through January 3, 2014; and

WHEREAS, $61,028 for vehicle use reimbursement has been included in the Suffolk County 2013 Operating Budget; and

WHEREAS, remaining funds have not been included in the Suffolk County Operating Budget for 2013; now, therefore, be it

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

REVENUES:	**Amount**
115-4364-Federal Aid: LIE/HOV Enforcement Program 2013	$669,000
115-3362-State Aid: LIE/HOV Enforcement Program 2013	167,000

ORGANIZATIONS:

Police Department (POL)
LIE/HOV Enforcement Program 2013
115-POL-3651

1000-Personal Services	$589,951
1120-Overtime Salaries	589,951
4300-Travel	$27,210
4310-Employee Miscellaneous Expense	15,947
4330-Travel, Employee Contracts	11,263

Employee Benefits (EMP)
Retirement
115-EMP-9010

8000-Employee Benefits	$149,257
8280-State Retirement	149,257

Employee Benefits (EMP)
Social Security
115-EMP-9030

8000-Employee Benefits	$8,554
8330-Social Security	8,554

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Department of Transportation.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

1177

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

Title Of Bill: Accepting & appropriating a grant in the amount of $836,000 from the New York State Department of Transportation for the Long Island Expressway High Occupancy Vehicle Lane enforcement program in Suffolk County with 100% support

PURPOSE OR GENERAL IDEA OF BILL: To accept a grant award of $836,000 to enhance Suffolk County's enforcement efforts targeting the HOV lane regulations on the Long Island Expressway in Suffolk County.

SUMMARY OF SPECIFIC PROVISIONS: This legislation will allow the County to accept funding in the amount of $836,000 from the New York State Department of Transportation which will be used to support enforcement activities targeting HOV lane regulations on the Long Island Expressway in Suffolk County.

JUSTIFICATION: The Long Island Expressway (LIE) runs through Suffolk County for the entire length of the Police District and encompasses the High Occupancy Vehicle (HOV) Lane until Exit 64 when the HOV lane terminates. HOV lanes generally increase the person-carrying capacity of highway corridors, induce modal shift, improve efficiency and economy of public transit operations, reduce total travel time and fuel consumption and reduce urban and suburban congestions. Enforcement has been a key element in the successful operation of HOV lanes.

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law ____ Charter Law

2. Title of Proposed Legislation

ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $836,000 FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE LONG ISLAND EXPRESSWAY HIGH OCCUPANCY VEHICLE LANE ENFORCEMENT PROGRAM IN SUFFOLK COUNTY WITH 100% SUPPORT

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The resolution provides $836,000 for the LIE/HOV enforcement program

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

The funds provided by this grant must be expended between January 4, 2013 and January 3, 2014.

8. Proposed Source of Funding

NYS Department of Transportation

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		2-22-13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 2/20/2013
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank	1177
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title **LIE/HOV Enforcement Program 2013**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program): Public Law 112-141, Moving Ahead for Progress in the 21st Century (MAP-21) administered by the NYS Dept. of Transportation

3. Grant/Contract Status (Check One Box)
A. ___New Program Application
B. ___Renewal Application
C. _X_ Supplemental (Specify) Supplemental Agreement No. 3 to Contract No. C032055
D. ___Extension of Funding Period
E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.).
To accept and appropriate grant funds in the amount of $836,000 for the provision of dedicated law enforcement efforts targeted to HOV infractions.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) Suffolk County Police Department, Suffolk County Sheriff's Office

II. BUDGET INFORMATION

1. Term of Contract From 1/03/2013 To: 1/3/2014

2. Financial Assistance Requested

SOURCE	*TWELFTH FUNDING CYCLE 1/1/11-1/2/12 Sheriff's Office*		*THIRTEENTH FUNDING CYCLE 1/3/12-1/2/13 Sheriff's Office*		*FOURTEENTH FUNDING CYCLE 1/3/13-1/3/14 SCPD*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$630,400	80%	$729,600	80%	$669,000	80%
State	$157,600	20%	$182,400	20%	$167,000	20%
Private	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	$788,000	100%	$912,000	100%	$836,000	100%

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3. Explanation of Requested County Financial Assistance			
Category	***Total Requested***	***Personnel Costs Requested***	***Non-Personnel Costs Requested***
TOTAL COUNTY SHARE:	$ 0	$	$
A. Cash Contribution	$	$	$
B. In-Kind Contribution	$	$	$
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources? X YES NO	
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.) Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implications, layoffs, etc.)? In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

SCIN FORM 164

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2013			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	**589,951** 589,951			
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2090 Radio and Communication 2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				
4000 UTILITIES: 4010 Telephone & Telegraph 4015 Cellular Communications 4210 Computer Services				1127
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts	**27,210** 15,947 11,263			

SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2013			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance	**157,811** 149,257 8,554			
OTHER (List Source & Brief Explanation) Vehicle Use Reimbursement	**61,028** 61,028			1177

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

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES					Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY	IN-KIND	
Police Officer	6	88.79/HR OT	Various	100			
Administrator I	21 / 12	61.41/HR OT	Various	100			
Principal Clerk	14 / 12	44.46/ HR OT	Various	100			
Lieutenant		115.28/HR OT	Various	100			
Sergeant		103.55/HR OT	Various	100			

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SCIN Form 164D (10-80)

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X Local Law ___ Charter Law ___

2. Title of Proposed Resolution

   Accepting & appropriating a grant in the amount of $836,000 from the New York State Department of Transportation for the Long Island Expressway High Occupancy Vehicle Lane enforcement program in Suffolk County with 100% support

3. Purpose of Proposed Legislation
   To accept $836,000 from the New York State Department of Transportation for the provision of enhanced enforcement patrols by Suffolk County targeted to HOV infractions.

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

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

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

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

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

   No costs are anticipated other than minor increases in routine administrative costs, associated with an increase in the number of summonses written.

8. Proposed Source of Funding
   New York State Department of Transportation

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer
    Sarah Furey
    Sr. Grants Analyst

11. Signature of Preparer

12. Date
    2/20/13

SCIN FORM NO. 175b (10/95)

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Municipality/Sponsor: **Suffolk County**
PIN: 0229.39 BIN:
Comptroller's Contract No. **C032055**
Supplemental Agreement No.3
Date Prepared: 12/12/12 By: (HG)
Initials

Press F1 for instructions in the blank fields:

SUPPLEMENTAL AGREEMENT No. 3 to C032055 *(Comptroller's Contract No.)*

This Supplemental Agreement is by and between:

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

and

Suffolk County (the Municipality/Sponsor)
Acting by and through the **Suffolk County Police Department and Suffolk County Sheriffs Office**
with its office at **30 Yaphank Avenue, Yaphank NY 11980 and 100 Center Drive, Riverhead , NY 11901.**

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

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

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

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

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

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IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officials as of the date first above written.

SUFFOLK COUNTY EXECUTIVE:

By: _____

Print Name: _____

Date: _____

Approved as to Legality
SUFFOLK COUNTY ATTORNEY:

By: _____

Print Name: _____

Date: _____

SUFFOLK COUNTY SHERIFF:

By: _____

Print Name: _____

Date: _____

SUFFOLK COUNTY POLICE COMMISSIONER:

By: _____

Print Name:
__Edward Webber_____

Date: _____

STATE OF NEW YORK)
)ss.:
COUNTY OF ***Suffolk***)

On this _____ day of _____, 20___ before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal Corporation described in and which executed the above instrument; (except New York City) that it was executed by order of the _____ of said Municipal Corporation pursuant to a resolution which was duly adopted on _____ and which a certified copy is attached and made a part hereof; and that he signed his name thereto by like order.

_____
Notary Public

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APPROVED FOR NYSDOT:

BY:_____
For Commissioner of Transportation

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

Date: _____

APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL

By:
_____
Assistant Attorney General

COMPTROLLER'S APPROVAL:

By:_____
For the New York State Comptroller
Pursuant to State Finance Law (Section 112)

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

NYSDOT/Local Agreement – Schedule A

B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES *For each PIN Fiscal Share, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in last row, right click in each field and select "Update Field."*

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
0228.71.32D	Current	STP	$1,507,539.00	$1,206,031.20	$301,507.80	$00
	Old	STP	$1,507,539.00	$1,206,031.20	$301,507.80	$
0228.71.32E	Current	NHS	$788,000.00	$630,400.00	$157,600.00	$
	Old	NHS	$788,000.00	$630,400.00	$157,600.00	$
0229.39.321	Current	NHS	$912,000.00	$729,600.00	$182,400.00	$
	Old	NHS	$912,000.00	$729,600.00	$182,400.00	$
0229.39.	Current	NHS	$836,000.00	$669,000.00	$167,000.00	$
	Old		$	$	$	$
. .	Current		$	$	$	$
	Old		$	$	$	$
. .	Current		$	$	$	$
	Old		$	$	$	$
. .	Current		$	$	$	$
	Old		$	$	$	$
. .	Current		$	$	$	$
	Old		$	$	$	$
TOTAL CURRENT COSTS:			$4,043,539.00	$3,235,031.20	$808,507.80	$ 0.00

C. Total Local Deposit(s) Required for State Administered Projects:	$0.00

D. Total Project Costs *To compute Total Costs in the last column, right click in the field and select "Update Field."*

Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total Other STATE Cost	Total LOCAL Cost	Total Costs (all sources)
$3,235,031.20	$	$808,507.80	$	$4,043,539.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: H. German Phone No: 631-904-3003

e Agreement (or Supplemental Agreement Cover) for required contract signatures.

NYSDOT/Local Agreement - Schedule A for PIN 0229.39

OSC Municipal Contract #: C032055

Contract Start Date: 12/19/2008 (mm/dd/yyyy) **Contract End Date:** 1/3/2014 (mm/dd/yyyy)
☐ *Check, if date changed from the last Schedule A*

Purpose: ☐ Original Standard Agreement ☒ Supplemental Schedule A No. 3

Agreement Type: ☒ Locally Administered
Municipality/Sponsor (Contract Payee): Suffolk County
Other Municipality/Sponsor (if applicable):

☐ State Administered
List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.
☐ Municipality: % of Cost share
☐ Municipality: % of Cost share
☐ Municipality: % of Cost share

Authorized Project Phase(s) to which this Schedule applies: ☐ PE/Design ☐ ROW Incidentals ☐ ROW Acquisition ☐ Construction/CI/CS

Work Type: HWY SAFETY

County (If different from Municipality): Suffolk County

Project Description ☐ *(Check, if changed from last Schedule A):* I495 HOV Lanes Enforcement
Additional Project Description (if required): By Suffolk County's Police and Sheriffs
Marchiselli Eligible ☐ **Yes** ☒ **No**

Approved Marchiselli Allocations in Legislature's Comprehensive List FOR All PHASES

To compute Total Costs in the last row and column, right click in each field and select "Update Field."

Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
☐	Cumulative total for all prior SFYs	$	$	$	$ 0.00
☐	Current SFY	$	$	$	$ 0.00
Authorized Allocations to Date		$ 0.00	$ 0.00	$ 0.00	$ 0.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES

For each PIN Fiscal Share below, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in the last row, right click in each field and select "Update Field."

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
TOTAL CURRENT COSTS:			$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00

1177

Contract C032055

PIN 0229.39

SCHEDULE B - WORK PROGRAM AND BUDGET
SUFFOLK COUNTY HOV ENFORCEMENT

Contract Term: January 4, 2013 – January 3, 2014 PROGRAM TASKS	METHOD & BASIS FOR COMPENSATION	UPSET AMOUNT (Incl. COLA)
Task 1: **Project Management** Schedule and implement the Dedicated Enforcement Program. Provide monthly enforcement schedules to the Department.	Cost reimbursement based on hourly cost for staff at the following hourly rates, subject to an additional fringe rate: **Police Personnel:** Administrator I -overtime rate $61.41 per hour+ fringe (27.35%) Principal Clerk – overtime rate $44.46 per hour + fringe (27.35%) Lieutenant – straight time rate $88.79 per hour + fringe (26.75%) **Sheriff's Office Personnel:** Administrator I (Sheriff's Office) – overtime rate $54.59 per hour + fringe (27.35%) Senior Account Clerk Typist (Sheriff's Office) – overtime rate $43.14 per hour + fringe (27.35%) Senior Clerk Typist (Sheriff's Office) – overtime rate $37.25 per hour + fringe (27.35%) Principal Account Clerk (Sheriff's Office) – overtime rate $51.95 per hour + fringe (27.35%) Senior Account Clerk (Sheriff's Office) – overtime rate $39.45 per hour + fringe (27.35%) Sheriff's Deputy II– overtime rate $67.05 per hour + fringe (27.35%)	27,360
Task 2: Enforcement Provide for orderly and safe operation of the LIE HOV lanes between Nassau/Suffolk Line and Exit 64 dissuading motorists from disobeying HOV rules of operation. Provide other special HOV enforcement needs as	Cost reimbursement based on cost per four (4) hour tour of duty as follows, subject to an additional fringe rate of 26.75% for Police Personnel and 27.35% for Deputy Sheriffs; and a meal of $12.00 where warranted: **Police Personnel:** Police Officer – $443.93 + $118.75 + $12.00 meal = $574.67	729,467

determined by the Department including HOV-lane closure for sweeping and extra HOV enforcement for low compliance areas.	Sergeant – $517.73+ $138.49 + $12.00 meal = $668.22 Lieutenant – $576.38 + $154.18 fringe + $12.00 meal = $742.56 **Sheriff's Office Personnel:** Sheriff's Deputy I – $306.08 + $75.14 + $12 meal = $393.22 Sheriff's Deputy II – $369.00 + $90.59 + $12 meal= $471.59	
Task 3: Equipment Use Provide reimbursement of operating costs for vehicle usage for HOV enforcement.	Cost reimbursement based on $10.65 per hour of usage.	61,028
Task 4: Evaluation In consultation with the Department, monitor, review, and evaluate the Enforcement Program. Provide monthly reports to the Department summarizing the previous month's enforcement activities, including the actual number of tours, related costs, and the number and reason for stops.	Cost reimbursement based on hourly cost for staff at the following hourly rates, subject to an additional fringe rate of 26.75% for Police Personnel and 27.35% for Deputy Sheriffs: **Police Personnel:** Lieutenant – straight time rate $76.85 + 26.75% fringe = $97.41 p/hr. **Sheriff's Office Personnel:** Sheriff's Deputy II-overtime rate $73.80 +18.12= $91.92 p/hr. Sheriff's Deputy I-overtime rate $61.22+15.03= $76.25 p/hr.	9,351
Task 5: Training To allow Suffolk Police Officers and Sheriff's Deputies unfamiliar with the program to be trained in HOV Lane enforcement operations by experienced Suffolk Police Department or other trained staff.	Cost reimbursement based on hourly cost for staff at the following hourly rates, subject to an additional fringe rate of 26.75% for Police Personnel and 27.35 % for Deputy Sheriff's: **Police Personnel:** Sergeant – overtime rate $103.55 +$23.45 fringe + $3 meal= $130.00 p/hr. Police Officer – overtime rate $88.79 per hour + $23.75 fringe + $3 meal = $112.54	8,767

	Sheriff's Office Personnel: Sheriff's Deputy I – overtime rate $61.22 + $15.03 fringe + $3 meal= $79.25 p/hr. Sheriff's Deputy II – overtime rate $73.80 + $18.12 fringe + $3 meal =$94.92 p/hr. The per hour meal is included only if 4 hour tour is utilized. Titles not listed are not eligible for reimbursement under this task.	
	Maximum Amount Payable TOTAL	**$ 836,000**

COUNTY OF SUFFOLK

1177

STEVEN BELLONE
COUNTY EXECUTIVE

EDWARD WEBBER
POLICE COMMISSIONER

POLICE DEPARTMENT
MEMORANDUM

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

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

DATE: **February 20, 2013**

SUBJECT: **Resolution Packet for the LIE / HOV Enforcement Program Grant Program**

Certificate of Necessity Requested for the March 5, 2013 Meeting

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Attached please find the following for the New York State Division of Homeland Security and Emergency Services sponsored **LIE/HOV 2013 Enforcement Program** grant program:

1. Draft Resolution
2. Certificate of Necessity Request Form
3. Memorandum of Support
4. Grant SCIN Forms
5. Request for Introduction of Legislation
6. Financial Impact Statement
7. Copy of the proposed contract between Suffolk County and the New York State Department of Transportation

A Certificate of Necessity is being requested as the State requires that the Contract be executed and returned to them no later than March 15, 2013 or risk the loss of funding. In order to have the contract vetted by the County Attorney's Office, executed by the County Executive's Office and returned to the grantor by March 15, 2013 it is imperative that the resolution be adopted at the March 5, 2013 meeting.

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

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

Thank you for your assistance with this project.

MW/sck
Att. Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations
Evelyn Creen, Senior Federal & State Aid Claims Examiner

1178

Intro. Res. No. -2013 Laid on Table 3/5/2013
Introduced by Legislator Spencer

RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH WATERPROOFING, ROOF AND DRAINAGE AT SUFFOLK COUNTY VANDERBILT MUSEUM (CP 7439)

WHEREAS, the roof on the Museum's mansion is leaking and requires immediate repairs and replacement; and

WHEREAS, it is imperative to maintain roofs to prevent more costly repairs of the historic buildings in the future and to protect the collections of William K. Vanderbilt II from being damaged by moisture; and

WHEREAS, the William K Vanderbilt II estate is the eastern most gold coast mansion and its buildings are approaching 100 years old; and

WHEREAS, the Interim Executive Director of the Suffolk County Vanderbilt Museum has requested construction funds for waterproofing improvements at the Vanderbilt Museum; and

WHEREAS, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $100,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2013 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

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

2nd **RESOLVED**, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	Project Title	Amount
525-CAP-7439.314	Waterproofing, Roof and Drainage at Suffolk County Vanderbilt Museum	$100,000

and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, for waterproofing, roof and drainage improvements at the Vanderbilt Museum; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(C) (21), (22) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\Vanderbilt CP 7439 2013.docx

1179

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

Laid on Table 3/5/13

RESOLUTION NO. -2013, TO APPOINT MEMBER TO THE FOOD POLICY COUNCIL OF SUFFOLK COUNTY (ROBERT A. SCHAEFER)

WHEREAS, Local Law 11-2011 established a Food Policy Council of Suffolk County consisting of 16 members; now, therefore be it

1st **RESOLVED**, that Robert A. Schaefer, of Divine Brine Foods, is hereby appointed to the Food Policy Council of Suffolk County to represent food processors, for a term of office to expire three years subsequent to the effective date of this resolution, pursuant to Section 3(A)(8) of Local Law 11-2011; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

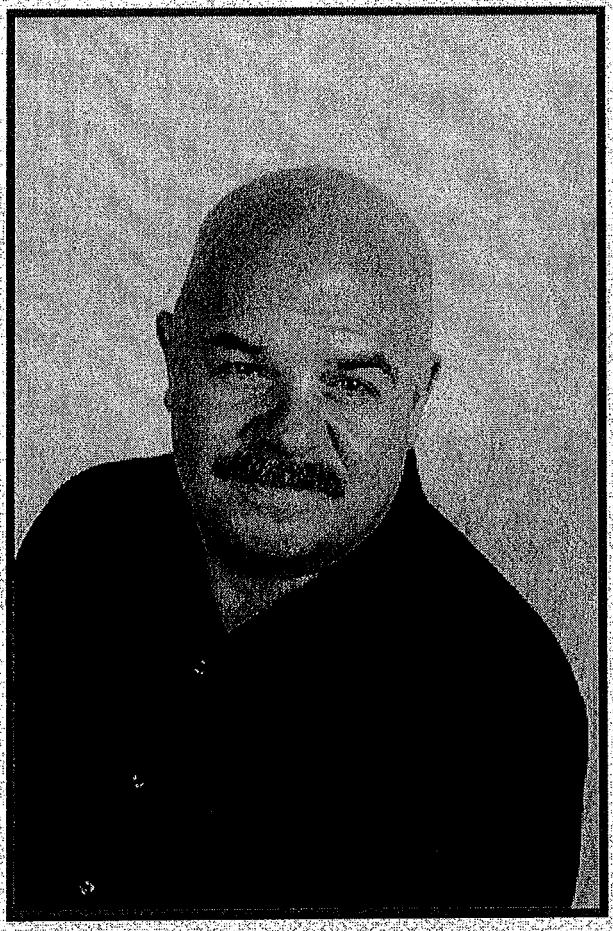
Date:

S:\res\r-appt-food-policy-schaefer

1179

MEET THE CHEF

About Chef Robert Schaefer



Chef Robert Schaefer founded Divine Brine Foods on one simple principle: "We have to get back to the garden." At age 15, Robert shunned processed foods entirely and embraced vegetarianism and yoga. The real turning point that morphed Robert's zeal for cuisine into a thriving profession came when he cooked an event for the Culinary Institute of America and received an invitation to enroll in the institute's chef training program. With a degree under his belt, Robert's career was firmly launched. He went on to work for noted White House chef Pierre Chambrin, as well as for Playboy and Hilton hotels, before opening restaurants of his own around the country, including Portfolio, located in the Hamptons. Following his foray into restaurants, Robert founded a catering company, The Next Supper, which amassed a prestigious client list, including Bill Cosby, Woody Allen, Frank Sinatra, President George H.W. Bush, Studio 54, Palladium, Limelight and Liberty Weekend (the relighting of the Statue of Liberty) on Governor's Island. His pursuit to prepare a new food each day has endured for over 35 years.

In the backyard garden of his Long Island, New York home, Robert immersed himself in the cultivation of a rotating mix of several varieties of tomatoes, zucchini, cucumbers, Kirby cucumbers, horseradish, strawberries, broccoli rabe and five types of lettuce, dill, mint, basil, thyme, lemon balm, sage, oregano, rosemary and parsley. Robert's gardening tradition originated with his mother, and the horseradish plants that grow in Robert's garden today were transplanted from his mother's garden after she died.

In 2008, Robert found himself with an abundance of produce from his burgeoning garden. To make proper use of his harvests, Robert sought inspiration from his collection of thousands of recipes gathered over the years. His culinary brainstorming sessions yielded jars of garden pickles, caponata, American-style chutneys and marinated mushrooms, which he gave away to family, friends and neighbors, who simply could not get enough. The resoundingly positive response to his home-cooked specialties encouraged him to get back into the kitchen professionally.

In 2010, Robert founded Divine Brine Foods on the long-held belief in the power of whole, natural foods to heal and bring humans back into balance with nature. Robert goes to great lengths to produce delectable edibles free of artificial preservatives, colorings and flavors. Whenever possible, he uses local farmers and producers in his supply chain. In addition to creating better quality products, employing local farmers and producers supports local economies, which Robert supports wholeheartedly.

1180

Intro. Res. No. -2013 Laid on Table 3/5/13
Introduced by the Presiding Officer Lindsay

RESOLUTION NO. –2013, APPROVING PAYMENT TO GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE CODE PAGES

WHEREAS, General Code Publishers Corp. has provided Supplement No. 4 update the Suffolk County Administrative Code totaling $3485.89; and

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

1st **RESOLVED**, that the payment of $3584.10 for the provisions of such pages is hereby approved.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1181

Intro. Res. No. -2013 Laid on Table 3/5/13

Introduced by Presiding Officer Lindsay

RESOLUTION NO. -2013, AUTHORIZING THE COUNTY TREASURER TO BORROW CASH FUNDS FROM OTHER COUNTY FUNDS FOR 2013

WHEREAS, the County Treasurer recommends that moneys be borrowed from a variety of County Funds in the event of a temporary shortfall of cash during 2013; and

WHEREAS, in accordance with Section 9-a of the NEW YORK GENERAL MUNICIPAL LAW, moneys can be temporarily advanced between funds, but must be repaid with interest by the end of the fiscal year; and

WHEREAS, the original intent of the Suffolk County Legislature and New York State Laws in creating said funds will not be circumvented by the enactment of the resolution; and

WHEREAS, the Suffolk County Legislature has previously granted the County Treasurer approval to temporarily borrow cash in Resolution Nos. 15-2012, 45-2011, 92-2010; 105-2009; 62-2008; 609-2007; 1011-2006; 1097-2005; 800-2004; 711-2003; 878-2002; and prior years; and

WHEREAS, it is prudent fiscal management for the County to borrow from its own funds since the County will not incur borrowing fees, such as the cost of issuance from such action; now, therefore be it

1st **RESOLVED**, that for the entire 2013 fiscal year, the County Treasurer is hereby authorized and empowered to borrow available cash from individual County Funds to the extent this cash is not needed for budgeted expenditures of said funds; and be it further

2nd **RESOLVED**, that any moneys borrowed from any County Fund pursuant to this resolution shall be repaid to said fund with interest at the prevailing rate from subsequent revenues as soon as it is fiscally practicable, but no later than December 31, 2013; and be it further

3rd **RESOLVED**, that the County Treasurer is hereby directed to provide the County Legislature, County Executive, County Comptroller, County Executive Budget Office, and the Legislative Budget Review Office with a report within five business days following any transaction that increases or decreases the fund balance in any County Fund through an internal transfer between funds.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

S:\res\r-treasurer-cash-funds-2013

Intro. Res. No. 1182-2013 Laid on Table 3/15/2013
Introduced by Legislators Montano and Kennedy

RESOLUTION NO. -2013, ADOPTING LOCAL LAW NO. -2013, A CHARTER LAW TO STRENGTHEN LEGISLATIVE OVERSIGHT AND PUBLIC PARTICIPATION IN LAWMAKING PROCESS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2013, a proposed local law entitled, "**A CHARTER LAW TO STRENGTHEN LEGISLATIVE OVERSIGHT AND PUBLIC PARTICIPATION IN LAWMAKING PROCESS**"; now, therefore be it

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

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO STRENGTHEN LEGISLATIVE OVERSIGHT AND PUBLIC PARTICIPATION IN LAWMAKING PROCESS

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, pursuant to the SUFFOLK COUNTY CHARTER, a local law or resolution may not be enacted by the County Legislature unless it has been in its final form for at least seven calendar days, exclusive of Sunday, prior to its final passage.

This Legislature also finds that most proposed local laws and resolutions must be reviewed and discharged by a committee of the County Legislature before they may be considered by the full Legislature.

This Legislature determines that the seven day aging requirement for local legislation and the Legislature's committee process ensure that local laws and resolutions are carefully scrutinized prior to their enactment.

This Legislature also finds that the "seven day rule" may be waived when the County Executive certifies that immediate passage of legislation is necessary.

This Legislature also determines that certificates of necessity are a valuable governing tool, but their use can be abused. By their very nature, certificates of necessity limit public participation in the lawmaking process and short circuit legislative oversight and scrutiny.

This Legislature also finds that it is common practice for County Executives to issue certificates of necessity during the course of legislative meetings (and in many cases, towards the end of legislative meetings). This practice makes it impossible for the County Legislature to adequately consider legislation that is presented to it via a certificate of necessity.

This Legislature concludes that reasonable restrictions should be imposed on the issuance of certificates of necessity to ensure that the Legislature's deliberate legislative process and the public's right to participate are adequately protected.

Therefore, the purpose of this law is to require the County Executive to file a certificate of necessity and accompanying legislation at least one business day prior to the legislative meeting at which such legislation will be considered.

Section 2. Amendments.

I. Paragraph (A) of Section C2-12 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

A. Immediate consideration may be given to a home rule message or any resolution which relates to the following: the annual adoption of the capital budget and program; the annual adoption of the operating budget; approving a Community College budget total; levying taxes, assessments, water rents, sewer rents and charges; approving assessment rolls and tax warrants; and approving the return of fund balances to taxpayers pursuant to Local Law No. 21-1983. Otherwise, no proposed local law or resolution may be enacted until it shall have been in its final form and laid on the table at a regular or special meeting of the County Legislature at least seven calendar days, exclusive of Sunday, prior to its final passage, unless the County Executive certifies in writing that immediate passage of the legislation is necessary, in which case such legislation may be passed by an affirmative vote of two-thirds of the total membership of the County Legislature.

1. Certificates of necessity and accompanying legislation must be filed with the Clerk of the County Legislature no later than 1:00 p.m. one business day prior to the legislative meeting at which such legislation is to be considered. Any legislation which is filed with a certificate of necessity after the deadline or which is amended after this deadline will be assigned to a legislative committee for further consideration and, in the case of a local law, a public hearing will be scheduled for a subsequent meeting of the County Legislature.

2. A certificate of necessity must state the specific reasons that immediate passage of legislation is necessary.

II. Paragraph (A) of Section A2-8 the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

A. Legislative hearing in the case of emergency matters; form and time of notice. Whenever the County Executive certifies the necessity of the immediate passage of a local law, consistent with the filing requirements of Section C2-12(A) of the SUFFOLK COUNTY CHARTER, notice that the legislative public hearing will be held at the next meeting of the County Legislature shall be made by the immediate posting of a copy of such proposed local law and a notice of the time, date and place of the hearing at the County Legislature's offices in Hauppauge and Riverhead and on the Legislature's website. Such hearing will precede any regularly advertised public hearing scheduled to take place at the same place and time.

Section 3. Applicability.

This law shall apply to all certificates of necessity issued on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

1182

COUNTY OF SUFFOLK

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

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

DATE: FEBRUARY 27, 2013

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; CHARTER LAW TO STRENGTHEN LEGISLATIVE OVERSIGHT AND PUBLIC PARTICIPATION IN LAWMAKING PROCESS

SPONSOR: LEGISLATOR MONTANO

DATE OF RECEIPT BY COUNSEL: 2/19213 **PUBLIC HEARING:** 3/19/13

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

This proposed law would amend Article 2 of the SUFFOLK COUNTY CHARTER to require that the County Executive file certificates of necessities no later than 1:00 p.m. one business day prior to the legislative meeting at which such legislation is to be considered. Legislation which is filed with a certificate of necessity after this deadline or which is amended after the deadline, will be assigned to a legislative committee for normal consideration.

Additionally, this law adds a requirement that the notice for a public hearing of a local law, that comes to the Legislature by way of a certificate of necessity, be posted on the Legislature's website.

This law is made subject to a permissive referendum.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-certificates of necessity

1183

Intro. Res. No. -2013 Laid on Table 3/15/13
Introduced by Legislator Schneiderman

RESOLUTION NO. - 2013, ADOPTING LOCAL LAW NO. -2013, A LOCAL LAW TO AMEND "SUFFOLK'S SAFER WATERWAYS ACT"

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2013, a proposed local law entitled, "**A LOCAL LAW TO AMEND "SUFFOLK'S SAFER WATERWAYS ACT"**" now, therefore, be it

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

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO AMEND "SUFFOLK'S SAFER WATERWAYS ACT"

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law No. 58-2012, "Suffolk's Safer Waterways Act", requires Suffolk County residents to receive boating safety instruction and obtain a boating safety certificate prior to operating a pleasure vessel in the County's waters.

This Legislature also finds that Local Law No. 58-2012 recognizes a number of entities which can issue boating safety certificates, including the New York State Department of Parks, Recreation and Historic Preservation, the United States Power Squadrons and the United States Coast Guard Auxiliary.

This Legislature further finds that town and village bay constables and harbor masters will share responsibility for enforcing Local Law No. 58-2012 in their local waters.

This Legislature also determines that in light of their enforcement powers, town and village bay constables and harbor masters should be authorized to issue boating safety certificates to the residents of their communities.

Therefore, the purpose of this law is to amend Local Law No. 58-2012 and authorize local bay constables and harbor masters to issue boating safety certificates to residents in their jurisdictions.

Section 2. Amendments.

Section 3 of the Local Law No. 58-2012 is hereby amended as follows:

Section 3. Requirements.

A. No resident of Suffolk County shall operate a pleasure vessel upon the waters of Suffolk County unless the operator is the holder of a boating safety certificate issued by the Commissioner of the New York State Department of Parks, Recreation and Historic Preservation; by the United States Power Squadrons; by the United States Coast Guard Auxiliary; by a bay constable or harbor master of any municipality within Suffolk County; or by any entity that offers a boating course that meets the standards set by the National Association of Boating Law Administrators.

* * * *

Section 3. Applicability.

This law shall apply to actions occurring on or after November 6, 2013.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\l-amend-safer-waterways-act

1183

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

DATE: FEBRUARY 27, 2013

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 AMEND "SUFFOLK'S SAFER WATERWAYS ACT"

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 2/27/2013 PUBLIC HEARING: 3/19/2013

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

This proposed law would amend Local Law No. 58-2012 ("Suffolk's Safer Waterways Act") to authorize town and village harbor masters and bay constables to issue boating safety certificates to persons residing in their jurisdictions.

This law would take effect on or after November 6, 2013, the date Local Law 58-2012 takes effect.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-amend-safer-waterways-act

Intro. Res. No. 1184-13 Laid on Table 3/5/13

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF COMMUNICATIONS EQUIPMENT FOR SHERIFF'S OFFICE (CP 3060)

WHEREAS, the Sheriff's Office radio communications system must be upgraded due to upcoming changes in FCC Rules and Regulations; and

WHEREAS, the Sheriff of Suffolk County has requested funds for Capital Project 3060 for the replacement and upgrade of mobile data terminals (MDTs) in the Sheriff's Office marked vehicles to allow for fully integrated communications between over the air and computer aided dispatch; and

WHEREAS, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request under Capital Program Number 3060; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $220,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-six (46), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the proceeds of $220,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-3060.512 (Fund 001-Debt Service)	18	Purchase of Communications Equipment for Sheriff's Office	$220,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1184

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF COMMUNICATIONS EQUIPMENT FOR SHERIFF'S OFFICE (CP 3060)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		February 26, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1184

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$47,764**	**$0.09**	$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**	$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$47,764**	**$0.09**	$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1184

Suffolk County
General Obligation Serial Bonds
Level Debt

Term of Bonds	5
Amount to Bond:	$220,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$41,604.02	$6,160.00	$47,764.02	$47,764.02
			$2,497.54	$2,497.54	
11/1/2015	3.000%	$42,768.93	$2,497.54	$45,266.48	$47,764.02
			$1,898.78	$1,898.78	
11/1/2016	3.000%	$43,966.46	$1,898.78	$45,865.24	$47,764.02
			$1,283.25	$1,283.25	
11/1/2017	3.000%	$45,197.53	$1,283.25	$46,480.77	$47,764.02
			$650.48	$650.48	
11/1/2018	3.000%	$46,463.06	$650.48	$47,113.54	$47,764.02
11/1/2019		$220,000.00	$18,820.11	$238,820.11	$238,820.11
11/1/2020					
11/1/2021					
11/1/2022					
11/1/2023					
11/1/2024					
11/1/2025					
11/1/2026					
11/1/2027					
11/1/2028					
11/1/2029					
11/1/2030					
11/1/2031					

COUNTY OF SUFFOLK

1184

OFFICE OF THE SHERIFF

VINCENT F. DeMARCO
SHERIFF

To: Jon Schneider, Deputy County Executive

From: Michael P. Sharkey, Chief of Staff

Date: 01/15/2013

Re: **INTRODUCTORY RESOLUTION REQUEST - CP 3060 – Purchase of Communications Equipment for Sheriff's Office**

Per the 2013 Adopted Capital Budget, the Sheriff's Office requests the introduction of a resolution to appropriate funds for communications equipment for 2013 under Capital Project **3060**.

This resolution appropriates $220,000 in furniture and equipment funds in 2013 for the replacement and upgrading of mobile data terminals (MDT's) in the Sheriff's Office marked units to allow for fully integrated communications between over the air and computer aided dispatch.

Copies of a draft resolution, impact statement and introductory form are attached. An e-mail version of the resolution was also sent to CE RESO REVIEW, saved under the titles:

"Reso-Sheriff 2013 funds for CP3060";

"Backup-SHF-CP3060-SCIN 175A";

"Backup-SHF-CP3060-SCIN 175B" and

"Backup-SHF-CP3060-Cover Letter-2013"

We request that this resolution be laid on the table at your earliest convenience.

Thank you for your consideration in reviewing this draft resolution.

MPS/ars

CC: Dennis Cohen, Acting Chief Deputy County Executive
Tom Vaughn, Special Projects Coordinator

Attachments

100 CENTER DRIVE
RIVERHEAD, NEW YORK 11901-3390
(631) 852-2200

1184

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL: Appropriating Funds in Connection with the Purchase of Communications Equipment for the Sheriff's Office (CP 3060)

PURPOSE OR GENERAL IDEA OF BILL: The purpose of this resolution is to allow the Sheriff's Office to appropriate funds for the purchase of communications equipment for 2013 under Capital Project **3060**.

SUMMARY OF SPECIFIC PROVISIONS: This resolution appropriates $220,000 in furniture and equipment funds in 2013 for the replacement and upgrading of mobile data terminals (MDT's) in the Sheriff's Office marked units.

JUSTIFICATION: The Sheriff's Office radio communications system must be upgraded due to upcoming changes in FCC rules and regulations. As a direct result of these changes, the Sheriff's Office must replace and upgrade mobile data terminal (MDT's) in the Sheriff's Office marked vehicles to allow for fully integrated communications between over the air and computer aided dispatch.

FISCAL IMPLICATIONS: Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the Bonds.

Intro. Res. No. 1185-13 Laid on Table 3/5/13
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION No. – 2013, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY EQUIPMENT FOR SHERIFF'S OFFICE (CP 3047)

WHEREAS, the Sheriff of Suffolk County has requested funds for Capital Project 3047, for the purchase of an additional heavy duty vehicle; and

WHEREAS, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said vehicle under Capital Project No. 3047; and

WHEREAS, the Sheriff finds that a large capacity box truck is needed to successfully conduct Sheriff's Office operations; and

WHEREAS, Chapter 186 of the Suffolk County Code requires that no vehicle shall be purchased or leased unless explicit approval of the acquisition of such vehicle, via lease or purchase, has been granted via a duly enacted Resolution of the Suffolk County Legislature; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2012 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $60,000 in Suffolk County Serial Bonds; now, therefore be it

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

2nd RESOLVED, that the County Legislature hereby authorizes the fleet of the Suffolk County Sheriff's Office be increased by one (1) box truck, approved pursuant to Chapter 186-2(b)(6) of the Suffolk County Code, and in accordance with or exceeding the County Vehicle Standards, for use by the Suffolk County Sheriff's Office, and be it further;

3rd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-four (64), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

4th RESOLVED, that the proceeds of $60,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-3047.518 (Fund 001-Debt Service)	18	Purchase of Heavy Duty Equipment for the Sheriff's Office	$60,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1185

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION No. – 2013, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY EQUIPMENT FOR SHERIFF'S OFFICE (CP 3047)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

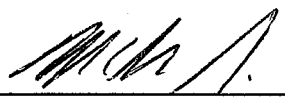
SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		February 26, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1185

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$13,027**	**$0.03**	$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**	$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$13,027**	**$0.03**	$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1185

Term of Bonds	5
Amount to Bond:	$60,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$11,346.55	$1,680.00	$13,026.55	$13,026.55
			$681.15	$681.15	
11/1/2015	3.000%	$11,664.25	$681.15	$12,345.40	$13,026.55
			$517.85	$517.85	
11/1/2016	3.000%	$11,990.85	$517.85	$12,508.70	$13,026.55
			$349.98	$349.98	
11/1/2017	3.000%	$12,326.60	$349.98	$12,676.57	$13,026.55
			$177.40	$177.40	
11/1/2018	3.000%	$12,671.74	$177.40	$12,849.15	$13,026.55
11/1/2019		$60,000.00	$5,132.76	$65,132.76	$65,132.76
11/1/2020					
11/1/2021					
11/1/2022					
11/1/2023					
11/1/2024					
11/1/2025					
11/1/2026					
11/1/2027					
11/1/2028					
11/1/2029					
11/1/2030					
11/1/2031					

COUNTY OF SUFFOLK

1185

OFFICE OF THE SHERIFF

VINCENT F. DEMARCO
SHERIFF

To: Jon Schneider, Deputy County Executive

From: Michael P. Sharkey, Chief of Staff

Date: 01/15/2013

Re: **INTRODUCTORY RESOLUTION REQUEST – CP 3047 – Purchase of Heavy Duty Equipment for Sheriff's Office**

Per the 2013 Adopted Capital Budget, the Sheriff's Office requests the introduction of a resolution to appropriate funds in connection with purchase of heavy duty equipment for the Sheriff's Office for 2013 under Capital Project **3047**.

This resolution appropriates $60,000 for the purchase of one (1) box truck. This truck will facilitate the transportation of various items of equipment and supplies between correctional facilities and various Sheriff's Office warehouse locations.

Currently, the Sheriff's Office relies on much smaller capacity cargo vans for the transport of such items which require more trips between locations to accomplish that which could be done in one trip with the larger capacity vehicle.

Copies of a draft resolution, impact statement and introductory form are attached. An e-mail version was also sent to CE RESO REVIEW, under the titles:

"Reso-Sheriff-2013 funds for CP3047";

"Backup-SHF-CP 3047-SCIN 175A";

"Backup-SHF-CP 3047-SCIN 175B"; and

"Back-up SHF-CP 3047-Cover Letter-2013".

Thank you for your consideration in reviewing this draft resolution.

MPS/ars

cc: Dennis Cohen, Acting Chief Deputy County Executive
Tom Vaughn, Special Projects Coordinator

Attachments

100 CENTER DRIVE
RIVERHEAD, NEW YORK 11901-3390
(631) 852-2200

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

1185

TITLE OF BILL: Appropriating Funds in Connection with the Purchase of Heavy Duty Equipment for the Sheriff's Office (CP 3047)

PURPOSE OR GENERAL IDEA OF BILL: The Sheriff's Office requests the introduction of a resolution to appropriate funds in connection with the purchase of an additional heavy duty vehicle for the Sheriff's Office for 2013 under Capital Project **3047.**

SUMMARY OF SPECIFIC PROVISIONS: This resolution appropriates $60,000 for the purchase of one (1) box truck.

JUSTIFICATION: This truck will facilitate the transportation of various items of equipment and supplies between correctional facilities and various Sheriff's Office warehouse locations. Currently, the Sheriff's Office relies on much smaller capacity cargo vans for the transport of such items which require more trips between locations to accomplish that which could be done in one trip with the larger capacity vehicle.

FISCAL IMPLICATIONS: Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the Bonds.

1186

Intro. Res. No. - 2013 Laid on the Table 3/5/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, APPROPRIATING FUNDS FOR THE STUDY AND MONITORING OF PUBLIC HEALTH RELATED HARMFUL ALGAL BLOOMS (CP 8224)

WHEREAS, funds were adopted in the 2013 Capital Budget for the study and monitoring of Public Health Related Harmful Algal Blooms (HAB); and

WHEREAS, these funds will be used for monitoring of cyanotoxins and other harmful algal blooms (HABs) investigations and also support a HABs symposium; and

WHEREAS, there are sufficient funds within the 2013 Adopted Capital Budget and Program to cover the cost of said request under Capital Program Number 8224; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $25,000 in Suffolk County Serial Bonds; and

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

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

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

3rd **RESOLVED**, that the proceeds of $25,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-8224.116 (Fund 001 Debt Service)	40	Public Health Related Harmful Algal Bloom	$25,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1186

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. -2013, APPROPRIATING FUNDS FOR THE STUDY AND MONITORING OF PUBLIC HEALTH RELATED HARMFUL ALGAL BLOOMS (CP 8224)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

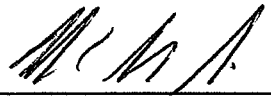
SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		February 26, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1186

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$5,428**	**$0.01**	$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**	$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$5,428**	**$0.01**	$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1186

Term of Bonds	5
Amount to Bond:	$25,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$4,727.73	$700.00	$5,427.73	$5,427.73
			$283.81	$283.81	
11/1/2015	3.000%	$4,860.11	$283.81	$5,143.92	$5,427.73
			$215.77	$215.77	
11/1/2016	3.000%	$4,996.19	$215.77	$5,211.96	$5,427.73
			$145.82	$145.82	
11/1/2017	3.000%	$5,136.08	$145.82	$5,281.91	$5,427.73
			$73.92	$73.92	
11/1/2018	3.000%	$5,279.89	$73.92	$5,353.81	$5,427.73
11/1/2019		$25,000.00	$2,138.65	$27,138.65	$27,138.65
11/1/2020					
11/1/2021					
11/1/2022					
11/1/2023					
11/1/2024					
11/1/2025					
11/1/2026					
11/1/2027					
11/1/2028					
11/1/2029					
11/1/2030					
11/1/2031					

COUNTY OF SUFFOLK

1186

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

PRIVILEGED AND CONFIDENTIAL
INTER-OFFICE/INTRA-AGENCY COMMUNICATION
NOT SUBJECT TO FOIL DISCLOSURE

To: Diane Weyer
Principal Financial Analyst

From: Walter Dawydiak, Jr., P.E., J.D. WD
Acting Director, Division of Environmental Quality

Date: January 31, 2013

Subject: Request for Introductory Resolution for Adopted 2013 CP 8224 - Public Health Related Harmful Algal Blooms (HABs); $25,000

I request drafting of an Introductory Resolution for the Adopted 2013 CP 8224. The resolution would appropriate $25,000. Of this amount, $10,000 is required to support critical monitoring of cyanotoxins and other HABS investigations, as identified by SCDHS. It's expected that Stony Brook University (Dr. Chris Gobler) will provide these services under contract to Suffolk County, subject to necessary authorizations. $15,000 will be dedicated to supporting an HAB symposium, to be conducted by NY Sea Grant under contract to Suffolk County, again subject to necessary authorizations.

The project is designed to address and respond to these harmful algal blooms which are dominated by phytoplankton species that create conditions detrimental to the other biota in surface and recreational waters and/or to humans.

Project Description:
Cyanobacteria blooms and cyanotoxins have previously been identified to occur and exist within freshwater water bodies in Suffolk County that contain public bathing beaches. Continued crucial monitoring and assessments of these areas shall be performed to minimize risk to public and environmental health and support strategies to mitigate HAB occurrence (e.g., stormwater mitigation, wastewater treatment upgrades, etc.). In addition, Cochlodinium polykrikoides (C. poly) has been plaguing the Peconic Estuary annually in recent years. Unfortunately in 2012, Alexandrium, the organism causing Paralytic Shellfish Poisoning (PSP), has caused the NYSDEC to close two areas (Meetinghouse Creek & Sag Harbor) within the estuary for the first time due to the presence of a marine biotoxin.

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To synthesize monitoring and research performed to date and develop future management strategies, An HAB symposium consisting of experts, managers and practitioners shall be held. The goal is to generate a plan to guide future projects and lead to a coordinated strategy for management, research, and monitoring of recurring HABs.

wd/
c: Liza Wright, Senior Budget Analyst
Chris Lubicich, PE, Chief - Office of Ecology
Michael Jensen, Sr. PH Sanitarian - Office of Ecology

11 826

2013 Intergovernmental Relations
Memorandum of Support

TITLE OF BILL: Appropriating funds for the study and monitoring of Public Health Related Harmful Algal Blooms (CP 8224).

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appropriate funds to capital project 8224 and will be used for monitoring of cyanotoxins and other harmful algal blooms (HABs) investigations and also support a HABs symposium.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This Resolution is needed to appropriate funds to capital project 8224 so there can be further monitoring and investigations of harmful algae in the fresh and marine waters of Suffolk County.

FISCAL IMPLICATIONS: Serial bonds and related debt service.

COUNTY OF SUFFOLK

1184

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

February 6, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to appropriate funds for the study and monitoring of Public Health Related Harmful Algal Blooms (CP 8224). These funds will be used for monitoring of cyanotoxins and other harmful algal blooms (HABs) investigations and also support a HABs symposium.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Walter Dawydiak at 852-5800. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP 8224 Algal Blooms.docx."

Sincerely,

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

Enclosures

C: Dennis M. Cohen, Chief Deputy County Executive
Thomas Vaughn, Director of Intragovernmental Relations
Lisa Santeramo, Assistant Deputy County Executive
Margaret B. Bermel, MBA, Director of Health Administrative Services
Barry S. Paul, Deputy Commissioner
Walter Dawydiak, P.E., Acting Director, Division of Environmental Quality
Diane E. Weyer, Principal Financial Analyst

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1187

Intro. Res. No. - 2013 Laid on the Table 3/5/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2013, APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR THE ENVIRONMENTAL HEALTH LABORATORY (CP 4079)

WHEREAS, funds were adopted in the 2013 Capital Budget for the purchase of Environmental Health Laboratory Equipment; and

WHEREAS, purchases of replacement equipment for the Public & Environmental Health Laboratory are needed to meet the requirements of analytical methods mandated by State and federal laboratory accreditation programs and keep pace with the current workload; and

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

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of $125,000 in Suffolk County Serial Bonds; now, therefore be it

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

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Health Services is hereby authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as may be deemed necessary to purchase equipment for the Public and Environmental Health Laboratory; and be it further

4th **RESOLVED**, that the proceeds of $125,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	J.C.	Project Title	Amount
525-CAP-4079.524	40	Purchase of Environmental	$125,000
(Fund 001 Debt Service)		Health Laboratory Equipment	

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1187

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. - 2013, APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR THE ENVIRONMENTAL HEALTH LABORATORY (CP 4079)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		February 26, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1187

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$27,139**	**$0.05**	$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**	$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$27,139**	**$0.05**	$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1187

Term of Bonds	5
Amount to Bond:	$125,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$23,638.65	$3,500.00	$27,138.65	$27,138.65
			$1,419.06	$1,419.06	
11/1/2015	3.000%	$24,300.53	$1,419.06	$25,719.59	$27,138.65
			$1,078.85	$1,078.85	
11/1/2016	3.000%	$24,980.95	$1,078.85	$26,059.80	$27,138.65
			$729.12	$729.12	
11/1/2017	3.000%	$25,680.41	$729.12	$26,409.53	$27,138.65
			$369.59	$369.59	
11/1/2018	3.000%	$26,399.46	$369.59	$26,769.06	$27,138.65
11/1/2019		$125,000.00	$10,693.24	$135,693.24	$135,693.24
11/1/2020					
11/1/2021					
11/1/2022					
11/1/2023					
11/1/2024					
11/1/2025					
11/1/2026					
11/1/2027					
11/1/2028					
11/1/2029					
11/1/2030					
11/1/2031					

COUNTY OF SUFFOLK

1187

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

To: Diane Weyer, Principal Financial Analyst
Budget/Purchasing

From: Walter Dawydiak, PE WD
Acting Director – Div of Environmental Quality

Date: February 1, 2013

Subject: Capital Project Request – Public and Environmental Health Laboratory
CP 4079 -- $125,000

The division requests appropriation of $125,000 from Capital Project 4079 for the following:

1) One (1) Automated Purge and Trap System
   a. The cost is approximately $45,000, which would include installation.
   b. This would replace a unit that is 12 years old (purchased in 2001).
      i. The manufacturer no longer provides support of the current system.
      ii. The manufacturer can no longer guarantee the availability of replacement parts.
   c. This system is used to prepare industrial and hazardous waste samples for the determination of suspected carcinogenic volatile compounds.
      i. Samples are often submitted as evidence by the District Attorney's Office in response to search warrants.
   d. If this system is not replaced, it will delay the processing of samples that have critical holding times.

2) One (1) High Performance Liquid Chromatographic Detector, Autosampler and Accessories
   a. The cost is about $80,000, which includes installation.
   b. This would replace a system that is 15 years old (purchased in 1998).
      i. The manufacturer cannot guarantee continued support of current equipment.
      ii. The manufacturer cannot guarantee the availability of replacement parts.

1187

iii. The new system would operate more efficiently because it is up-to-date with current technology.

c. This system is used for the determination of pesticides (i.e. chlorinated acid herbicides) in public non-community water supplies.
   i. If this system is not replaced, samples will not be analyzed for this mandated sampling program.

Wd/
C: Liza Wright, Senior Budget Analyst
Ronald Huttie, Chief - Pehl
Joette Pavelka - Pehl

1187

2013 Intergovernmental Relations
Memorandum of Support

TITLE OF BILL: Appropriating funds for the purchase of equipment for the Environmental Health Laboratory (CP 4079).

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appropriate funds to capital project 4079 for the purchase of replacement equipment in the Public & Environmental Health Laboratory.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This legislation is needed for the purchases of replacement equipment for the Public & Environmental Health Laboratory to meet the requirements of analytical methods mandated by State and federal laboratory accreditation programs and keep pace with the current workload.

FISCAL IMPLICATIONS: Serial bonds and related debt service.

COUNTY OF SUFFOLK

1187

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

February 6, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution appropriating funds for the purchase of equipment for the Environmental Health Laboratory (CP 4079). These funds will be used to purchase replacement equipment for the Public and Environmental Health Laboratory needed to meet the requirements of analytical methods mandated by State and federal laboratory accreditation programs and keep pace with the current workload.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Walter Dawydiak at 2-5800. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP 4079 PEHL.doc."

Sincerely,

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

Enclosures

C: Dennis M. Cohen, Chief Deputy County Executive
Thomas Vaughn, Director of Intragovernmental Relations
Lisa Santeramo, Assistant Deputy County Executive
Margaret B. Bermel, MBA, Director of Health Administrative Services
Barry S. Paul, Deputy Commissioner
Walter Dawydiak, P.E., Acting Director, Division of Environmental Quality
Diane E. Weyer, Principal Financial Analyst

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

1188

Intro. Reso. No. - 2013 Laid on the Table 3/5/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2013, APPROPRIATING FUNDS IN CONNECTION WITH THE PECONIC BAY ESTUARY PROGRAM (CP 8235)

WHEREAS, funds were adopted in the 2013 Capital Budget for the Peconic Bay Estuary Program; and

WHEREAS, these funds will be used for an economic valuation study of the natural resources and ecosystem services of the Peconic Estuary and its watershed; and

WHEREAS, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request under Capital Program Number 8235; and

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

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

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further

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

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

Project Number	J.C.	Project Title	Amount
525-CAP-8235.117 (Fund 001 Debt Service)	40	Peconic Bay Estuary Program	$200,000

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1188

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. - 2013, APPROPRIATING FUNDS IN CONNECTION WITH THE PECONIC BAY ESTUARY PROGRAM (CP 8235)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

(County) **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

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

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

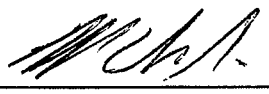
SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		February 26, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1188

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$43,422**	**$0.08**	$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**	$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$43,422**	**$0.08**	$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1188

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

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$37,821.84	$5,600.00	$43,421.84	$43,421.84
			$2,270.49	$2,270.49	
11/1/2015	3.000%	$38,880.85	$2,270.49	$41,151.34	$43,421.84
			$1,726.16	$1,726.16	
11/1/2016	3.000%	$39,969.51	$1,726.16	$41,695.68	$43,421.84
			$1,166.59	$1,166.59	
11/1/2017	3.000%	$41,088.66	$1,166.59	$42,255.25	$43,421.84
			$591.35	$591.35	
11/1/2018	3.000%	$42,239.14	$591.35	$42,830.49	$43,421.84
11/1/2019		$200,000.00	$17,109.19	$217,109.19	$217,109.19
11/1/2020					
11/1/2021					
11/1/2022					
11/1/2023					
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11/1/2030					
11/1/2031					

COUNTY OF SUFFOLK

1188

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

PRIVILEGED AND CONFIDENTIAL
INTER-OFFICE/INTRA-AGENCY COMMUNICATION
NOT SUBJECT TO FOIL DISCLOSURE

To: Diane Weyer
Principal Financial Analyst

From: Walter Dawydiak, Jr., P.E., J.D. WD
Acting Director, Division of Environmental Quality

Date: February 5, 2013

Subject: Request for Introductory Resolution for Adopted 2013 CP 8235 – Peconic Estuary Program; $200,000

I request drafting of an Introductory Resolution for the Adopted 2013 CP 8235. The resolution would appropriate $200,000 for the Peconic Estuary Program (PEP). This amount will be designated for a contract to provide an economic valuation study of the natural resources and ecosystem services of the Peconic Estuary and its watershed. An RFP process will be used to select an appropriate contractor.

Project Description:
The health of the Peconic Estuary is central to the environment, economy, and quality of life on Long Island. The Peconic Estuary Program (PEP) brings together all levels of government, as well as scientists and a broad range of private stakeholders, to protect and restore the environmental quality of the Peconic Estuary.

The Peconic Estuary Program, in which Suffolk County is a key partner, requires an updated economic valuation of the natural resources of the Peconic Estuary and its watershed. An update at this stage will allow comparison of current values to the status at the inception of the PEP (in the early 90's) and will provide information to help prioritize protection and restoration efforts and guide management decisions. The ability to translate ecological benefits into terms readily compared with the monetary costs of achieving those benefits is essential for prioritizing projects and accessing the financial support necessary to protect the Peconic Estuary.

The selected contractor will provide an updated profile of the nature and scale of market-valued, estuarine-related economic activities, assess comparative trends in the estuarine-related economy, update information on outdoor recreational uses, and re-estimate economic values associated with uses and natural resources, including amenities (e.g., open space). They will also provide methods for assessing alternative development

DIVISION OF ENVIRONMENTAL QUALITY
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(631) 852-5760 Fax (631) 852-5812

1188

and preservation policies. Funding for this project can be used as part of the required non-federal match for the National Estuary Program (NEP) grant.

wd/
c: Liza Wright, Senior Budget Analyst
Chris Lubicich, PE, Chief - Office of Ecology
Alison Branco, Marine Biologist; Director, Peconic Estuary Program - Office of Ecology

2013 Intergovernmental Relations
Memorandum of Support

1186

TITLE OF BILL: Appropriating funds in connection with the Peconic Bay Estuary Program (CP 8235).

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appropriate funds to capital project 8235 and will be used for an economic valuation study of the natural resources and ecosystem services of the Peconic Estuary and its watershed.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This Resolution is needed to appropriate funds to capital project 8235 for an economic valuation study of the natural resources and ecosystem services of the Peconic Estuary and its watershed. This economic valuation study will provide information to help prioritize protection and restoration efforts and guide management decisions. The Peconic Estuary is central to the environment, economy, and quality of life on Long Island.

FISCAL IMPLICATIONS: Serial bonds and related debt service.

COUNTY OF SUFFOLK

1188

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

February 6, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to appropriate funds in connection with the Peconic Bay Estuary Program (CP 8235). These funds will be used for an economic valuation study of the natural resources and ecosystem services of the Peconic Estuary and its watershed.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Walter Dawydiak at 852-5800. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP 8235 PEP.docx."

Sincerely,

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

Enclosures

C: Dennis M. Cohen, Chief Deputy County Executive
Thomas Vaughn, Director of Intragovernmental Relations
Lisa Santeramo, Assistant Deputy County Executive
Margaret B. Bermel, MBA, Director of Health Administrative Services
Barry S. Paul, Deputy Commissioner
Walter Dawydiak, P.E., Acting Director, Division of Environmental Quality
Diane E. Weyer, Principal Financial Analyst

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

Intro. Res. No. 1189-13 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. 2013, AUTHORIZING APPRAISAL FOR THE ACQUISITION OF DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – VOLMUT FARM PROPERTY – TOWN OF RIVERHEAD (SCTM NO. 0600-098.00-01.00-019.000)

WHEREAS, Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, the Suffolk County Purchase of Development Rights Program was amended in 2010 pursuant to Local Law 52-2010 and as part of said amendments an annual review period was designated in order to maximize Suffolk County's financial resources while preserving its valuable farmland resources; and

WHEREAS, the County of Suffolk commenced the annual review period in September 2012 pursuant to Section 8-5 of the SUFFOLK COUNTY CODE and 1 application was received during said annual review period; and

WHEREAS, the Suffolk County Farmland Committee reviewed the received application at its January 22, 2013 meeting and adopted Resolution Number FC-3-2013 approving the parcel(s) recommended, and the parcel(s) recommended subject to the Committee's specified conditions, in the 2013 Annual Review Period Preservation Priority List for consideration by the Suffolk County Legislature; and

WHEREAS, the parcel(s) identified in Exhibit "A" was(were) listed in the Suffolk County Farmland Committee's approved 2013 Annual Review Period's Preservation Priority List category: Parcels Recommended to the Suffolk County Legislature for Inclusion in the Program; now, therefore, be it

1st **RESOLVED**, that the parcel(s) identified in Exhibit "A" shall be approved and included in the 2013 Annual Review Period's Preservation Priority List; and, be it further

2nd **RESOLVED**, that such acquisition(s) is(are) to be made in accordance with the procedures set forth in Chapter 8 of the SUFFOLK COUNTY CODE which provided that they be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation(s) of the Suffolk County Farmland Committee; and, be it further

3rd **RESOLVED**, that the following parcel(s) listed below, is(are) hereby approved for appraisal and ultimate inclusion in the Suffolk County New Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER:
No. 1	District Section Block Lot	SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF	

;and, be it further

4th **RESOLVED**, that the Director of Real Estate and/or her designee, is hereby further authorized, empowered, and directed, pursuant to Section A35-3 of the SUFFOLK COUNTY CODE, to initiate written contact with the owner(s) of the property for purposes of determining the interest of the reputed owner in selling such parcel(s), prior to ordering an appraisal; and be it further

5th **RESOLVED**, that the Director of Real Estate and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section A35-3 of the SUFFOLK COUNTY CODE, to have the subject parcel(s) appraised; and, be it further

6th **RESOLVED**, that the Director of Real Estate and/or her designee, is hereby authorized, empowered and directed to present the property and its appraisal to the Environmental Trust Review Board (ETRB), at the next semi-annual meeting of the ETRB which shall be designated to occur in June and December of each year, for purposes of establishing the maximum, final, binding and non-appealable offering price for such parcel(s); and, be it further

7th **RESOLVED**, that the results of the ETRB evaluation for such parcel(s) will be presented to this Legislature, together with the ETRB evaluation and initial rating conducted by the Division of Planning and Environment for all parcels considered at the June or December meeting of the ETRB, as applicable, for purposes of authorizing the Director of Real Estate, or her designee, to present an offer of purchase to the reputed owner of such parcel(s) based on the ETRB appraisal amount and to proceed with taking all such further steps as may be necessary or desirable to acquire the parcel(s) provided for herein; and be it further

8th **RESOLVED**, that the survey, title search, environmental assessment, and actual acquisition of such parcel(s) shall be subject to approval via duly enacted resolution of this Legislature; and, be it further

9th **RESOLVED**, that the cost of appraisals shall be paid from the funds to be appropriated pursuant to Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

10th **RESOLVED**, that the Director of Real Estate and/or her designee, is hereby further authorized, empowered, and directed, pursuant to Section A35-3 of the SUFFOLK COUNTY CODE, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

11th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

EXHIBIT A

1189

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER:
No. 01	District	0600	47.2	Colleen & Robert Volmut
	Section	098.00		
	Block	01.00		
	Lot	019.000		
		TOTAL ACRES:	**47.2**	

1189

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 APPRAISAL FOR THE ACQUISITION OF DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – VOLMUT FARM PROPERTY – TOWN OF RIVERHEAD (SCTM NO. 0600-098.00-01.00-019.000)

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Lauretta R. Fischer, Principal Environmental Analyst		February 11, 2013

SCIN FORM 175b (10/95)

NEIL TOOMB
INTERGOV. REL. COORD.

NEIL TOOMB 2/26/13

1189

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.

To be completed by the Executive Budget Office

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

1189

TITLE OF BILL (I.R.) :

AUTHORIZING APPRAISAL FOR THE ACQUISITION OF DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – VOLMUT FARM PROPERTY – TOWN OF RIVERHEAD (SCTM NO. 0600-098.00-01.00-019.000)

PURPOSE OR GENERAL IDEA OF BILL (I.R.):

To commence an appraisal to acquire the development rights to the Volmut Farm.

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate a County appraisal to acquire the farmland development rights to the Volmut Farm property for possible inclusion in the Suffolk County New Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER:

JUSTIFICATION:

The County commenced its annual review period for the purchase of farmland development rights in September 2012 pursuant to Section 8-5 of the SUFFOLK COUNTY CODE and one application was received during said annual review period. The Suffolk County Farmland Committee reviewed the received application at its January 22, 2013 meeting and adopted Resolution Number FC-3-2013 approving the parcel(s) recommended, and the parcel(s) recommended subject to the Committee's specified conditions, in the 2013 Annual Review Period Preservation Priority List for consideration by the Suffolk County Legislature.

FISCAL IMPLICATIONS:

Monies would be utilized from a dedicated funding source specifically to acquire Farmland Development Rights: Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of farmland development rights under Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER.

COUNTY OF SUFFOLK

1189

Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

February 11, 2013

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 a proposed Introductory Resolution that would authorize an appraisal for the purchase of farmland development rights for the Volmut Farm Property within the Town of Riverhead totaling 47.2 acres. The Volmut Farm Property was approved by the Suffolk County Farmland Committee at their January 22, 2013 meeting as an outcome of its annual review process, as required under Chapter 8 of the Suffolk County Code, as amended.

Please contact me if you require any additional information.

Sincerely,

Sarah Lansdale
Director of Planning

cc: Dennis M. Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive & Commissioner of Dept. of Economic Development and Planning
Tom Vaughn, Director, Intergovernmental Relations
Lisa Santeramo, Assistant Deputy County Executive
Lauretta Fischer, Principal Environmental Analyst, Div. of Planning and Environment
Andrew Amakawa, Research Technician, Div. of Planning and Environment
Katie Magee, Planner, Div. of Planning and Environment
Jill Rosen-Nikoloff, Director, Div. of Real Property Acquisition and Management
Janet Longo, Acquisition Supervisor, Div. of Real Property Acquisition and Management
Robert Braun, Department of Law
CE Reso Review (e-mail copy only)

1190

Intro. Res. No. -2013 Laid on Table 3/5/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO THE SUFFOLK COUNTY FIRE TRAINING CENTER (CP 3405)

WHEREAS, the Commissioner of Fire, Rescue and Emergency Services has requested funding for equipment at the Suffolk County Fire Training Center; and

WHEREAS, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said construction under Capital Program Number 3405; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $100,000 in Suffolk County Serial Bonds; now, therefore, be it

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

2nd **RESOLVED,** that it is hereby determined that this project, with a priority ranking of forty-eight (48) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution 461-2006; and be it further

3rd **RESOLVED**, that the 2013 Capital Budget and Program be and they are hereby amended as follows:

Project No. 3405
Project Title: Improvements to the Suffolk County Fire Training Center

	Total Estimated Cost	Current 2013 Capital Program and Budget	Revised 2013 Capital Program and Budget
3. Construction	$ 675,000	$ 100,000B	$ 0
5. Equipment	$ 100,000	$ 0	$ 100,000B
TOTAL	$ 775,000	$ 100,000	$ 100,000

and be it further

4th **RESOLVED**, that the proceeds of $100,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-3405.512 (Fund 001-Debt Service)	Improvements to Fire Training Center - Equipment	$100,000

Date:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1190

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. -2013, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO THE SUFFOLK COUNTY FIRE TRAINING CENTER (CP 3405)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		February 26, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1190

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$21,711**	**$0.04**	$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**	$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$21,711**	**$0.04**	$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1190

Term of Bonds	5
Amount to Bond:	$100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$18,910.92	$2,800.00	$21,710.92	$21,710.92
			$1,135.25	$1,135.25	
11/1/2015	3.000%	$19,440.42	$1,135.25	$20,575.67	$21,710.92
			$863.08	$863.08	
11/1/2016	3.000%	$19,984.76	$863.08	$20,847.84	$21,710.92
			$583.29	$583.29	
11/1/2017	3.000%	$20,544.33	$583.29	$21,127.62	$21,710.92
			$295.67	$295.67	
11/1/2018	3.000%	$21,119.57	$295.67	$21,415.24	$21,710.92
11/1/2019		$100,000.00	$8,554.59	$108,554.59	$108,554.59
11/1/2020					
11/1/2021					
11/1/2022					
11/1/2023					
11/1/2024					
11/1/2025					
11/1/2026					
11/1/2027					
11/1/2028					
11/1/2029					
11/1/2030					
11/1/2031					

COUNTY OF SUFFOLK

1190

JOSEPH F. WILLIAMS
COMMISSIONER

JOHN G. JORDAN SR.
DEPUTY COMMISSIONER

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

EDWARD K. SPRINGER
CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER
DIRECTOR OF EMERGENCY PREPAREDNESS

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES

TO: Jon Schneider
Deputy County Executive

FROM: Joseph F. Williams
Commissioner

DATE: February 8, 2013

SUBJECT: Request for Introductory Resolution: CP3405

Enclosed for further processing is an introductory resolution and supporting documents to appropriate amended funds in connection with the Improvements to the Suffolk County Fire Training Center - Field Prop Rehabilitation pursuant to the 2013 Capital Program.

If you have any questions, please let me know.

JFW:smn

Enclosures

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations

PO BOX 127 – YAPHANK AVENUE
YAPHANK, NEW YORK 11980-0127

COMMISSIONER'S OFFICE: (631) 852-4850
FIRE MARSHAL'S OFFICE: (631) 852-4855
EMERGENCY MGMT OFFICE: (631) 852-4900
COMM. CENTER (24-HOUR): (631) 852-4815
FAX: (631) 852-4861

2013 INTERGOVERNMENTAL RELATIONS

MEMORANDUM OF SUPPORT

1190

TITLE OF BILL:

Amending the 2013 Capital Budget and Program and appropriating funds in connection with Improvements to the Suffolk County Fire Training Center (CP 3405)

PURPOSE OR GENERAL IDEA OF BILL:

Appropriate funds for equipment to rehabilitate and replace equipment associated with the field burn props, support activities, turnout gear, pump house, roads and parking areas and other appurtenances, to ensure longevity and availability of the field pursuant to CP 3405 and the 2013 Adopted Capital Program

SUMMARY OF SPECIFIC PROVISIONS:

Amend and appropriate the $100,000 in Construction to Equipment to allow for purchase of instructor turnout gear.

JUSTIFICATION:

Whereas the Capital Program funds field prop rehabilitation, the 2013 funds are being budgeted to purchase the required turnout gear for instructors to perform their duties in firefighter training.

FISCAL IMPACT: Issuance of serial bonds.

smn
2/11/2013

Intro. Res. No. 1191-2013 Laid on Table 3/5/2013
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, MODIFYING RESOLUTION NO. 625-2002, TO PERMIT THE TOWN OF SOUTHAMPTON TO CONSTRUCT AFFORDABLE HOUSING ON PARCELS PREVIOUSLY TRANSFERRED PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW AND AUTHORIZING EXECUTION OF AGREEMENTS

WHEREAS, pursuant to Section 72-h of the General Municipal Law, the County of Suffolk, pursuant to Resolution No. 625-2002, attached hereto as Exhibit "A", was authorized to convey the premises known as SCTM No. 0900-251.00-02.00-004.000 (n/k/a SCTM Nos. 0900-251.00-02.00-004.001 and 0900-251.00-02.00-004.002) (the "Subject Property") to the Town of Southampton (the "Town"); and

WHEREAS, the Subject Property was conveyed by the County to the Town by Deed (the "County Deed") dated February 20, 2003, and recorded April 21, 2003 in Liber 12247 at Page 126; and

WHEREAS, the Subject property was subdivided and subsequently conveyed by the Town to the Southampton Housing and Community Development Corporation, a non-profit corporation ("SHCDC"), by Deed and recorded May 27, 2010 in Liber 12626 at Pages 61 and 62, for purposes of building affordable housing on the Subject Property; and

WHEREAS, it was thereafter discovered that the Resolution and the County Deed contain a provision restricting the use of the Subject Property as follows:

> "The Town of Southampton will be restricted in its use of the Subject Property and will use the Subject Premises solely and exclusively for the application or transfer of the parcels value to other parcels in order to achieve desired density for building affordable housing. Whereafter said parcels will be held by the Town of Southampton as open space or other suitable municipal purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Southampton, at any time, uses or attempts to use said subject parcel for other than said aforementioned purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for said aforementioned purposes"; and

WHEREAS, the Town and SHCDC have since determined that the Subject Property is buildable and would be better suited for affordable housing purposes and have requested the County permit the Subject Property to be constructed for purposes of affordable housing in accordance with Article XXXVI of the Suffolk County Administrative Code without threat of reverter by the County; and

WHEREAS, the County deems it to be in its best interests to facilitate the foregoing and to enter into an agreement with the Town and SHCDC to effectuate utilizing the Subject Property for affordable housing purposes; now, therefore be it

1st **RESOLVED**, the Department of Economic Development and Planning, and its Division of Real Property Acquisition and Management, have determined that it would be in the best interests of the County of Suffolk to modify Resolution No. 625-2002 and the County Deed

by removing the restrictive covenant and reverter clause contained therein to permit the Town and SHCDC to construct two affordable homes on the Subject Property; and be it further

2nd **RESOLVED**, that to effectuate the foregoing the County, the Town and SHCDC, and such other parties as shall be necessary, shall execute and deliver a written agreement substantially in the form attached hereto as Exhibit "B", which Agreement, notwithstanding the Resolution No. 625-2002 or the County Deed, permits the Subject Property to be constructed for affordable housing; and be it further

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is, authorized to execute and deliver the Agreement with such changes therein as the Director may deem necessary or desirable to effectuate the purposes and intent of the resolutions contained herein, and to acknowledge and record the proposed Agreement attached as Exhibit "B"; and be it further

4th **RESOLVED**, that all other terms of Resolution No. 625-2002 shall remain intact; and be it further

5th **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2 (b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13 (d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1).

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1191

EXHIBIT A

Intro. Res. No. 1720-2002 Laid on Table 4/30/2002
Introduced by the Presiding Officer at the request of the County Executive and Legislators Guldi, Towle

RESOLUTION NO. 625 - 2002, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW (TOWN OF SOUTHAMPTON) (see attached Exhibit "A")

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcels (see attached Exhibit "A"):

WHEREAS, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

WHEREAS, the Town of Southampton has requested that the County of Suffolk convey this parcel to it (see annexed resolution – Exhibit "B"); and

WHEREAS, the Town of Southampton will be restricted in its use of the subject parcels and will use subject parcels solely and exclusively for the application or transfer of the parcels value to other parcels in order to achieve desired density for building affordable housing. Where after said parcels will be held by the Town of Southampton as open space or other suitable municipal purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Southampton, at any time, uses or attempts to use said subject parcels for other than said aforementioned purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for said aforementioned purposes; and

WHEREAS, the Division of Real Estate, Department of Planning, has determined that it would be in the best interest of the County of Suffolk to convey this parcel to the Town of Southampton for the total sum of $1.00 (to be waived) plus the pro rata share of the current tax adjustments due at closing; and

WHEREAS, said parcels are surplus to the needs of the County of Suffolk; and

WHEREAS, said properties shall be conveyed subject to the condition that neither Grantee nor any Municipality shall bill or charge back to Grantor any cost incurred or projected to be incurred for the cleaning up of any debris on said parcel. In the event that such charge back or bill is rendered to the Grantor this Deed shall be void ab initio and the parcel shall revert to the Grantor; and

WHEREAS, the Suffolk County Department of Planning has approved the use of these parcels; and

WHEREAS, the Division of Real Estate, Department of Planning, will receive and deposit the the sum of $1.00 (to be waived), plus the pro-rata share of the current tax adjustments pursuant to said purchase offer; now, be it therefore

RESOLVED, that this purchase is authorized pursuant to Section 72-h of the General Municipal Law permitting a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and be it further

RESOLVED, the Town of Southampton will be restricted in its use of the subject parcels and will use subject parcels solely and exclusively for the application or transfer of the parcels value to other parcels in order to achieve desired density for building affordable housing. Where after said parcels will be held by the Town of Southampton as open space or other suitable municipal purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Southampton, at any time, uses or attempts to use said subject parcel for other than said aforementioned purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for said aforementioned purposes; and be it further

RESOLVED, the Division of Real Estate, Department of Planning, has determined that it would be in the best interest of the County of Suffolk to convey these parcels to the Town of Southampton for the total sum of $1.00 (to be waived), plus the pro rata share of the current tax adjustments due at closing; and be it further

RESOLVED, said parcels are surplus to the needs of the County of Suffolk; and be it further

RESOLVED, subject to the condition that neither Grantee nor any Municipality shall bill or charge back to Grantor any cost incurred or projected to be incurred for the cleaning up of any debris on said parcel. In the event that such charge back or bill is rendered to the Grantor this Deed shall be void ab initio and the parcel shall revert to the Grantor; and be it further

RESOLVED, the Division of Real Estate, Department of Planning will receive and deposit the sum of $1.00 (to be waived), plus the pro-rata share of the current tax adjustments pursuant to said purchase offer; and be it further

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

RESOLVED, that the Director of the Division of Real Estate, Department of Planning or his Deputy, be and he hereby is authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the above described terms and conditions to said Town of Southampton, 116 Hampton Road, Southampton, New York 11968.

DATED: June 25, 2002

APPROVED BY:

/s/ Robert J. Gaffney
County Executive of Suffolk County

Date of Approval: July 2, 2002

1191

EXHIBIT B

THIS AGREEMENT, made the ____day of March, 2013, by and among

COUNTY OF SUFFOLK, a municipal corporation of the State of New York with its principal offices at the County Center, Riverhead, NY, party of the first part, and

TOWN OF SOUTHAMPTON, a municipal corporation of the State of New York with its principal offices at 116 Hampton Road, Southampton, NY, party of the second part, and

SOUTHAMPTON HOUSING AND COMMUNITY DEVELOPMENT CORPORATION., a not-for-profit corporation, with its principal offices at _____, Southampton, NY, party of the third part,

is made to modify and define the parties interests and obligations relating to real property described on the Tax Map of the Suffolk County Real Property Tax Service Agency as

0900-251.00-02.00-004.001 and 0900-251.00-02.00-004.002
Formerly known as 0900-251.00-02.00-004.000
hereinafter referred to as the "Subject Property"

WHERAS, the Suffolk County legislature passed resolution 625-2002 which authorized the transfer of the Subject Property to the party of the second part pursuant to Section 72-h of the General Municipal Law, and

WHEREAS, the Subject Property was then conveyed by the party of the first part to the party of the second part by deed dated February 20, 2003 and recorded April 21, 2013 in Liber 12247 cp 126, and,

WHEREAS, thereafter the Subject Property was conveyed by the party of the second part to the party of the third part herein by deed dated April 28, 2010 and recorded May 27, 2010 in Liber 12626 cp 61 and 62, respectively, and,

WHEREAS, the deed from the party of the first part to the party of the second part contained a restrictive covenant and reverter clause as follows:

"**PROVIDED**, the Town of Southampton will be restricted in its use of the subject parcel and will use subject parcel solely and exclusively for the application or transfer of the parcels value to other parcels in order to achieve desired density for building affordable housing. Where after said parcel will be held by the Town of Southampton as open space or other suitable municipal purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Southampton, at any time, uses or attempts to use said subject parcel for other than said aforementioned purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for said aforementioned purposes", and,

WHEREAS, the party of the second part and the party of the third part have determined that the Subject Property is buildable and better suited for the development of affordable housing and desire to waive the restrictive covenant to permit the construction of affordable housing on the Subject Property, and

WHEREAS, the party of the first part has determined that it would not be in its best interest to enforce the restrictive covenant contained in the deed dated February 20, 2003 and,

WHEREAS, it would be in the best interest of all of the parties herein to permit the construction of affordable housing on the Subject Property

NOW THEREFORE, in consideration of the mutual promises and obligations contained in this agreement, it is hereby agreed by and among all of the parties herein that:

1. The party of the second part and the party of the third part are hereby relieved from the restrictive covenant and reverter clause contained in Resolution 625-2002 and the deed dated February 20, 2003 and recorded April 21, 2003 in Liber 12247 cp 126.

2. The party of the first part is hereby precluded from enforcing said restrictive covenant and right of reverter contained in the deed dated February 20, 2003 against the party of the second part, party of the third part and their successors and assigns, forever.

3. The party of the second part and the party of the third part shall be permitted to construct, and subsequently convey, affordable housing on the Subject Property in accordance with Article XXXVI of the Suffolk County Administrative Code. The party of the second part and party of the third part herein will be restricted in the use of the Subject Property and will use said Subject Property solely and exclusively for the affordable housing purposes as set forth herein, with all right, title, and interest reverting to the party of the first part, at the sole option of the party of the first part, in the event that the party of the second part or the party of the third part at any time uses or attempts to use or otherwise conveys the Subject Property for other than affordable housing purposes in accordance with Article XXXVI of the Suffolk County Administrative Code. The affordable housing requirement contained herein and the reverter clause contained herein shall be covenants running with the land and shall apply to any grantee of the party of the first part or party of the second part.

IN WITNESS WHEREOF, the parties have hereunto set their hands this _____day of March, 2013

COUNTY OF SUFFOLK

BY:_____
Jill Rosen-Nikoloff, Director of Real Estate
Department of Economic Development
and Planning

TOWN OF SOUTHAMPTON

By:_____
Name:_____
Title:_____

SOUTHAMPTON HOUSING AND COMMUNITY DEVELOPMENT CORPORATION

By:_____
Name:_____
Title:_____

[ADD ACKNOWELDEMENTS]

1191

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution __X__ Local Law _____ Charter Law _____
2. Title of Proposed Legislation Resolution, Modifying Resolution 625-2002, to Permit the Town of Southampton to Construct Affordable Housing on Parcels Previously Transferred Pursuant to Section 72-h of the General Municipal Law and Authorizing Execution of Agreements
3. Purpose of Proposed Legislation To permit the Town of Southampton to construct affordable housing on parcels that were previously transferred pursuant to Section 72-h of the General Municipal Law for related purposes
4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** ____ **No X**
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category) **County** **Town** **Economic Impact** **Village** **School District** **Other (Specify):** **Library District** **Fire District**
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A
8. Proposed Source of Funding N/A
9. Timing of Impact N/A

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
NEIL TOOMB INTERGOV. Rel Coord.	Neil Toomb	2/26/13

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1191

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.

To be completed by the Executive Budget Office

1191

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

February 26, 2013

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

Re: Resolution Submission

Dear Mr. Schneider:

The Department of Economic Development and Planning requests the submission of the attached resolution:

MODIFYING RESOLUTION NO. 625-2002, TO PERMIT THE TOWN OF SOUTHAMPTON TO CONSTRUCT AFFORDABLE HOUSING ON PARCELS PREVIOUSLY TRANSFERRED PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW AND AUTHORIZING EXECUTION OF AGREEMENTS

It is requested that this resolution be laid on the table at the March 5, 2013 meeting for consideration and vote at the March 19, 2013 meeting of the Legislature. Thank you.

Very truly yours,

Jill Rosen-Nikoloff
Director of Real Estate
Department of Economic
Development and Planning

JRN:sc
Attachments

cc: Dennis M. Cohen, Chief Deputy County Executive (hard copy)
Lisa Santeramo, Assistant Deputy County Executive (hard copy)
Tom Vaughn, Director of Intragovernmental Relations (hard copy)
CE Reso Review (e-copy)

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 (Dept. Name & Location):	Department Contact Person (Name & Phone No.):
Department of Economic Development and Planning H. Lee Dennison Bldg. - 2nd Floor Hauppauge	Jill Rosen-Nikoloff Director of Real Estate 853-6420

Suggestion Involves:

Technical Amendment_____

Grant Award _____

New Program _____

Contract: New _____Rev. _____

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

Modifies Resolution 625-2002 to permit the Town of Southampton to construct affordable housing on parcels previously transferred to the Town pursuant to Section 72-h of the General Municipal Law for other related purposes and authorizes execution of agreements.

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

SCIN Form 175a

1192

Intro. Res. No. - 2013 Laid on Table 3/5/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, AUTHORIZING THE LEASE OF PREMISES LOCATED AT 15 PINEHURST DRIVE, BELLPORT NY FOR USE BY SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES

WHEREAS, the Suffolk County's Department of Fire, Rescue & Emergency Services has been awarded a Federal Emergency Management Agency grant to enable the storage of grant-funded weapons-of-mass destruction (WMD) response trailers and equipment and to store disaster supplies – life-saving commodities (water and MREs); and

WHEREAS, a 17,000-square-foot facility meeting the requirement for the above mentioned items has been located at 15 Pinehurst Drive, Bellport NY; and

WHEREAS, the Landlord, RND Pinehurst Drive, LLC, has expressed its willingness to lease the space at 15 Pinehurst Drive, Bellport, NY for one (1) year, from March 20, 2013, through March 19, 2014 with two (2) one-year extension options based on availability of funding with no annual rent escalation; and

WHEREAS, the Space Management Steering Committee recommended the approval of the terms for this lease renewal at its January 24, 2013 meeting; and

WHEREAS, sufficient funds are included in the 2013 Operating Budget for lease payments to be made in connection with the premises; now, therefore, be it

1ST RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.59(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-109 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. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this law; and be it further

2ND RESOLVED, that the County Executive be and hereby is authorized to execute a Lease for one (1) year in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

3rd RESOLVED, annual rent for the Premises shall be $144,500, as of March 20, 2013, which amount will remain constant through March 19, 2014.

DATED:

_____

County Executive of Suffolk County
Date of Approval:

AGREEMENT OF LEASE

between

RND Pinehurst Drive, LLC

as LANDLORD

and

COUNTY OF SUFFOLK

as TENANT

Date for Reference Purposes: March 5, 2013

Premises: 15 Pinehurst Drive, Bellport New York 11713

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A - Floor Plan

B - Landlord - Tenant Responsibilities

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AGREEMENT OF LEASE

THIS AGREEMENT OF LEASE ("Lease") made as of the ___ day of _____, 2013, between RND Pinehurst Drive, LLC, Robert Affenita, Principal, P.O. Box 216, Bayport, NY 11705, ("LANDLORD"), and the COUNTY OF SUFFOLK, a municipal corporation with an address at County Center, Riverhead, New York 11901 ("TENANT" or "County"), acting through its duly constituted Department of Public Works ("Department"), located at 335 Yaphank Avenue, Yaphank, New York 11980, on behalf of the Department of Fire, Rescue and Emergency Services (the "User Department").

WITNESSETH:

SECTION 1. DESCRIPTION

Section 1.01 In consideration of and subject to the terms, covenants, agreements, provisions, conditions, and limitations set forth in this Lease, LANDLORD hereby agrees to lease to County industrial space located at 15 Pinehurst Drive, Bellport, New York 11713 containing approximately 17,000 square feet of building space and related common areas, facilities, improvements, and permanent installations constructed and installed or to be constructed and installed therein, thereon, or hereunder in accordance with this Lease, as shown on the Floor Plan attached hereto as **Exhibit A**, (referred to hereinafter as the "Demised Premises") totaling approximately 1.42 acres and further identified as:

S.C. Tax Map No.	Dist.	Sect.	Blk	Lot
	0200	813	01	8.21

SECTION 2. PURPOSE

Section 2.01 The parties acknowledge that County is a municipal corporation and is entering into and executing this Lease by virtue of the approval of Suffolk County Resolution No. ___ - 2013, dated the 19th day of March, 2013 (the "Resolution"), for the use of the Demised Premises by the Suffolk County Department of Fire, Rescue, and Emergency Services for vehicle, equipment and disaster relief supplies storage.

Section 2.02 LANDLORD warrants that it holds such title to or other interest in the Demised Premises and other property as is necessary to give and fully provide the County with access to the Demised Premises and full use and enjoyment thereof in accordance with the provisions of this Lease.

Section 2.03 LANDLORD warrants that the intended use of the Demised Premises is a permitted use under LANDLORD's title to the Demised Premises and that LANDLORD knows of no covenant, restriction, or other agreement which would prevent such use or occupancy. LANDLORD further certifies that no covenants, restrictions, or other impediments to title have been added since the date of the issuance of the title insurance policy.

SECTION 3. TERM AND CANCELLATION

Section 3.01 The term of this Lease shall commence on or about March 1, 2013, or as of the date of occupancy by TENANT, whichever is later (the "Commencement Date") and shall expire one (1) years later on February 28, 2014 (the "Expiration Date"), or on such earlier date as this Lease may terminate or expire as provided for herein; provided, however, that if such date does not fall on a "Business Day" defined below, then this Lease shall end on the next Business Day.

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

Section 3.02 County, provided it is not in default of any of the terms of this Lease, shall have two consecutive, one-year options to extend this Lease for one additional year, commencing upon the expiration of the initial term ("**Options**"). Said Options shall be exercised upon TENANT notifying LANDLORD no less than forty-five (45) days prior to the expiration of the then current term of its intention to exercise an Option.

Section 3.03 In the event that State and/or federal funding for expenses incurred in connection with the lease of the Demised Premises are at any time eliminated or reduced, TENANT shall have the option to terminate this Lease. TENANT may exercise the option to terminate the Lease by providing LANDLORD ninety (90) days prior written notice by certified mail, return receipt requested, of the intent to exercise this option, that this Lease will come to an end with the same force and effect as if the date in the notice specified were the day herein provided for the expiration of the Lease.

SECTION 4. RENT

Section 4.01 "Annual Rent" for the Premises for the first year, and for any Option periods exercised, shall be fixed at $144,500.00, beginning on the Commencement Date. Annual Rent shall include all expenses of the Demised Premises including, but not limited to, utilities, taxes, and Common Area Maintenance Charges.

Section 4.02 Annual Rent for the Demised Premises shall be payable by County to LANDLORD, at LANDLORD's address first set forth above, or at such other place designated by LANDLORD in writing, in equal monthly installments, in advance, on the first day of each calendar month during the Term, except, however, the first monthly payment shall be payable within thirty (30) days of County's receipt of a signed voucher, in accordance with *Section 4.03* below. Partial months shall be prorated.

Section 4.03 LANDLORD recognizes that County is a municipal corporation whose financial obligations are strictly regulated by statute. The duly constituted rules, regulations, and proceedings of said municipality require that the payment of Annual Rent shall only be made in accordance with such statutes. As part of said procedures, it is necessary that LANDLORD submit vouchers provided by County for the payment of Annual Rent hereinabove provided, and any other reasonable documentation as may be required by County for payment of Expenses, as defined in *Section 4.04*, or other charges under the terms of this Lease. LANDLORD hereby agrees to submit such vouchers and all reasonable documentation of Expenses or other charges timely and as may be reasonably requested by County's Department of Audit and Control within one hundred eighty (180) days following the end of the calendar year in which such cost or expense relating to the request for payment was incurred. County agrees to deliver vouchers to

LANDLORD at least ten (10) Business Days after a request from LANDLORD for a voucher(s) to be submitted for payment of an Expense. Failure to submit the vouchers within one hundred and eighty (180) days following the end of the calendar year in which such cost or expense was incurred shall constitute grounds for the County to deny payment for the same. If County fails to deliver the vouchers as required hereunder, then LANDLORD shall not be required to submit the undelivered vouchers as a condition to its right to receive any payment to which such voucher relates, and the failure of LANDLORD to submit such undelivered voucher to County shall not prevent or constitute a condition to LANDLORD's ability to exercise its rights pursuant to **Section 25**. Once completed by LANDLORD, LANDLORD shall submit the vouchers to TENANT. By submitting completed vouchers for Annual Rent, LANDLORD shall have satisfied its obligation to request payment of Annual Rent hereunder for the entire calendar year.

Section 4.04 Any sums, charges, fees, expenses, or amounts to be paid by County pursuant to the provisions of this Lease, other than Annual Rent, shall be designated as and deemed to be "Expense(s)" and shall be payable by County to LANDLORD, as additional rent, within sixty (60) days after LANDLORD gives County written notice that such payment is due, together with a voucher, and any supporting documentation reasonably required by County, for the amount of such Expense, unless otherwise provided in this Lease. LANDLORD shall have the same rights and remedies upon County's failure to pay Expense as for the non-payment of the Annual Rent and County's obligations to make adjustments of Expenses referred to in this Lease, shall survive any expiration or termination of this Lease.

Section 4.05 Acceptance of rent from other than named TENANT shall in no event be deemed the acceptance and acquiescence to any assignment or subletting of the Demised Premises in whole or in part. No payment by County or receipt by LANDLORD of an amount less than the monthly rent then due, including additional rent, shall be deemed to be other than on account of the stipulated rent, nor shall any endorsement or extraneous matter on any check or in any letter accompanying such payment of rent affect the terms of this Lease or be deemed an accord and satisfaction, and LANDLORD may accept such payment without prejudice to any of its rights.

SECTION 5. REAL ESTATE TAXES

Section 5.01 LESSOR shall pay all Real Estate Taxes, as defined below, during the entire Term of this Lease.

The term "Real Estate Taxes" shall mean and be deemed to include all real property taxes, assessments, county taxes, transit taxes, or any other governmental charge of a similar nature whether general, special, ordinary, or extraordinary, foreseen or unforeseen, of any kind or nature whatsoever, including without limitation, assessments for public improvements or benefits. If, due to a change in the method of taxation, any franchise, income, profit, sales, rental, use and occupancy, or other tax shall be substituted for or levied against the LESSOR or any owner of the building and/or the land in lieu of Real Estate Taxes hereinabove defined, upon or with respect to the building or the land, such tax shall be included in the term "Real Estate Taxes".

SECTION 6. UTILITIES

Section 6.01 All costs, fees, and charges for public or private utility services for the Premises during the Term (i.e., water, gas and electric), together with any taxes thereon, shall be a LANDLORD charge and shall be paid by LANDLORD directly to the applicable utility except as otherwise provided in *Sections 6.02 and 6.03*, below. Other services shall be paid as indicated on the "Landlord-Tenant Responsibilities Sheet" annexed as **Exhibit B**.

Section 6.02 TENANT is entitled to an annual allowance for water usage costs, fees and charges in the total amount of one thousand dollars ($1,000.00). Any water usage charges in excess of this annual amount shall be paid by TENANT in accordance with *Section 4.04* of this Lease.

Section 6.03 TENANT is entitled to an annual utility allowance for gas and electric usage costs, fees and charges in the total amount of eight thousand four hundred dollars ($8,400.00). Any gas or electric usage charges in excess of this annual amount shall be paid by TENANT in accordance with *Section 4.04* of this Lease.

SECTION 7. PARKING

Section 7.01 TENANT shall have unobstructed, use of all paved parking spaces on the Premises and under the control of LANDLORD, which parking spaces shall be in compliance with all requirements of any "Governmental Authority" in connection with the issuance of all permits and approvals necessary to effect Delivery.

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

SECTION 8. DELIVERY AND CONDITION

Section 8.01 LANDLORD represents that the Demised Premises has been constructed, reconstructed, and/or renovated in a good and workmanlike manner in accordance with the appropriate town or village building code for which a permit and necessary Certificate of occupancy and/or Use has been delivered, a copy of which shall be provided the County.

Section 8.02 LANDLORD agrees to deliver the space broom clean, with all mechanical and building systems in good working order.

Section 8.03 Notwithstanding *Section 8.01* and *8.02* above, County has inspected the Demised Premises prior to execution of the lease and, excepting any potential latent defects as defined in *Section 8.05*, below, County is accepting the Demised Premises in its "As Is" condition.

Section 8.04 The Demised Premises, as a whole, shall be delivered to County rodent, vermin, and insect free and further, during the Term of this Lease, LANDLORD, shall provide preventative, and any and all necessary exterminating, fumigating, or treatment for a rodent, vermin or insect infestation reported by County, or discovered by LANDLORD; such extermination, fumigation, or treatment to be performed only by a New York State Environmental Conservation certified applicator subject to the provisions of Chapter 380 of the Suffolk County Code.

Section 8.05 LANDLORD shall cure "Latent Defects," defined below, within sixty (60) days of the receipt of a letter from County identifying, in writing, the Latent Defects; provided, however, that such sixty-day (60) period shall be extended to the extent of any delays in LANDLORD's completion thereof due to or resulting from: (a) TENANT Delay; (b) Excusable Delays; and/or (c) such items of a special, custom or particular nature requiring special, extraordinary or non-customary fabrication, purchasing, ordering, procurement, assembly, or installation.

Notwithstanding anything to the contrary contained in this *Section 8.04*, LANDLORD shall not be required to cure any Latent Defects not identified by County, in writing, within sixty (60) days after the Commencement Date.

For purposes of this Lease, the term "Latent Defects" means defects in the construction of the Demised Premises which TENANT could not reasonably be expected to discover in its reasonable inspection of the Demised Premises in connection with the Delivery.

For the purposes of this Lease, the term "Legal Requirements" means laws, statutes, and ordinances (including building codes and zoning regulations and ordinances) and the orders, rules, regulations, directives, and requirements of all federal, state, county, city, and borough departments, bureaus, boards, agencies, offices, commissions, and other subdivisions thereof, or of any official thereof, or of any other governmental, public or quasi-public authority, whether now or hereafter in force, and all requirements, obligations and conditions of all instruments of record which may be applicable to the Demised Premises or any part thereof or the sidewalks, curbs, or areas adjacent thereto.

SECTION 9. ACCESS TO THE DEMISED PREMISES

LANDLORD shall provide County 24 hours/7 days per week access to the Demised Premises.

SECTION 10. LANDLORD WORK

Landlord to install a thermostatically controlled roof mounted 5,000 CFM exhaust fan for the purpose of expelling excess heat. The thermostat is to be mounted a minimum of 2' below the roof deck and set at 115 degrees F.

SECTION 11. PREVAILING WAGE

Section 11.01 Any construction or reconstruction of the Demised Premises constitutes a public works contract under Article 8 of the Labor Law. LANDLORD acknowledges and agrees to comply with the prevailing wage requirements in connection with any construction or reconstruction of the Demised Premises.

Section 11.02 No person performing, aiding in, or assisting in construction or reconstruction of the Demised Premises shall be paid less than the said prevailing rates as defined and utilized under Section 220 of the Labor Law. Any person or corporation that willfully pays, after entering into a contract, less than this established wage schedule shall be guilty of an offense punishable by a fine or by imprisonment or both.

Section 11.03 LANDLORD is advised to fully familiarize itself with all applicable provisions of the New York State Labor Law and more specifically, Article 8, Public Work. It is the responsibility of the LANDLORD to provide each of its contractors/subcontractors with the prevailing wage rate schedule. The prime contractor is responsible for any underpayments of prevailing wages or supplements by its contractors/subcontracts.

SECTION 12. LAWFUL HIRING OF EMPLOYEES LAW IN CONNECTION WITH CONTRACTS FOR CONSTRUCTION OR FUTURE CONSTRUCTION

Section 12.01 This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk, Suffolk County Code Chapter 234, as more fully set forth in **Exhibit C** entitled "Suffolk County Legislative Requirements." In accordance with this law, LANDLORD and any contractor, subcontractor or owner, as the case may be, agrees to maintain the documentation mandated to be kept by this law on the construction site at all times. LANDLORD and any contractor, subcontractor or owner, as the case may be, further agree that employee sign-in sheets and register/log books shall be kept on the construction site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign in sheets/register/log books to indicate their presence on the construction site during such working hours.

SECTION 13. **[INTENTIONALLY OMITTED]**

SECTION 14. **[INTENTIONALLY OMITTED]**

SECTION 15. **[INTENTIONALL OMITTED]**

SECTION 16. **EFFECT OF ACCEPTANCE AND OCCUPANCY**

Section 16.01 Neither County's acceptance of the Demised Premises for occupancy, nor the County's occupancy thereof, shall be construed either as a waiver of any requirement of or right of the County under this Lease, or as otherwise prejudicing the County with respect to any such requirement or right except as otherwise set forth in this Lease.

SECTION 17. **CARE AND REPAIR OF DEMISED PREMISES BY TENANT**

Section 17.01 During the Term of this Lease, and subject to the provisions of **Section 19**, County shall make and be responsible for, at County's sole cost and expense, all repairs and replacements relating to the Demised Premises which are not caused by or due to a Latent Defect and in accordance with the **Exhibit B,** and those repairs and/or replacements which are made necessary by: (1) the performance of any "Alterations," defined in *Section 18.01*, made by County; (2) the negligent use or operation of County's property or fixtures; (3) the moving of County's property or fixtures in, out or about the Demised Premises; (4) the negligence or misuse of the Demised Premises by County or its officers, employees, personnel, agents, representatives, contractors, subcontractors, or invitees. All repairs made by or on behalf of County shall be at least equal in quality and design to the original construction of the Demised Premises.

SECTION 18. **ALTERATIONS**

Section 18.01 County shall have the right, during the term of this Lease, to make any "Alterations," meaning any alterations, installations, improvements, additions, or renovations to the Demised Premises or any part or portion thereof, without the prior consent of the LANDLORD, which are non-structural and do not affect interior and exterior walls, the foundation or roof of the building and which do not affect or pertain to any plumbing, electrical, heating, ventilation, air-conditioning, mechanical, vertical transport, or other systems and equipment (collectively "Building Systems"). County shall not make Alterations that are structural or affect the interior and exterior walls, foundation or roof of the building, or affect or pertain to any Building Systems without LANDLORD's prior written consent.

County shall deliver to LANDLORD a copy of the final plans and specifications showing the actual construction for any Alterations. LANDLORD shall have the right, but not the obligation, to review and supervise any Alterations performed at the Demised Premises.

Section 18.02 All Alterations, excluding County's trade fixtures, moveable office furniture, and moveable equipment, installed in the Demised Premises, either by County or by LANDLORD on County's behalf, shall become the property of LANDLORD and shall remain upon and be surrendered with the Demised Premises upon the expiration or earlier termination of the Lease. Nothing in this **Section 18** shall be construed to give LANDLORD title to, or to authorize LANDLORD to prevent County's removal of trade fixtures, moveable office furniture and equipment, generators, etc.

SECTION 19. CARE OF DEMISED PREMISES BY LANDLORD

Section 19.01 The Demised Premises, as a whole, shall be properly constructed and will be delivered to County in good condition. Except in case of damage arising out of the willful act or negligence of County, its officers, employees, agents, or invitees, and subject to the provisions of **Section 17**, LANDLORD shall maintain and promptly repair the Demised Premises, including the building, Building Systems and all equipment, fixtures, and appurtenances furnished by the LANDLORD under this Lease, to keep same in good repair and condition, and in accordance with general industry practice in the operation of such a building, so that they are suitable in appearance and capable of supplying such heat, air conditioning, light, ventilation, water, access and other things to the Demised Premises, without reasonably preventable or recurring disruption, as is required for the County's access to, occupancy, possession, use and enjoyment of the Demised Premises as provided in this Lease, at LANDLORD's sole cost and expense. It is hereby understood and agreed that the heating and air conditioning systems will be kept under a uniform and systematic program of service and repair as prescribed according to manufacturer specifications, solely at LANDLORD's expense. If any existing heating and air conditioning systems are inadequate to provide a consistent degree of comfort, LANDLORD shall, at its own expense, replace or modify the system to assure consistent comfortable temperatures.

Section 19.02 LANDLORD, at LANDLORD'S sole cost and expense, shall comply with all applicable statutes, laws, ordinances, orders, regulations and notices of Federal, State, County and Municipal authorities, and with all directions, pursuant to law, of all public officers, which shall impose any duty upon LANDLORD with respect to the Demised Premises or the use or occupation thereof, except that LANDLORD shall not be required to make any alterations in order so to comply in the event such alterations are necessitated or occasioned, in whole or in part, by the negligent acts or gross omissions of County or any person claiming through or under County or any of their servants, employees, contractors, agents, visitors or licensees, or by the particular use or manner of use of the Demised Premises by the County, or any such person.

Section 19.03 LANDLORD shall have a building superintendent or a locally designated representative available to promptly correct deficiencies and keep the County notified of the name of that person or persons as well as with all contact information including telephone numbers, fax number and e-mail address.

Section 19.04 In addition to the LANDLORD's obligations under *Sections 19.01 and 19.02*, and subject to the provisions of **Section 17**, LANDLORD shall further make all necessary repairs, replacements and perform maintenance, at no additional cost to County, as follows:

(i) to the exterior water, gas and electrical services, including drainage structures, cesspools, septic tanks and all connecting piping; it being specifically understood that in no event shall LANDLORD be liable for failure of any service provided by an independent utility provider;
(ii) made necessary by fire or other peril covered by the standard extended coverage endorsement on fire insurance or by reason of war, wind, or Acts of God, contents excepted;
(iii) landscaping and general maintenance of landscaped areas of the Building;
(iv) snow removal on all parking lots and walkways of the Building;
(v) building maintenance; and
(vi) to all items designated as LANDLORD responsibility as shown in **Exhibit B**.

Section 19.05 County shall give to LANDLORD prompt written notice (notice by fax or e-mail being acceptable) of any accidents, damage, or defects in the roof, the exterior of the building, plumbing, electrical service, electrical lights, HVAC apparatus, or any other building system. Absent misconduct by the County, these defects shall be remedied by LANDLORD.

Section 19.06 LANDLORD agrees, at its sole cost and expense, to perform all necessary maintenance, repairs, and replacements to the Demised Premises caused by the negligence or willful misconduct of LANDLORD, and LANDLORD's employees, agents, contractors, and subcontractors. County shall notify LANDLORD of the need for any such repair or replacement promptly after County becomes aware of the need for the same.

Section 19.07 LANDLORD shall provide timely maintenance testing and inspection of all Demised Premises and building equipment and systems in accordance with applicable codes, and inspection certificates must be displayed as required by law.,

SECTION 20. INSURANCE

Section 20.01 County shall procure and keep in full force and effect at its own cost and expense liability insurance in which policy LANDLORD or, in the event County is requested in writing by LANDLORD, LANDLORD's Mortgagee, or their successors or assigns, shall be named as an additional insured in an amount not less than One Million Dollars ($1,000,000.00) per occurrence for bodily injury and One Million Dollars ($1,000,000.00) per occurrence for property damage, and shall furnish LANDLORD with proof of same. This insurance is to be excess over any other valid and collectible insurance except insurance that is written specifically as excess over the limits of liability that apply to this policy.

Section 20.02 In the event that a lease is for less than 100% of the building, County shall only provide liability insurance, naming the landlord as an additional insured, for the area which it leases. LANDLORD is required to provide liability insurance, naming County as an additional insured, for all common areas or any other areas of the building not leased to the County, including all exterior areas of the Demised Premises such as parking areas and walkways, regardless of whether the areas are designated for the County's use in an amount not less than One Million Dollars ($1,000,000.00) per occurrence for bodily injury and One Million Dollars ($1,000,000.00) per occurrence for property damage.

Section 20.03 Notwithstanding the foregoing, County, at its sole option, subject to County being in full compliance with all applicable New York State, local and federal regulations regarding County's self-insurance program and subject to County's satisfying the Self-Insurance Standard,

may elect to be either partially or totally self-insured and thereby assume responsibility for that portion of the liability insurance for which it is insured. In this case, County must notify LANDLORD of its self-insured status by a signed writing. This self-insurance is to be excess over any other valid and collectible insurance.

Section 20.04 All risk of loss from fire or any other peril causing damage or destruction to the Premises or any other real or personal property of LANDLORD during the Term shall be borne by LANDLORD. Any property insurance policy(s) obtained by LANDLORD to cover this exposure shall contain a Waiver of Subrogation against County. Prior to the Commencement Date, LANDLORD must submit to County a current certificate of insurance indicating that such waiver is in full force. The risk of loss from any peril to the personal property, furniture, fixtures, equipment of County located on the DemisedPremises shall be borne by County, and County waives any right of subrogation against LANDLORD with respect to such losses.

Section 20.05 LANDLORD shall indemnify and hold harmless County from and against all claims, costs (including attorneys' fees), losses, and liabilities of whatsoever nature arising out of the acts or omissions or negligence of LANDLORD, its officers, agents, servants or employees in connection with the building and property of which the Demised Premises forms a part, and LANDLORD's obligations under this Lease.

Section 20.06 In the event the property is transferred by LANDLORD, the transferee shall immediately provide the Department with the required proof of insurance in accordance with this **Section 20.**

SECTION 21. INDEMNIFICATION

Section 21.01 LANDLORD shall protect, indemnify and hold harmless County and its officers, officials, employees, contractors, agents and other persons from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorneys' fees, arising out of the acts, omissions, or the negligence of LANDLORD, its officers, agents, servants, employees, contractors or subcontracts in connection with the Demised Premises and its obligations under this Lease; provided, however, that LANDLORD shall not indemnify for that portion of any claim, loss or damage arising under this Lease due to the negligent act or failure to act of the County. LANDLORD shall defend County and its officers, officials, employees, contractors, agents and other persons in any suit, including appeals, or at the County's option, pay reasonable attorney's fees for defense of any such suit arising out of the acts, omissions, or negligence of LANDLORD, its officers, officials, employees, subcontractors or agents, if any, in connection with the Demised Premises or LANDLORD's obligations under the Lease.

Section 21.02 To the extent permitted by law, County shall indemnify LANDLORD, its agents, and employees from and against all claims (except for claims brought by Suffolk County Employees under Workers' Compensation Laws), costs (including attorneys' fees), losses, and liabilities of whatsoever nature arising out of the intentional acts, omissions or negligence of the County, its officers, agents, servants, invitees, contractors, licensees or employees in connection with this Lease.

SECTION 22. FIRE AND CASUALTY DAMAGE

Section 22.01 If either the entire Demised Premises or more than 50% of the Demised Premises is destroyed by fire or other casualty, and cannot be fully restored within thirty (30) days, this

Lease will immediately terminate. In case of partial destruction or damage in an amount less that 50% of the Demised Premises, which renders the entire Demised Premises usable for the intended purposes, as reasonably determined by either LANDLORD or the TENANT, and LANDLORD is unable to guarantee the full restoration of the Demised Premises within thirty (30) days from the date of such partial destruction or damage, either party may terminate the Lease by giving written notice to the other party within ten (10) calendar days of the fire or other casualty; if so terminated, no rent will accrue to the LANDLORD after such partial destruction or damage;

Section 22.02 As long as the County is deprived of the use of any or all of the Demised Premises on account of fire or casualty, Annual Rent shall be abated in proportion to the usable area of the Demised Premises that are rendered substantially unfit for occupancy by such fire or casualty, unless, in the County's sole judgment, such fire or casualty renders the undamaged part of the Demised Premises materially unsuitable for use by the County for the uses contemplated by this Lease, in which event the Total Annual Rent shall be abated entirely during such period of deprivation.

Section 22.03 Unless LANDLORD or County shall serve a termination notice as provided for in *Sections 22.01*, LANDLORD shall work diligently to make all repairs and restorations to the Demised Premises, with all reasonable expedition, subject to delays due to adjustment of insurance claims and Excusable Delays. After any such casualty, County shall cooperate with LANDLORD's restoration by removing from the Demised Premises as promptly as reasonably possible any of County's salvageable inventory and movable equipment, furniture, and other property as requested by LANDLORD.

Section 22.04 The parties agree that this **Section 22** constitutes an express agreement governing any case of damage or destruction of the Demised Premises by fire or other casualty, and that Section 227 of the Real Property Law of the State of New York, which provides for such contingency in the absence of an express agreement, and any other law of like import now or hereafter in force shall have no applicability.

SECTION 23. INTENTIONALLY OMITTED

SECTION 24. NEGATIVE COVENANTS

Section 24.01 County shall not use, occupy, maintain, or operate the Demised Premises, nor suffer or permit the Demised Premises or any part thereof to be used, occupied, maintained, or operated, nor bring into or keep at the Demised Premises, nor suffer or permit anything to be brought into or kept therein, which would in any way (a) violate any term, covenant, or condition of this Lease, (b) violate any restrictive covenant, operating covenant, encumbrance, or easement affecting the Demised Premises, (c) violate any Legal Requirements, (d) make void or voidable any insurance policy then in force with respect to the Demised Premises or make any such insurance unobtainable or increase the rate of any insurance with respect to the Demised Premises, (e) cause physical damage to the Demised Premises or any part thereof, (f) permit the excess accumulation of waste or refuse matter, or (g) constitute a public or private nuisance.

SECTION 25. LANDLORD'S DEFAULT REMEDIES/DAMAGES

Section 25.01 Upon the occurrence, at any time prior to, or during the Term of the Lease, in addition to any other remedy available to LANDLORD at law or in equity, of any one or more of the following events (referred to as "Events of Default"):

(i) if County shall default in the payment when due of any installment of Annual Base Rent, and any such default continues for ten (10) Business Days, except for January of each calendar year, then if such default in January continues beyond ten (10) Business Days, after LANDLORD shall give County a written notice specifying such default; or

(ii) if County defaults in the keeping, observance or performance of any covenant or agreement (other than a default of the character referred to in (i) above), and if such default continues and is not cured within thirty (30) days after LANDLORD gives County written notice specifying same, or, in the case of a default which for causes beyond County's reasonable control cannot, with reasonable diligence be cured within such period of thirty (30) days, if County shall not immediately upon the giving of such written notice, (a) advise LANDLORD of County's intention duly to institute all steps necessary to cure such default and (b) institute and thereafter diligently prosecute to completion all steps necessary to cure the same;

the following Sections shall apply and LANDLORD shall have the rights and remedies set forth herein, which rights and remedies may be exercised upon or at any time following the occurrence of an Event of Default unless, prior to such exercise, LANDLORD shall agree in writing with County that the Event(s) of Default has been cured by County in all respects.

Section 25.02 By notice to County, LANDLORD shall have the right to terminate this Lease as of a date specified in the notice of termination and in such case, County's rights, including any based on any option to renew, to the possession and use of the Demised Premises shall end absolutely as of the termination date; and this Lease shall also terminate in all respects except for the provisions hereof regarding LANDLORD's damages and County's liabilities arising prior to, out of or following the Event of Default and the ensuing termination.

Section 25.03 Unless and until LANDLORD has terminated this Lease pursuant to *Section 25.02* above, County shall remain fully liable and responsible to perform all of the covenants, and to observe all the conditions of this Lease throughout the remainder of the Term to the early termination date.

Section 25.04 LANDLORD shall have all rights and remedies now or hereafter existing at law or in equity with respect to the enforcement of County's obligations hereunder and the recovery of the Demised Premises. No right or remedy herein conferred upon or reserved to LANDLORD shall be exclusive of any other right or remedy, but shall be cumulative and in addition to all other rights and remedies given hereunder or now or hereafter existing at law.

Section 25.05 No delay or forbearance by LANDLORD in exercising any right or remedy hereunder, or LANDLORD's undertaking or performing any act or matter which is not expressly required to be undertaken by LANDLORD shall be construed, respectively, to be a waiver of LANDLORD's rights or to represent any agreement by LANDLORD to undertake or perform such act or matter thereafter. Waiver by LANDLORD of any breach by County of any covenant or condition herein contained (which waiver shall be effective only if so expressed in writing by LANDLORD) or failure by LANDLORD to exercise any right or remedy in respect of any such breach shall not constitute a waiver or relinquishment for the future of LANDLORD's right to have any such covenant or condition duly performed or observed by County, or of LANDLORD's rights arising because of any subsequent breach of any such covenant or condition nor bar any right or remedy of LANDLORD in respect of such breach or any

subsequent breach. LANDLORD's receipt and acceptance of any payment from County which is tendered not in conformity with the provisions of this Lease or following an Event of Default (regardless of any endorsement or notation on any check or any statement in any letter accompanying any payment) shall not operate as an accord and satisfaction or a waiver of the right of LANDLORD to recover any payments then owing by County which are not paid in full, or act as a bar to the termination of this Lease and the recovery of the Demised Premises because of County's previous default.

Section 25.06 County hereby expressly waives for itself and any person claiming through or under County, any and all rights of redemption granted by or under any present or future laws in the event of County being evicted or dispossessed for any cause, or in the event of LANDLORD's obtaining possession of the Demised Premises, by reason of the violation by County of any of the covenants and conditions of this Lease or otherwise.

Section 25.07 Except for the monetary obligations of either party, LANDLORD and County shall not be in default of this Lease because of such party's inability to perform the covenants and obligations set forth herein during the continuance of any period of Excusable Delays, except as may otherwise be expressly specified in this Lease.

As used in this Lease, the term "Excusable Delays" means delays arising without the fault or negligence of LANDLORD or LANDLORD's contractors, subcontractors, and suppliers, and shall include, without limitation: Acts of God or of the public enemy, fire, floods, unusual severe weather, epidemics, quarantine restrictions, strikes, labor disputes, major material shortages preventing procurement of such materials, riots, war insurrection, inaction or delay by governmental authorities, or other unforeseeable causes beyond the control and without the fault or negligence of LANDLORD, its contractors, and subcontractors.

SECTION 26. TENANT'S DEFAULT REMEDIES

Section 26.01 The covenant to pay rent and the covenant to provide any service, utility, maintenance, repair or replacements required under this Lease are interdependent. In the event of any failure by LANDLORD to provide any required service, utility, maintenance, repair or replacement, County may, subject to the notice requirements set forth in *Section 26.02* below, by contract or otherwise, perform the requirement and provide LANDLORD with a written invoice containing the resulting cost to the County, including an administrative fee in accordance with the provisions of *Section 26.03*. In the event LANLORD does not remit payment of such invoice to County, then County may deduct such amount from any payment due under this Lease, subject to the limitations set forth in *Section 26.03* below. In the event LANLDORD does not diligently defend the failure to provide the required service, utility, maintenance, repair or replacement or otherwise cure the failure. This remedy is not exclusive, but is in addition to any other remedies which may be available to TENANT under this Lease or at law.

Section 26.02 If LANDLORD shall fail to perform any of its obligations under this Lease, County may perform the same at the expense of LANDLORD (i) immediately in the case of an "Emergency," as defined below, after forty-eight (48) hours written notice; (ii) after seven (7) business days written notice if (a) such failure unreasonably interferes with the efficient operation of the Premises; or (b) such failure may result in a violation of any Legal Requirements or in the cancellation of any required insurance; or (iii) in any other case, if such failure continues after twenty (20) days from the date of the giving of written notice of County's intention to perform the same, except in the case of a failure which for causes beyond LANDLORD's reasonable control cannot with reasonable diligence be cured within such 20-day period, such 20-day period

shall be deemed extended if LANDLORD immediately upon the receipt of such notice, (a) advises County of its intention to institute all steps necessary to cure such failure and (b) institutes and thereafter diligently prosecutes to completion all steps necessary to cure the same.

An "Emergency" means any situation where the Department, in its reasonable judgment, concludes that a particular action (including, without limitation, the expenditure of funds) is immediately necessary (i) to avoid imminent material damage to all or any material portion of the Premises, (ii) to protect any Person from imminent harm, or (iii) to avoid the imminent unforeseen and unforeseeable suspension of any necessary material service in or to the Premises, the failure of which service would have a material and adverse effect on the Premises or the TENANT's ability to utilize the Premises for its intended purposes, including but not limited to, supplying heat, air-conditioning, ventilation, light and water to the Premises.

Section 26.03 If County performs any of LANDLORD's obligations under this Lease, in accordance with this **Section 26**, LANDLORD shall pay County the costs thereof, together with an administrative fee equal to five percent (5%) of the costs incurred, within thirty (30) days after receipt by LANDLORD of a written statement as to the amounts of such costs and fee. In the event LANDLORD does not remit the total amount of the costs and fee described herein within the requisite time, County may withhold such amount from the next monthly installment of Annual Rent, subject to the limitation that in no event shall the amount withheld in any month exceed seven and one-half percent (7.5%) of the next monthly installment of Annual Rent. In the event that County is limited from withholding the entire amount owed in any month, County may continue to withhold monies from each next succeeding monthly installment of Annual Rent until the total expenses of County and administrative fee are recouped from LANDLORD. No deduction from the Annual Rent shall be made where LANDLORD has submitted to County a writing disputing the alleged failure in good faith and which demonstrates that LANDLORD is taking reasonable steps to resolve the dispute expeditiously. No deduction from Annual Rent pursuant to this clause shall constitute a default by County under this Lease.

Section 26.04 No delay or forbearance by County in exercising any right or remedy hereunder, or County's undertaking or performing any act or matter which is not expressly required to be undertaken by County shall be construed, respectively, to be a waiver of County's rights or to represent any agreement by County to undertake or perform such act or matter thereafter. Waiver by County of any breach by LANDLORD of any covenant or condition herein contained (which waiver shall be effective only if so expressed in writing by County) or failure by County to exercise any right or remedy in respect of any such breach shall not constitute a waiver or relinquishment for the future of County's right to have any such covenant or condition duly performed or observed by LANDLORD, or of County's rights arising because of any subsequent breach of any such covenant or condition nor bar any right or remedy of County in respect of such breach or any subsequent breach. County's receipt and acceptance of any payment from LANDLORD which is tendered not in conformity with the provisions of this Lease or following an Event of Default (regardless of any endorsement or notation on any check or any statement in any letter accompanying any payment) shall not operate as an accord and satisfaction or a waiver of the right of County to recover any payments then owing by LANDLORD which are not paid in full, nor shall it act as a bar to the termination of this Lease.

Section 26.06 If County elects to perform any such requirement, the County and each of its contractors shall be entitled to access to any and all areas of the building, access to which is necessary to perform any such requirement, and the LANDLORD shall afford and facilitate such access. No deduction from the Annual Base Rent shall be made while LANDLORD is disputing

the alleged failure in good faith. No deduction from Annual Base Rent pursuant to this clause shall constitute a default by County under this Lease.

SECTION 27. LANDLORD'S RIGHT TO INSPECT AND REPAIR; ACCESS GENERALLY

Section 27.01 LANDLORD may, but shall not be obligated to, enter the Demised Premises at any reasonable time, on reasonable written notice to County (except that no notice need be given in case of emergency) for the purpose of inspection or the making of such repairs, replacements, and additions in, to, and about the Demised Premises, as necessary or desirable or to perform any covenant, obligation or service contemplated in this Lease. LANDLORD shall not be required to notify County in connection with any entry into the Demised Premises during normal business hours for purposes of LANDLORD's obligations under this Lease to maintain or repair the Demised Premises. LANDLORD shall provide telephonic notice at least one hour prior to entering the Demised Premises during non-business hours. Notwithstanding anything to the contrary contained in this Section, LANDLORD shall use reasonable efforts in its access of the Demised Premises to cause a minimal amount of interference with County's use of the Demised Premises.

SECTION 28. SURRENDER OF DEMISED PREMISES; HOLDOVER

Section 28.01 This Lease and the tenancy hereby created shall cease and terminate at the end of the above term, without the necessity of any further notice from either the LANDLORD or the County to terminate the same and that continued occupancy of the Demised Premises by the Lessee after the expiration of said term shall not operate to renew the Lease for said term or any part thereof.

Section 28.02 On the Expiration Date, or upon the earlier termination of this Lease, County shall, at its expense, quit, surrender, vacate, and deliver the Demised Premises to LANDLORD in good order, condition and repair, ordinary wear and tear and damage for which County is not responsible under the terms of the Lease, or damage by the elements, fire or other casualty beyond County's reasonable control excepted, together with all improvements therein. County shall, at its expense, remove from the Demised Premises all County's personal property and any personal property of Persons claiming by, through or under County, equipment, furniture, and any Alterations not approved by LANDLORD, and shall repair or pay the cost of repairing all damage to the Demised Premises occasioned by such removal. Any County's personal property or Alterations of County, which shall remain in the Demised Premises after the termination of this Lease, shall be deemed to have been abandoned and either may be retained by LANDLORD as its property or may be stored or disposed of as LANDLORD may see fit. If property not so removed shall be sold, LANDLORD may receive and retain the proceeds of such sale and apply the same, at LANDLORD's option, against the reasonable expenses of the sale, moving and storage, arrears of rent and any damages to which LANDLORD may be entitled. Any excess proceeds shall be the property of LANDLORD.

Section 28.03 If County shall remain in possession of the Demised Premises after the termination of this Lease without the execution of a new lease, County, subject to all of the other terms of this Lease insofar as the same are applicable to a month-to-month tenancy, and without waiving County's default or preventing LANDLORD from suing to obtain possession, shall be deemed to be occupying the Demised Premises as a tenant from month to month, at a monthly rental equal to one hundred and five percent (105%) of the monthly rent last payable by County hereunder.

Section 28.04 The provisions of this **Section 28** shall survive the expiration or earlier termination of this Lease.

SECTION 29. NOTICES

Section 29.01 **Operational Notices:** Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this Lease shall be in writing and shall be given to the County or LANDLORD or their designated representative, by regular or certified mail in postpaid envelope or by a nationally recognized Courier Service at the following addresses or at such other address that may be specified in writing by the parties and must be delivered as follows: (a) if to TENANT, to the Suffolk County Department of Public Works, Attention: Commissioner, 335 Yaphank Avenue, Yaphank, New York 11980; with a copy to the Suffolk County Department of Law, Attn: Suffolk County Attorney, 100 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, New York 11788-0099; and (b) if to LANDLORD, at LANDLORD's address first above set forth, or at such other address as TENANT or LANDLORD, respectively, may designate in writing.

Section 29.02 **Notices Relating to Termination and/or Litigation:** In the event LANDLORD receives a notice or claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to a lawsuit or any legal proceeding related to this Lease, LANDLORD shall immediately deliver to the County Attorney, at the address set forth above, copies of all papers filed by or against LANDLORD.

a. Any communication or notice regarding termination shall be in writing and shall be given to the County or the LANDLORD or their designated representative at the addresses set forth in *Section 29.01* or at such other addresses that may be specified in writing by the parties and shall be deemed to be duly given only if delivered: (i) personally [personal service on County must be pursuant to New York Civil Practice Law and Rules Section 311]; (ii) by nationally recognized overnight courier; or (iii) mailed by registered or certified mail in a postpaid envelope addressed: Notice shall be deemed to have been duly given (1) if delivered personally, upon acceptance or refusal thereof, (2) if by nationally recognized overnight courier, the first Business Day subsequent to transmittal and (3) if mailed by registered or certified mail, upon the seventh Business Day after the mailing thereof.

b. Any notice by either party to the other with respect to the commencement of any lawsuit or legal proceeding shall be effected pursuant to and governed by the New York Civil Practice Law and Rules or the Federal Rules of Civil Procedure, as applicable.

Section 29.03 Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

SECTION 30. SUBORDINATION, NONDISTURBANCE AND ATTORNMENT

Section 30.*01* County agrees that this Lease is subject and subordinate to any and all recorded mortgages, deeds of trust and other liens now or hereafter existing or imposed upon the Demised Premises, and to any renewal, modification or extension thereof. It is the intention of the parties that this provision shall be self-operative and that no further instrument shall be required to effect present or subsequent subordination of this Lease. County agrees, however, within fifteen (15) Business Days next following the Suffolk County Attorney's Office receipt of a written demand, to execute such instruments as LANDLORD may reasonably request to evidence further the subordination of this Lease to any existing or future mortgage, deed of trust or other security

interest pertaining to the Demised Premises, and to any water, sewer or access easement necessary or desirable to serve the Demised Premises or adjoining property owned in whole or in part by LANDLORD if such easement does not interfere with the full enjoyment of any right granted the County under this Lease, subject to the conditions stated in *Section 30.05*.

Section 30.02 No such subordination, to either existing or future mortgages, deed of trust or other lien or security instrument shall operate to affect adversely any right of the County under this Lease so long as the County is not in default under this Lease. LANDLORD will include in any future mortgage, deed of trust or other security instrument to which this Lease becomes subordinate, or in a separate nondisturbance agreement, a provision to the foregoing effect. LANDLORD warrants that the holders of all notes or other obligations secured by existing mortgages, deed of trust or other security instruments have consented to the provisions of this clause, and agrees to provide true copies of all such consents to the County promptly upon demand.

Section 30.03 In the event of any sale of the Demised Premises or any portion thereof by foreclosure of the lien of any such mortgage, deed of trust or other security instrument, or the giving of a deed in lieu of foreclosure, the County will be deemed to have attorned to any purchaser, purchasers, transferee or transferees of the Demised Premises or any portion thereof and its or their successors and assigns, and any such purchasers and transferees will be deemed to have assumed all obligations of the LANDLORD under this Lease, so as to establish direct privity of estate and contract between County and such purchasers or transferees, with the same force, effect and relative priority in time and right as if the Lease had initially been entered into between such purchasers or transferees and the County; provided, further, that such purchasers or transferees shall, with reasonable promptness following any such sale or deed delivery in lieu of foreclosure, execute all such revisions to this Lease, or other writings, as shall be necessary to document the foregoing relationship.

Section 30.04 Within twenty (20) days next following the County's receipt of a joint written request from LANDLORD and a prospective lender of purchaser of the Demised Premises, or at any other time as may be requested by LANDLORD, the County Attorney's Office shall execute and deliver to LANDLORD a letter stating that the same is issued subject to the conditions stated in *Section 30.05*, and, if such is the case, that (1) the Lease is in full force and effect; (2) the date to which the rent and other charges have been paid in advance, if any; and (3) whether any notice of default has been issued.

Section 30.05 Letters issued pursuant to *Section 30.04* are subject to the following conditions: (1) that they are based solely upon a reasonably diligent review of the County's Lease file as of the date of issuance; (2) that the County shall not be held liable because of any defect in or condition of the Demised Premises; (3) that the County does not warrant or represent that the Demised Premises comply with applicable Federal, State and local law; and (4) that the LANDLORD, and each prospective lender and purchaser are deemed to have constructive notice of such facts as would be ascertainable by reasonable pre-purchase and pre-commitment inspection of the Demised Premises and by inquiry to appropriate Federal, State, and local government officials.

SECTION 31. ASSIGNMENT AND SUBLETTING

Section 31.01 County shall not assign, sublet, or otherwise transfer any portion of the Demised Premises or this Lease without the prior written consent of LANDLORD, which consent shall not

be unreasonably withheld or delayed, and upon such reasonable terms and conditions that may then be imposed by LANDLORD. Use of the Demised Premises by another County Department or Agency shall not be deemed an assignment, sublet or other transfer of the Demised Premises for purposes of this **Section 31**. LANDLORD's requirement of the same or substantially similar use shall be deemed reasonable.

SECTION 32. LANDLORD'S RIGHT TO SHOW PREMISES

Section 32.01 LANDLORD may, at any time, show the Demised Premises to prospective purchasers and mortgagees and, during the four (4) months prior to the expiration of this Lease, to prospective tenants, during "Business Hours," as that term is defined below, upon reasonable notice to County or by other special arrangement between LANDLORD and County.

For the purposes of this Lease, the term "Business Hours" means from 8:30 a.m. to 5:30 p.m. during Business Days.

SECTION 33. EMINENT DOMAIN

Section 33.01 If the Demised Premises, or any part thereof, or any estate therein, or any substantial other part of the building materially affecting County's use of the Demised Premises, including parking area, be taken by virtue of eminent domain, this Lease shall terminate on the date when title vests pursuant to such taking, rent shall be apportioned as of said date and any Annual Rent paid for any period beyond said date shall be repaid to County. County shall not be entitled to any part of the award or any payment in lieu thereof; however, County may file a claim for any taking of fixtures and improvements owned by County, and for moving expenses.

Section 33.02 County shall have the right to make a claim against the condemning authority for any taking of County's personal property and for business interruption, moving and related expenses, provided County shall make a separate claim therefore which shall not impair LANDLORD's claim or recovery.

Section 33.03 Notwithstanding the foregoing, if all or any portion of the Demised Premises shall be condemned or taken for governmental occupancy for a limited period of time, this Lease shall continue in full force and effect (with an abatement of Annual Rent, as applicable). If the termination of such governmental occupancy is prior to expiration of this Lease, LANDLORD shall restore the Premises as nearly as possible to its condition prior to the condemnation or taking.

SECTION 34. ENVIRONMENTAL RESPONSIBILITIES

Section 34.01 County shall not use or suffer the use of all or any part of the Demised Premises to treat, generate, store, dispose of, transfer, release, convey or recover any "Hazardous Substances," as that term is defined below. County shall immediately notify LANDLORD of the presence or suspected presence of any Hazardous Substance on or about the Demised Premises and shall deliver to LANDLORD any notice received by County with respect to any Hazardous Substance relating thereto.

For purposes of this Lease, the term "Hazardous Substance" means (i) asbestos and any asbestos containing material and any substance that is listed in, or otherwise classified pursuant to any "Environmental Laws," as that term is defined below, or any applicable laws or regulations as

"hazardous substance", "hazardous material", "hazardous waste", "infectious waste", toxic substance", "toxic pollutant", or any other formulation intended to define, list or classify substances by reason of deleterious properties such as ignitability, corrosivity, reactivity, carcinogenicity, toxicity, reproductive toxicity, or "EP toxicity", (ii) any petroleum and drilling fluids, produced waters, and other wastes associated with the exploration, development or production of crude oil, natural gas, or geothermal resources and (iii) petroleum product, polychlorinated biphenyls, urea formaldehyde, radon gas, radioactive matter, and medical waste. "Hazardous Substance" shall not include normal cleaning and personal household products being used in their intended manner and otherwise in a manner that is in compliance with Environmental Laws.

"Environmental Laws" means any and all present and future federal, state, and local laws, ordinances, rules, regulations, decisions, and standards relating to protection of human health and the environment, including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. 9601 et.seq. ("CERCLA"); the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6901 et.seq. ("RCRA"); the Occupational Safety and Health Act) 29 U.S.C. 651 et.seq. ("OSHA"). Environmental Laws shall also include, but are not limited to, any requirements relating to underground storage tanks, the storage and use of gasoline, diesel fuel, waste oil or other petroleum products.

Section 34.02 LANDLORD represents and warrants that to LANDLORD's actual knowledge, the Demised Premises has not been used for the generation, treatment, storage, or disposal of hazardous waste and LANDLORD certifies that. to LANDLORD's actual knowledge, the Demised Premises comply with all applicable Federal, State, and local regulations concerning the provision of a safe work environment free from environmental contaminants and hazards.

Section 34.03 Except to the extent the same are the obligations of County under the Lease, LANDLORD shall comply with all Environmental Laws affecting or related to its use or ownership of the Demised Premises, including but not limited to, the construction or demolition of any improvement thereon, and shall give County prompt notice of any lack of compliance with any of the foregoing of which it obtains knowledge and of any notice it receives of the alleged non-compliance with Environmental Laws. County shall cooperate with LANDLORD's efforts hereunder; provided, however, that County shall not be required to incur any out of pocket costs in so doing. LANDLORD shall indemnify TENANT against all claims, losses, costs, expenses, fines, penalties and damages which may be imposed by reason of, or arising out of LANDLORD's failure to fully and promptly comply with the provisions of this Section.

Section 34.04 Subject to the provisions of *Section 32.02*, County, at its expense, shall comply with all Environmental Laws applicable to the Demises Premises and shall give LANDLORD prompt notice of any lack of compliance with any of the foregoing and of any notice it receives of the alleged violation of any Environmental Laws. LANDLORD shall cooperate with County's efforts hereunder.

Section 34.05 The provisions of this **Section 34** shall survive the expiration or earlier termination of this Lease.

SECTION 35. SIGNAGE

Section 35.01 County may install, subject to LANDLORD's prior written consent, which shall not be reasonably withheld, on the building or elsewhere on the Premises, identifying signs which

shall be erected and maintained by County, at County's sole cost and expense. No electrified or neon signs shall be permitted. Any such identifying signs shall be removed by County at the termination of the Lease and any damage repaired.

SECTION 36. QUIET ENJOYMENT

Section 36.01 LANDLORD covenants that if and so long as County pays Annual Rent and Expenses, and fully and faithfully performs the covenants hereof, County shall peaceably and quietly have, hold and enjoy the Demised Premises for the Term, subject to the provisions of this Lease.

SECTION 37. NO IMPLIED WAIVER

Section 37.01 No failure or delay by either party to insist upon the strict performance of any provision of this Lease, or to exercise any right, power or remedy consequent upon a breach thereof, and no acceptance of full or partial rent or other performance by either party during the continuance of such breach shall constitute a waiver of any such provision.

SECTION 38. SUFFOLK COUNTY LEGISLATIVE REQUIREMENTS

Section 38.01 The parties agree to be bound by the terms of Suffolk County Legislative Requirements, annexed hereto as **Exhibit C** and made a part hereof.

SECTION 39. ADDITIONAL DISCLOSURE REQUIREMENTS

Section 39.01 In addition to the requirements set forth under **Exhibit C (1)**, LANDLORD represents and warrants that it shall submit to County verified Public Disclosure Statements ("Statements") required pursuant to the Land Acquisition Public Disclosure Law of Suffolk County (S.C. Code Chapter 342. An updated Land Acquisition Public Disclosure Statements shall be submitted whenever there is a change in any information required pursuant to S.C. Code § 342-6.

Section 39.02 LANDLORD acknowledges that the filing of these statements is a material, contractual and statutory duty and that failure to file the statements shall constitute a material breach of this Lease, for which County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of five percent (5%) of the amount of the Annual Rent for the year in which the breach has occurred; provided, however, no penalty shall be due unless and until LANDLORD has received a written notice of failure to file the requisite forms and fifteen (15) Business Days to cure. No breach shall be deemed to have occurred in the event that County has failed to provide the requisite forms to be completed by LANDLORD upon LANDLORD's request for same. In any event, County agrees to provide LANDLORD with written notice of any anticipated or actual breach of this **Section 39**.

Section 39.03 LANDLORD agrees to notify County in writing prior to any transfer of title or conveyance by operation of law. In the event of a transfer of title or a conveyance by operation of law which results in a conflict of interest under State or local law, County shall have the right to cancel this Lease upon three (3) months notice to LANDLORD from the date of County's discovery of such transfer or conveyance, unless the consent of the County to such transfer is obtained prior thereto, which consent shall not be unreasonably withheld. Such consent shall not be required for (i) a transfer between current owners or their spouses, children, or trusts or entities

for the benefit of such persons; or (ii) any financial institution or mortgagee following a foreclosure or deed-in-lieu of foreclosure. Incident to such application for consent, new Statements, and an affirmation of the provisions of Local Law No. 32-1980 (relating to the offering of gratuities) shall be submitted by the proposed new owner, in accordance with the requirements of the County by registered or certified mail, return receipt requested, addressed to the Suffolk County Department of Law, H. Lee Dennison Building, 100 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, New York 11788 or such other address as County may designate in writing. The failure of the County to object to such proposed transfer by notice delivered either personally or by nationally recognized overnight courier to LANDLORD within ten (10) business days of receipt of such application shall constitute consent on the part of the County.

SECTION 40. COOPERATION ON CLAIMS

Section 40.01 Each of the parties hereto agrees to render diligently to the other party, without additional compensation, any and all cooperation, that may be required to defend the other party, its employees and designated representatives against any claim, demand or action that may be brought against the other party, its employees or designated representatives in connection with this Lease.

SECTION 41. MISCELLANEOUS

Section 41.01 Neither LANDLORD nor County shall be permitted to record this Lease or a memorandum thereof.

Section 41.02 References contained herein to Sections, Exhibits and Schedules shall be deemed to be references to the Articles, Exhibits, and Schedules of and to this Lease unless specified to the contrary.

SECTION 42. NOT A CO-PARTNERSHIP OR JOINT VENTURE

Section 42.01 Nothing herein contained shall create or be construed as creating a co-partnership or joint venture between the County and LANDLORD or to constitute the LANDLORD as an agent or employee of the County.

SECTION 43. BROKER

Section 43.01 County hereby represents and warrants to Landlord that it has not dealt with any broker or finder in connection with this Lease except Corporate Realty Services, LLC and agrees to indemnify and hold harmless the Landlord from any claim, demand or judgment which may be made or obtained as a result of any breach of the foregoing warranty.

Section 43.02 LANDLORD agrees to indemnify and hold harmless TENANT against any claim, .0demand and judgment which may be made or obtained against TENANT by any broker claiming a commission for bringing about this Lease. TENANT shall forthwith notify LANDLORD of any such claim, demand, or legal action and LANDLORD shall defend TENANT against any such claim, demand or legal action at no cost to TENANT.

SECTION 44. CERTIFICATION

Section 44.01 The parties to this Lease hereby certify that, other than the funds provided in this Lease and other valid agreements with the County, there is no known relationship within the third degree of consanguinity, life partner, or business, commercial, economic, or financial relationship between the parties, the signatories to this Lease, and any partners, members, directors, or shareholders of more than five per cent (5%) of any party to this Lease.

SECTION 45. NOT IN DEFAULT

Section 45.01 LANDLORD warrants that, as of the date hereof, it is not in arrears to the County upon debt or contract and is not in default as a surety, contractor or otherwise on any obligation to or contract with the County.

SECTION 46. GOVERNING LAW

Section 46.01 This Lease shall be governed by the laws of the State of New York. In the event of any dispute or litigation, the venue of any proceeding to determine the rights and liabilities of the respective parties arising under this Agreement shall be in the New York Supreme Court, Suffolk County; or, in the event of a proceeding in the federal courts, in the District Court for the Eastern District of New York.

SECTION 47. WAIVER OF TRIAL BY JURY

Section 47.01 It is mutually agreed by and between LANDLORD and County that the respective parties hereto shall and they hereby do waive any right to trial by jury in any action, proceeding or in any other matter in any way connected with this Lease, the relationship of LANDLORD and County, the Demised Premises, and/or any claim of injury or damage, or for the enforcement of any remedy under any statute, emergency or otherwise.

SECTION 48. INTENTIONALLY OMITTED

SECTION 48. SUCCESSORS BOUND

Section 49.01 This Lease shall bind, and inure to the benefit of, the parties and their respective heirs, executors, administrators, successors and assigns.

SECTION 49. TENANT REPRESENTATIVES

Section 50.01 It is expressly understood and agreed by and between the parties hereto that the officers, officials, employees and agents of the County are acting in a representative capacity for the County of Suffolk and not for their own benefit, and that LANDLORD shall not have any claim against them or any of them as individuals in any event whatsoever.

SECTION 50. INDEPENDENT CONTRACTOR

Section 50.01 It is expressly agreed that LANDLORD's status hereunder is that of an independent contractor. Neither the LANDLORD, nor any person hired by LANDLORD shall be considered employees of the County for any purpose.

SECTION 51. EXECUTION BY LANDLORD

Section 51.01 When the LANDLORD is a partnership, the names of the partners composing the firm must be stated in the Statements required under **Section 1** of **Exhibit C** of this Lease. The Lease must be signed with the partnership name, followed by the name of the partner signing the Lease.

Section 51.02 Where the LANDLORD is a corporation, the Lease must be signed with the corporate name, followed by the signature and title of the officer or other authorized person signing the Lease on its behalf, and if requested by the County, the corporate seal.

Section 51.03 LANDLORD warrants that its entry into this Lease was duly considered and authorized by its organizational body and pursuant to its by-laws and/or internal procedures.

SECTION 52. SUFFOLK COUNTY LAWS

Section 52.01 Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County web site at **http://legis.suffolkcountyny.gov/.** Click on **"Search the Laws of Suffolk County."**

SECTION 53. APPROPRIATION OF FUNDS

Section 53.01 It is understood by the parties hereto that this Lease is made subject to the amount of funds appropriated therefor and any subsequent modifications thereof for the period of this Lease by the Suffolk County Legislature, and no liability on account thereof shall be incurred by the TENANT beyond the amount of funds appropriated.

Section 53.02 The TENANT reasonably believes that funds can be obtained sufficient to pay Annual Base Rent during each year of the Term of this Lease and hereby covenants that it will do all things lawfully within its power to obtain, maintain, and properly request and pursue funds from which Annual Base Rent may be paid, including making provisions for such payments to the extent necessary in each budget submitted for the purpose of obtaining funding, using its bona fide best efforts to have such portion of the budget approved. It is the TENANT's intent to pay Annual Base Rent each year, for the full Term of this Lease, if funds are legally available therefore and, in that regard, the TENANT represents that the use of the Demised Premises are necessary to its proper, efficient and economic operation. LANDLORD and TENANT understand and intend that the obligation of the TENANT to pay Annual Base Rent hereunder shall constitute a current expense of the TENANT and shall not in any way be construed to be a debt of the TENANT in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness by the TENANT, nor shall anything contained herein constitute a pledge of the general tax revenues, funds or monies of the TENANT.

Section 53.03 Notwithstanding anything contained in this Lease to the contrary, in the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable by any means whatsoever in any fiscal period for payment of Annual Base Rent due under this Lease, TENANT shall immediately notify LANDLORD or its assignee of such occurrence and this Lease shall terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to the TENANT of any kind whatsoever, except as the portions of Annual Base Rent herein agreed upon for which funds have been appropriated and budgeted. In

the event of such termination, TENANT agrees to peacefully surrender possession of the Demised Premises to LANDLORD or its assignee on the date of such termination. LANDLORD will have all legal and equitable rights and remedies to take possession of the Demised Premises. Notwithstanding the foregoing, TENANT agrees:

i) that it will not cancel this Lease under the provisions of this Section if any funds are appropriated to it, or by it, for the acquisition, retention or operation of the Demised Premises for the fiscal period in which such termination occurs or the next succeeding fiscal period thereafter, and

ii) that it will not during the Term give priority in the application of funds to any other functionally similar premises.

iii) This paragraph will not be construed so as to permit the TENANT to terminate this Lease in order to acquire or lease any other premises or to allocate fund directly or indirectly to perform essentially the same application for which the Demised Premises are intended.

SECTION 54. IDENTIFICATION NUMBER

All invoices or vouchers submitted to the TENANT for payment of rent and/or Expenses must include the payee's (LANDLORD's) identification number. The number is either the LANDLORD's Federal employer identification number or Federal social security number, or both such numbers when the payee has both such umbers. Failure to include this number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on his invoice or Standard voucher, must give the reason or reasons why the payee does not have such number or numbers.

SECTION 55. PARAGRAPH HEADINGS

The paragraph headings in this Lease are included for convenience only and shall not be taken into consideration in any construction or interpretation of this Lease or any of its provisions.

SECTION 56. SEVERABILITY

It is expressly agreed that if any term or provision of this Lease and/or any amendment hereto, or the application thereof to any person or circumstances, shall be held invalid or unenforceable to any extent, the remainder of this Lease and any amendment hereto, or the application of such term or provisions to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this Lease and any amendment hereto shall be valid and shall be enforced to the fullest extent permitted by law.

SECTION 57. ENTIRE AGREEMENT

It is expressly agreed that this instrument represents the entire agreement of the parties and that all previous understandings are merged in this Lease; and that no modifications hereof shall be valid unless written evidence thereof shall be executed by the parties thereto.

SECTION 58. NO ORAL CHANGES

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

SECTION 59. INTERPRETATION

This Lease is to be construed and interpreted without regard to any presumption or other rule requiring construction or interpretation against the party causing this Lease to be drafted.

IN WITNESS WHEREOF, the parties hereto have caused this Lease to be executed and delivered as of the date first set forth above.

LANDLORD

RND Pinehurst Drive, LLC

By: _____
Name: Robert Affenita
Title: Principal
Date: _____
Federal ID No. _____

TENANT

COUNTY OF SUFFOLK

By: _____
Name: Dennis M. Cohen
Title: Chief Deputy County Executive

Date: _____

APPROVED AS TO LEGALITY:
Paul J. Margiotta
Acting County Attorney

By: _____
Basia Deren Braddish
Title: Assistant County Attorney
Date: _____

RECOMMENDED
SPACE MANAGEMENT STEERING COMMITTEE

By: _____
Name: Gerald Anderus
Title: Chairperson
Date: _____

RECOMMENDED
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

By: _____
Name: Jill Rosen-Nikoloff
Director

ACKNOWLEDEMENTS FOLLOW

ACKNOWLEDGEMENT

STATE OF NEW YORK}
SS:
COUNTY OF SUFFOLK}

On the ____ day of _____ in the year 2013 before me, the undersigned, personally appeared _____, personally known to me or provided to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individuals(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

ACKNOWLEDGEMENT

STATE OF NEW YORK}
SS:
COUNTY OF SUFFOLK}

On the ____ day of _____ in the year 2013 before me, the undersigned, personally appeared *Dennis M. Cohen, Chief Deputy County Executive* personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individuals(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

EXHIBIT A

EXHIBIT B
Summary of Landlord-Tenant Responsibilities – Rev 1/09

ITEM	LANDLORD	TENANT
1) UTILITIES – Usage		
A) OIL	N/A	N/A
B) GAS (In accordance with Section 6.)	X	
C) WATER	X	
D) ELECTRICITY (In accordance with Section 6.)	X	
E) SEWER CHARGES/TAXES	X	
2) H.V.A.C. EQUIPMENT	X	
A) REPAIR & REPLACE	X	
B) ORDINARY PREVENTIVE MAINTENANCE	X	
C) CHANGE AIR FILTER: QUARTERLY	X	
3) ELECTRIC EQUIPMENT	X	
A) REPAIR & REPLACE	X	
B) INTERIOR LAMP & BALLAST REPLACEMENT	X	
C) EMERGENCY LIGHTING AND EXIT LIGHTING	X	
D) PARKING FIELD & EXTERIOR BULDING LIGHTING	X	
E) PARKING FIELD LAMP REPLACEMENT	X	
4) PLUMBING	X	
A) REPAIR & REPLACE	X	
B) ORDINARY PREVENTIVE MAINTENANCE	X	
C) CLEAN OUT: DRAINAGE STRUCTURES & SYSTEMS	X	
D) CLEAN OUT: SEWAGE STRUCTURES & SYSTEMS	X	
5) STRUCTURAL REPAIRS	X	
A) REPAIR: SIDEWALKS, CURBS, RAMPS, DRIVEWAYS, PARKING AREAS, ROOF & ROOFING, INTERIOR (DUE TO FAULTY CONSTRUCTION), DRAINAGE STRUCTURES &	X	

ITEM	LANDLORD	TENANT
SYSTEMS, SEWAGE STRUCTURES & SYSTEMS		
B) Repair: BUILDING ENVELOPE	X	
6) CUSTODIAL – in accordance with Lease terms		X
7) CLEAN WINDOWS – EXTERIOR, 1X/year	X	
8) SHAMPOO CARPETS AND WAX FLOORS (as needed)	N/A	
9) CARTAGE		X
A) MEDICAL WASTE	N/A	
10) SNOW & ICE REMOVAL TO PARKING AREAS, DRIVES, RAMPS & WALKS	X	
11) GROUNDS MAINTENANCE	X	
A) GRASS & LANDSCAPING MAINTENANCE	X	
B) IRRIGATION OF GRASS & LANDSCAPING	X	
C) PARKING FIELD	X	
D) PARKING FIELD SWEEPING AND DEBRIS REMOVAL	X	
12) REPAIRS & MAINTENANCE OF COMMON USE AREAS	X	
13) INTERIOR MAINTENANCE AND REPAIRS (NOT CAUSED BY TENANT MISUSE, ABUSE OR NEGLECT)	X	
14) GLAZING (NOT CAUSED BY TENANT DAMAGE)	X	
15) TAXES	X	
16) VERMIN AND RODENT EXTERMINATION	X	
17) FIRE SPRINKLERS & RPZ – MAINTENANCE AND TESTING	X	
18) FIRE AND SECURITY ALARM – INSTALLATION, MAINTENANCE AND REPAIR	X	
19) FRES CONNECTION – MAINTENANCE AND REPAIR	X	
20) FIRE EXTINGUISHERS – INSTALLATION AND MAINTENANCE	X	
21) FLAG POLE	N/A	
22) ELEVATOR REPAIR AND MAINTENANCE	N/A	

EXHIBIT C

SUFFOLK COUNTY LEGISLATIVE REQUIREMENTS

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

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

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

Required Form:
Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. **Living Wage Law**

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

This Contract is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply, all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk.

Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate the Contract and to seek other remedies as set forth therein, for violations of this Law.

Required Forms:

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

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

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

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

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

a. The Contractor shall not use County funds to assist, promote, or deter union organizing.

b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.

c. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If the Services are performed on County property, the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement,

COUNTY OF SUFFOLK

JOSEPH F. WILLIAMS
COMMISSIONER

JOHN G. JORDAN SR.
DEPUTY COMMISSIONER

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

EDWARD K. SPRINGER
CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER
DIRECTOR OF EMERGENCY PREPAREDNESS

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES

TO: Jon Schneider
Deputy County Executive

FROM: Joseph F. Williams
Commissioner

DATE: February 26, 2013

SUBJECT: REQUEST FOR RESOLUTION AUTHORIZING WAREHOUSE LEASE

Attached for further processing is an introductory resolution for the lease of warehouse space to be funded 100% by federal grant funds at 15 Pinehurst Drive, Bellport, NY for a one year period with two (2) one-year extension options. Further details can be found in the attached copy of the proposed lease.

If you have any questions, please contact me.

JFW:smn

Attachments

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations

PO BOX 127 – YAPHANK AVENUE
YAPHANK, NEW YORK 11980-0127

COMMISSIONER'S OFFICE: (631) 852-4850
FIRE MARSHAL'S OFFICE: (631) 852-4855
EMERGENCY MGMT OFFICE: (631) 852-4900
COMM. CENTER (24-HOUR): (631) 852-4815
FAX: (631) 852-4861

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1192

1. Type of Legislation

Resolution ____ Local Law ____ Charter Law X

2. Title of Proposed Legislation

RESOLUTION NO. -2013, AUTHORIZING THE LEASE OF PREMISES LOCATED AT 15 PINEHURST DRIVE, BELLPORT NY FOR USE BY SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES

3. Purpose of Proposed Legislation

SEE #2 ABOVE

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

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

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

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

100% percent of the funding will come from the UASI grants (reimbursed). There will be no general fund expense for this lease.

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

N.A.

8. Proposed Source of Funding

UASI 2010, 2011, and 2012 Grant Funds.

9. Timing of Impact

Upon adoption and lease execution

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E Paglia Jr. Asst Executive Analyst		February 25, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1192

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.

To be completed by the Executive Budget Office

Introduced by Presiding Officer Lindsay Laid on Table 3/5/2013

MOTION NO. 4-2013, PROCEDURAL RESOLUTION APPORTIONING MORTGAGE TAX BY: COUNTY TREASURER

1st **RESOLVED**, that the joint reports of the Recording Officer and the County Treasurer as filed with this Legislature on February 22, 2013 relative to the distribution of mortgage taxes for the three month period ending December 31, 2012, be accepted and that the amounts specified therein as Exhibit "A" be fixed and determined as the amounts due the Towns and Villages respectively; and be it further

2nd **RESOLVED**, that the Presiding Officer and Clerk of this Legislature be authorized to execute and deliver to the County Treasurer a warrant of this Legislature directing her to make the payments therein specified in the report in accordance with the provisions of Section 261 of the Tax Law.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §C2-15(A) OF THE SUFFOLK COUNTY CHARTER AND CHAPTER 86 OF THE SUFFOLK COUNTY CODE

EXHIBIT A

OFFICE OF THE COUNTY LEGISLATURE
Riverhead, New York

TO THE TREASURER OF SUFFOLK COUNTY:

Pursuant to the authority conferred by Section 261 of the New york State Tax Law and a resolution adopted this day relative to the distribution of the mortgage taxes to the several tax districts of this County of the three month period ending December 31, 2012, the County Legislature of this County this day assembled herby directs you to pay the Supervisors of the several Towns and to the Treasurers of the several villages, as herein after specified, such sums as are listed in the schedule following:

To the Supervisors of the Towns of:	
Babylon	$941,786.93
Brookhaven	2,050,609.16
East Hampton	1,034,971.00
Huntington	1,547,822.12
Islip	1,482,569.27
Riverhead	250,289.00
Shelter Island	77,926.72
Smithtown	864,146.75
Southampton	1,279,587.84
Southold	268,284.15
TOTAL TOWNS	**$9,797,992.94**

To the Treasurers of the Village of:	
Amityville	$30,709.15
Babylon	39,180.41
Lindenhurst	61,994.86
Belle Terre	5,623.84
Bellport	9,737.83
Lake Grove	31,722.54
Mastic Beach	21,577.96
Old Field	8,491.03
Patchogue	22,433.47
Poquott	4,204.62
Port Jefferson	53,948.22
Shoreham	2,281.37
East Hampton	128,872.84
Sag Harbor	13,679.29
Asharoken	6,801.38
Huntington Bay	10,621.15
Lloyd Harbor	35,051.75
Northport	27,216.90
Brightwaters	10,607.10
Islandia	22,008.82
Ocean Beach	7,517.45
Saltaire	8,345.74
Dering Harbor	1,601.54
Head of the Harbor	10,759.48
Nissequogue	13,813.48
Village of the Branch	9,250.89
North Haven	22,085.78
Quogue	46,811.21
Sagaponack	63,492.91
Sag Harbor	18,077.04
Southampton	163,105.44
Westhampton Beach	40,650.37
Westhampton Dunes	7,766.30
Greenport	6,358.53
TOTAL VILLAGES	**$966,400.69**
GRAND TOTAL	**$10,764,393.63**

Presiding Officer, County Legislature

Clerk, County Legislature

DATED:

Introduced by Legislator Schneiderman Laid on Table 3/5/2013

PROCEDURAL RESOLUTION NO. 5-2013, CALLING FOR A PUBLIC HEARING FOR THE CONSENT TO THE ACQUISITION OF ADDITIONAL LAND AT SAG HARBOR – EAST HAMPTON TURNPIKE (NYS ROUTE 114), TOWN OF EAST HAMPTON, COUNTY OF SUFFOLK, STATE OF NEW YORK, BY TEMPLE ADAS ISRAEL FOR CEMETERY EXPANSION PURPOSES

WHEREAS, a petition, dated February 19, 2013, attached hereto and made a part hereof, has been filed with the Suffolk County Legislature by Temple Adas Israel, pursuant to 451 of the NEW YORK REAL PROPERTY LAW and Section 1506(c) of the NEW YORK NOT-FOR-PROFIT CORPORATION LAW, requesting permission of the Suffolk County Legislature to expand its existing cemetery situated on the Sag Harbor – East Hampton Turnpike (NYS Route 114) in the Town of East Hampton, County of Suffolk, by the acquisition of a 1.00 acre parcel of land located to the west of the existing cemetery at the end of Six Pole Highway Sag Harbor, New York; and

WHEREAS, Section 1506(c) of the NEW YORK NOT-FOR-PROFIT CORPORATION LAW requires that a public hearing be held prior to the consent to acquisition of land for cemetery purposes and that Public Notice of said hearing be published for six (6) consecutive weeks in the official County newspapers; now, therefore be it

1st **RESOLVED**, that a public hearing with regard to said petition shall be held at the, Suffolk County Legislative Auditorium located at the Maxine S. Postal Legislative Auditorium, Center Drive, Riverhead, New York on April 23, 2013 at 2:30 p.m., and that the Clerk of the County Legislature shall cause to be published in six (6) successive issues of the official newspapers published in the County of Suffolk, at the petitioner's cost and expense, a notice of the time and place of said public hearing, which time shall be after the completion of said publications, and that at said public hearing the County Legislature shall afford a reasonable opportunity to all interested parties to make objections thereto, suggest changes therein, or be heard thereon.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\procedural resolution\pm-public-hearing-temple-adas-israel-cemetery

MILES B. ANDERSON
ATTORNEY
16 ROUND POND LANE
SAG HARBOR, NEW YORK 11963

Admitted to practice:
State of New York
District of Columbia

Telephone (631) 725-4400
Facsimile (631) 725-2223
E-Mail mbalaw@optimum.net

February 19, 2013

RECEIVED
2013 FEB 22 A 9:47
COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
HAUPPAUGE

Mr. Tim Laube, Clerk
Suffolk County Legislature
W.H. Rogers Legislature Bldg.
725 Veterans Memorial Hwy
Smithtown, NY 11787

Re: Temple Adas Israel

Dear Mr. Laube:

I am pleased to submit on behalf of my client, Temple Adas Israel of Sag Harbor, an application to acquire additional property to expand an existing cemetery at the end of Six Pole Highway in the Town of East Hampton. The principal entrance to the existing cemetery is on the Sag Harbor-East Hampton Turnpike (NYS Route 114), just outside the village of Sag Harbor.

Please contact me directly if there are any additional documents you may require.

Yours very truly,

Miles B Anderson

MBA:/s
Enclosures
cc: Hon. Jay Schneiderman
Mr. Howard Chwatsky

TO THE SUFFOLK COUNTY LEGISLATURE
Application for Consent to Acquire Lands for Cemetery Purposes

Temple Adas Israel, by its attorney Miles B. Anderson, hereby requests that the Suffolk County Legislature consent to the Temple's use and acquisition of certain lands for cemetery purposes, pursuant to Section 7 of the Religious Corporations Law and Section 451 of the Real Property Law, and in support of its request, respectfully shows:

1. Petitioner is a religious corporation incorporated on May 2, 1918 under the Laws of the State of New York, with offices located at 42 Atlantic Avenue, Sag Harbor, Town of East Hampton, County of Suffolk, State of New York.

2. Petitioner now maintains and has under its care a public cemetery situated on the Sag Harbor – East Hampton Turnpike (NYS Route 114) to the south of the Village of Sag Harbor, New York, and in connection therewith owns and maintains approximately 6.2 acres of land for cemetery purposes.

3. Petitioner, by Agreement dated September 20, 2011 contracted to acquire certain additional land it wishes to use for cemetery purposes, consisting of a parcel of one (1.00) acre to the west of the existing cemetery Sag Harbor, New York located at the end of Six Pole Highway and more particularly shown on Exhibit A annexed hereto.

4. It is appropriate and necessary that the lands described above be acquired and used for cemetery purposes. At present, the cemetery is near capacity.

5. The use of the lands now sought to be acquired and set apart for cemetery purposes will be entirely consistent with the public health and welfare. The lands are situated adjoining a preserved parcel acquired by the Town of East Hampton in 2011.

6. Petitioner will comply with any and all reasonable regulations imposed in connection with the use of such lands for cemetery purposes.

7. This application has been authorized by a resolution of the Board of Trustees of the Temple Adas Israel, passed on February 10, 2013

Dated: February 19, 2013

Miles B Anderson, Esq.

Temple Adas Israel
By: Miles B. Anderson, attorney for
Temple Adas Israel

k:\temple adas israel\cemetery\2012 expansion\permit applications\county\application - final.doc

RESOLUTION OF THE BOARD OF TRUSTEES
of
TEMPLE ADAS ISRAEL

WHEREAS, TEMPLE ADAS ISRAEL (the "Temple") maintains and has under its care a public cemetery situated in Sag Harbor, Town of East Hampton, County of Suffolk State of New York; and

WHEREAS, the Temple determined that it had a need to acquire additional land for cemetery purposes; and

WHEREAS, by agreement dated September 20, 2011 by and between the 11963, Inc. and the Temple, a copy of which is annexed hereto as Exhibit A, the Association contracted to acquire additional land that it desires to use for cemetery purposes, consisting of a 1-acre parcel of land, located at the end of Six Pole Highway, Sag Harbor, New York Suffolk County Tax Map # 0300-111.00-02.00-p/o 004.000 as shown on Exhibit B annexed hereto; and

WHEREAS, the Temple has the ability to acquire property for cemetery use pursuant to Religious Corporations Law §7; and

WHEREAS, the Association desires to acquire the lands above described for cemetery purposes; and

WHEREAS, the Association must obtain the approval of the Suffolk County Legislature to acquire any real property by deed, devise, or otherwise to use for cemetery purposes, pursuant to Religious Corporations Law §7, and

NOW, after due deliberation;

IT IS THEREFORE RESOLVED that the Board of Trustees of Temple Adas Israel (hereinafter, "the Board") hereby authorizes the Temple to make application to the Suffolk County Legislature for its consent to use and acquire the aforementioned property for cemetery purposes; and

IT IS FURTHER RESOLVED, that the Board authorizes Miles B. Anderson, 16 Round Pond Lane, Sag Harbor, New York to represent the Temple in its application to the Suffolk County Legislature for approval of its use and acquisition of the subject property.

Dated: February 10, 2013

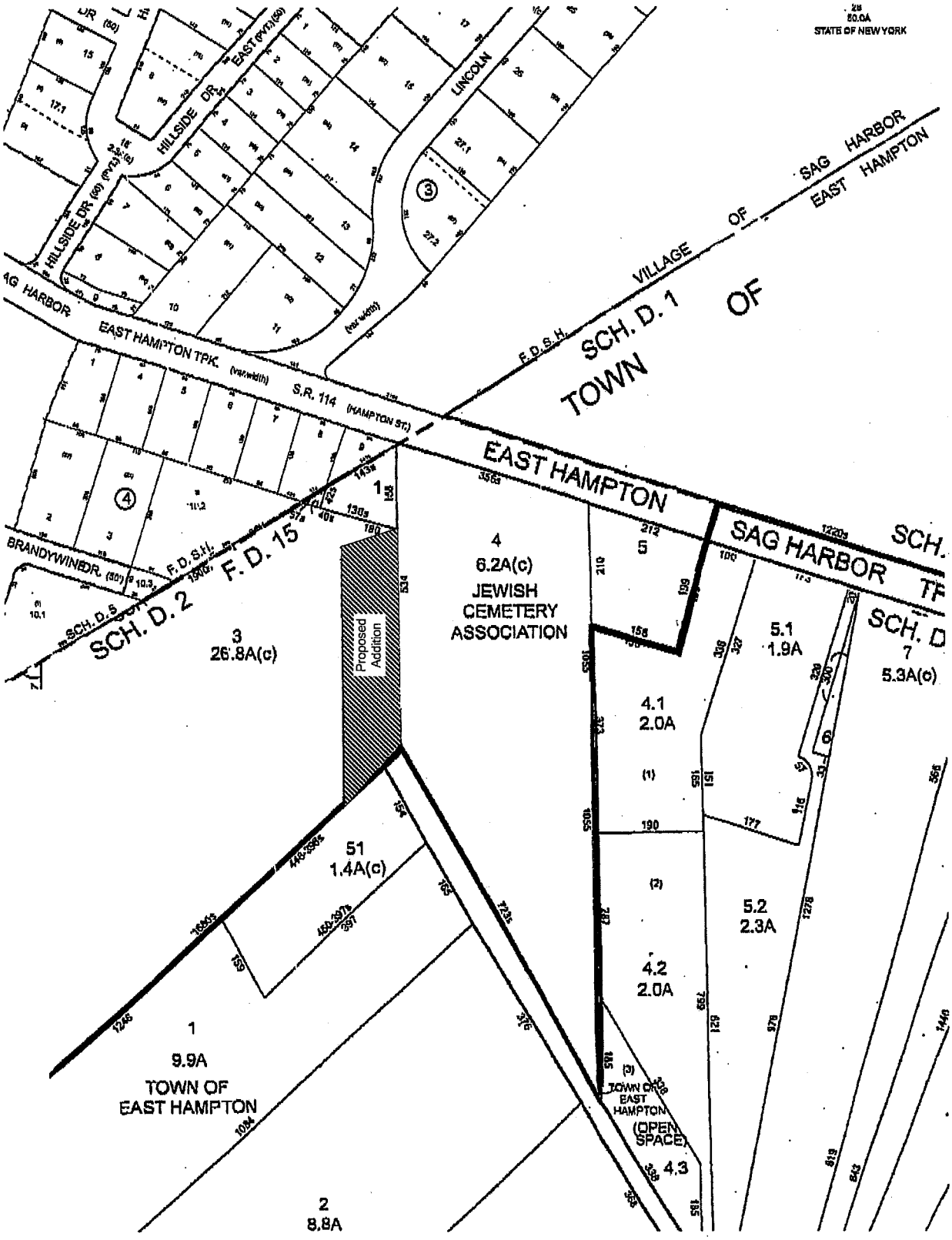
ADOPTED

Date: Feb 10, 2013

Vote: UNANIMOUS

Treasurer

Howard Chwatsky, Treasurer


STATE OF NEW YORK
HILLSIDE DR.
LINCOLN
VILLAGE OF SAG HARBOR
EAST HAMPTON
SCH. D. 1
TOWN OF
SAG HARBOR
EAST HAMPTON TPK.
S.R. 114 (HAMPTON ST.)
EAST HAMPTON
SAG HARBOR
BRANDYWINE DR.
F. D. S.H.
F. D. 15
SCH. D. 2
SCH. D. 5
Proposed Addition
4
6.2A(c)
JEWISH CEMETERY ASSOCIATION
3
26.8A(c)
5
5.1
1.9A
7
5.3A(c)
4.1
2.0A
51
1.4A(c)
5.2
2.3A
4.2
2.0A
1
9.9A
TOWN OF EAST HAMPTON
TOWN OF EAST HAMPTON (OPEN SPACE)
4.3
2
8.8A

Introduced by Presiding Officer Lindsay Laid on Table

PROCEDURAL RESOLUTION NO. 6 -2013, APPROVING PARTIAL SETTLEMENT OF AWP LITIGATION (PAR PHARMACEUTICAL COMPANIES, INC. "PAR")

WHEREAS, Procedural Motion No. 12-2002 authorized the retention of the law firm of Kirby, McInerney and Squire, 825 Third Avenue, New York, NY 10022, to bring legal actions on behalf of the County of Suffolk against pharmaceutical manufacturers, pharmaceutical wholesalers, and pharmaceutical retailers and/or other responsible parties to recover overpayment and costs incurred by the County of Suffolk as a result of improperly inflated Average Wholesale Pricing ("AWP") information for prescription drugs purchased through the Medicaid Program; and

WHEREAS, outside counsel initiated litigation in federal court on behalf of Suffolk County against numerous defendants; the County's case is part of a multi-district litigation, *In Re Pharmaceutical Industry Average Wholesale Price Litigation*: and

WHEREAS, outside counsel advises that a tentative settlement has been reached with additional defendants; and

WHEREAS, under the terms of this settlement, the County of Suffolk shall be paid the gross amount of $318,929.64 by defendant Par Pharmaceuticals Companies, Inc.; and

WHEREAS, Kirby, McInerney and Squire recommends that the County accept the partial settlements described herein; now, therefore, be it

1st **RESOLVED**, that partial settlements of the County's claims *In Re Pharmaceutical Industry Average Wholesale Price Litigation* as described herein, are approved; and be it further

2nd **RESOLVED**, that the County's claims against the non-settling defendants shall remain in full force and effect; and be it further

3rd **RESOLVED**, that the Presiding Officer of the Suffolk County Legislature and Counsel to the Suffolk County Legislature are hereby authorized to execute such documents as necessary to effectuate such settlements.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER

S:\procedural resolutions\PM-AWP Partial Settlement – par