

**L A I D O N T H E T A B L E M A R C H 1 9 , 2 0 1 3**

LADS REPORT PREPARED BY:

Michele Gerard

1208. Adopting Local Law No. -2013, A Charter Law to clarify employee residency requirements. (Cilmi) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1209. Authorizing illumination of the H. Lee Dennison Executive Office Building for Judy's Run for Stroke Awareness. (Kennedy) PUBLIC WORKS AND TRANSPORTATION
1210. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer By: County Legislature No. 387. (Co. Exec.) BUDGET AND FINANCE
1211. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer By: County Legislature No. 388. (Co. Exec.) BUDGET AND FINANCE
1212. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer By: County Legislature No. 389. (Co. Exec.) BUDGET AND FINANCE
1213. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 920-2013). (Co. Exec.) BUDGET AND FINANCE
1214. Appropriating funds through the issuance of Sewer District Serial Bonds for the increase, improvement and extension to Suffolk County Sewer District No. 18 - Hauppauge Industrial (CP 8126). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1215. Authorizing execution of an agreement by the Administrative Head of SCSD No. 3 - Southwest with WR Communities - A LLC (BA-1477.1-002). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1216. Authorizing execution of an agreement by the Administrative Head of SCSD No. 3 - Southwest with WR Communities - B LLC (BA-1477.1-003). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
1217. Accepting and appropriating 100% Federal grant funds from the National Association of County and City Health Officials (NACCHO) to the Department of Health Services for the implementation of Emergency Preparedness Strategies for Community-Dwelling Older Adults. (Co. Exec.) HEALTH
1218. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 921-2013). (Co. Exec.) BUDGET AND FINANCE

1219. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John B. Gallagher (SCTM No. 0900-145.00-02.00-054.000). (Co. Exec.) WAYS & MEANS
1220. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Estate of Blanche Bray (SCTM No. 0100-055.00-01.00-052.000). (Co. Exec.) WAYS & MEANS
1221. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Frank Musarra and Josephine Musarra, his wife (SCTM No. 0200-626.00-02.00-022.000). (Co. Exec.) WAYS & MEANS
1222. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Alfredo Campos and Ruth Campos (SCTM No. 0101-003.00-02.00-010.000). (Co. Exec.) WAYS & MEANS
1223. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Dale Rosgaard (SCTM No. 0200-692.00-04.00-038.001). (Co. Exec.) WAYS & MEANS
1224. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Lychee Management Group, Inc. (SCTM No. 0200-761.00-05.00-057.000). (Co. Exec.) WAYS & MEANS
1225. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Timber Ridge Homes at Mount Sinai Homeowners Association, Inc. (SCTM No. 0200-142.00-04.00-001.055). (Co. Exec.) WAYS & MEANS
1226. 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
1227. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Renee M. Wunsch and Charles A. Powell, as joint tenants with rights of survivorship (SCTM No. 0200-867.00-06.00-037.000). (Co. Exec.) WAYS & MEANS
1228. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Ronald Smith, as Administrator of the Estate of Dorothy May Smith (SCTM No. 0900-070.00-02.00-033.000). (Co. Exec.) WAYS & MEANS
1229. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John Gerrato (SCTM No. 0103-010.00-01.00-022.000). (Co. Exec.) WAYS & MEANS

1230. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for Affordable Housing Purpose (SCTM No. 0200-069.00-08.00-007.001). (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1231. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven (SCTM No. 0200-256.00-05.00-037.000). (Co. Exec.) WAYS & MEANS
1232. Authorizing the granting of a permanent easement to the Suffolk County Water Authority for production, distribution and transmission of drinking water on a parcel acquired by the County of Suffolk under the Old Drinking Water Protection Program – (Aldrich Lane, Mattituck New York bearing SCTM No. 1000-125.00-01.00-001.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1233. Directing the Department of Social Services to implement an Emergency Housing Policy that will benefit homeless children. (Gregory) HUMAN SERVICES
1234. Appropriating funds in connection with the acquisition of a Suffolk County Telephony Structural Improvements (CP 1814). (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY
1235. Appropriating funds in connection with the acquisition of an IFMS Release 3 (CP 1782). (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY
1236. Appropriating funds in connection with the acquisition of a Disaster Recovery Project (CP 1729). (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY
1237. Appropriating funds in connection with the acquisition of Fiber Cabling Network and WAN Technology Upgrades (CP 1726). (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY
1238. Appropriating funds in connection with the acquisition and implementation of a District Attorney Case Management System (CP 1136). (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY
1239. Appropriating funds in connection with the replacement of existing Fireworks Burn Pits (CP 3016). (Co. Exec.) PUBLIC SAFETY
1240. Appropriating funds in connection with the purchase of heavy duty vehicles for the Police Department (CP 3135). (Co. Exec.) PUBLIC SAFETY
1241. Appropriating funds in connection with the purchase of Marine Bureau Diesel Engines (CP 3198). (Co. Exec.) PUBLIC SAFETY
1242. Appropriating funds in connection with the replacement of Police Headquarters 911 Backup Generator (CP 3216). (Co. Exec.) PUBLIC SAFETY

1243. Appropriating funds in connection with the replacement of existing shower facilities in the Police Emergency Services Section Building (CP 3232). (Co. Exec.) PUBLIC SAFETY
1244. Amending the Operating Budget of the Department of Civil Service/Human Resources to add two Clerk Typist positions. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1245. Accepting and appropriating 100% Federal funds awarded by the U.S. Marshals Service to the Suffolk County Department of Probation and authorizing the County Executive to execute related agreements. (Co. Exec.) PUBLIC SAFETY
1246. Accepting and appropriating 100% Federal funds awarded as pass-thru funding by the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation and authorizing the County Executive to execute related agreements. (Co. Exec.) PUBLIC SAFETY

1208

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

Laid on Table 3/19/13

**RESOLUTION NO. - 2013, ADOPTING LOCAL LAW  
NO. -2013, A CHARTER LAW TO CLARIFY  
EMPLOYEE RESIDENCY REQUIREMENTS**

**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 CLARIFY EMPLOYEE RESIDENCY REQUIREMENTS**"; 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 CLARIFY EMPLOYEE RESIDENCY  
REQUIREMENTS**

**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 with certain limited exceptions, employees of the County of Suffolk are required to be residents of the County at the time their employment begins.

This Legislature also finds that the Suffolk County Charter presently authorizes this Legislature to enact resolutions that waive the County's residency restrictions for a one-year period.

This Legislature also finds that it is unclear under the Charter's current language whether a non-resident may be employed prior to the adoption of a resolution authorizing a waiver.

This Legislature also finds that non-residents should not be placed on the County payroll until such time as the County Legislature has authorized a waiver of residency requirements.

Therefore, the purpose of this law is to amend the Suffolk County Charter and clarify that non-residents may not be employed by the County unless the County Legislature has previously authorized a waiver from residency requirements.

**Section 2. Amendment.**

Article VI of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**Article VI. Department of Human Resources, Personnel and Civil Service**

**§ C6-3. Recruitment of personnel; training programs; residency requirements.**

\* \* \* \*

B. Residency requirements.

\* \* \* \*

(4) Exemptions.

\* \* \* \*

- (b) Subject to Paragraph (2) of this Subdivision B, a nonresident may otherwise be employed[, provided that the County Executive proposes a resolution to the Legislature setting forth precisely defined classes of persons whose services are required by the County of Suffolk] for a period of employment not to exceed one year provided the County Legislature first enacts a resolution authorizing a temporary waiver of the residency requirement. [and the job requirements which may require the employment of such nonresident for a period of up to one year. Within 60 days after the first regular meeting after such resolution is laid on the table, the Legislature shall act thereon; and, in the event that the Legislature fails to act within such period, the resolution shall be deemed approved.] Nothing set forth in this paragraph shall be deemed to be in contradiction to the Civil Service Law requirements for probationary appointments to permanent positions in the competitive class as defined in the Civil Service Law.

\* \* \* \*

**Section 3. Applicability.**

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

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration,

management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

This law shall not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the office of the Secretary of State.

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

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

s:\laws\cl-clarify residency requirements

**OFFICE OF THE COUNTY LEGISLATURE**

COUNTY OF SUFFOLK

1208

**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:** MARCH 13, 2013

**TO:** CLERK OF THE COUNTY LEGISLATURE

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

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**PROPOSED LOCAL LAW YEAR 2013**

**TITLE:** I.R. NO. -2013; A CHARTER LAW TO CLARIFY EMPLOYEE RESIDENCY REQUIREMENTS

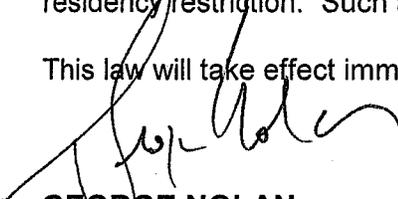
**SPONSOR:** LEGISLATOR CILMI

**DATE OF RECEIPT BY COUNSEL:** 3/6/2013 **PUBLIC HEARING:** 4/23/2013

**DATE ADOPTED/NOT ADOPTED:** \_\_\_\_\_ **CERTIFIED COPY RECEIVED:** \_\_\_\_\_

This proposed local law would amend § C6-3 of the SUFFOLK COUNTY CHARTER to clarify that positions of County employment subject to the County's residency law, cannot be filled by a non-resident until the County Legislature enacts a resolution authorizing a waiver of the residency restriction. Such a waiver cannot exceed one year in duration.

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

  
**GEORGE NOLAN**  
Counsel to the Legislature

**GN:js**

s:\rule28\28-clarify-employee-residency-requirements

1209

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

Laid on Table

3/19/13

**RESOLUTION NO. -2013, AUTHORIZING ILLUMINATION OF  
THE H. LEE DENNISON EXECUTIVE OFFICE BUILDING FOR  
JUDY'S RUN FOR STROKE AWARENESS**

**WHEREAS**, May is National Stroke Awareness Month; and

**WHEREAS**, in the United States, stroke is the third leading cause of death, killing 160,000 people each year, and is the leading cause of adult disability; and

**WHEREAS**, approximately 750,000 strokes will occur in the United States this year, 500,000 which are preventable; and

**WHEREAS**, stroke can happen to anyone at any time, regardless of race, gender or age; and

**WHEREAS**, Judy's Run for Stroke Awareness was established in 2008 in an effort to raise awareness of stroke, and the ways it can be prevented, and to help others cope with the acute and long-term rehabilitative process following a stroke; and

**WHEREAS**, this organization makes presentations at various community events, in addition to raising money to spread awareness of stroke throughout the County; and

**WHEREAS**, to further the public's awareness of stroke and its effects on stroke victims, their families and friends, Judy's Run for Stroke Awareness wishes to commemorate National Stroke Awareness Month by illuminating the H. Lee Dennison Executive Office Building in a purple glow during the evening of Friday, May 31, 2013; and

**WHEREAS**, Suffolk County wishes to show its support for this cause by participating in the illumination project, as it has done for other charitable organizations; now, therefore be it

**1st RESOLVED**, that the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to illuminate the north side of the H. Lee Dennison Executive Office Building facing Veterans Memorial Highway with a purple glow, during the evening of Friday, May 31, 2013 in support of Judy's Run for Stroke Awareness; and be it further

**2nd RESOLVED**, that the presence of the volunteers of the Judy's Run for Stroke Awareness and representatives of stroke awareness groups or organizations, in connection with such celebration, shall be permitted at the site.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\reslr-judy's-run -2013

Intro Res. No. 1210-13  
Introduced by Presiding Officer on the Request of the County Executive

Laid on Table 3/19/13

RESOLUTION NO. TO READJUST, COMPROMISE, AND  
GRANT REFUNDS AND CHARGEBACKS ON CORRECTION  
OR ERRORS/COUNTY TREASURER BY: COUNTY  
LEGISLATURE #387

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>SOUTHOLD:</b>				
1001-005.00-04.00-018.000	2012/13	\$2,762.49	0.00	\$2,762.49

Dated:

Approved By:

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Suffolk County Executive

Date of Approval:

1210

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

**ResolutionXXX**

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

**YES XXX**

NO

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

**County**

**Town**

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

Angie M. Carpenter  
County Treasurer

11. Signature of Preparer

*Angie M. Carpenter*

12. Date

*2/25/13*

Additional back-up material regarding IR No. 1210 is on file in the  
Legislative Clerk's Office, Hauppauge.

Intro Res. No. 1211-13

Laid on Table 3/19/13

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 #388

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>SHELTER ISLAND:</b>				
0700-010.00-01.00-036.021	2012/13	\$5,101.62	0.00	\$5,101.62

Dated:

Approved By:

\_\_\_\_\_  
Suffolk County Executive

Date of Approval:

1211

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation  
**ResolutionXXX**                      Local Law                      Charter Law

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

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

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

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

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

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

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

9. Timing of Impact  
Variable

10. Typed Name & Title of Preparer                      11. Signature of Preparer                      12., Date  
Angie M. Carpenter                      *Angie M. Carpenter*                      2/26/13  
County Treasurer

Additional back-up material regarding IR No. 1211 is on file in the  
Legislative Clerk's Office, Hauppauge.

Intro Res. No. 1212-13  
Introduced by Presiding Officer on the Request of the County Executive

Laid on Table 3/19/13

RESOLUTION NO. TO READJUST, COMPROMISE, AND  
GRANT REFUNDS AND CHARGEBACKS ON CORRECTION  
OR ERRORS/COUNTY TREASURER BY: COUNTY  
LEGISLATURE #389

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>BROOKHAVEN:</b>				
<b>0200-545.00-01.00-003.000 (ITEM #8205881)</b>	<b>2012/13</b>	<b>\$3,674.91</b>	<b>0.00</b>	<b>\$3,674.91</b>

Dated:

Approved By:

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Suffolk County Executive

Date of Approval:

1212

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

**ResolutionXXX**

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

**YES XXX** NO

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

**County**

**Town**

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

Angie M. Carpenter  
County Treasurer

11. Signature of Preparer

*Angie M. Carpenter*

12. Date

*3/1/13*

Additional back-up material regarding IR No. 1212 is on file in the  
Legislative Clerk's Office, Hauppauge.

RESOLUTION NO.

CONTROL#920-2013

Intro. Res. # 1213-13

Laid on Table 3/19/13

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 #920-2013)

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#920-2013

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#920-2013

(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	ISLIP	11/12	0500 39303 0100 001000	9082.04	6078.25	3003.79
A	ISLIP	12/13	0500 39303 0100 003000	7498.55	4404.32	3094.23
A	ISLIP	12/13	0500 39303 0100 004000	8539.48	5766.04	2773.44
A	ISLIP	12/13	0500 39303 0100 007000	8262.03	4837.50	3424.53
A	ISLIP	12/13	0500 39303 0100 008000	8513.78	5014.16	3499.62
A	ISLIP	12/13	0500 39303 0100 009000	7840.38	4524.38	3316.00
A	ISLIP	12/13	0500 39303 0100 010000	8613.11	5373.24	3239.87
A	ISLIP	12/13	0500 39303 0100 013000	8234.84	5239.23	2995.61
A	ISLIP	12/13	0500 39303 0100 014000	11711.74	6265.57	5446.17
A	ISLIP	12/13	0500 39303 0100 015000	12095.78	6737.74	5358.04
A	ISLIP	12/13	0500 39303 0100 017000	7386.25	4150.97	3235.28
A	ISLIP	12/13	0500 39303 0100 018000	7361.03	4147.54	3213.49

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

County Executive of Suffolk County

Date of Approval:

1213

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation  
 Resolution  Local Law Charter Law

---

2. Title of Proposed Legislation  
**TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL  
 PROPERTY CORRECTION OF ERRORS**

---

3. Purpose of Proposed Legislation Yes \_\_\_ No \_\_\_  
**SEE NO. 2 ABOVE**

---

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

---

5. If the answer to item 4 is "yes," on what will it impact? (circle appropriate category)  
 County Town Economic Impact  
 Village School District Other (Specify):  
 Library District Fire District

---

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

---

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

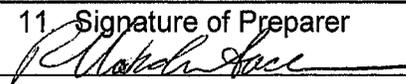
---

8. Proposed Source of Funding  
 N/A

---

9. Timing of Impact  
 2013

---

10. Typed Name & Title of Preparer R. Motschenbacher RPAT II  
 11. Signature of Preparer   
 12. Date March 5, 2013

Additional back-up material regarding IR No. 1213 is on file in the  
Legislative Clerk's Office, Hauppauge.

1214  
Intro. Res. No. -2013

Laid on Table

3/19/18

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2013, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE INCREASE, IMPROVEMENT AND EXTENSION TO SUFFOLK COUNTY SEWER DISTRICT NO. 18 – HAUPPAUGE INDUSTRIAL (CP 8126)**

**WHEREAS**, the Sewer District No. 18 – Hauppauge Industrial requires improvements and or expansion; and

**WHEREAS**, a public hearing was held on October 9<sup>th</sup>, 2012, at the regularly scheduled meeting of the County Legislature in Riverhead, New York, in connection with the proposed increase, improvement and extension; and

**WHEREAS**, a resolution authorizing the issuance of \$2,000,000 in Sewer District Serial Bonds and this resolution which appropriates funds have been submitted to the Legislature for approval; and

**WHEREAS**, the Administrative Head of Sewer District No. 18 – Hauppauge Industrial has requested that funds be appropriated to cover construction costs associated with the improvement and expansion project; and

**WHEREAS**, there are sufficient funds in the 2013 Capital Budget and Program for the improvement and expansion of the Suffolk County Sewer District No. 18 – Hauppauge Industrial; 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**, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 716-2004 determined that the proposed improvement and/or rehabilitation to the Sewer District No. 18 – Hauppauge Industrial constitutes a Type I action pursuant to the provisions of NYCRR Part 617.5; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$2,000,000 in Sewer District Serial Bonds; now, therefore be it

**1<sup>st</sup>** **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

**2<sup>nd</sup>** **RESOLVED**, that the proceeds of \$2,000,000 million in Sewer District Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>AMOUNT</u>
527-CAP-8126.311 (Fund 218 Debt Service)	Improvements to Sewer District No. 18 – Hauppauge Industrial – Construction	\$2,000,000

and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements to Sewer District No. 18 – Hauppauge Industrial.

DATED:

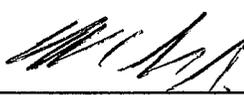
APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

1214

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION NO. -2013,    APPROPRIATING    FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE INCREASE, IMPROVEMENT AND EXTENSION TO SUFFOLK COUNTY SEWER DISTRICT NO. 18 - HAUPPAUGE INDUSTRIAL (CP 8126)</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?    (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SUFFOLK COUNTY SEWER SERIAL DISTRICT 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		
SUFFOLK COUNTY SEWER SERIAL DISTRICT 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

**FINANCIAL IMPACT  
2014 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1214

**GENERAL FUND**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>	<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>	<b>\$0.000</b>

**COMBINED**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>	<b>\$0.000</b>

**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.

**Suffolk County**  
**General Obligation Serial Bonds**  
**Level Debt**

1214

Term of Bonds: 20  
 Amount to Bond: \$2,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	\$68,924.19	\$75,000.00	\$143,924.19	\$143,924.19
			\$36,207.67	\$36,207.67	
11/1/2015	3.000%	\$71,508.85	\$36,207.67	\$107,716.52	\$143,924.19
			\$34,866.88	\$34,866.88	
11/1/2016	3.000%	\$74,190.43	\$34,866.88	\$109,057.31	\$143,924.19
			\$33,475.81	\$33,475.81	
11/1/2017	3.000%	\$76,972.58	\$33,475.81	\$110,448.38	\$143,924.19
			\$32,032.57	\$32,032.57	
11/1/2018	3.000%	\$79,859.05	\$32,032.57	\$111,891.62	\$143,924.19
			\$30,535.22	\$30,535.22	
11/1/2019	3.000%	\$82,853.76	\$30,535.22	\$113,388.98	\$143,924.19
			\$28,981.71	\$28,981.71	
11/1/2020	3.000%	\$85,960.78	\$28,981.71	\$114,942.49	\$143,924.19
			\$27,369.94	\$27,369.94	
11/1/2021	3.000%	\$89,184.31	\$27,369.94	\$116,554.25	\$143,924.19
			\$25,697.74	\$25,697.74	
11/1/2022	3.000%	\$92,528.72	\$25,697.74	\$118,226.46	\$143,924.19
			\$23,962.83	\$23,962.83	
11/1/2023	3.000%	\$95,998.54	\$23,962.83	\$119,961.37	\$143,924.19
			\$22,162.85	\$22,162.85	
11/1/2024	3.000%	\$99,598.49	\$22,162.85	\$121,761.34	\$143,924.19
			\$20,295.38	\$20,295.38	
11/1/2025	3.000%	\$103,333.43	\$20,295.38	\$123,628.81	\$143,924.19
			\$18,357.88	\$18,357.88	
11/1/2026	3.250%	\$107,208.44	\$18,357.88	\$125,566.32	\$143,924.19
			\$16,347.72	\$16,347.72	
11/1/2027	3.250%	\$111,228.75	\$16,347.72	\$127,576.47	\$143,924.19
			\$14,262.18	\$14,262.18	
11/1/2028	3.375%	\$115,399.83	\$14,262.18	\$129,662.01	\$143,924.19
			\$12,098.43	\$12,098.43	
11/1/2029	3.500%	\$119,727.33	\$12,098.43	\$131,825.76	\$143,924.19
			\$9,853.55	\$9,853.55	
11/1/2030	3.500%	\$124,217.10	\$9,853.55	\$134,070.65	\$143,924.19
			\$7,524.48	\$7,524.48	
11/1/2031	3.625%	\$128,875.24	\$7,524.48	\$136,399.72	\$143,924.19
			\$5,108.07	\$5,108.07	
10/31/2032	3.750%	\$133,708.06	\$5,108.07	\$138,816.13	\$143,924.19
			\$2,601.04	\$2,601.04	
11/1/2033	4.000%	\$138,722.12	\$2,601.04	\$141,323.15	\$143,924.19
		<b>\$2,000,000.00</b>	<b>\$878,483.89</b>	<b>\$2,878,483.89</b>	<b>\$2,878,483.89</b>

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1214

1. Type of Legislation Resolution <u>  X  </u> Local Law <u>                    </u> Charter Law <u>                    </u>		
2. Title of Proposed Legislation Appropriating Funds Through the Issuance of Sewer District Serial Bonds for the Increase, Improvement and Extension to Suffolk County Sewer District No. 18 – Hauppauge Industrial (CP 8126)		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No <u>                    </u>		
5. If the answer to Item 4 is "yes," on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify): Sewer District
Library District	Fire District	
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact This resolution appropriates funds included in the Adopted Capital Program. The financial impact is minimized by the Assessment Stabilization Reserve Fund at 3% per year.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. The project is \$2.0 million in serial bonds and the ASRF will continue to stabilize rates at an annual increase of 3%.		
8. Proposed Source of Funding                      Serial Bonds		
9. Timing of Impact                      Maximum cost to property owners is 2015		
10. Typed Name & Title of Preparer  Ben Wright, P.E., Principal Civil Engineer	11. Signature of Preparer  	12. Date  2-13-13



1214

**2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

TITLE OF BILL - Appropriating Funds Through the Issuance of Sewer District Serial Bonds for the Increase, Improvement and Extension to Suffolk County Sewer District No. 18 – Hauppauge Industrial (CP 8126)

PURPOSE OR GENERAL IDEA OF BILL – To appropriate construction funds that are included in the Adopted Capital Program for 2013. Construction of sewers in the expanded sewer district will take place.

SUMMARY OF SPECIFIC PROVISIONS – \$2 million will be appropriated and placed in Capital Project Line Item 8126.311 for construction of sewers that will take place during 2013.

JUSTIFICATION – The Hauppauge Industrial park members have supported the public hearing and project to expand the service area in the park as well as to improve sewerage infrastructure to continue to meet the regulations of New York State.

FISCAL IMPLICATIONS - The project will have \$2 million in serial bonds, however, the ASRF will continue to stabilize rates at an annual increase of 3%.

COUNTY OF SUFFOLK

1214



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

VINCENT FALKOWSKI, P.E.  
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.  
COMMISSIONER

PHILIP A. BERDOLT  
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner 

SUBJECT: **Appropriating Funds Through the Issuance of Sewer District Serial Bonds for the Increase, Improvement and Extension to Suffolk County Sewer District No. 18 – Hauppauge Industrial (CP 8126)**

DATE: February 13, 2013

Attached is a draft resolution filed as Reso-DPW sd18 – Hauppauge Industrial Improvements CP 8126 dated 2-13-13 and appropriate forms with backup filed as Backup-DPW SCIN form 175a and 175b – sd18-Hauppauge Industrial Improvements CP 8126 dated 2-13-13. The project involves construction of wastewater collection and treatment facilities in the Hauppauge Industrial Park. The improvements allow the extension of sewer service to 250 lots in the park. Financing needs contained in the 2013 Adopted Capital Program and Budget uses Sewer District Serial Bonds of \$2.0 million and are requested herein.

The public hearing was held on October 9, 2012. The public hearing report recognized funds were to be appropriated in 2012 and 2013 with the cost to the typical property based on multiple year appropriations.

We appreciate the resolution being laid on the table at the appropriate time.

GA:BW:ni  
Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive  
 Lisa Santeramo, Assistant Deputy County Executive  
 Tom Vaughn, Director of Intergovernmental Relations  
 Lynne Bizzarro, Esq., Chief Deputy County Attorney  
 Charles Jaquin, General Services Manager  
 Nick Paglia, Assistant Executive Analyst  
 John Donovan, P.E., Chief Engineer, Sanitation  
 Ben Wright, P.E., Principal Civil Engineer, Sanitation  
 CE Reso Review  
 ga-bw2-13-13 Back-up DPW sd18-Hauppauge Industrial serial bonds CP 8126 memo to JSchneider

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2013, AUTHORIZING EXECUTION  
OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF  
SCSD NO. 3 - SOUTHWEST WITH WR COMMUNITIES - A LLC  
(BA-1477.1-002)**

**WHEREAS**, WR Communities - A LLC is a proposed garden apartment complex and shopping center, outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

**WHEREAS**, a sewer collection system has been constructed along the Wyandanch Commercial Corridor which will connect to the Southwest Sewer District via the collection system; and

**WHEREAS**, the developer of WR Communities - A LLC has petitioned and requested the Administrative Head of the District for permission to discharge Thirty Thousand Four Hundred Seventy-Three Gallons Per Day (30,473 GPD) of wastewater; and

**WHEREAS**, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity (Thirty Thousand Four Hundred Seventy-Three gallons per day) in excess of its own needs; and

**WHEREAS**, the connection is subject to the approved by the New York State Department of Environmental Conservation (NYSDEC); and

**WHEREAS**, the proposed flow has received the approval of the Suffolk County Sewer Agency (Resolution No. 4-2013) and pursuant to the Connection Agreement for the construction and connection of the sewer system in the Wyandanch Commercial Corridor, connections made from designated parcels to the sewer system during the first five years after its completion would be charged no connection fee, and the subject parcel is one of the designated parcels; and

**WHEREAS**, it will be in the environmental interest of all of Suffolk County, for the connection to be made; now therefore be it

**1<sup>st</sup>** **RESOLVED**, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Administrative Head of the District be and hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 – Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered, and directed to take such action as may be Necessary, pursuant to section C8-2(L&M) of the Suffolk County Charter.

DATED:

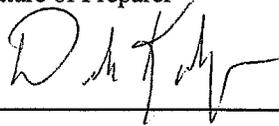
APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

1215

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION NO. -2013, AUTHORIZING EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SCSD NO. 3-SOUTHWEST WITH WR COMMUNITIES- A LLC (BA-1477.1-002)</b>		
3. Purpose of Proposed Legislation		
To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 -- Southwest with WR Communities-A LLC, a firm seeking permission to discharge 30,473 GPD.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Pursuant to the agreement for the construction and connection of the main in the Wyandanch Commercial Corridor, connections made from designated parcels to the main during the first five years after its completion would be charged no connection fee, and the subject parcel is one of the designated parcels.		
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		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		March 11, 2013

SCIN FORM 175b (10/95)

1215

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.

COUNTY OF SUFFOLK



1215

STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

VINCENT FALKOWSKI, P.E.  
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.  
COMMISSIONER

PHILIP A BERDOLT  
DEPUTY COMMISSIONER

MEMORANDUM

To: Jon Schneider, Deputy County Executive  
From: Gilbert Anderson, P.E., Commissioner, SCDPW  
Date: February 25, 2013  
Subject: RESOLUTION NO. \_\_\_\_\_ -2013, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SCSD NO. 3 – SOUTHWEST WITH WR COMMUNITIES – A LLC (BA-1477.1-002)

Attached is a draft resolution filed as Reso-DPW-SA 3-2013 WR Communities – A LLC (BA-1477.1-002) and appropriate forms with the backup filed as Backup-DPW-SA 3-2013 WR Communities – A LLC (BA-1477.1-002) SCIN 175A. This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 3 – Southwest with WR Communities – A LLC (BA-1477.1-002).

**Project Facts:**

Type/ units:	Proposed Garden Apartments & Shopping Center	SCTM #:	0100-04000-0200-010004
Area:	2.4± Acres	SEQRA:	Complete
Flow:	30,473 GPD	Groundwater Zone:	I
SCSD:	No. 3 – Southwest	Legislative District:	15 <sup>th</sup>

GA:JD:cap

cc:

- Dennis M Cohen, Chief Deputy County Executive
- Lisa Santeramo, Assistant Deputy County Executive
- Tom Vaughn, Director of Intergovernmental Relations
- Gilbert Anderson, P.E. Commissioner, SCDPW
- John Donovan, P.E., SCDPW
- Janice McGovern, P.E., SCDPW
- Chuck Jaquin, SCDPW
- Robert A Braun, Esq., SCDOL
- Debra Kolyer, CE Office
- Nick Paglia, Assistant Executive Analyst
- Elizabeth Duffy, SCDPW
- CE Reso Review
- Craig A Platt, Secretary, SCSA

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**RESOLUTION SUBMITTAL SHEET**

1215

Capital Project	NA	Legislative Districts	15th
Operating Fund	NA	Federal Aid %	NA
Other		State Aid %	NA

**Complete description of why we are asking for resolution; if aided, state status of aid**

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No.3 - Southwest with WR Communities - A LLC (BA-1477.1-002), a firm seeking permission to discharge 30,473 GPD.

**Previous resolution (list previous resolution for the same work)**

Resolution Number	Purpose	Amount
NA	NA	NA

Amounts being requested		Current Funding	
Planning	0	Planning	0
Site	0	Site	0
Construction	0	Construction	0
Land	0	Land	0
F&E	0	F&E	0

Project Status			
Est. planning completion	NA	Design consultant	
Est. construction start		Contractor	
Est. construction completion			

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

Offset	Leg. District	Comments
NA		

1715

# SUFFOLK COUNTY SEWER AGENCY

## RESOLUTION NO: 3 - 2013 AUTHORIZING THE FORMAL APPROVAL FOR THE CONNECTION OF THE WR COMMUNITIES - A LLC (BA-1477.1-002) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, WR Communities - A LLC is a proposed garden apartment sub-division and shopping center situated on Straight Path in Wyandanch, New York, on property identified on the Suffolk County Tax Map as District 0100, Section 040.00, Block 02.00, Lot 010.004, and

WHEREAS, the Premises is not located within the boundaries of Suffolk County Sewer District No. 3 – Southwest (the "District"), or within the boundaries of any other municipal sewer district, but is located within the Agency project "Wyandanch Commercial Corridor", and

WHEREAS, Pursuant to the agreement for the construction and connection of the main in the Wyandanch Commercial Corridor, connections made from designated parcels to the main during the first five years after its completion would be charged no connection fee, and the subject parcel is one of the designated parcels, and

WHEREAS, it is anticipated that WR Communities - A LLC will generate a wastewater flow of Thirty Thousand Four Hundred Seventy-Three gallons per day (30,473 GPD), and

WHEREAS, WR Communities - A LLC has applied to this Agency for permission to connect WR Communities - A LLC to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the flow which is expected to emanate from WR Communities - A LLC, and

WHEREAS, the connection of WR Communities - A LLC to the District will be environmentally beneficial to Suffolk County, and

WHEREAS, pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is listed as a Type II Action, and requires no further action, and

NOW, THEREFORE, IT IS

1<sup>st</sup> RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

1215

2<sup>nd</sup> RESOLVED, that WR Communities - A LLC be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

3<sup>rd</sup> RESOLVED, that Thirty Thousand Four Hundred Seventy-Three gallons per day (30,473 GPD), of capacity in the District's sewage treatment plant be allocated to WR Communities - A LLC, and it is further

4<sup>th</sup> RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

5<sup>th</sup> RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between WR Communities - A LLC, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk, and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

6<sup>th</sup> RESOLVED, that Pursuant to the agreement for the construction and connection of the main in the Wyandanch Commercial Corridor, connections made from designated parcels to the main during the first five years after its completion would be charged no connection fee, and the subject parcel is one of the designated parcels, and it is further

7<sup>th</sup> RESOLVED, that WR Communities - A LLC shall, at its sole cost, expense and effort, construct a sewage collection facility for WR Communities - A LLC and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

8<sup>th</sup> RESOLVED, that WR Communities - A LLC shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for WR Communities - A LLC, as well as for all of the developer's obligations under the Connection Agreement, and it is further

9<sup>th</sup> RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to WR Communities - A LLC if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting – February 25, 2013)

**Required Items & Check List  
For the Submission of Resolutions**

**Substance:**

Request Letter

Draft Resolution

SEQRA Determination

SCIN 175a

SCIN 175b

e-Copies Sent to CE RESO REVIEW

4 Hard Copies:

(Deputy CE for IR, Chief Deputy County Executive, Assistant Deputy CE, Director of IR)

**Form:**

e-Copy with Proper Title

Proper Sponsorship Line

Proper Resolution Format

Numbered Resolved Clauses

Proofread Resolution

<sup>cap</sup> Preparer's Initials

**Background Documentation:**

Award Letter (to accept a Grant)

Copy of Grant Agreement (if available)

Required Resolved Clause\* (if Grant establishes a position)

Other Background Documentation

Memorandum of Support\*\*

**If this is a CN Request:**

Requesting Letter

Rationale (the "Because Clause")

**\*RESOLVED**, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the positions created by this resolution at the conclusion of the grant funding provider for such position created by said Grant.

\*\*New for 2013

# COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

## DEPARTMENT OF PUBLIC WORKS

VINCENT FALKOWSKI, P.E.  
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.  
COMMISSIONER

PHILIP A BERDOLT  
DEPUTY COMMISSIONER

## 2013 Intergovernmental Relations Memorandum of Support

### Title of Bill:

RESOLUTION NO. -2013, AUTHORIZING EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SCSD NO. 3 – SOUTHWEST WITH WR COMMUNITIES - A LLC (BA-1477.1-002)

### Purpose or General Idea of Bill:

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No.3 - Southwest with WR Communities - A LLC (BA-1477.1-002), a firm seeking permission to discharge 30,473 GPD.

### Summary of Specific Provisions:

Allow the connection of the project to SCSD #3 - Southwest via the Wyandanch Commercial Corridor sewer collection system.

### Justification:

Economic and environmental benefit

### Fiscal Implications:

None

**SCDPW Project:** WR Communities - A LLC

**Project No.:** BA-1477.1-002

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1216

Intro Res. No. -2013

Laid on Table

3/19/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, AUTHORIZING EXECUTION  
OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF  
SCSD NO. 3 - SOUTHWEST WITH  
WR COMMUNITIES - B LLC (BA-1477.1-003)

WHEREAS, WR Communities - B LLC is a proposed garden apartment complex and shopping center, outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, a sewer collection system has been constructed along the Wyandanch Commercial Corridor which will connect to the Southwest Sewer District via the collection system, and

WHEREAS, the developer of WR Communities - B LLC has petitioned and requested the Administrative Head of the District for permission to discharge Twenty-Six Thousand Five Hundred Forty-Seven gallons per day (26,547 GPD) of wastewater, and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity (Twenty-Six Thousand Five Hundred Forty-Seven gallons per day) in excess of its own needs; and

WHEREAS, the connection is subject to the approved by the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed flow has received the approval of the Suffolk County Sewer Agency (Resolution 4-2013) and pursuant to the Connection Agreement for the construction and connection of the sewer system in the Wyandanch Commercial Corridor, connections made from designated parcels to the sewer system during the first five years after its completion would be charged no connection fee, and the subject parcel is one of the designated parcels, and

WHEREAS, it will be the environmental interest of all of Suffolk County, for the connection to be made; now therefore be it

1<sup>st</sup> RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

2<sup>nd</sup> RESOLVED, that the Administrative Head of the District be and hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

3<sup>rd</sup> RESOLVED, that the County Department of Public Works is hereby authorized, empowered, and directed to take such action as may be Necessary, pursuant to section C8-2(L&M) of the Suffolk County Charter.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval:



1216

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.

COUNTY OF SUFFOLK

1216



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

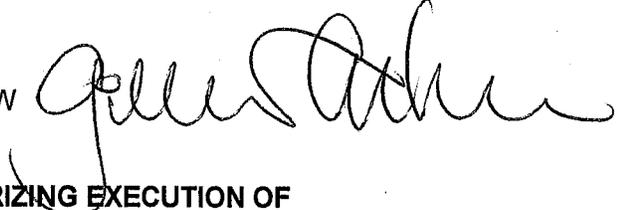
VINCENT FALKOWSKI, P.E.  
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.  
COMMISSIONER

PHILIP A BERDOLT  
DEPUTY COMMISSIONER

MEMORANDUM

To: Jon Schneider, Deputy County Executive

From: Gilbert Anderson, P.E., Commissioner, SCDPW 

Date: February 25, 2013

Subject: **RESOLUTION NO. \_\_\_\_\_ -2013, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SCSD NO. 3 – SOUTHWEST WITH WR COMMUNITIES – B LLC (BA-1477.1-003)**

Attached is a draft resolution filed as Reso-DPW-SA 4-2013 WR Communities – B LLC (BA-1477.1-003) and appropriate forms with the backup filed as Backup-DPW-SA 4-2013 WR Communities – B LLC (BA-1477.1-003) SCIN 175A. This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 3 – Southwest with WR Communities – B LLC (BA-1477.1-003).

**Project Facts:**

Type/ units:	Proposed Garden Apartments & Shopping Center	SCTM #:	0100-04000-0200-011000
Area:	2.3± Acres	SEQRA:	Complete
Flow:	26,547 GPD	Groundwater Zone:	I
SCSD:	No. 3 – Southwest	Legislative District:	15 <sup>th</sup>

GA:JD:cap

cc:

- Dennis M Cohen, Chief Deputy County Executive
- Lisa Santeramo, Assistant Deputy County Executive
- Tom Vaughn, Director of Intergovernmental Relations
- Gilbert Anderson, P.E. Commissioner, SCDPW
- John Donovan, P.E., SCDPW
- Janice McGovern, P.E., SCDPW
- Chuck Jaquin, SCDPW
- Robert A Braun, Esq., SCDOL
- Debra Kolyer, CE Office
- Nick Paglia, Assistant Executive Analyst
- Elizabeth Duffy, SCDPW
- CE Reso Review
- Craig A Platt, Secretary, SCSA

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

12/6

**RESOLUTION SUBMITTAL SHEET**

Capital Project	NA	Legislative Districts	15th
Operating Fund	NA	Federal Aid %	NA
Other		State Aid %	NA

**Complete description of why we are asking for resolution; if aided, state status of aid**

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No.3 - Southwest with WR Communities - B LLC (BA-1477.1-003), a firm seeking permission to discharge 26,547 GPD.

**Previous resolution (list previous resolution for the same work)**

Resolution Number	Purpose	Amount
NA	NA	NA

Amounts being requested		Current Funding	
Planning	0	Planning	0
Site	0	Site	0
Construction	0	Construction	0
Land	0	Land	0
F&E	0	F&E	0

**Project Status**

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

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

Offset	Leg. District	Comments
NA		

1216

# SUFFOLK COUNTY SEWER AGENCY

## RESOLUTION NO: 4 - 2013 AUTHORIZING THE FORMAL APPROVAL FOR THE CONNECTION OF THE WR COMMUNITIES - B LLC (BA-1477.1-002) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, WR Communities - B LLC is a proposed garden apartment sub-division and shopping center situated on Straight Path in Wyandanch, New York, on property identified on the Suffolk County Tax Map as District 0100, Section 040.00, Block 02.00, Lot 011.000, and

WHEREAS, the Premises is not located within the boundaries of Suffolk County Sewer District No. 3 – Southwest (the "District"), or within the boundaries of any other municipal sewer district, but is located within the Agency project "Wyandanch Commercial Corridor", and

WHEREAS, Pursuant to the agreement for the construction and connection of the main in the Wyandanch Commercial Corridor, connections made from designated parcels to the main during the first five years after its completion would be charged no connection fee, and the subject parcel is one of the designated parcels, and

WHEREAS, it is anticipated that WR Communities - B LLC will generate a wastewater flow of Twenty-Six Thousand Five Hundred Forty-Seven gallons per day (26,547 GPD), and

WHEREAS, WR Communities - B LLC has applied to this Agency for permission to connect WR Communities - B LLC to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the flow which is expected to emanate from WR Communities - B LLC, and

WHEREAS, the connection of WR Communities - B LLC to the District will be environmentally beneficial to Suffolk County, and

WHEREAS, pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is listed as a Type II Action, and requires no further action, and

NOW, THEREFORE, IT IS

1<sup>st</sup> RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

1216

2<sup>nd</sup> RESOLVED, that WR Communities - B LLC be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

3<sup>rd</sup> RESOLVED, that Twenty-Six Thousand Five Hundred Forty-Seven gallons per day (26,547 GPD), of capacity in the District's sewage treatment plant be allocated to WR Communities - B LLC, and it is further

4<sup>th</sup> RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

5<sup>th</sup> RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between WR Communities - B LLC, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk, and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

6<sup>th</sup> RESOLVED, that Pursuant to the agreement for the construction and connection of the main in the Wyandanch Commercial Corridor, connections made from designated parcels to the main during the first five years after its completion would be charged no connection fee, and the subject parcel is one of the designated parcels, and it is further

7<sup>th</sup> RESOLVED, that WR Communities - B LLC shall, at its sole cost, expense and effort, construct a sewage collection facility for WR Communities - B LLC and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

8<sup>th</sup> RESOLVED, that WR Communities - B LLC shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for WR Communities - B LLC, as well as for all of the developer's obligations under the Connection Agreement, and it is further

9<sup>th</sup> RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to WR Communities - B LLC if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting – February 25, 2013)

**COUNTY OF SUFFOLK**



1216

**STEVEN BELLONE**  
SUFFOLK COUNTY EXECUTIVE

**DEPARTMENT OF PUBLIC WORKS**

**VINCENT FALKOWSKI, P.E.**  
CHIEF DEPUTY COMMISSIONER

**GILBERT ANDERSON, P.E.**  
COMMISSIONER

**PHILIP A BERDOLT**  
DEPUTY COMMISSIONER

**2013 Intergovernmental Relations  
Memorandum of Support**

**Title of Bill:**

RESOLUTION NO. -2013, AUTHORIZING EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SCSD NO. 3 – SOUTHWEST WITH WR COMMUNITIES - B LLC (BA-1477.1-003)

**Purpose or General Idea of Bill:**

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No.3 - Southwest with WR Communities - B LLC (BA-1477.1-003), a firm seeking permission to discharge 26,547 GPD.

**Summary of Specific Provisions:**

Allow the connection of the project to SCSD #3 - Southwest via the Wyandanch Commercial Corridor sewer collection system.

**Justification:**

Economic and environmental benefit

**Fiscal Implications:**

None

**SCDPW Project:** WR Communities - B LLC

**Project No.:** BA-1477.1-003

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1217

3/19/13

Intro. Res. No. - 2013

Laid on the Table

Introduced by Presiding Officer on the request of the County Executive

**RESOLUTION NO. - 2013, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) TO THE DEPARTMENT OF HEALTH SERVICES FOR THE IMPLEMENTATION OF EMERGENCY PREPAREDNESS STRATEGIES FOR COMMUNITY-DWELLING OLDER ADULTS**

**WHEREAS**, the NACCHO has awarded 100% Federal grant funds to the Department of Health Services for the implementation of emergency preparedness strategies for community-dwelling older adults in the amount of \$15,000 for the period 01/01/13-09/01/13; and

**WHEREAS**, a cross-sector leadership team will be composed of various county departments and community partners; and

**WHEREAS**, this leadership team will devise strategies and plans to care for older adults in the event of an emergency; and

**WHEREAS**, these grant funds are not included in the 2013 Adopted Operating Budget; now, therefore be it

**1<sup>ST</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$15,000 in grant funds as follows:

REVENUES

001-4401 Federal Aid: Public Health \$15,000

APPROPRIATIONS

Department of Health Services (HSV)  
Division of Emergency Medical Services  
Emergency Preparedness Strategies for Community-Dwelling Older Adults  
001-HSV-4638

Supplies, Material & Other Expense \$6,000

3100 Instructional Supplies \$6,000

Contractual Expenses \$9,000

4560 Fees for Services: Non-Employee \$9,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive is hereby authorized to execute any agreements necessary to receive these grant funds; and

**3<sup>rd</sup>** **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

**4<sup>th</sup>** **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 # 10-2013

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

1217

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
Title of Proposed Legislation Accepting and appropriating 100% Federal grant funds from the National Association of County and City Health Officials (NACCHO) to the Department of Health Services for the implementation of emergency preparedness strategies for community-dwelling older adults.		
3. Purpose of Proposed Legislation This legislation is needed to accept and appropriate 100% Federal grant funds from the National Association of County and City Health Officials (NACCHO) to the Department of Health Services for the implementation of emergency preparedness strategies for community-dwelling older adults. This program will create a cross-sector leadership team composed of various county departments and community partners. This leadership team will devise strategies and plans to care for older adults in the event of an emergency.		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <u>  </u> NO <u>  X  </u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Not applicable		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. None		
8. Proposed Source of Funding 100% Federal grant funds from the National Association of County and City Health Officials		
9. Timing of Impact 2013		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst Theresa Lollo Budget Office	11. Signature of Preparer  Theresa Lollo	Date 2/22/13 3/7/13

1217

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.

# COUNTY OF SUFFOLK



1217

**STEVEN BELLONE**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

## MEMORANDUM

**To:** Liza Wright, Budget, Purchasing and Grants Unit  
**From:** Gary Amato, Budget, Purchasing and Grants Unit  
**Date:** February 22, 2013  
**Subject:** Request for Resolution

---

NACCHO – Implementation of Emergency Preparedness Strategies for Community Dwelling for Older Adults  
Budget Period: 1/1/13 – 9/1/13  
Approp: 001-4638  
Revenue Code: 4401

Please write a resolution to accept and appropriate 100% federal grant funds for the above mentioned program. The total grant award for this period is \$15,000 and needs to be appropriated as follows:

Grand Total	<u>\$ 15,000</u>
SUPPLIES, MATERIALS, OTHER	<u>\$ 6,000</u>
3100 Instructional Supplies	\$ 6,000
CONTRACTS	<u>\$ 9,000</u>
4560 Fee For Service	\$ 9,000



**Public Health**  
Prevent. Promote. Protect.

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

1217

**COORDINATION OF GRANT APPLICATION OR CONTRACT**

**DATE:** 2/22/2013

**County of Suffolk**

Submitting Department / Agency: Health Services	Location: 3500 Sunrise Hwy, Suite 124, Great River, NY 11739	
Contact Person in Department / Agency Gary Amato	Telephone Number 854-0143	Grant Application Due Date

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

**I. Background Information**

1. Grant Title  
NACCHO - Implementation of Emergency Preparedness Strategies for Community-Dwelling Older Adults.

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

3. Grant / Contract Status (Check One Box)

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

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

To help assist vulnerable citizens and encourage continuity of living in emergency situations.

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

NONE

**II. BUDGET INFORMATION**

6. Term of Contract From: 1/1/2013 To: 9/1/2013

7. Financial Assistance Requested

Source	First Funding Cycle		Second Funding Cycle		Third Funding Cycle	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$ 15,000.00	100.0%				
State	\$ -	0.0%				
Private						
County		0.0%				
<b>Total</b>	<b>\$ 15,000.00</b>	<b>100.0%</b>				



Category	Appropriation Number Grantor Funds	Appropriation Number County Funds	Appropriation Number In-Kind Contribution	Remarks
PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	\$0.00		\$0.00	
EQUIPMENT: 2010 Furniture 2020 Office Machines 2070 Cameras & Photographic 2080 Medical, Dental, Lab, Equip 2090 Radio and Communication 2500 Other Equip: Unclassified	\$0.00		\$0.00	
SUPPLIES, MATERIALS, OTHER 3010 Office Supplies 3020 Postage 3040 Printing 3070 Memberships & Subscrip. 3100 Instructional Supplies 3160 Computer Software 3370 Medical, Dental, Lab Supp. 3500 Other Unclassified 3510 Rent: Business Machines 3680 Repairs, Special Equip	\$6,000.00    6,000.00		\$0.00	
UTILITIES: 4010 Telephone & Telegraph	\$0.00		\$0.00	
TRAVEL: 4330 Travel Employee Contracts 4340 Travel Other Contracts	\$0.00		\$0.00	1217

Category	Appropriation Number Grantor Funds	Appropriation Number County Funds	Appropriation Number In-Kind Contribution	Remarks
FEES FOR SERVICES: 4560: Fees for Services, Non-Employees	<u>\$9,000.00</u> 9,000.00		<u>\$0.00</u>	
CONTRACTED SERVICES (List) 4980 Contracted Agencies	<u>\$0.00</u> 0.00		<u>\$0.00</u>	
EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker's Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance	<u>\$0.00</u>		<u>\$0.00</u>	
OTHER: (List Source & Brief Explanation)	<u>\$0.00</u>		<u>\$0.00</u>	1217

I certify that the above in-kind contributions are not currently being used to support other Grants.

Signature of Project Director



[margaret.bermel@suffolkcountyva.gov](mailto:margaret.bermel@suffolkcountyva.gov)



Please help to save a tree and only print this email if you really need to. Thank you!

1/11/2013 5:17 PM  
margaret.bermel@suffolkcountyva.gov

PRIVILEGED AND CONFIDENTIAL - INTEROFFICE INTRA-AGENCY COMMUNICATION - NOT SUBJECT TO FOIL DISCLOSURE - NOT FOR DISTRIBUTION

**From:** Laura Biesiadecki [mailto:Lbiesiadecki@naccho.org]  
**Sent:** Friday, January 11, 2013 5:17 PM  
**To:** Tomarken, James; Bermel, Margaret  
**Cc:** Scott Fisher; Jennifer Nieratko; margaret.moore@cdc.hhs.gov  
**Subject:** Community-Dwelling Older Adults Project application

# NACCHO

National Association of County & City Health Officials

The National Connection for Local Public Health

The National Association of County and City Health Officials (NACCHO) is pleased to inform you that Suffolk County Department of Health Services' application for a "Local Health Department Implementation of Emergency Preparedness Strategies for Community-Dwelling Older Adults" funding has been approved. Additional funds have become available and NACCHO is able to increase your award to \$15,000.

To remain eligible for this award, you must acknowledge receipt of this Notice of Award (NOA) and resubmit a revised budget and revised scope of work for the additional funds by January 18, 2013 to Jennifer Nieratko, [jnieratko@naccho.org](mailto:jnieratko@naccho.org). In addition, in your response, please address the following questions/issues regarding your initial proposed scope of work.

- One of the pilot requirements requires awardees to convene a cross-sector leadership team composed of various community partners. Please briefly clarify how and when you will convene your leadership team.
- Please clarify expected target audience and expected outcomes for the PSA campaign video development.
- Please name and contact information for a designated point of contact for the project.

By accepting Community-Dwelling Older Adults project funding, you agree to:

- Adhere to NACCHO's standard contract language and be able to sign and return a contract to NACCHO within 30 days of receiving it.
- Attend a kick-off meeting on February 21, 2013 in Washington DC. Funds will be available for up to three representatives from your cross-sector leadership team including the designated project point of contact. Travel instructions will follow under a separate email.

1217

- Convene a cross-sector leadership team composed of various community partners. This team must include the local area agency on aging.
- Characterize the community-dwelling older adult population in their jurisdiction.
- Identify Action Options relevant to their jurisdiction and test their implementation.
- Provide a focused plan for identifying the vulnerable, community-dwelling older adults in their jurisdiction.
- Share resources on <http://www.cdc.gov/aging/emergency>.
- Participate in conference calls with other selected sites, NACCHO, and CDC, as needed.
- Identify lessons learned and contribute a case study to an addendum of the Guide.

NACCHO and CDC will provide:

- The monetary award that will be paid in two installments upon successful submission of deliverables. The first payment will be made following participation in the kick-off meeting. The second payment will be made following submission of a case study to NACCHO.
- Opportunities for sites to interact with and learn from each other throughout the project period, including a kick-off meeting and conference calls.
- Virtual technical assistance to support implementation of project activities.
- Support in developing case studies for the Guide addendum.

Thank you again for your submission. Please contact me with any questions. We look forward to working with you on this project.

Sincerely,

Laura Biesiadecki, MSPH  
Director, APC Program

Laura Biesiadecki, MSPH, CPH  
Director  
Advanced Practice Centers Program  
National Association of County and City Health Officials  
1100 17th Street, NW  
Washington, DC 20036  
Phone: 202-507-4205

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1217

NACCHO CONTRACT # 2013-012306

**CONTRACTOR AGREEMENT**

This Contractor Agreement is entered into, effective as of the date of the later signature indicated below, by and between the **National Association of County and City Health Officials** (hereinafter referred to as "NACCHO"), with its principal place of business at 1100 17<sup>th</sup> Street, N.W., 7<sup>th</sup> Floor, Washington, DC 20036, and **Suffolk County Department of Health Services** (hereinafter referred to as "Contractor"), with its principal place of business at 3500 Sunrise Highway, Suite 124, Great River, NY 11739-9006.

WHEREAS, NACCHO wishes to hire Contractor to provide certain goods and/or services to NACCHO;

WHEREAS, Contractor wishes to provide such goods and/or services to NACCHO.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties, intending to be legally bound, do hereby agree as follows:

ARTICLE I: SPECIAL PROVISIONS

1. PURPOSE OF AGREEMENT: Contractor agrees to provide the goods and/or services to NACCHO to enhance the programmatic activities of CDC (GRANT TITLE #5U38HM000449-05, CFDA # 93.283) as described in Attachment I. The terms of Attachment I shall be incorporated into this Agreement as if fully set forth herein. Contractor shall act at all times in a professional manner consistent with the standards of the industry.
2. TERM OF AGREEMENT: The term of the Agreement shall begin on January 1, 2013 and shall continue in effect until September 1, 2013, unless earlier terminated in accordance with the terms herein. Expiration of the term or termination of this Agreement shall not extinguish any rights or obligations of the parties that have accrued prior thereto. The term of this Agreement may be extended by mutual agreement of the parties.
3. PAYMENT FOR SERVICES: In consideration for professional services to be performed, NACCHO agrees to pay Contractor \$15,000. All payments will be made in arrears, within 30 days of receipt of invoice(s) from Contractor and following approval by NACCHO for approved services, as outlined on Attachment I. Two invoices must be submitted upon successful completion of deliverables. The first payment of \$7,500 will be made following participation in the kick-off meeting. The second payment of \$7,500 will be made following submission of a case study to NACCHO. The final invoice must be received by NACCHO no later than 20 days after the end of the Agreement.

1217

ARTICLE II: GENERAL PROVISIONS

1. INDEPENDENT CONTRACTOR: Contractor shall act as an independent contractor, and Contractor shall not be entitled to any benefits to which NACCHO employees may be entitled.
2. PAYMENT OF TAXES AND OTHER LEVIES: Contractor shall be exclusively responsible for reporting and payment of all income tax payments, unemployment insurance, worker's compensation insurance, social security obligations, and similar taxes and levies.
3. LIABILITY: All liability to third parties, loss, or damage as a result of claims, demands, costs, or judgments arising out of activities, such as direct service delivery, to be carried out by the Contractor in the performance of this agreement shall be the responsibility of the Contractor, and not the responsibility of NACCHO, if the liability, loss, or damage is caused by, or arises out of, the actions of failure to act on the part of the Contractor, any subcontractor, anyone directly or indirectly employed by the Contractor.  
All liability to third parties, loss, or damage as result of claims, demands, costs, or judgments arising out of activities, such as the provision of policy and procedural direction, to be carried out by NACCHO in the performance of this agreement shall be the responsibility of NACCHO, and not the responsibility of the Contractor, if the liability, loss, or damage is caused by, or arises out of, the action or failure to act on the part of any NACCHO employee.  
In the event that liability to third parties, loss, or damage arises as a result of activities conducted jointly by the Contractor and NACCHO in fulfillment of their responsibilities under this agreement, such liability, loss, or damage shall be borne by the Contractor and NACCHO in relation to each party's responsibilities under these joint activities.
4. REVISIONS AND AMENDMENTS: Any revisions or amendments to this Agreement must be made in writing and signed by both parties.
5. ASSIGNMENT: Without prior written consent of NACCHO, Contractor may not assign this Agreement nor delegate any duties herein.
6. INTERFERING CONDITIONS: Contractor shall promptly and fully notify NACCHO of any condition that interferes with, or threatens to interfere with, the successful carrying out of Contractor's duties and responsibilities under this Agreement, or the accomplishment of the purposes thereof. Such notice shall not relieve Contractor of said duties and responsibilities under this Agreement.
7. OWNERSHIP OF MATERIALS: Contractor hereby transfers and assigns to NACCHO all right, title and interest (including copyright rights) in and to all materials created or developed by Contractor pursuant to this Agreement, including, without limitation,

1217

reports, summaries, articles, pictures and art (collectively, the "Materials") (subject to any licensed third-party rights retained therein). Contractor shall inform NACCHO in writing of any third-party rights retained within the Materials and the terms of all license agreements to use any materials owned by others. Contractor understands and agrees that Contractor shall retain no rights to the Materials and shall assist NACCHO, upon reasonable request, with respect to the protection and/or registrability of the Materials. Contractor represents and warrants that, unless otherwise stated to NACCHO in writing, the Materials shall be original works and shall not infringe or violate the rights of any third party or violate any law. The obligations of this paragraph are subject to any applicable requirements of the U.S. Department of Health and Human Services.

8. RESOLUTION OF DISPUTES: The parties shall use their best, good faith efforts to cooperatively resolve disputes and problems that arise in connection with this Agreement. Both parties will make a good faith effort to continue without delay to carry out their respective responsibilities under the Agreement while attempting to resolve the dispute under this section. If a dispute arises between the parties that cannot be resolved by direct negotiation, the dispute shall be submitted to a dispute board for a nonbinding determination. Members of the dispute board shall be the Director or Chief Executive Officer of the consultant, the Executive Director of NACCHO, and the Senior Staff of NACCHO responsible for this Agreement. The costs of the dispute board shall be paid by the consultant and NACCHO in relation to the actual costs incurred by each of the parties. The dispute board shall timely review the facts, Agreement terms and applicable law and rules, and make its determination. If such efforts fail to resolve the differences, the disputes will be submitted to arbitration in the District of Columbia before a single arbitrator in accordance with the then-current rules of the American Arbitration Association. The arbitration award shall be final and binding upon the parties and judgment may be entered in any court of competent jurisdiction.
9. TERMINATION: Either party may terminate this Agreement upon at least fifteen (15) days prior written notice to the other party. NACCHO will pay Contractor for services rendered through the date of termination.
10. ENTIRE AGREEMENT: This Agreement contains all agreements, representations, and understandings of the parties regarding the subject matter hereof and supersedes and replaces any and all previous understandings, commitments, or agreements, whether oral or written, regarding such subject matter.
11. PARTIAL INVALIDITY: If any part, term, or provision of this Agreement shall be held void, illegal, unenforceable, or in conflict with any law, such part, term or provision shall be restated in accordance with applicable law to best reflect the intentions of the parties and the remaining portions or provisions shall remain in full force and effect and shall not be affected.

1217

12. GOVERNING LAW: This Agreement shall be governed by and construed in accordance with the laws of the District of Columbia (without regard to its conflict of laws provisions).
13. ADDITIONAL FUNDING: Unless prior written authorization is received from NACCHO, no additional funds will be allocated to this project for work performed beyond the scope specified or time frame cited in this Agreement.
14. REMEDIES FOR MISTAKES: If work that is prepared by the Contractor contains errors or misinformation, the Contractor will correct error(s) within five business days. The Contractor will not charge NACCHO for the time it takes to rectify the situation.
15. COMPLIANCE WITH FEDERAL LAWS AND REGULATIONS: Contractor's use of funds under this Agreement is subject to the directives of and full compliance with 45 C.F.R. Part 74 (Uniform Administrative Requirements for Awards and Subawards to Institutions of Higher Education, Hospitals, Other Non-Profit Organizations, and Commercial Organizations) and OMB Circular A-110 (Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations). It is the Contractor's responsibility to understand and comply with all requirements set forth therein.
16. EQUAL EMPLOYMENT OPPORTUNITY: Pursuant to OMB Circular A-110, Contractor will comply with E.O. 11246, "Equal Employment Opportunity," as amended by E.O. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and as supplemented by regulations at 41 C.F.R. part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
17. DEBARRED OR SUSPENDED CONTRACTORS: Pursuant to OMB Circular A-110, Contractor will execute no subcontract with parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs in accordance with E.O.s 12549 and 12689, "Debarment and Suspension."
18. COMPLIANCE WITH FEDERAL ENVIRONMENTAL REGULATIONS: Pursuant to OMB Circular A-110, Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq.).
19. AUDITING: Contractor agrees to permit independent auditors to have access to its records and financial statements for the purpose of monitoring compliance with this Agreement. If Contractor is not required to undergo an audit pursuant to OMB Circular A-133 because Contractor receives less than \$500,000 in federal direct or indirect cooperative agreement or grant funds, Contractor will certify to NACCHO that it is not so required. If Contractor is required to undergo an audit pursuant to OMB Circular A-

1217

133, Contractor will undergo the required audit and agrees to send a copy of its most recent OMB A-133 audit report and any management letters to NACCHO.

- 20. **NOTICE:** All notices, including invoices, required to be delivered to the other party pursuant to this Agreement shall be in writing and shall be sent via facsimile, with a copy sent via US mail, postage prepaid, to the parties at the addresses set forth below. Either party may send a notice to the other party, pursuant to this provision, to change the address to which notices shall be sent.

FOR NACCHO:  
 Contract Specialist  
 National Association of County and City Health Officials  
 1100 17<sup>th</sup> Street, N.W., 7<sup>th</sup> Floor  
 Washington, D.C. 20036  
 Tel. (202) 507-4272  
 Fax (202) 783-1583  
 Email: [mtsanga@naccho.org](mailto:mtsanga@naccho.org)

FOR CONTRACTOR:  
 Margaret Bermel  
 Director, Health Administrative Services  
 Suffolk County Department of Health Services  
 3500 Sunrise Highway, Suite 124  
 Greater River, NY 11739-9006  
 Tel: (631) 854-0097  
 Email: [margaret.bermel@suffolkcounty.gov](mailto:margaret.bermel@suffolkcounty.gov)

- 21. **AUTHORITY TO BIND:** Each party hereby represents and warrants that the person signing below has the authority to bind such party to this Agreement.

**NACCHO:**  
 By: \_\_\_\_\_  
 Name: John Mericsko  
 Title: Chief Financial Officer  
 Date: \_\_\_\_\_

**CONTRACTOR:**  
 By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

Federal Tax ID No: 11-600464

1217

**NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS**

**CONTRACTOR AGREEMENT – ATTACHMENT I**

**SCOPE OF WORK**

**SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES**

**Local Health Department Implementation of Emergency Preparedness Strategies for Community-Dwelling Older Adults**

One of the pilot requirements requires awardees to convene a cross-sector leadership team composed of various community partners. Please briefly clarify how and when you will convene your leadership team.

1. Grant funds will be used to expand and enhance existing cross-sectional leadership teams within Suffolk County Government, and expand and enhance public-private partnerships with key stakeholders with a vested interest in community-dwelling older adults. In addition to those agencies identified in the original grant narrative, expansion will include:
  - a. Island Harvest;
  - b. Salvation Army;
  - c. Township senior adult/day care programs;
  - d. Molloy College School of Nursing; and
  - e. Dowling College School of Public Health.

Representatives from each internal and external partner will hold regular meetings to address global concerns, each responsible for their respective discipline-specific areas of expertise and responsibility. Under the general oversight of the Suffolk County Fire, Rescue, and Emergency Services Office of Emergency Management, we currently operate an Emergency Support Function 8 - *Public Health and Medical Services Branch*. Expansion will incorporate these new partners into our emergency response plan and will assist us in expanding into a new Emergency Support Function 6 - *Mass Care, Emergency Assistance, Housing, and Human Services Branch*.

Leadership teams will be convened on a regular basis by expanding our invitation lists to regular planning meetings to include new partners. Work groups will be developed to address key areas and a strategic plan will be developed to implement new practices.

Please clarify expected target audience and expected outcomes for the PSA campaign video development.

1217

2. Target audience includes access to the general population of the County (1.4 million people) through a variety of public media. We seek to encourage all citizens to be aware of the County's sheltering and housing plans and to enroll vulnerable citizens into our Ready Suffolk Program and Vulnerable Populations Preparedness Registry. We also seek to encourage continuity-of-family-living emergency planning with the guidelines of the federal "Are You Ready?" Program. Postulated outcomes include: increase in voluntary registration; providing community-level situational awareness to family disaster planning; community-level situational awareness to County plans for emergency sheltering, which includes sub-categories for special health care needs, pet friendly, and registered sex offender shelters.

Please name and contact information for a designated point of contact for the project.

3. The Department of Health Services designated point of contact is Mr. Robert Delagi, Director of Emergency Services. Mr. Delagi is a key partner in the County's Emergency Management activity, and is experienced in the project areas. His contact information is as follows:
  - a. Mailing Address – Suffolk County Department of Health Services, Division of Emergency Medical Services, 360 Yaphank Ave., Suite 1B, Yaphank, NY 11980.
  - b. Email – [robert.delagi@suffolkcountyny.gov](mailto:robert.delagi@suffolkcountyny.gov)
  - c. Office telephone – 631-852-4235
  - d. Cell – 631-484-1002

Mr. Delagi will attend the February 21, 2013 kick-off meeting in Washington DC.

COUNTY OF SUFFOLK



1217

STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

January 15, 2013

Ms. Laura Biesiadecki, MSPH, CPH  
Director  
Advanced Practice Centers Program  
National Association of County and City Health Officials  
1100 17th Street, NW  
Washington, DC 20036

Dear Ms. Biesiadecki,

Thank you for your consideration of our application submitted pursuant to Cooperative Agreement 5U38HM0000449-05 *Local Health Department Implementation of Emergency Preparedness Strategies for Community-Dwelling Older Adults*. We are excited to receive this award, along with the additional funding. Please let this letter serve as our acknowledgement of the Notice of Award (NOA). We are pleased to submit the enclosed narrative addendum and revised budget in response to your request for clarifications regarding our scope of work.

We are prepared to begin work in achieving our goals and objectives as soon as the Term of Agreement begins and foresee no barriers to meeting the grant deliverables.

Thank you again for this opportunity.

Sincerely,

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

Attachment



OFFICE OF THE COMMISSIONER  
3500 Sunrise Highway, Ste. 124, PO Box 9006, Great River, NY 11739-9006  
(631) 854-0000 Fax (631) 854-0108

# COUNTY OF SUFFOLK



1217

**STEVEN BELLONE**

SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

## SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES – GRANT APPLICATION ADDENDUM

5U38HM0000449-05 *Local Health Department Implementation of Emergency Preparedness Strategies for  
Community-Dwelling Older Adults*

One of the pilot requirements requires awardees to convene a cross-sector leadership team composed of various community partners. Please briefly clarify how and when you will convene your leadership team.

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  - d. Molloy College School of Nursing; and
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Representatives from each internal and external partner will hold regular meetings to address global concerns, each responsible for their respective discipline-specific areas of expertise and responsibility. Under the general oversight of the Suffolk County Fire, Rescue, and Emergency Services Office of Emergency Management, we currently operate an Emergency Support Function 8 - *Public Health and Medical Services Branch*. Expansion will incorporate these new partners into our emergency response plan and will assist us in expanding into a new Emergency Support Function 6 - *Mass Care, Emergency Assistance, Housing, and Human Services Branch*.

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**Public Health**  
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER

3500 Sunrise Highway, Ste. 124, PO Box 9006, Great River, NY 11739-9006

1217

Please clarify expected target audience and expected outcomes for the PSA campaign video development.

2. Target audience includes access to the general population of the County (1.4 million people) through a variety of public media. We seek to encourage all citizens to be aware of the County's sheltering and housing plans and to enroll vulnerable citizens into our Ready Suffolk Program and Vulnerable Populations Preparedness Registry. We also seek to encourage continuity-of-family-living emergency planning with the guidelines of the federal "Are You Ready?" Program. Postulated outcomes include: increase in voluntary registration; providing community-level situational awareness to family disaster planning; community-level situational awareness to County plans for emergency sheltering, which includes sub-categories for special health care needs, pet friendly, and registered sex offender shelters.

Please name and contact information for a designated point of contact for the project.

3. The Department of Health Services designated point of contact is Mr. Robert Delagi, Director of Emergency Services. Mr. Delagi is a key partner in the County's Emergency Management activity, and is experienced in the project areas. His contact information is as follows:
  - a. Mailing Address – Suffolk County Department of Health Services, Division of Emergency Medical Services, 360 Yaphank Ave., Suite 1B, Yaphank, NY 11980.
  - b. Email – [robert.delagi@suffolkcountyny.gov](mailto:robert.delagi@suffolkcountyny.gov)
  - c. Office telephone – 631-852-4235
  - d. Cell – 631-484-1002

Mr. Delagi will attend the February 21, 2013 kick-off meeting in Washington DC.



OFFICE OF THE COMMISSIONER

3500 Sunrise Highway, Ste. 124, PO Box 9006, Great River, NY 11739-9006

1217

**Revised Project Budget**

This proposal budgets \$4,000 for the purchase of community demonstration preparedness kits; \$2,000 for Portable Static Display Boards, and \$9,000 for a Public Service Announcement campaign video development. The total for project implementation is budgeted at \$15,000. Our initial budget was focused on developing an Internet capable PSA. The increase in funds will allow us to develop three (3) additional versions of the PSAs: smartphone video technology; executable CD memory stick; and trade show versions.

COST PROPOSAL		
Other Direct Costs (ODCs)		
Community demonstration preparedness kits (20) @ \$200.00 ea.	3100	\$4,000.00
Portable Static Display Boards (2) @ \$1,000.00 ea.	2000	\$2,000.00
PSA campaign video development	4900	\$9,000.00
<b>GRAND TOTAL</b>		<b>\$15,000.00</b>



OFFICE OF THE COMMISSIONER

3500 Sunrise Highway, Ste. 124, PO Box 9006, Great River, NY 11739-9006

1217

**2013 Intergovernmental Relations  
Memorandum of Support**

TITLE OF BILL: Accepting and Appropriating 100% Federal grant funds from the National Association of County and City Health Officials (NACCHO) to the Department of Health Services for the implementation of emergency preparedness strategies for community-dwelling older adults.

PURPOSE OR GENERAL IDEA OF BILL: To accept grant funds for the implementation of emergency preparedness strategies for older adults within the community.

SUMMARY OF SPECIAL PROVISIONS: This legislation amends the 2013 Adopted Operating Budget.

JUSTIFICATION: This program will create a cross-sector leadership team composed of various county departments and community partners. This leadership team will devise strategies and plans to care for older adults in the event of an emergency.

FISCAL IMPLICATIONS: None

# COUNTY OF SUFFOLK



1217

**STEVEN BELLONE**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

February 22, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to accept and appropriate 100% Federal grant funds from the National Association of County and City Health Officials (NACCHO) to the Department of Health Services for the implementation of emergency preparedness strategies for community-dwelling older adults. This program will create a cross-sector leadership team composed of various county departments and community partners. This leadership team will devise strategies and plans to care for older adults in the event of an emergency.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Gary Amato at 4-0143. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-EMS NACCHO.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  
Robert Delagi, Coordinator of Emergency Medical Services  
Diane E. Weyer, Principal Financial Analyst  
Gary Amato, Accountant



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

RESOLUTION NO.

CONTROL#921-2013

Intro. Res. #

1218-13

Laid on Table 3/19/13

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 #921-2013)

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#921-2013

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#921-2013

(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	BROOKHAVEN	12/13	0200 56200 0100 009039	18244.45	15067.45	3177.00
A	BROOKHAVEN	12/13	0200 56000 0300 004006	17563.92	13964.45	3599.47
A	BROOKHAVEN	12/13	0200 56000 0300 004071	17602.29	13884.53	3717.76
A	BROOKHAVEN	12/13	0201 00600 0200 013001	19568.65	15574.64	3994.01
A	BROOKHAVEN	12/13	0200 69100 0100 035000	11210.60	8562.76	2647.84
A	BROOKHAVEN	12/13	0200 64700 0400 036000	10158.17	7397.30	2760.87
A	BROOKHAVEN	12/13	0200 22700 0200 001000	12197.40	9435.70	2761.70
A	BROOKHAVEN	12/13	0206 00600 0100 001013	18087.98	13931.54	4156.44
A	BROOKHAVEN	12/13	0200 94600 0100 003010	44757.31	37334.15	7423.16
A	BROOKHAVEN	12/13	0200 56000 0300 004061	18856.95	14361.84	4495.11
A	BROOKHAVEN	12/13	0200 08300 0200 001038	14229.57	11727.51	2502.06
A	BROOKHAVEN	12/13	0200 08300 0200 001078	12591.32	9821.19	2770.13
A	BROOKHAVEN	12/13	0200 88400 0300 005000	13364.86	9886.65	3478.21
A	BROOKHAVEN	12/13	0200 08500 0100 005008	29469.54	26798.98	2670.56

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

1218

1. Type of Legislation

Resolution  Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes \_\_\_ No \_\_\_

**SEE NO. 2 ABOVE**

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

10. Typed Name & Title of Preparer

R. Motschenbacher RPAT II

11. Signature of Preparer



12. Date March 7, 2013

**Additional back-up material regarding IR 1218 is one file in the  
Legislative Clerk's Office, Hauppauge.**

Introductory Resolution No. 1719-13 Laid on Table 3/19/13

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  
**JOHN B. GALLAGHER**  
0900-145.00-02.00-054.000

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900, Section 145.00, Block 02.00, Lot 054.000, and acquired by tax deed on June 15, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 18, 2012, in Liber 12696, at Page 600, and otherwise known and designated by the Town of Southampton, as Lots 1, 2, 3 and 4, All Inclusive, Block 16, Section "AA" on a certain map entitled "Riverhead Estates", filed in the office of the Clerk of Suffolk County on April 21, 1926 as Map No. 226/575; 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 June 15, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 18, 2012 in Liber 12696 at Page 600.

**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**, JOHN B. GALLAGHER has made application of said above described parcel and JOHN B. GALLAGHER has paid the application fee and has paid \$4,387.62, 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

**1<sup>st</sup> - 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

2<sup>nd</sup> - **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 JOHN B. GALLAGHER, 4330 Main Street, Waitsfield, VT 05673, 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

1219

1. Type of Legislation

Resolution

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  
**JOHN B. GALLAGHER**  
**0900-145.00-02.00-054.000**

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

10. Typed Name & Title of Preparer

Signature of Preparer

Date

Peter Belyea



2-7-13

NEIL TOOMB  
INTERGOV. REL. COORD

NEIL TOOMB 3/12/13

FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1219

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.

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1219

February 07, 2013

Tax Map No.: 0900-145.00-02.00-054.000

Name of Last Legal Fee Owner: JOHN B. GALLAGHER

TREASURER'S COMPUTATION..... \$4,387.62 ✓

Taxes.....2012/2013..... OPEN

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

---

TOTAL..... \$4,387.62

---

Monies Received..... \$4,387.62

---

RESOLUTION AMOUNT..... \$4,387.62 ✓

---

APPROVED:

*Annette Brownell 2.7.2013*  
Accounting  
PB:lag

PREPARED BY:

*P. Belyea*  
Peter Belyea  
Redemption Unit  
(631)853-5932

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0900	145.00	02.00	054.000

1219

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2009/10	1,359.54
2010/11	1,599.69
2011/12	1,002.12

TOTAL: \$3,961.35

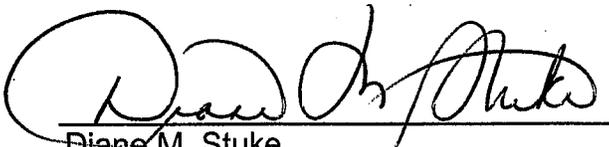
B. INTEREST DUE	217.33
C. TOTAL	4,178.68
D. 5% LINE C	208.93
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$4,387.62 (\*0)

**CERTIFICATION BY COUNTY TREASURER**

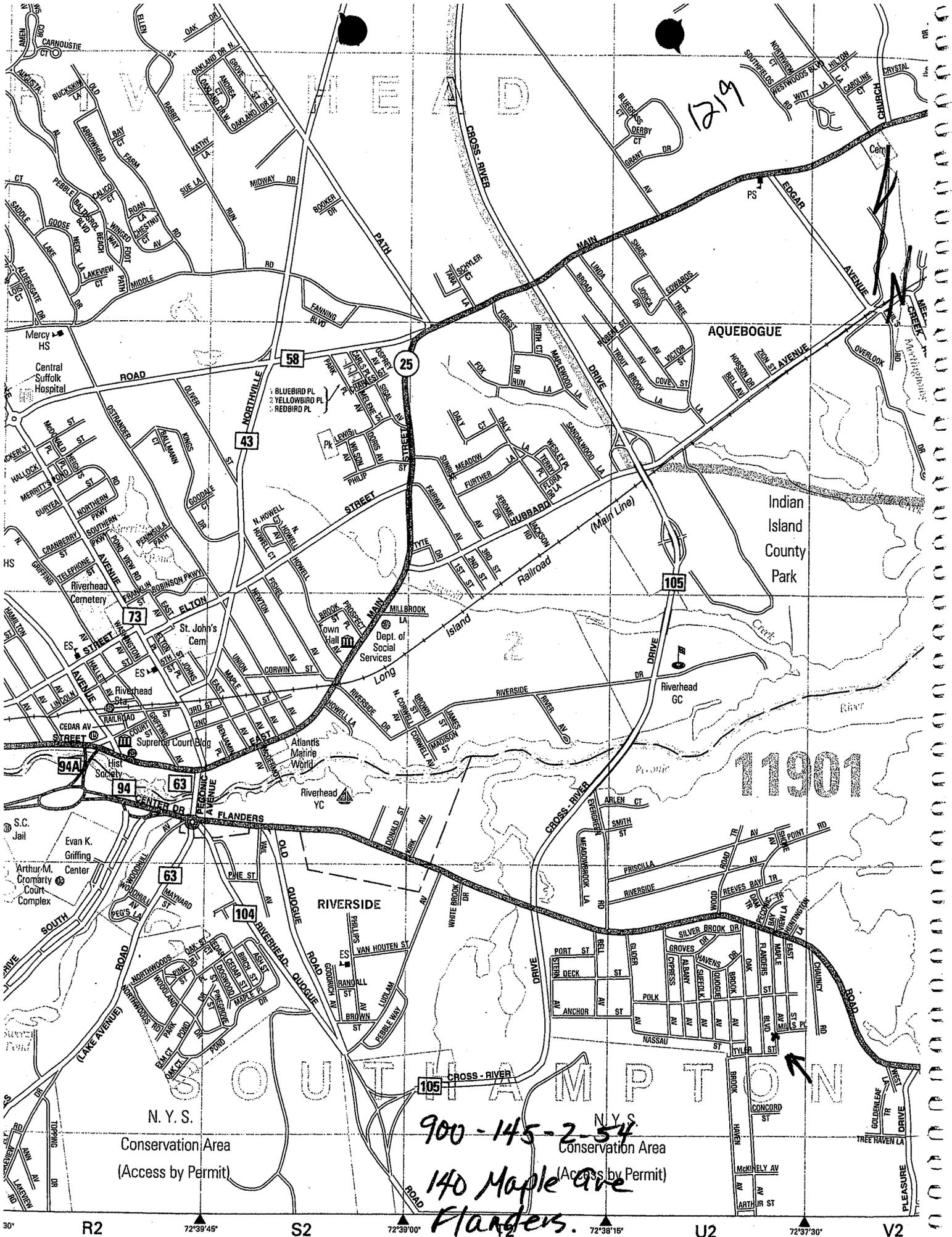
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 05-Dec-12



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 06/03/13



1219

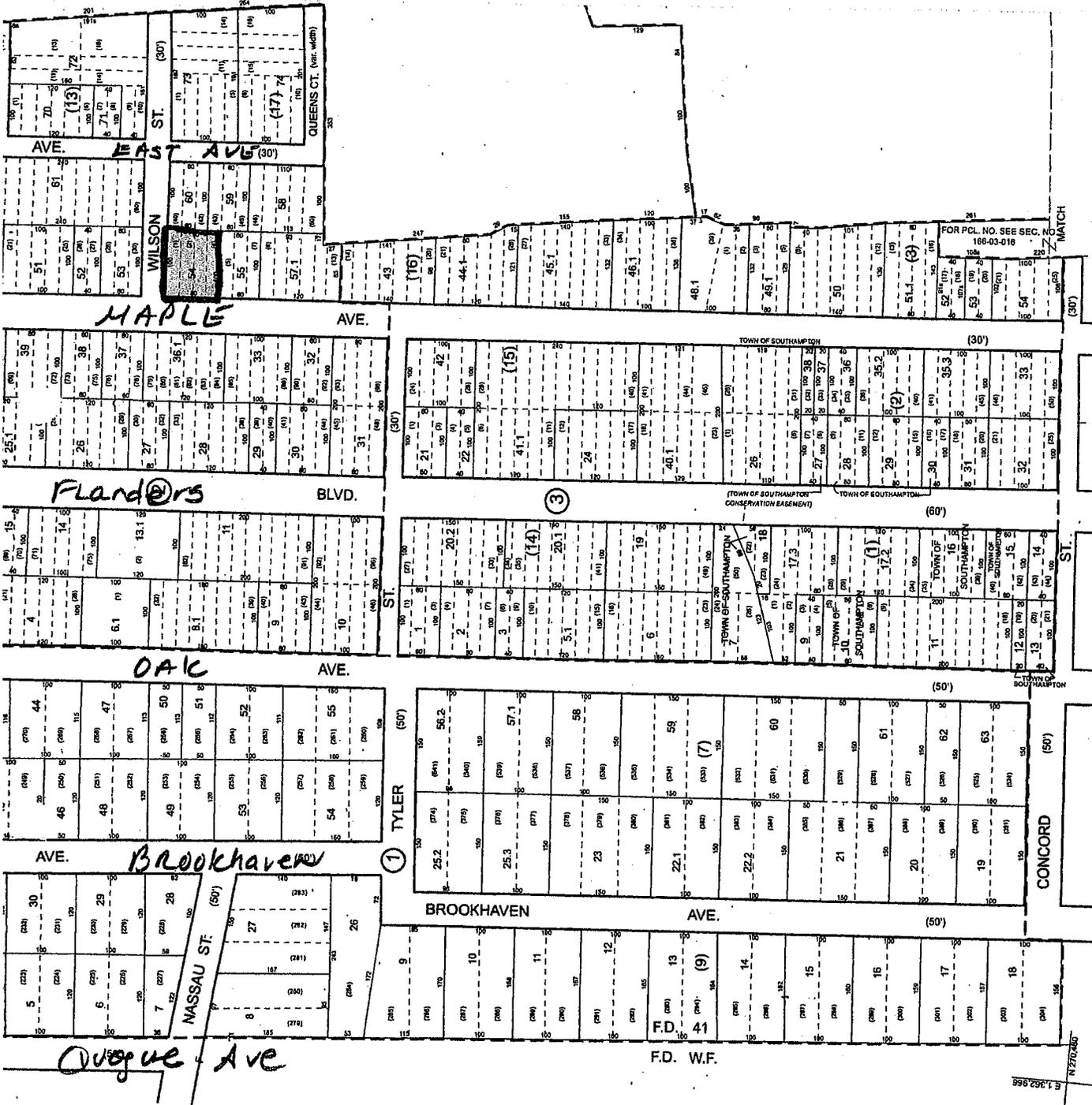
11901

900-145-254  
 140 Maple Ave  
 Flanders.

Conservation Area  
 (Access by Permit)

Conservation Area  
 (Access by Permit)

1219



UNLESS DRAWN OTHERWISE ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS:

SEWER	4
SCHOOL	4
FIRE	41
HYDRANT	41
WATER	50
LIGHT	50
REFUSE	50
PARK	
AMBULANCE	

FOR P.C.L. NO. SEE SEC. 166-03-016

NO. 1219 Z MATCH

Hydrant District Line	— H —
Release District Line	— R —
Historical District Line	— HST —
Autoshare District Line	— A —
Watermain District Line	— WW —
School District Line	— SCH —
Fire District Line	— F —
Water District Line	— W —
Light District Line	— L —
Park District Line	— P —
Sewer District Line	— S —

(2)

Block Lot	021
Subdivision Lot No.	(21)
Subdivision Block No.	42
Deed Dimension	62
Scaled Dimension	62
Deed Area	12.1 A(0) or 12.1 A
Calculated Area	12.1 A(0)

Property or Part Line  
Divides Common Owner  
Subdivision Lot Line  
Stream / Shore  
Parcel No. 23

1270-060  
E 1,362,966

COUNTY OF SUFFOLK



1219

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 22, 2013

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

Re: Tax Map No. 0900-145.00-02.00-054.000  
JOHN B. GALLAGHER

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 Kubicko, Inventory (e-copy)

Introductory Resolution No. 1220-13 Laid on Table 3/19/13

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  
ESTATE OF BLANCHE BRAY  
0100-055.00-01.00-052.000**

**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 055.00, Block 01.00, Lot 052.000, and acquired by tax deed on August 23, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 24, 2011, in Liber 12669, at Page 359, and otherwise known and designated by the Town of Babylon, as Lots 36 to 38 Inclusive, Block 5, on a certain map entitled "Map of Home Acres", filed in the office of the Clerk of Suffolk County on May 27, 1931 as Map No. 300; 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, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 24, 2011 in Liber 12669 at Page 359.

**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**, ESTATE OF BLANCHE BRAY has made application of said above described parcel and ESTATE OF BLANCHE BRAY has paid the application fee and will be paying \$36,800.58, 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

**1<sup>st</sup> - 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

**2<sup>nd</sup> - 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 ESTATE OF BLANCHE BRAY, 3095 Hackberry Lane, York, PA 17404, 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

1220

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  
**ESTATE OF BLANCHE BRAY**  
**0100-055.00-01.00-052.000**

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  
NEIL TOOMB  
Integer. Record.

Lori Sklar      2/15/13  
Neil Toomb      3/12/13

FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1220

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.

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1220

February 13, 2013

Tax Map No.: 0100-055.00-01.00-052.000

Name of Last Legal Fee Owner: ESTATE OF BLANCHE BRAY

TREASURER'S COMPUTATION..... \$30,342.20

Taxes.....2012/2013..... \$6,458.38

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$36,800.58

Monies to be Received..... \$36,800.58 2.017

RESOLUTION AMOUNT..... \$36,800.58 ✓

APPROVED:

Blanche Brownell 2-14-2013  
Accounting  
LS:lag

PREPARED BY:

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

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	055.00	01.00	1220 052.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	685.97
2007/08	3349.12
2008/09	3409.93
2009/10	3107.58
2010/11	7127.39
2011/12	8561.54

2012/13 PROPERTY TAXES \$6,458.<sup>38</sup> NOT INCLUDED IN COMPUTATION

TOTAL: 26241.53 ^

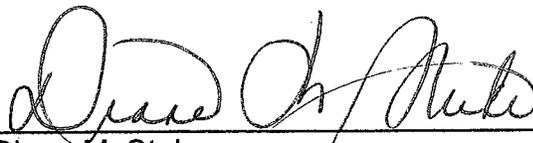
B. INTEREST DUE	2655.81
C. TOTAL	28897.34
D. 5% LINE C	1444.87
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$30,342.20 <sup>2.07</sup>

**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. 13-Feb-13

  
\_\_\_\_\_  
Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 08/12/13

- Revisions
- 11-04-96
- 11-21-97
- 10-17-90
- 10-20-90
- 04-20-99
- 05-25-99
- 06-09-99
- 11-10-99
- 03-20-00
- 06-30-00
- 07-05-00
- 12-29-00
- 02-27-01
- 04-17-01
- 09-21-01
- 01-14-04
- 04-09-04
- 04-22-04
- 02-09-05
- 08-23-05
- 04-26-06
- 07-03-06
- 02-22-07
- 08-03-07
- 05-23-07
- 07-03-07
- 12-10-07
- 08-01-08
- 10-29-08
- 02-26-09
- 03-11-09

N 191,600  
E 2,174,200

1220



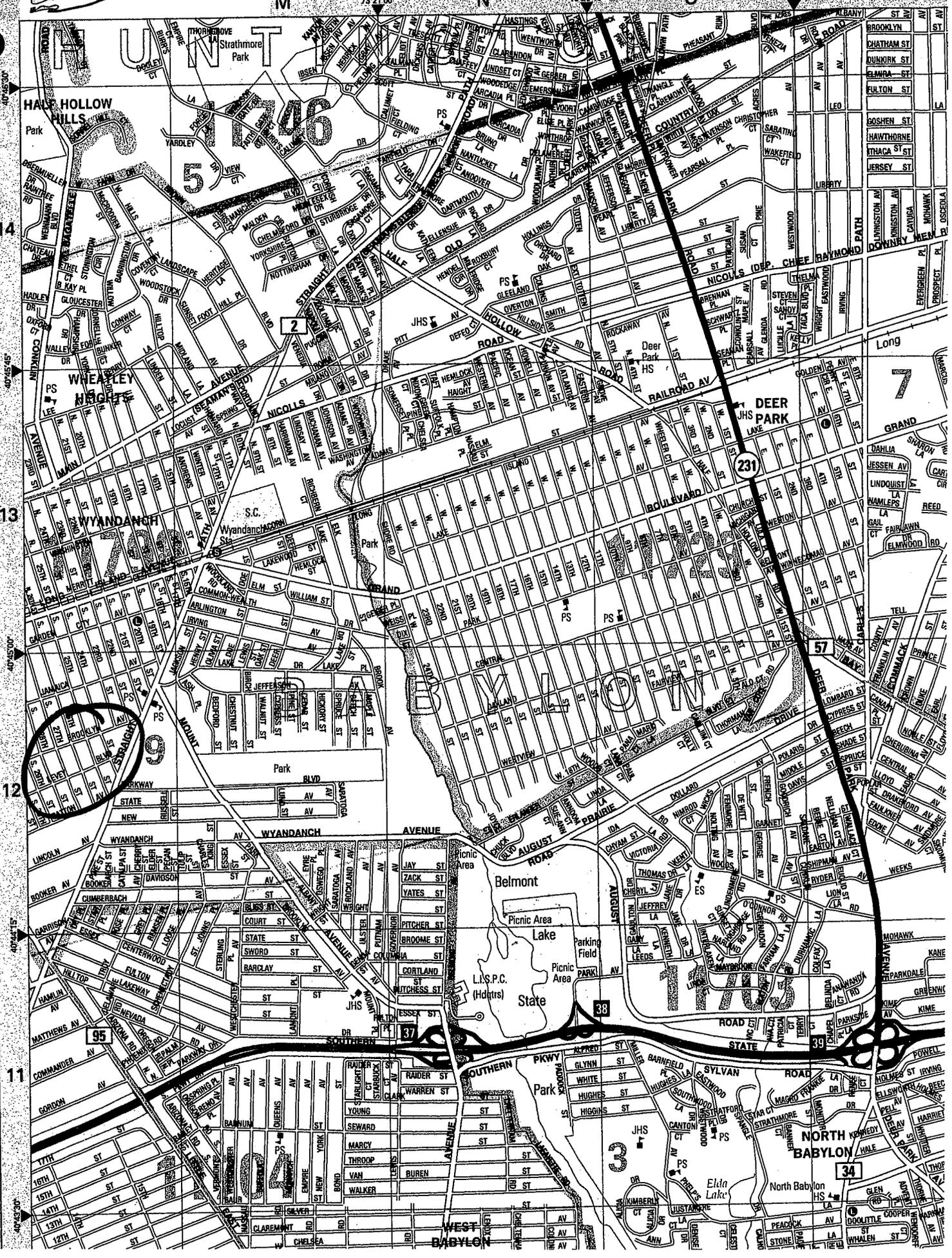
N 189,700  
E 2,174,200

LEGEND	Property or All Line	Subdivision Lot No.	Block (Lot)	School District Line	Hydrant District Line	UNLESS DRAWN OTHERWISE, ALL ARE WITHIN THE FOLLOWING: SCHOOL 9 SEWER FIRE 13 HYDRANT LIGHT 55 WATER PARK 55 REFUSE AMBULANCE WASTE/WATER
	Denotes Common Owner	Subdivision Book/Block No. (21)	Block No. (2)	Fire District Line	Refuse District Line	
	Subdivision Lot Line	Deed Dimension	County Line	Water District Line	Historical District Line	
	Stream / Shore	Scaled Dimension	Town Line	Light District Line	Amusement District Line	
Parcel No.	Deed Area 12.1 A(d) or 12.1 A	Vienna Line	Park District Line	Footwater District Line		

M 73°21'00" N 73°20'15" O 73°19'30" P



Joins Map 4



HALF HOLLOW HILLS

WHEATLEY HEIGHTS

WYANDANCH

WYANDANCH

Belmont

NORTH BABYLON

WEST BABYLON

54746

2

231

57

95

38

3

34

7

57

34

COUNTY OF SUFFOLK



1770

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 22, 2013

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

Re: Tax Map No. 0100-055.00-01.00-052.000  
ESTATE OF BLANCHE BRAY

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 Kubicko, Inventory (e-copy)

Introductory Resolution No. 1221-13 Laid on Table 3/19/13

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  
**FRANK MUSARRA AND JOSEPHINE MUSARRA, HIS WIFE**  
**0200-626.00-02.00-022.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 626.00, Block 02.00, Lot 022.000, and acquired by tax deed on October 05, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 06, 2010, in Liber 12639, at Page 481, and otherwise known and designated by the Town of Brookhaven, as District 0200, Section 626.00, Block 02.00, Lot 022.000; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 05, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 06, 2010 in Liber 12639 at Page 481.

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

**WHEREAS**, SIEGEL AND REINER, LLP have made application of said above described parcel and SIEGEL AND REINER, LLP have paid the application fee and have paid \$133,007.91, 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

**1<sup>st</sup> - 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

**2<sup>nd</sup> - 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 FRANK MUSARRA AND JOSEPHINE MUSARRA, HIS WIFE, 1194 Waverly Avenue, Holtsville, NY 11742, 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

1221

1. Type of Legislation

Resolution  Resolution

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  
**FRANK MUSARRA AND JOSEPHINE MUSARRA, HIS WIFE**  
**0200-626.00-02.00-022.000**

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

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

Peter Belyea  
NEIL TOOMB  
INTERIOR Rel Coord

*P.B.*  
NEIL TOOMB

2-14-13  
3-12-13

FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1221

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.

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1221

February 13, 2013

Tax Map No.: 0200-626.00-02.00-022.000

Name of Last Legal Fee Owner: FRANK MUSARRA AND JOSEPHINE MUSARRA, HIS WIFE

TREASURER'S COMPUTATION..... \$133,007.91 ↘

Taxes.....2012/2013..... OPEN

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$133,007.91 ↘

Monies Received..... \$133,007.91

RESOLUTION AMOUNT..... \$133,007.91 ↘

APPROVED:

Wendy Brown 2-14-2013  
Accounting  
PB:lag

PREPARED BY:

  
Peter Belyea  
Redemption Unit  
(631)853-5932

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	626.00	02.00	022.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

1221

2005/06	10635.73
2006/07	22510.76
2007/08	20811.43
2008/09	18722.98
2009/10	14597.89
2010/11	14778.41
2011/12	9908.93

TOTAL: 111966.13 ^

B. INTEREST DUE	14708.07
C. TOTAL	126674.20
D. 5% LINE C	6333.71
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$133,007.91 ^

**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.

01-Oct-12



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 03/30/13

dz

20

25

97

BROOK

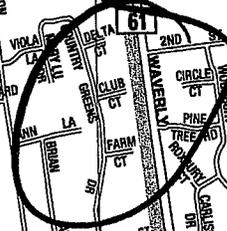
ROCK

DALE

VEN

1704

FARMINGVILLE  
1738



1742

SEE GRID #1 17  
1 BLUEBERRY RIDGE DR  
2 MULBERRY CT  
3 HYACINTH CT

22

21

20

19

18

17

Joins Map 27



Revisions
06-06-96
10-20-96
03-05-97
01-04-01
02-07-01
06-26-01
10-10-01
04-05-02
12-13-04
05-03-05
12-19-06



<b>LEGEND</b>	Property or All Line	Subdivision Lot No.	Block Line	School District Line	Hydrant District Line	UNLESS DRAWN OTHERWISE, ALL ARE WITHIN THE FOLLOWING:	
	Denotes Common Owner	Subdivision Block/Bldg. No.	Block No.	Fire District Line	Refuse District Line		SCHOL.
	Subdivision Lot Line	Deed Dimension	County Line	Water District Line	Historical District Line		FIRE
	Stream / Shore	Scale Dimension	Town Line	Light District Line	Ambulance District Line		SEWER
	Parcel No.	Deed Area	Viage Line	Park District Line	Waterwater District Line		HYDRANT
	Calculated Area		Sewer District Line		WATER	REFUSE	
						WASTEWATER	

COUNTY OF SUFFOLK



1221

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 22, 2013

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

Re: Tax Map No. 0200-626.00-02.00-022.000  
FRANK MUSARRA AND JOSEPHINE MUSARRA, 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*  
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. 1222-13 Laid on Table

3/19/13

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  
**ALFREDO CAMPOS AND RUTH CAMPOS**  
**0101-003.00-02.00-010.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Amityville, 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 0101, Section 003.00, Block 02.00, Lot 010.000, and acquired by tax deed on October 19, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2010, in Liber 12640, at Page 823, and otherwise known and designated by the Incorporated Village of Amityville, Town of Babylon, as District 0101, Section 003.00, Block 02.00, Lot 010.000; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 19, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2010 in Liber 12640 at Page 823.

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

**WHEREAS**, ALFREDO CAMPOS AND RUTH CAMPOS have made application of said above described parcel and ALFREDO CAMPOS AND RUTH CAMPOS have paid the application fee and have paid \$5,839.70, 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

**1<sup>st</sup> - 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

**2<sup>nd</sup> - 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 ALFREDO CAMPOS AND RUTH CAMPOS, 21-12 North Road, Seaford, NY 11783, 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: \_\_\_\_\_

122

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  
**ALFREDO CAMPOS AND RUTH CAMPOS**  
**0101-003.00-02.00-010.000**

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  
NEIL TOOMB  
Intergov Rel Coord

Lori Sklar      2/21/13  
Neil Toomb      3/12/13

FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1222

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.

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1222

February 20, 2013

Tax Map No.: 0101-003.00-02.00-010.000

Name of Last Legal Fee Owner: ALFREDO CAMPOS AND RUTH CAMPOS

TREASURER'S COMPUTATION..... \$5,839.70 ↘

Taxes.....2012/2013..... OPEN

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$5,839.70

Monies Received..... \$5,839.70

RESOLUTION AMOUNT..... \$5,839.70 ↓

APPROVED:

Annette Brown 2-21-2013

Accounting

LS:lag

PREPARED BY:

*Lori Sklar*

Lori Sklar  
Redemption Unit  
(631)853-5937

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<b><u>DISTRICT</u></b>	<b><u>SECTION</u></b>	<b><u>BLOCK</u></b>	<b><u>LOT</u></b>
0101	003.00	02.00	010.000

1222

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

Year	Village	Town	Combined
2007/08	PAID	591.22	591.22
2008/09	696.77	610.99	1307.76
2009/10	1325.37	446.25	1771.62
2010/11	629.35	474.11	1103.46
2011/12	0.00	456.39	456.39

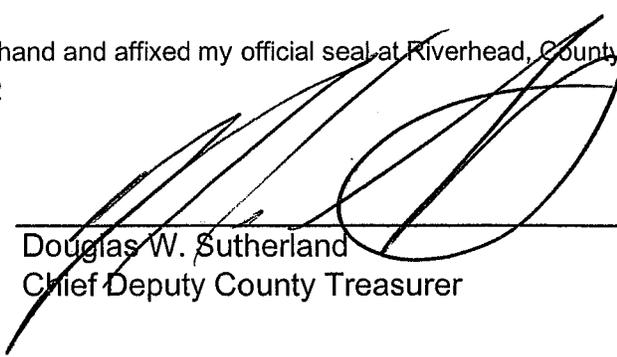
**NO VILLAGE TAXES ASSESSED FOR 2011/12 PER NYS RPTL SECTION 406(5)**

	TOTAL:	5230.45
B. INTEREST DUE		331.17
C. TOTAL		5561.62
D. 5% LINE C		278.08
E. FEE		
F. MISC		
G. MISC		
-----		
H. TOTAL DUE		\$5,839.70

**CERTIFICATION BY COUNTY TREASURER**

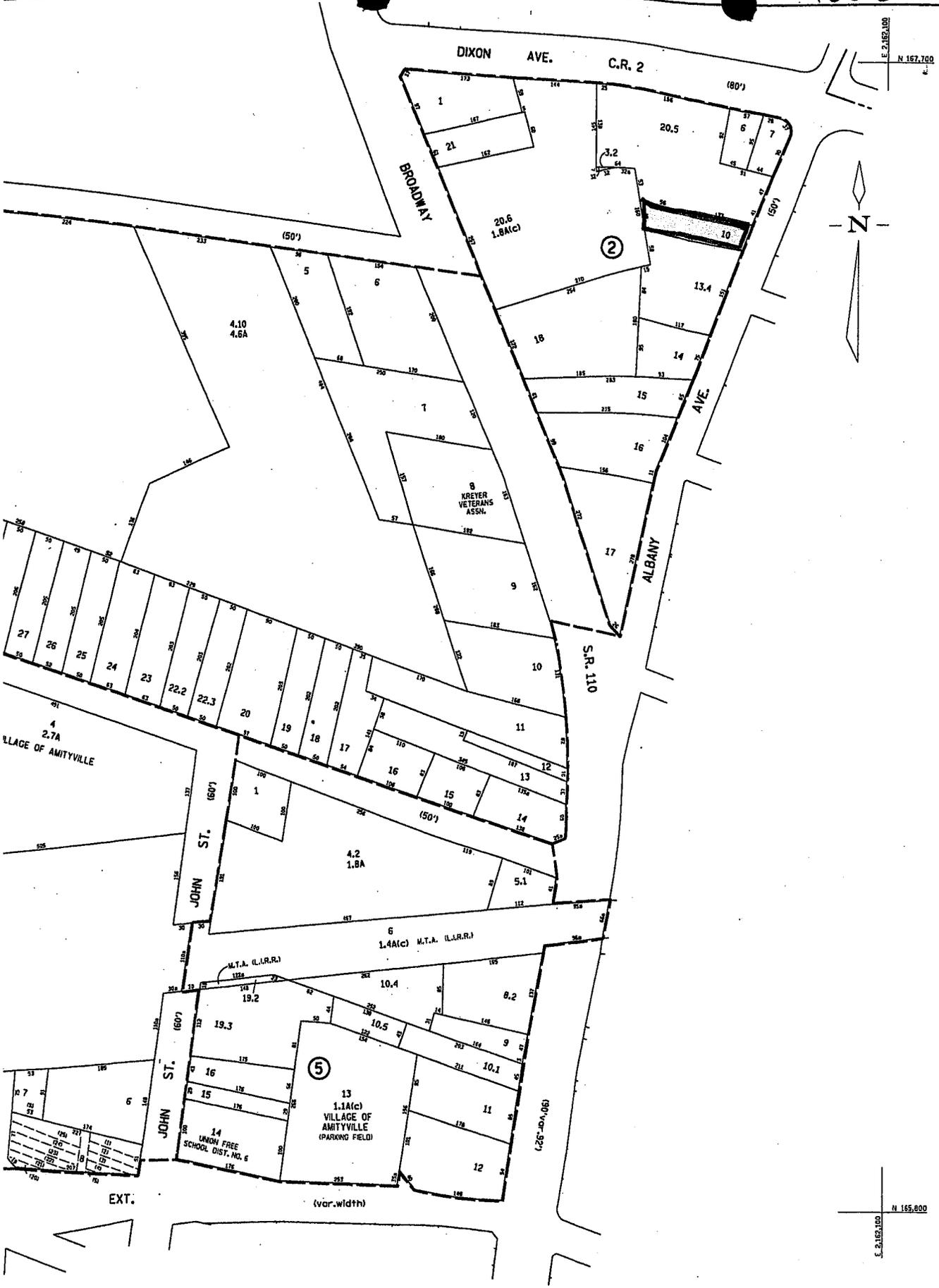
I, Douglas W. Sutherland, Chief Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my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

1222

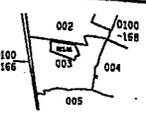


NOTICE  
 MAINTENANCE, ALTERATION, SALE OR  
 DISTRIBUTION OF ANY PORTION OF THE  
 SUFFOLK COUNTY TAX MAP IS PROHIBITED  
 WITHOUT WRITTEN PERMISSION OF THE  
 REAL PROPERTY TAX SERVICE AGENCY.



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

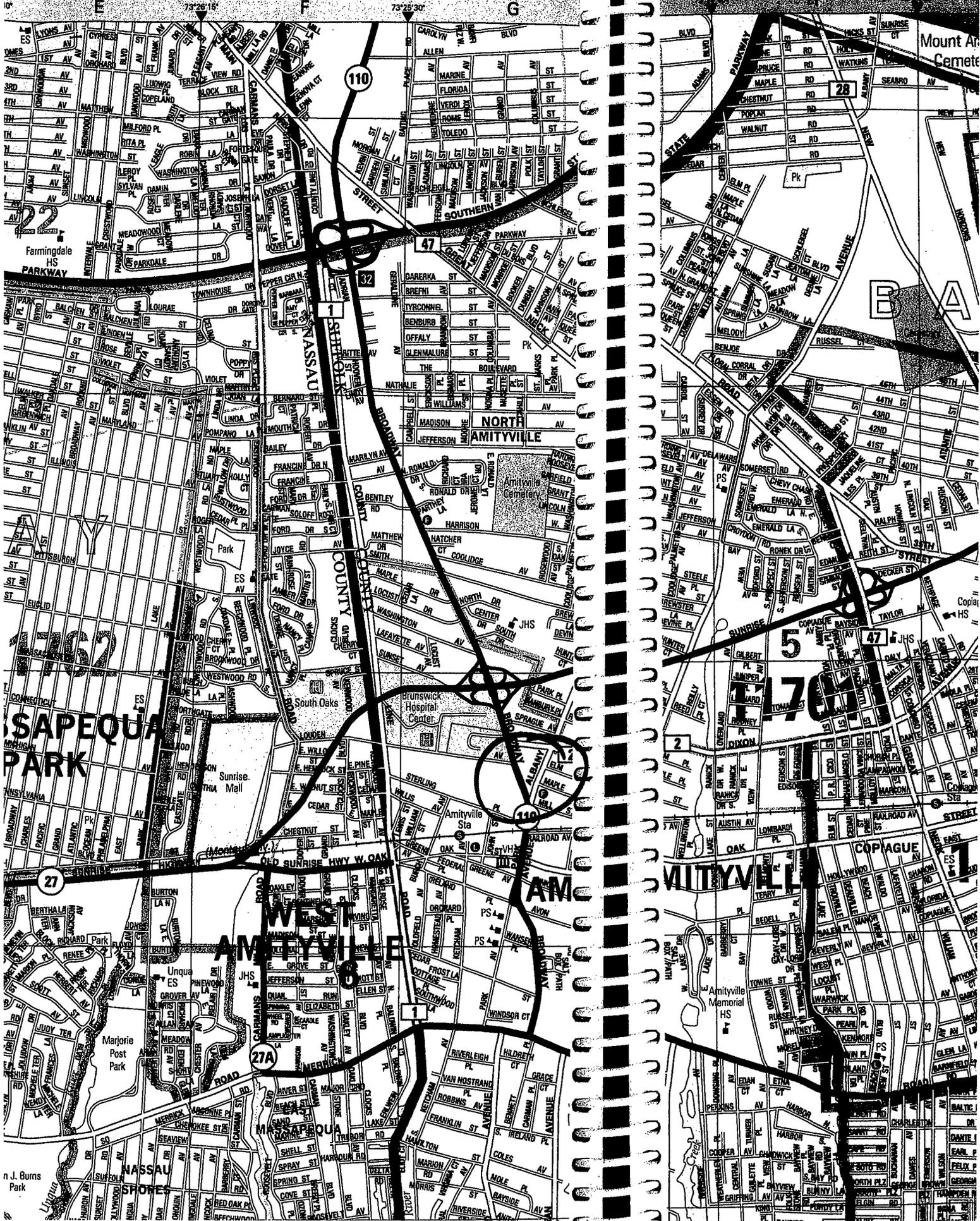
KEY  
 MAP



TOWN OF BABYLON  
 VILLAGE OF AMITYVILLE  
 DISTRICT NO 0101

SECTION NO  
 003  
 PROPERTY MAP

note



SAPEQUA PARK

WEST AMITYVILLE

AMITYVILLE

AMITYVILLE

COUNTY OF SUFFOLK



1222

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 22, 2013

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

Re: Tax Map No. 0101-003.00-02.00-010.000  
ALFREDO CAMPOS AND RUTH CAMPOS

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. 1723-13 Laid on Table

3/19/13

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  
**DALE ROSGAARD**  
**0200-692.00-04.00-038.001**

**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 692.00, Block 04.00, Lot 038.001, 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 Part of Lot No. 241, on a certain map entitled "Sixth Map of Tract of Land of Agricultural City Company", filed in the office of the Clerk of Suffolk County on June 15, 1896 as Map No. 451; 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**, DALE ROSGAARD has made application of said above described parcel and DALE ROSGAARD has paid the application fee and has paid \$597.56, 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

**1<sup>st</sup> - 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

**2<sup>nd</sup> - 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 DALE ROSGAARD, 112 Warren Avenue, Lake Ronkonkoma, NY 11779, 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

1223

1. Type of Legislation

Resolution

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

**DALE ROSGAARD**  
**0200-692.00-04.00-038.001**

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

County

Town

Economic Impact

Village

School District Other (Specify):

Library District

Fire District

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

10. Typed Name & Title of Preparer

Signature of Preparer

Date

Peter Belyea



2-14-13

NEIL TOOMB  
Integer Rel Coord

Neil Toomb

3/12/13

FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1223

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.

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1223

February 13, 2013

Tax Map No.: 0200-692.00-04.00-038.001

Name of Last Legal Fee Owner: DALE ROSGAARD

TREASURER'S COMPUTATION.....	\$597.56
Taxes.....2012/2013.....	OPEN
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$597.56
<hr/> <hr/>	
Monies Received.....	\$597.56
<hr/>	
<u>RESOLUTION AMOUNT</u> .....	\$597.56 (r.01)
<hr/> <hr/>	

APPROVED:

Annette Browne 2-14-2013  
Accounting  
PB:lag

PREPARED BY:

  
Peter Belyea  
Redemption Unit  
(631)853-5932

COMPUTATION E SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	692.00	04.00	038.001

1223

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2009/10	205.92
2010/11	207.87
2011/12	136.54

TOTAL: 550.33 <sup>^</sup>

B. INTEREST DUE	18.78
C. TOTAL	569.11
D. 5% LINE C	28.46
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$597.56 (1.01)

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. 26-Sep-12

Douglas W. Sutherland  
Chief Deputy County Treasurer

\*\*Interest and penalty computed to and including 03/25/13



11720

1178

1738

200-692-4-38.1  
 Warren Ave  
 L. Ronkonkoma

SEE GRID N1 17  
 1 BLUEBERRY RIDGE DR  
 2 MULBERRY CT

Light District Line	Fire District Line	Water District Line	Hydrant District Line	Relief District Line	Historical District Line	UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS: SCHOOL 5 SEWER 12 FIRE EE2,EE3 HYDRANT WATER REFUSE WASTEWATER	DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.	NOTICE MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE
---------------------	--------------------	---------------------	-----------------------	----------------------	--------------------------	---	---	---



200-692-4-38.1  
 Warren Ave  
 L. Ronkuma

COUNTY OF SUFFOLK



1223

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 22, 2013

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

Re: Tax Map No. 0200-692.00-04.00-038.001  
DALE ROSGAARD

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 Kubicko, Inventory (e-copy)

Introductory Resolution No. 1774-13 Laid on Table 3/19/13

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  
**LYCHEE MANAGEMENT GROUP, INC.**  
**0200-761.00-05.00-057.000**

**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 761.00, Block 05.00, Lot 057.000, and acquired by tax deed on October 15, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 16, 2012, in Liber 12708, at Page 444, and otherwise known and designated by the Town of Brookhaven, as Lot No. 133, on a certain map entitled "Map of Lakewood Homes, Section Three", filed in the office of the Clerk of Suffolk County on July 29, 1957 as Map No. 2728; 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 15, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 16, 2012 in Liber 12708 at Page 444.

**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**, LYCHEE MANAGEMENT GROUP, INC. has made application of said above described parcel and LYCHEE MANAGEMENT GROUP, INC. has paid the application fee and has paid \$4,344.29, 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

**1<sup>st</sup> - 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

**2<sup>nd</sup> - 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 LYCHEE MANAGEMENT GROUP, INC., 29 Lakewood Avenue, Ronkonkoma, NY 11779 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: \_\_\_\_\_

1224

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  
**LYCHEE MANAGEMENT GROUP, INC.**  
**0200-761.00-05.00-057.000**
- 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
<u>Peter Belyea</u>	<u><i>PB</i></u>	<u>2-15-13</u>
NEIL TOOMB INTERIOR Rel Coord.	<u><i>Neil Toomb</i></u>	<u>3/12/13</u>

FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1224

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.

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1224

February 14, 2013

Tax Map No.: 0200-761.00-05.00-057.000

Name of Last Legal Fee Owner: LYCHEE MANAGEMENT GROUP, INC.

TREASURER'S COMPUTATION..... \$4,344.29 ✓

Taxes.....2012/2013..... OPEN

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$4,344.29

Monies Received..... \$4,344.29

RESOLUTION AMOUNT..... \$4,344.29 ✓

APPROVED:

PREPARED BY:



Peter Belyea  
Redemption Unit  
(631)853-5932

Anette Brownell 2.15.2013

Accounting  
PB:lag

**COMPUTATIC BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	761.00	05.00	057.000

1224

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08 3949.16

2008/09, 2009/10, 2010/11, 2011/12, AND FIRST HALF 2012/13 TAXES PAID BY MORTGAGE CO.

TOTAL: 3949.16 ✓

B. INTEREST DUE 188.26  
C. TOTAL 4137.42  
D. 5% LINE C 206.87  
E. FEE  
F. MISC  
G. MISC

H. TOTAL DUE \$4,344.29 ✓

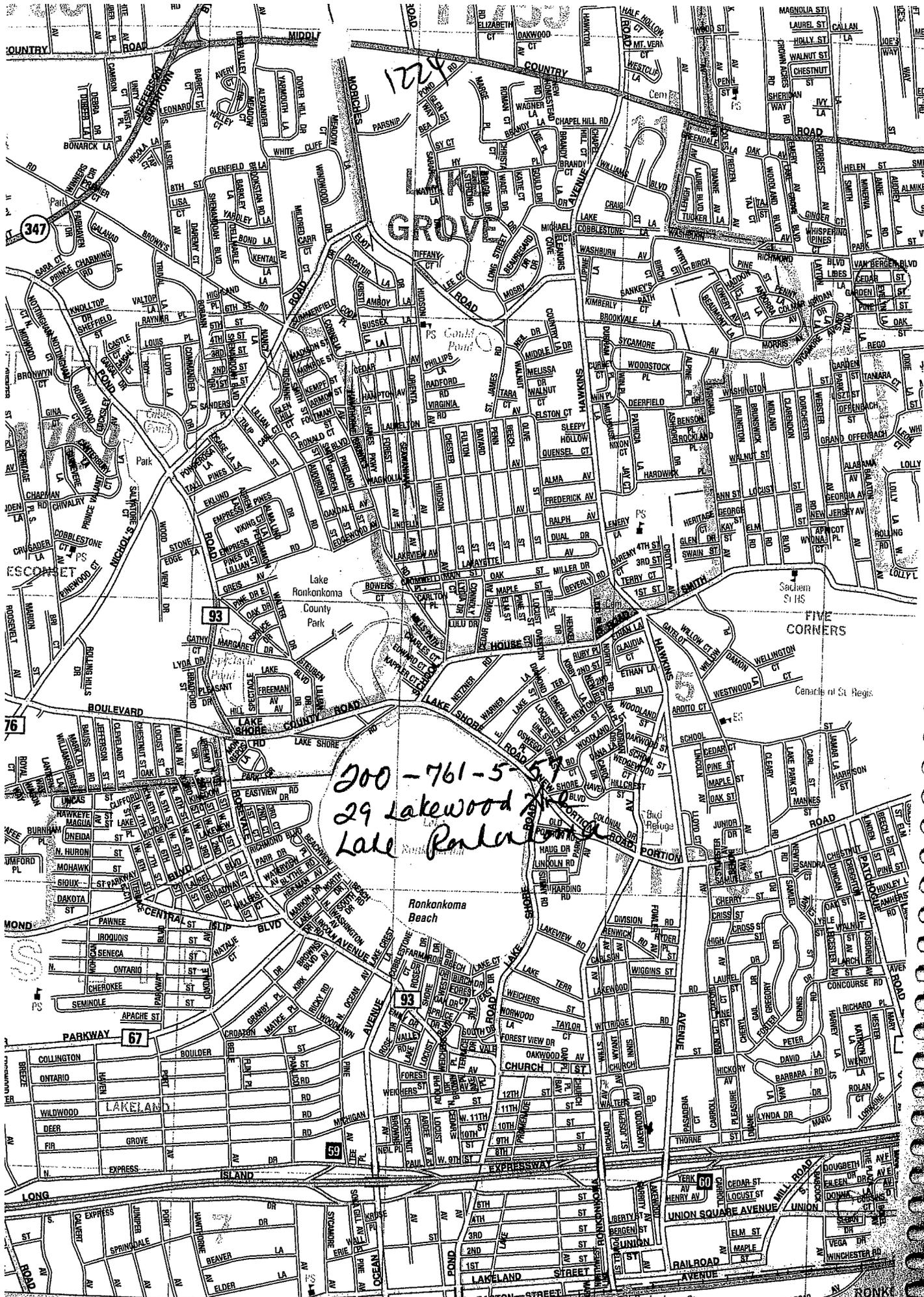
**CERTIFICATION BY COUNTY TREASURER**

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. 01-Feb-13

  
\_\_\_\_\_  
Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 07/31/13



1224

200-761-5557  
29 Lakewood Ave  
Lake Ronkoma

Ronkoma Beach

93

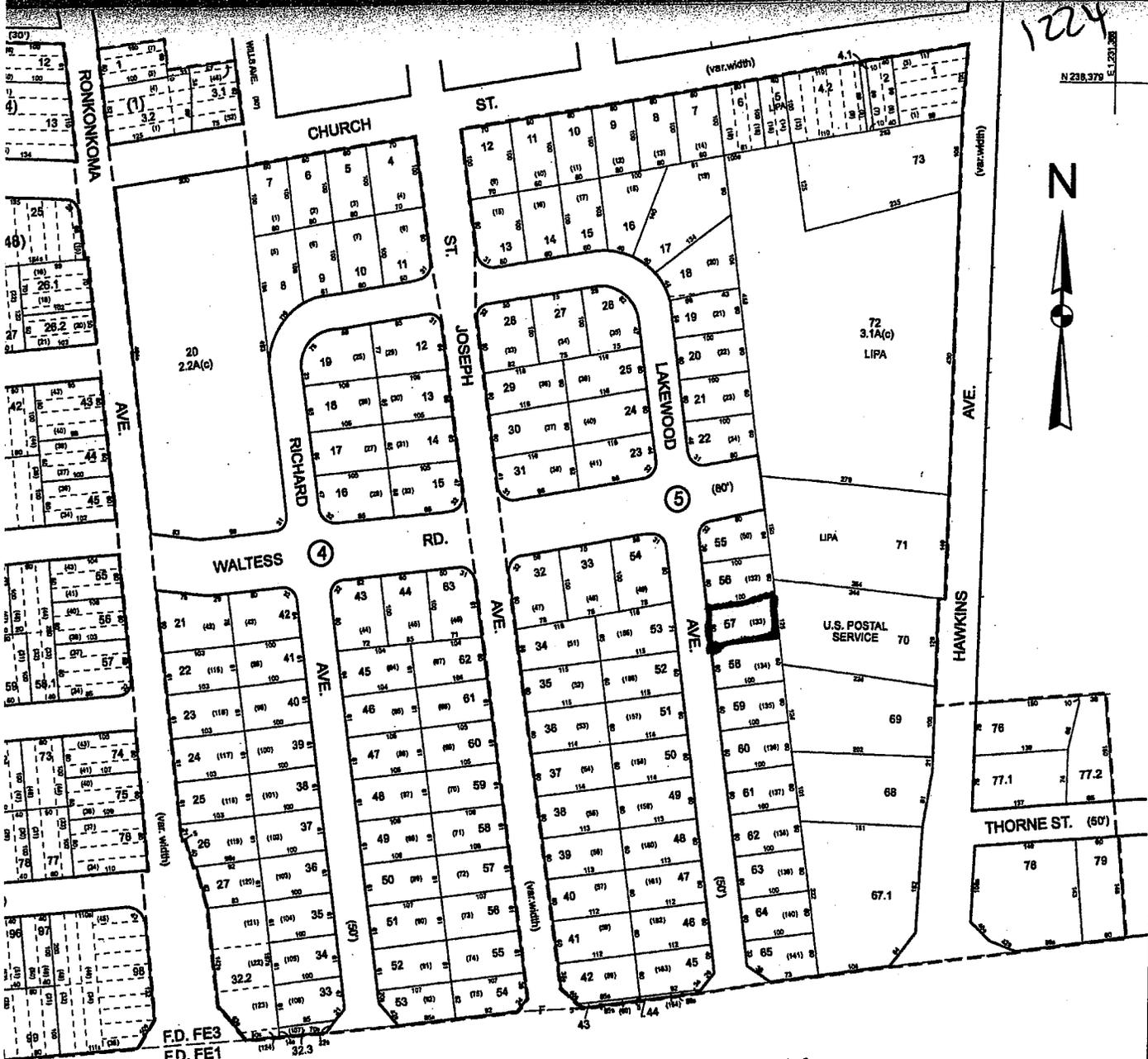
60

D1

E1

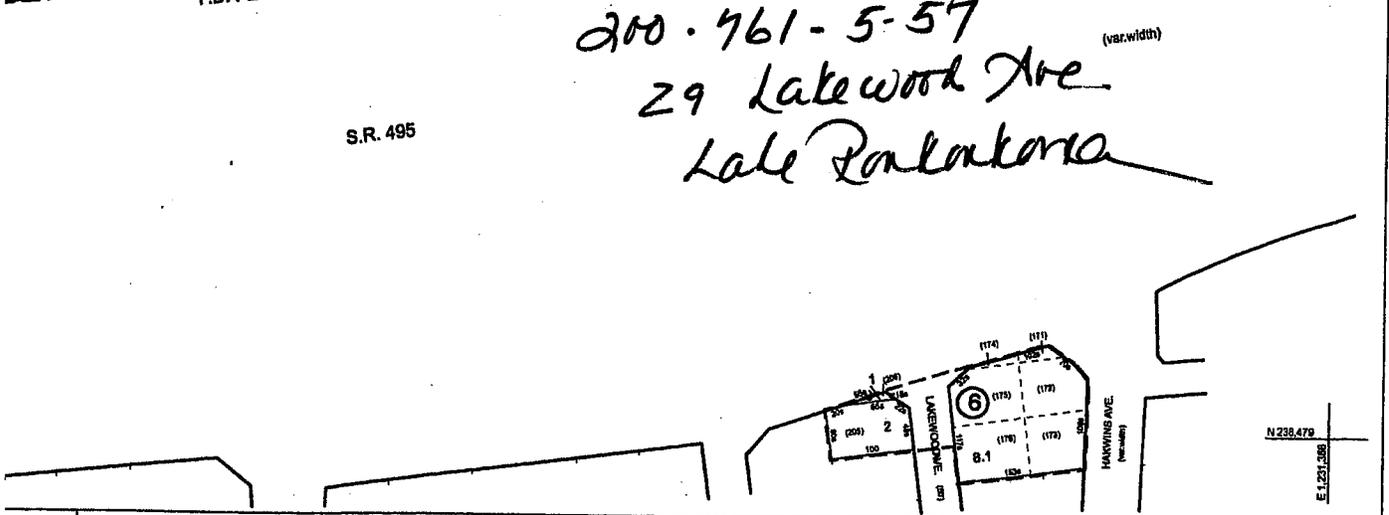
F1

G1



200-961-5-57  
 29 Lakewood Ave.  
 Late Ronkankoma

S.R. 495



**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**  
 DIST 0200  
 TOWN OF BROOKHAVEN  
 VILLAGE OF  
 DISTRICT NO 0200

SECTION NO  
**761**  
 PROPERTY MAP

COUNTY OF SUFFOLK

1224



Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Department of  
Economic Development and Planning

Joanne Miniery  
Deputy County Executive and Commissioner

Division of Real Property  
Acquisition and Management

February 22, 2013

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

Re: Tax Map No. 0200-761.00-05.00-057.000  
LYCHEE MANAGEMENT GROUP, INC.

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. 1225-13 Laid on Table 3/19/13

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  
**TIMBER RIDGE HOMES AT MOUNT SINAI HOMEOWNERS ASSOCIATION, INC.**  
**0200-142.00-04.00-001.055**

**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 142.00, Block 04.00, Lot 001.055, 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 Open Space Parcel 2, on a certain map entitled "Map of Timber Ridge Homes at the Villages, Section 1", filed in the office of the Clerk of Suffolk County on May 20, 2004 as Map No. 11102; 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**, TIMBER RIDGE HOMES AT MOUNT SINAI HOMEOWNERS ASSOCIATION, INC. has made application of said above described parcel and TIMBER RIDGE HOMES AT MOUNT SINAI HOMEOWNERS ASSOCIATION, INC. has paid the application fee and has paid \$14,870.95, 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

**1<sup>st</sup> - 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

**2<sup>nd</sup> - 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 TIMBER RIDGE HOMES AT MOUNT SINAI HOMEOWNERS ASSOCIATION, INC., 4390 Nesconset Highway, Port Jefferson Station, NY 11776, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: \_\_\_\_\_  
County Executive of Suffolk County

Date of Approval: \_\_\_\_\_

1225

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  
**TIMBER RIDGE HOMES AT MOUNT SINAI HOMEOWNERS ASSOCIATION, INC.**  
**0200-142.00-04.00-001.055**

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

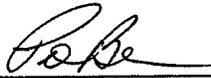
8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

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

<u>Peter Belyea</u>	<u></u>	<u>2-22-13</u>
NEIL TOOMB Integer Rel Coord.	<u>Neil Toomb</u>	3/12/13

1225

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

1225

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

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February 21, 2013

Tax Map No.: 0200-142.00-04.00-001.055

Name of Last Legal Fee Owner: TIMBER RIDGE HOMES AT MOUNT SINAI HOMEOWNERS ASSOCIATION, INC.

TREASURER'S COMPUTATION..... \$14,870.95 ✓

Taxes.....2012/2013..... OPEN

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$14,870.95

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Monies Received..... \$14,870.95

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RESOLUTION AMOUNT..... \$14,870.95 ✓

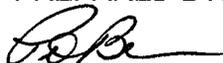
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APPROVED:

Annette Brownell 2.22.2013

Accounting  
PB:lag

PREPARED BY:



Peter Belyea  
Redemption Unit  
(631)853-5932

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u> <i>225</i>	<u>LOT</u>
0200	142.00	04.00	001.055

**A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:**

2009/10	4738.40
2010/11	4867.62
2011/12	3814.80

**2012/13 PROPERTY TAXES \$3,920.40 NOT INCLUDED IN COMPUTATION**

TOTAL: 13420.82 ✓

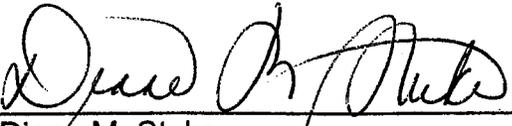
B. INTEREST DUE	741.99
C. TOTAL	14162.81
D. 5% LINE C	708.14
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$14,870.95 ✓

**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. 31-Jan-13

  
\_\_\_\_\_  
Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 07/30/13

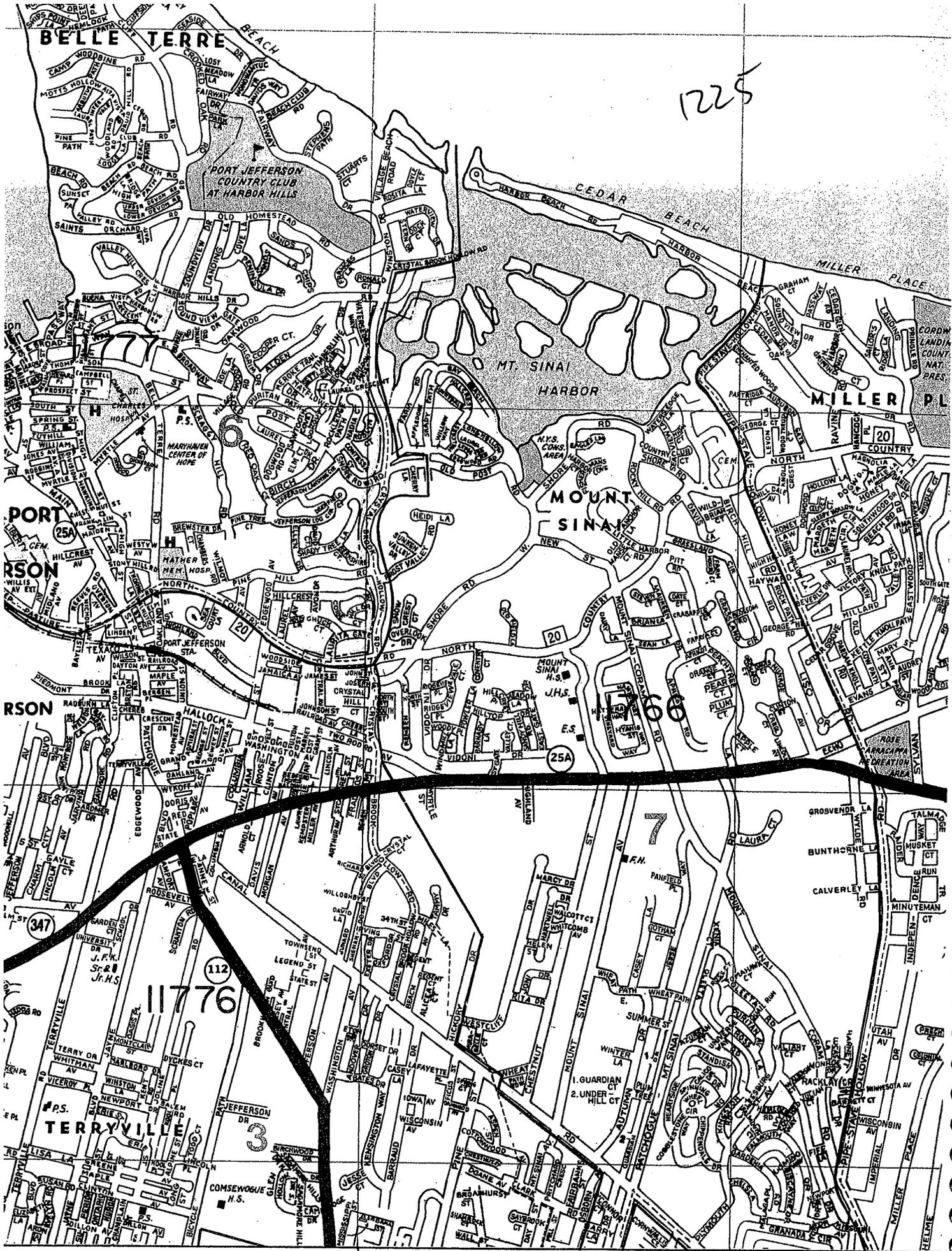


200-142-4-1.55  
 Village Dr.  
 Mt. Sinai

L E R G M E N T	Property or RW Line	Subdivision Lot No.	Block Limit	School District Line	---SCH---
	Denotes Common Owner	Subdivision Block/Blk. No. (21)	Block No.	Fire District Line	---F---
	Subdivision Lot Line	Deed Dimension	County No.	Water District Line	---W---
	Stream / Shore	Scaled Dimension	Town Line	Light District Line	---L---
	Parcel No.	Deed Area 12.1 A(d) of 12.1 A	Village Line	Park District Line	---P---
		Calculated Area 12.1 A(c)		Sewer District Line	---S---

UNIT  
 STR  
 PFC  
 MTHC  
 REALI

1225



18

19

20

FOR ADJOINING AREA SEE MAP NO. 16

COUNTY OF SUFFOLK



1225

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 25, 2013

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

Re: Tax Map No. 0200-142.00-04.00-001.055  
TIMBER RIDGE HOMES AT MOUNT SINAI HOMEOWNERS ASSOCIATION, INC.

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 Kubicko, Inventory (e-copy)

Introductory Resolution No. 1726-13 Laid on Table 3/19/13

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**, WELLS FARGO BANK, N.A. has made application of said above described parcel and WELLS FARGO BANK, N.A. has paid the application fee and has 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

**1<sup>st</sup> - 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

**2<sup>nd</sup> - 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
- 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)

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

- 6. If the answer to Item 4 is "yes", provide detailed explanation of Impact  
The County will recoup the amount of taxes paid on the property taken by the tax deed.
- 7. Total Financial Cost of Funding over 5 years on each affected Political or other subdivision  
N/A
- 8. Proposed Source of Funding  
N/A
- 9. Timing of Impact  
2013

10. Typed Name & Title of Preparer	Signature of Preparer	Date
<u>Peter Belyea</u>	<u></u>	<u>2-6-13</u>
NEIL TOOMB Integer. Rel Coord.	<u>Neil Toomb</u>	<u>3-12-13</u>

(226)

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.

COUNTY OF SUFFOLK



1226

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 22, 2013

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

REVISED

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 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 Kubicko, Inventory (e-copy)

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1226

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
<hr/>	
TOTAL.....	\$416.76
<hr/> <hr/>	
Monies Received.....	\$416.76
<hr/>	
<u>RESOLUTION AMOUNT</u> .....	\$416.76
<hr/> <hr/>	

APPROVED:

PREPARED BY:

Peter Belyea  
Redemption Unit  
(631)853-5932

Accounting  
PB:lag

Introductory Resolution No.

1227-13

Laid on Table

3/19/13

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  
RENEE M. WUNSCH AND CHARLES A. POWELL, AS JOINT  
TRENANTS WITH RIGHT OF SURVIVORSHIP  
(SCTM NO. 0200-867.00-06.00-037.000)**

**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 867.00 Block 06.00 Lot 037.00 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 westerly ten feet of Tremont Avenue abutting Lots 40 & 41 inclusive in Block 5 on a certain map entitled "Map of Property of O.L. Schwencke Land and Investment Company, Map No. 15", and filed in the Office of the Clerk of the County of Suffolk on May 18, 1897 as Map No. 510,

**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**, Renee M. Wunsch and Charles A. Powell, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$5,000.00. 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 110' has been appraised at \$5,000.00, 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 \$5,000.00, 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,

**1<sup>st</sup> 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,

**2<sup>nd</sup> 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.

**3<sup>rd</sup> 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 Renee M. Wunsch and Charles A. Powell, As Joint Tenants with Right of Survivorship, 72 Tremont Avenue, Medford, New York 11763.

DATED:

APPROVED BY

\_\_\_\_\_  
County Executive of Suffolk County

Date of Approval:

1227

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. 0200-867.00-06.00-037.000

ADJOINING OWNER	BID	BID	BID
Renee M. Wunsch and Charles A. Powell 72 Tremont Avenue Medford, New York 11763 0200-867.00-06.00-017.000	\$5,000.00		
Nyla & Michael Perez 25 Tupper Avenue Medford, New York 11763 0200-867.00-06.00-013.000	\$0		
Kimberly a. Livreri 74 Tremont Avenue Medford, New York 11763 0200-867.00-06.00-016.000	\$0		

SIZE OF PARCEL: 50' x 110'  
APPRAISED VALUE: \$5,000.00  
COMMENT: Direct Sale to Adjacent Owner

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

1227

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  
RENEE M. WUNSCH AND CHARLES A. POWELL, AS JOINT  
TRENANTS WITH RIGHT OF SURVIVORSHIP  
(SCTM NO. 0200-867.00-06.00-037.000)**

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  
Integrator Rel Coord.

R.J. Bhatt   
NEIL TOOMB

2/27/13   
3/12/13

FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1227

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

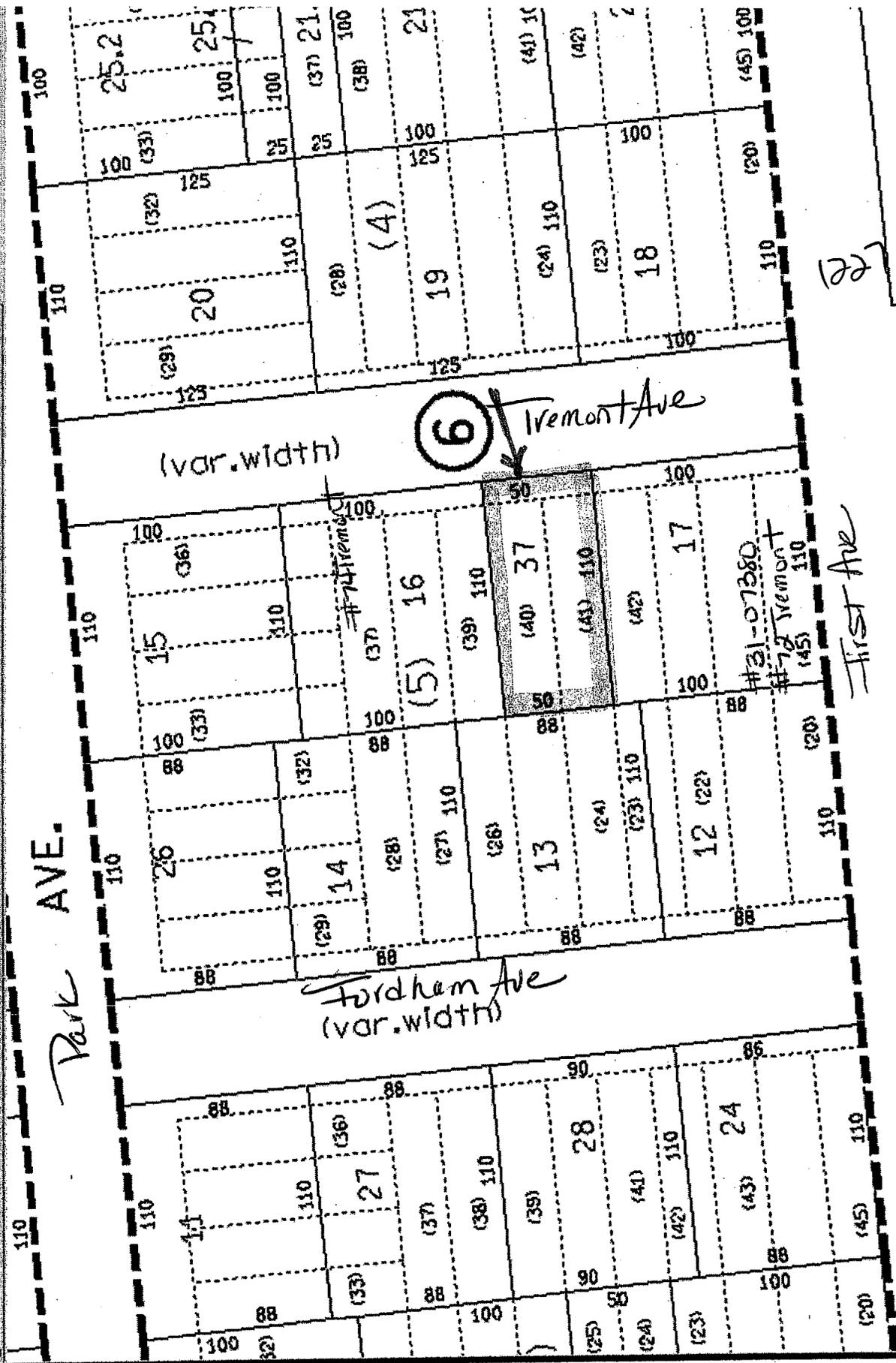
	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

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.

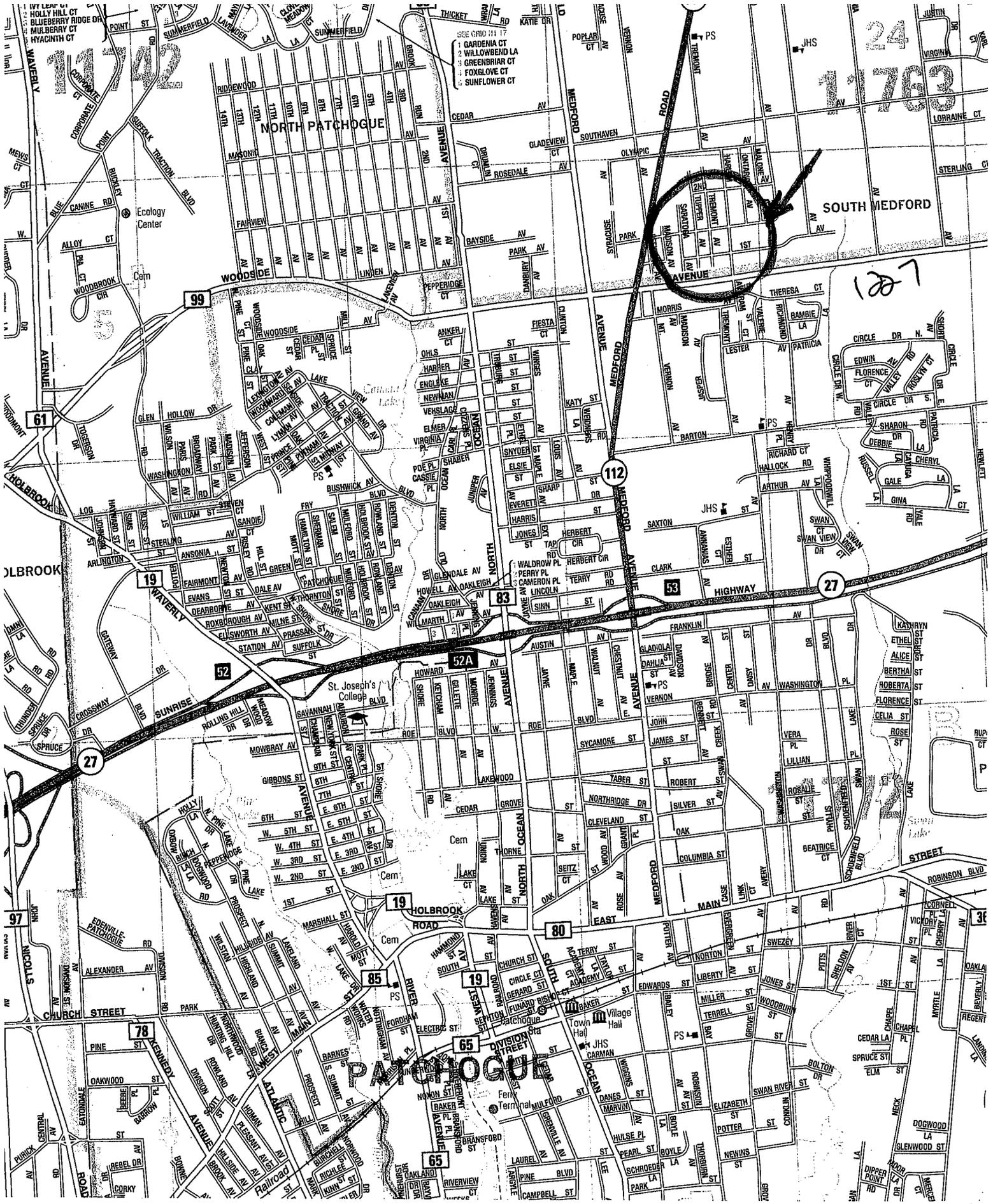


TM# 0200-867.00-06.00-037.000

1227



TM# 0200-867.00-06.00-037.000



TM # 0200-867.00-06.00-037.000

COUNTY OF SUFFOLK



1227

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 27, 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: 0200-867.00-06.00-037.000

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. 1228-13 Laid on Table 3/19/13

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  
**RONALD SMITH, AS ADMINISTRATOR OF  
THE ESTATE OF DOROTHY MAY SMITH  
0900-070.00-02.00-033.000**

**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 Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900, Section 070.00, Block 02.00, Lot 033.000, and acquired by tax deed on June 08, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 09, 2009, in Liber 12590, at Page 410, and otherwise known and designated by the Town of Southampton, as District 0900, Section 070.00, Block 02.00, Lot 033.000; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 08, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 09, 2009 in Liber 12590 at Page 410.

**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**, RONALD SMITH, AS ADMINISTRATOR OF THE ESTATE OF DOROTHY MAY SMITH has made application of said above described parcel and RONALD SMITH, AS ADMINISTRATOR OF THE ESTATE OF DOROTHY MAY SMITH has paid the application fee and has paid \$13,254.41, 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

**1<sup>st</sup> - 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

**2<sup>nd</sup> - 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 RONALD SMITH, AS ADMINISTRATOR OF THE ESTATE OF DOROTHY MAY SMITH, 137 Narrow Lane, Bridgehampton, NY 11932, 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

1228

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  
**RONALD SMITH, AS ADMINISTRATOR OF THE ESTATE OF DOROTHY MAY SMITH**  
**0900-070.00-02.00-033.000**

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

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

Peter Belyea



2-6-13

NEIL TOOMB  
INTERIOR REL COORD

NEIL TOOMB

3/12/13

FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1228

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.

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1228

February 05, 2013

Tax Map No.: 0900-070.00-02.00-033.000

Name of Last Legal Fee Owner: RONALD SMITH, AS ADMINISTRATOR OF  
THE ESTATE OF DOROTHY MAY SMITH

TREASURER'S COMPUTATION..... \$12,481.41  
Taxes.....2011/2012..... \$773.00  
Taxes.....2012/2013..... OPEN  
License/Storage Fee..... OPEN  
Repairs..... OPEN  
Miscellaneous Expenses..... OPEN

TOTAL..... \$13,254.41 ✓

Monies Received..... \$13,254.41

RESOLUTION AMOUNT..... \$13,254.41 ✓

PREPARED BY:

APPROVED:

Peter Belyea  
Redemption Unit  
(631)853-5932

*Annette Brownell 2.6.2013*

Accounting  
PB:lag

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0900	070.00	02.00	033.000

1228

**A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:**

2004/05	1503.91
2005/06	2740.14
2007/08	1834.98
2008/09	1529.46
2009/10	1596.50
2010/11	719.38

**2006/07 PROPERTY TAXES PAID BY OWNER**

**2011/12 PROPERTY TAXES \$773.00 NOT INCLUDED IN COMPUTATION**

TOTAL: 9924.37

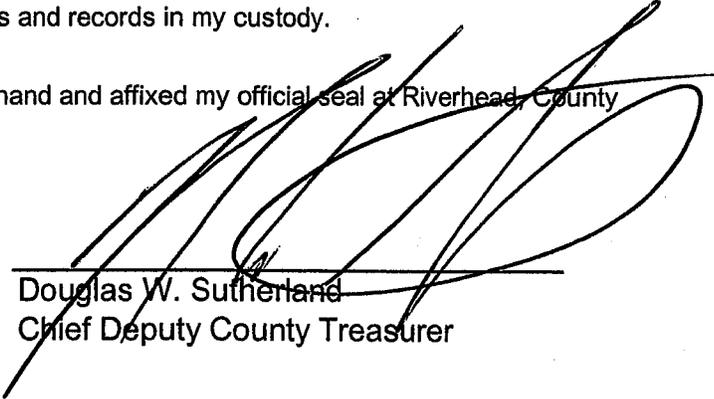
B. INTEREST DUE	1962.69
C. TOTAL	11887.06
D. 5% LINE C	594.35
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$12,481.41 ^

**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. 16-Aug-12

  
\_\_\_\_\_  
Douglas W. Sutherland  
Chief Deputy County Treasurer

\*\*Interest and penalty computed to and including 02/12/13

1228

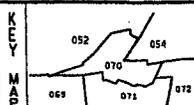


PROPERTIES DISTRICTS:

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



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



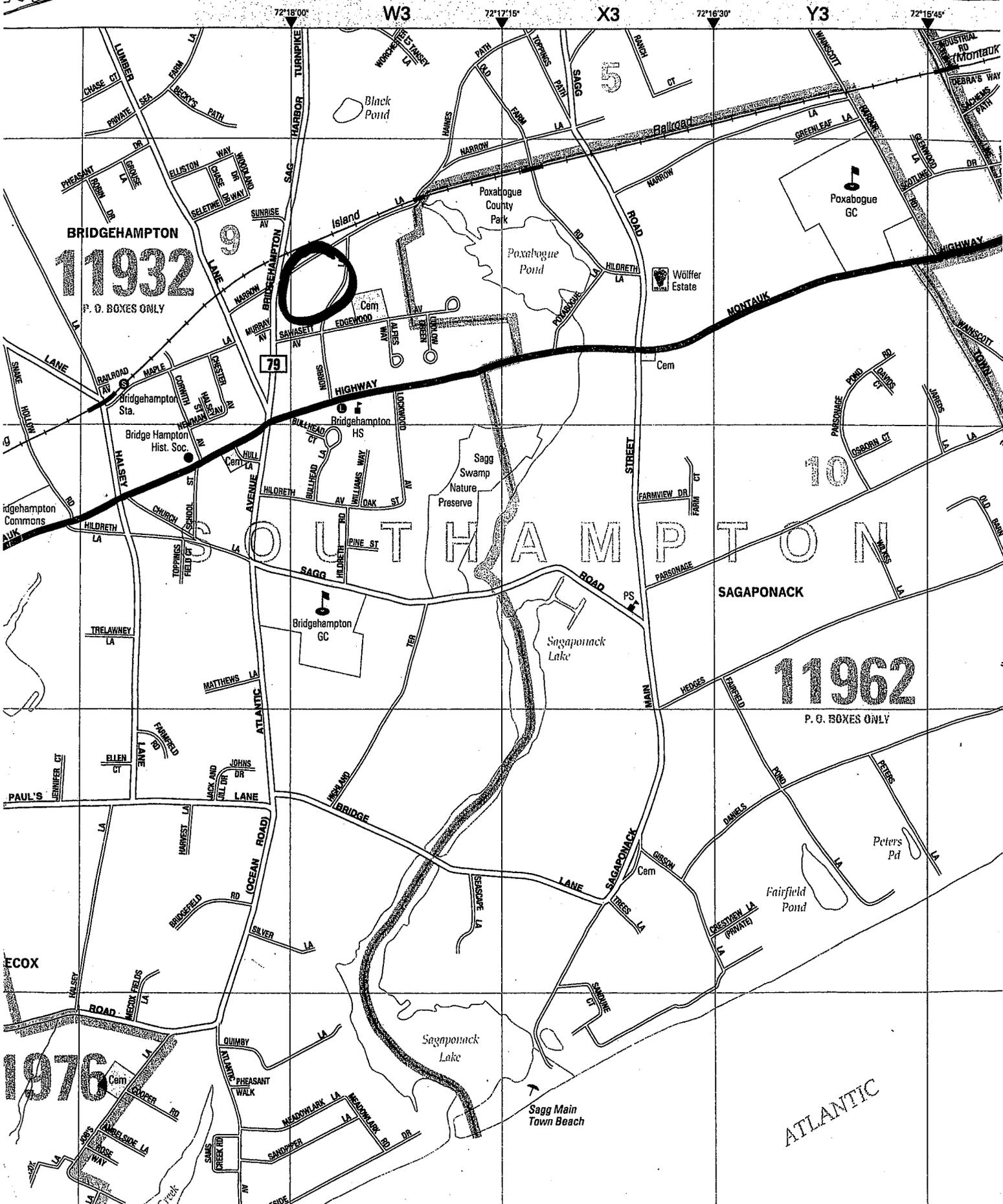
TOWN OF SOUTHAMPTON  
VILLAGE OF  
DISTRICT NO 0900

SECTION NO  
070  
PROPERTY MAP

# Suffolk Co.

1228

Joins Map 56



**BRIDGEHAMPTON**  
**11932**  
P. O. BOXES ONLY

**SOUTHAMPTON**

**SAGAPONACK**

**11962**  
P. O. BOXES ONLY

**1976**

ATLANTIC

COUNTY OF SUFFOLK



1228

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 28, 2013

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

Re: Tax Map No. 0900-070.00-02.00-033.000  
RONALD SMITH, AS ADMINISTRATOR OF  
THE ESTATE OF DOROTHY MAY SMITH

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. 1229-13 Laid on Table 3/19/13

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  
**JOHN GERRATO**  
0103-010.00-01.00-022.000

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Village of Lindenhurst, 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 0103, Section 010.00, Block 01.00, Lot 022.000, and acquired by tax deed on September 27, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 27, 2012, in Liber 12706, at Page 594, and otherwise known and designated by the Village of Lindenhurst, Town of Babylon, as Lots 30 & 31, Block 2, on a certain map entitled "Map of City of Breslau a/k/a Welwood, Sheet 1", filed in the office of the Clerk of Suffolk County on November 20, 1879 as Map No. 155; 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 27, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 27, 2012 in Liber 12706 at Page 594.

**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**, ASTORIA FEDERAL SAVINGS & LOAN ASSOCIATION has made application of said above described parcel and ASTORIA FEDERAL SAVINGS & LOAN ASSOCIATION has paid the application fee and has paid \$70,277.24, 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

**1<sup>st</sup> - 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

**2<sup>nd</sup> - 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 JOHN GERRATO, 185 North 4<sup>th</sup> Street, Lindenhurst, NY 11757, 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

1729

1. Type of Legislation

Resolution  Resolution

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  
**JOHN GERRATO**  
**0103-010.00-01.00-022.000**

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

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

Lori Sklar  
NEIL TOOMB  
INTERIOR. Rel Coord.

Lori Sklar      2/27/13  
NEIL TOOMB      3/12/13

FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1229

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.

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1229

February 26, 2013

Tax Map No.: 0103-010.00-01.00-022.000  
Name of Last Legal Fee Owner: JOHN GERRATO

TREASURER'S COMPUTATION..... \$65,698.12 \$  
Taxes.....2012/2013...*1st half*..... \$4,579.12 \$  
License/Storage Fee..... OPEN  
Repairs..... OPEN  
Miscellaneous Expenses..... OPEN

TOTAL..... \$70,277.24 \$

Monies Received..... \$70,277.24

RESOLUTION AMOUNT..... \$70,277.24 \$

APPROVED:

*Mette Brownell 2.27.2013*  
Accounting  
LS:lag

PREPARED BY:

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







COUNTY OF SUFFOLK



1229

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 28, 2013

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

Re: Tax Map No. 0103-010.00-01.00-022.000  
JOHN GERRATO

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)

Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. -2013, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSE (SCTM NO. 0200-069.00-08.00-007.001)**

**WHEREAS**, the County of Suffolk is the fee owner of the following described parcel:

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 069.00, Block 08.00, Lot 007.001, 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, CP 51, being and intended to be that parcel of land carried on the tax rolls of the Town of Brookhaven under Suffolk County Tax Map No. District 0200, Section 069.00, Block 08.00, Lot 007.001,

**WHEREAS**, the real property above described is approximately 70' x 149' in size (10,430 Square Feet) and has a county investment of \$6,117.35, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, section 72-H of the General Municipal Law permits the sale of real property between Municipal Corporations; and

**WHEREAS**, the Town of Brookhaven, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it (see annexed Resolution hereto marked as Exhibit "A"); and

**WHEREAS**, the transfer of this parcel is pursuant to and in accordance with Local Law No. 13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

**WHEREAS**, the Suffolk County Department of Economic Development and Planning has approved the use of this parcel for the purposes stated above; now, therefore, be it

**1<sup>st</sup> RESOLVED**, the subject parcel shall be conveyed to the Town of Brookhaven, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed and, additionally, if any one or more of the following occurs, the subject premises shall revert to the grantor as herein provided and as provided in any deed evidencing the transfer of the subject premises from the grantor to the grantee:

1. If the grantee is not restricted in its use of the subject premises solely and exclusively for affordable housing purposes; with all right, title, and interest reverting to the grantor, at the sole option of the grantor, in the event that the grantee, at any time uses or attempts to use said subject premises for other than affordable housing purposes, in accordance with the approved plan submitted by the grantee. Such reverter clauses contained

2. If the grantee fails to construct or complete construction of affordable housing unit or units on said property within three (3) years from the date of transfer unless an extension of time is granted in writing, for good cause shown, by the Suffolk County Director of Real Estate, and /or her designee. Such extension shall not exceed two two year extensions unless approved by duly enacted resolution of the grantor;

3. If the income, at initial occupancy, of the occupant should exceed 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;

4. If the subsidized purchase price of home should exceed 60% of median sales price for Suffolk County based upon the State of New York Mortgage Agency Guidelines;

5. If the rent should exceed HUD established fair market rent for Nassau-Suffolk PMSA based upon bedroom size;

6. If the affordable housing unit or units are owner-occupied, and the unit or units fail(s) to remain the principal residence of the owner for a period of five (5) consecutive years. If the affordable housing unit or units are tenant-occupied, and the unit or units fail(s) to remain affordable for ten (10) consecutive years;

7. If the grantee fails to certify to the Suffolk County Director of Real Estate, and /or her designee prior to closing of the title with any affordable housing grantee

- a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and
- b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and
- c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and
- d. the affordable housing unit or units meet local building and zoning codes;

8. If the grantee shall fail to provide the Suffolk County Director of Real Estate and /or her designee, with an annual written report, no later than December 31 of each year commencing December 31, 2013, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or

9. If any subsequent grantee fails to comply with all applicable state, federal, and local regulations pertaining to price, income eligibility and marketing standards for affordable housing programs.

**2<sup>nd</sup> RESOLVED**, the grantee will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for affordable housing with all right title and interest reverting to the County of Suffolk in the event that the grantee at any time, uses or attempts to use said subject parcel for other than affordable housing or attempts to sell, transfer or otherwise dispose of or does, in fact, sell transfer or otherwise dispose of said subject parcel with said parcel being used thereafter for other than affordable housing.

**3<sup>rd</sup> RESOLVED**, that neither grantee nor any subsequent grantee shall bill or charge back to grantor any cost incurred or projected to be incurred for the cleaning up, removal and disposal of any debris, waste and /or contamination on said property. In the event that such charge back or bill is rendered to the grantor the transfer shall be void ab initio and the realty shall revert to the grantor.

**4<sup>th</sup> RESOLVED**, that it is intended and agreed that the agreements and covenants contained in the deed evidencing transfer of subject premises shall be covenants running with the land and that they shall be, in any event, and without regard to technical classification of designation, legal or otherwise, and except only by law, binding for the benefit and in favor of, and enforceable by, the grantor, it being further understood that such agreements and covenants shall be binding only upon the grantee, if it be a municipality or any assignee of the grantee, undertaking the construction, reconstruction or rehabilitation of affordable housing, only for such period as they shall have title to or an interest in or possession of the property or part thereof.

**5<sup>th</sup> RESOLVED**, the conveyance of the parcel described to the Town of Brookhaven for the purposes described herein shall be for the sum of One Dollar, and, upon payment of such sum, all subsequent grantees of such subject premises shall comply with all applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs.

**6<sup>th</sup> RESOLVED**, that the Director of Real Estate, and/or her designee, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property upon the above-described terms and conditions.

**7<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c) (20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a)).

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

1230

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 2012-608  
MEETING OF: July 17, 2012

AUTHORIZING THE TRANSFER OF FORECLOSED  
PROPERTY LOCATED IN MILLER PLACE AS  
REFLECTED IN SCHEDULE "A" ATTACHED HERETO  
FROM THE COUNTY OF SUFFOLK TO THE TOWN  
OF BROOKHAVEN AND FROM THE TOWN TO  
HABITAT FOR HUMANITY OF SUFFOLK TO  
PROMOTE THE AVAILABILITY OF AFFORDABLE  
HOUSING

WHEREAS, the Town of Brookhaven, the County of Suffolk under the 72h Program, and various not-for-profit groups have cooperated throughout the years to create affordable housing opportunities and to remove blighting conditions within the Town; and

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing requests that the Town of Brookhaven authorize the execution of a deed and related documents necessary to transfer from its foreclosure inventory to Habitat for Humanity of Suffolk the parcel of property as reflected in Schedule "A" attached hereto for the sole purpose of developing affordable housing and to provide an eligible resident within the Town with viable homeownership; and

WHEREAS, the Town of Brookhaven desires to continue to be an active partner with providing affordable housing opportunities to residents of the Town;

NOW, THEREFORE, BE IT RESOLVED, upon review and approval of the Town Board of the Town of Brookhaven that the Supervisor and/or Deputy Supervisor is hereby authorized to execute any agreement and/or instrument approved as to form by the Department of Law, providing for the conveyance of the parcel of property to Habitat for Humanity of Suffolk as reflected in the attached Schedule "A" in order to promote and create affordable housing opportunities which will in turn provide a resident of the Town of Brookhaven with viable homeownership; and be it further

RESOLVED, by the Town Board of the Town of Brookhaven that the Town Clerk is hereby directed to post and publish the notice of adoption of this resolution subject to a permissive referendum.

1230

Schedule A

Tax Map No.

Affordable Housing Agency

0200-69-8-7.1

Habitat for Humanity of  
Suffolk

1230

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 SALE OF COUNTY-OWNED REAL  
PROPERTY PURSUANT TO SECTION 72-H OF THE  
GENERAL MUNICIPAL LAW TO THE TOWN OF  
BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSE  
(SCTM NO. 0200-069.00-08.00-007.001)**

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Brookhaven for affordable housing purposes

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

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

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

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

Loss of County investment  
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2013

10. Name & Title of Preparer

R. J. Bhatt   
Land Management Specialist

NEIL TOOMB   
INTEGRAL REL COORD

Signature of Preparer

Date

R. J. Bhatt

3/4/13

Neil Toomb

3/12/13

1230

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.

1230

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES  
TOWN OF BROOKHAVEN

Tax Map No.: 0200-069.00-08.00-007.001

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$6,117.35

PURPOSE:

- |                            |                   |
|----------------------------|-------------------|
| A. Affordable Housing      | <u>  X  </u>      |
| B. Town Parks              | <u>          </u> |
| C. Road/Highway            | <u>          </u> |
| D. Drainage/Recharge Basin | <u>          </u> |
| E. Other                   | <u>          </u> |

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

WRT:slb



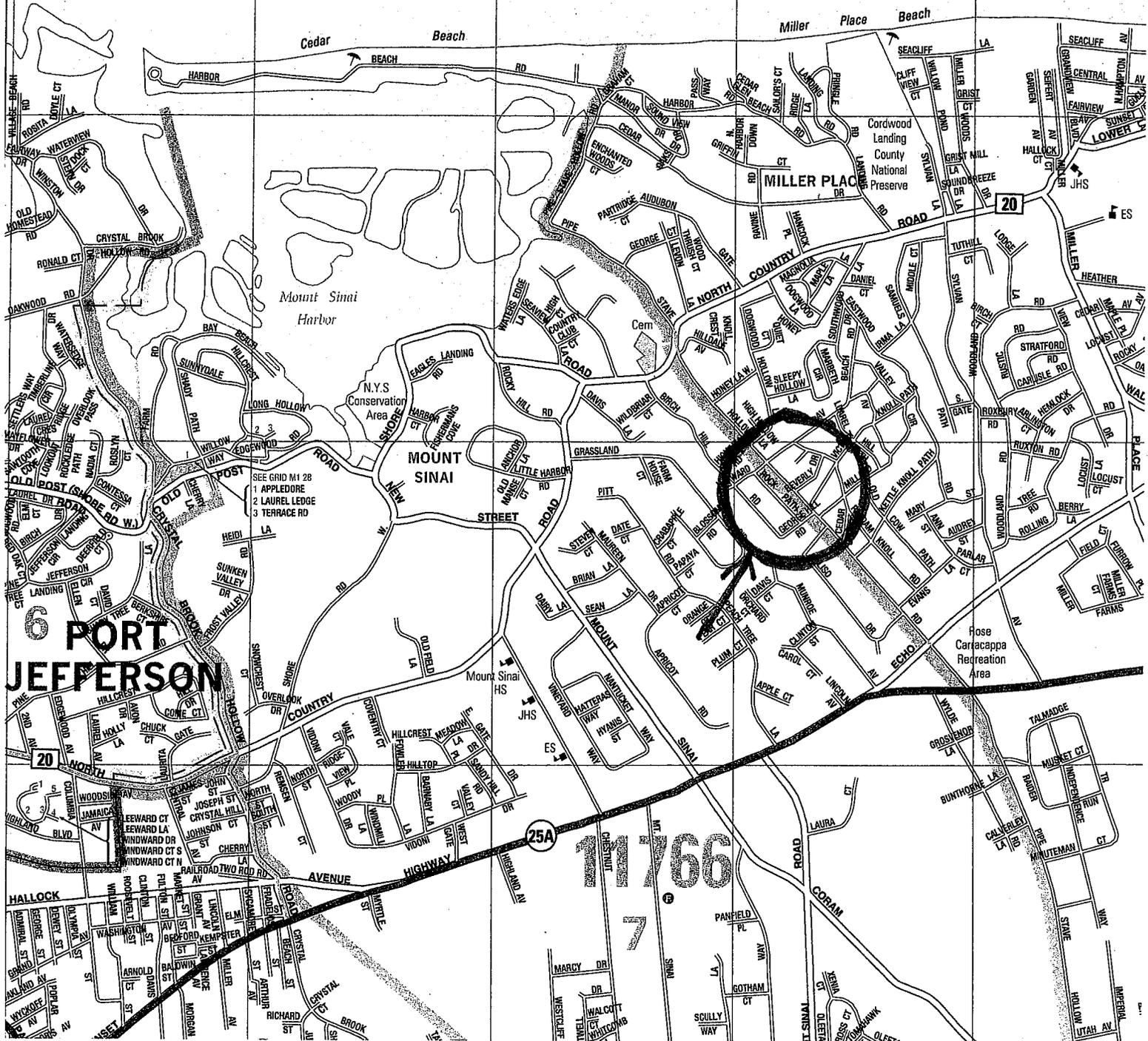
1730



TM# 0200-069.00-08.00-007.001

LONG

1730



PORT JEFFERSON

1766

IN # 0200-069.00-08.00-007.001

1230

**2013 INTRAGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

TITLE OF BILL:

**AUTHORIZING THE SALE OF COUNTY-OWNED REAL  
PROPERTY PURSUANT TO SECTION 72-H OF THE  
GENERAL MUNICIPAL LAW TO THE TOWN OF  
BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSE  
(SCTM NO. 0200-069.00-08.00-007.001)**

PURPOSE OR GENERAL IDEA OF BILL:

Sale to Town of Brookhaven of 70' x 149' vacant land approximately .25 acre for use in Affordable Housing Program.

SUMMARY OF SPECIFIC PROVISIONS:

Subject to and in accordance to local law 13-2000, 2-2002 and 17-2004 to establish and modify the Affordable Housing Opportunities Program.

JUSTIFICATION:

Attached Town Board resolution to transfer to Habitat for Humanity.

FISCAL IMPLICATIONS:

County Investment of \$6,117.35 loss.

COUNTY OF SUFFOLK



1230

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

March 4, 2013

Jon Schneider  
Deputy County Executive  
H. Lee Dennison Building - 12th Floor  
100 Veterans Memorial Highway  
Post Office Box 6100  
Hauppauge, NY 11788

Re: Tax Map No.: 0200-069.00-08.00-007.001  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the  
Town of Brookhaven for Affordable Housing Purposes.

Dear Mr. Schneider:

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

Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Town of Brookhaven  
for affordable housing purposes.

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

WRT:slb

Resolution + 1 copy  
Summary Statement  
Tax Map & Aerial Map  
Hagstrom Map  
Sponsor's Memo

Copy w/ Resolution to:

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)

**DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT  
SPONSOR'S MEMO FOR COUNTY LEGISLATION**

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Resolution Title:

Tax Map No.: 0200-069.00-08.00-007.001

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Purpose/Justification of Request:

Section 72-h Gen'l Municipal Law

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Specify Where Applicable:

1. Is request due to change in law? Yes\_\_\_ No X  
If yes, please explain:
  2. Has this resolution been submitted previously? Yes\_No X .  
If yes, give I.R.#, attach copy and reason for re-submittal:
  3. Is backup attached? Yes X No
  4. Is this resolution subject to SEQRA review? Yes\_\_\_ No X
- 

Fiscal Information:

Anticipated Revenue: \$1.00 (to be waived)  
County Investment: \$6,117.35

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Contact Person:  
Wayne R. Thompson

Telephone Number:  
(631) 853-5971

1R 1231-13

LOT 3/19/13

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO.  
SALE OF COUNTY-OWNED REAL ESTATE  
PURSUANT TO SECTION 72-h OF THE  
GENERAL MUNICIPAL LAW  
(TOWN OF BROOKHAVEN)  
(SCTM NO. 0200-256.00-05.00-037.000)**

**WHEREAS**, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 256.00 Block 05.00 Lot 037.000 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 Page 51 and described as follows, known and designated as Lot 354 on a certain map entitled "Map of Clairmont Park, Section 2C", and filed in the Office of the Clerk of the County of Suffolk on December 10, 1910 as Map No. 406; and

**WHEREAS**, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

**WHEREAS**, the Town of Brookhaven has requested that the County of Suffolk convey to the town the parcel being in size approximately 20' x 100' on a paper street described in Exhibit "A" annexed hereto; and

**WHEREAS**, as provided in Resolution No. 840-2004 and Resolution No. 412-2005, this Legislature has determined that retention of development rights for transfer and use to promote the development of workforce housing is a vital need of Suffolk County residents and an important public purpose of County government; and

**WHEREAS**, the Suffolk County Department of Economic Development and Planning has approved the proposed transfer and use of said parcel; and

**1<sup>st</sup> RESOLVED**, that the Director of Real Estate, and/or her designee, 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 terms and conditions as hereinafter described to said Town of Brookhaven for the sum of \$434.02; plus the pro rata share of taxes, and be it further

**2<sup>nd</sup> RESOLVED**, that the County of Suffolk hereby transfer the above described property subject to it being sterilized for Open Space Purposes to protect the aquifer and water supply, which property shall be kept in its natural state in perpetuity, except for property maintenance activities as may be appropriate, to effectuate the declaration of covenants and restrictions, entered into by the Town of Brookhaven, without impairing the essential nature and open character of the premises and subject to the use of the open space area for passive recreational purposes; and be it further

**3<sup>rd</sup> RESOLVED**, that pursuant to Section C12-2(A)(2)(c), this property is to be permanently sterilized by a deed restriction and must remain as Open Space and Workforce Housing Development Rights shall be severed herewith (0) zero credit Workforce Housing Development Rights and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program Registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Economic Development and Planning, consistent with Resolution No. 412-2005, as amended and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

**4<sup>th</sup> RESOLVED**, that said quitclaim deed tendered by the Director of Real Estate, and /or her designee, pursuant to this resolution, shall contain appropriate language that shall permanently sterilize the above-described parcel and sever the development rights for workforce housing purposes in accordance with the County's Workforce Housing Program; and be it further

**5<sup>th</sup> RESOLVED**, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Open Space purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other than Open Space 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 Open Space purposes; and be it further

**6<sup>th</sup> RESOLVED**, that said quitclaim deed issued by the Director of Real Estate, and /or her designee, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

**7<sup>th</sup> 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. Sections 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a) (1)

DATED: \_\_\_\_\_

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval:

RESOLUTION NO. 2012-665  
MEETING OF August 28, 2012

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

AUTHORIZATION TO ACQUIRE A VACANT  
PARCEL OF SUFFOLK COUNTY OWNED LAND  
FOR OPEN SPACE PURSUANT TO SECTION  
72-H OF THE GENERAL MUNICIPAL LAW -  
LETITIA STREET, PORT JEFFERSON STATION  
(SCTM No. 0200-256.00-05.00-037.000)

WHEREAS, Section 72-h of the General Municipal Law of the State of New York permits the sale of real property between municipal governments in the State of New York; and

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Letitia Street, Port Jefferson Station, further identified as SCTM No. 0200-256.00-05.00-037.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$434.02 plus pro-rata taxes at the time of closing; and

WHEREAS, the Town Board of the Town of Brookhaven is aware that the subject premises shall be conveyed subject to the following restrictive covenants that will run with the land so conveyed: 1) That the Grantee or any subsequent Grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and disposal of all debris, waste, and/or contamination in or on the subject premises; 2) That the Grantee shall not sell, convey, transfer or otherwise dispose of the subject premises; and

WHEREAS, the Town Board of the Town of Brookhaven is aware that the restrictive covenants described above will run with the land and shall bind the heirs, successors, and assigns of the Town of Brookhaven and in the event of any violation of the restrictive covenants

1231

stated above, the Deed conveying said parcels shall be void ab initio and title to the realty shall revert to the County of Suffolk; and

WHEREAS, the acquisition of said parcels pursuant to General Municipal Law Section 72-H, as an intergovernmental transfer, is a Type II action pursuant to NYCRR 617.5(c)(19) and, therefore, no further SEQRA review is required,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel for open space purposes further identified as SCTM No. 0200-256.00-05.00-037.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$434.02 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

1231

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution  Local Law No. \_\_\_\_\_ Charter Law \_\_\_\_\_

2. Title of Proposed Legislation

Sale of County-Owned Real Estate Pursuant To Section 72-h of the  
General municipal law

**SALE OF COUNTY-OWNED REAL ESTATE  
PURSUANT TO SECTION 72-h OF THE  
GENERAL MUNICIPAL LAW  
(TOWN OF BROOKHAVEN)  
(SCTM NO. 0200-256.00-05.00-037.000)**

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Brookhaven for Municipal purposes

4. Will the Proposed Legislation have a fiscal impact?

Yes  No \_\_\_\_\_

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

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

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2013

10. Typed Name & Title of Preparer

Signature of Preparer

Date

R.J. Bhatt  
Land Management Specialist

*R.J. Bhatt*

3/5/12

NEIL TOOMBS  
Intergov Rel Coord

*Neil Toombs*

3/12/13

FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1231

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.

1231

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

**SUMMARY STATEMENT**

SALES TO GOVERNMENTAL ENTITIES  
TOWN OF BROOKHAVEN

Tax Map No.: 0200-256.00-05.00-037.000

Section 72-h, Gen'l Municipal Law

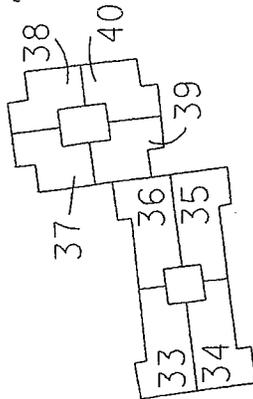
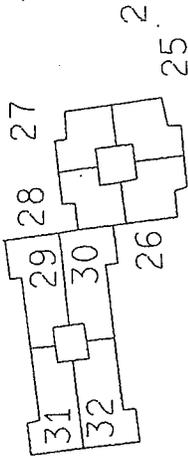
	<u>Amount</u>
County Investment	\$ 434.02
Purpose:	
A. Affordable Housing	_____
B. Open Space/Park	_____ X _____
C. Road/Highway	_____
D. Drainage/Recharge Basin	_____
E. Other	_____

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

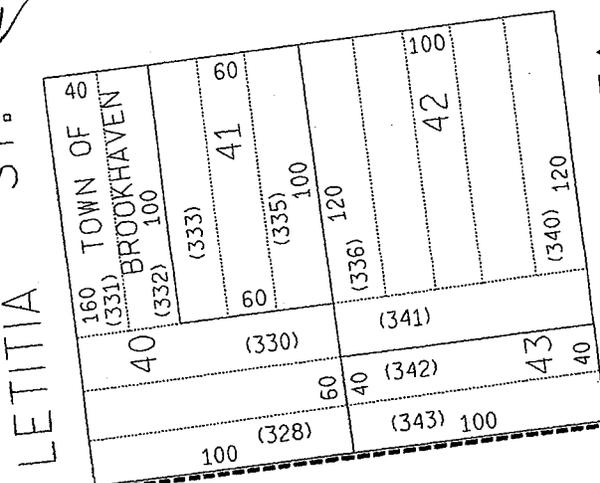
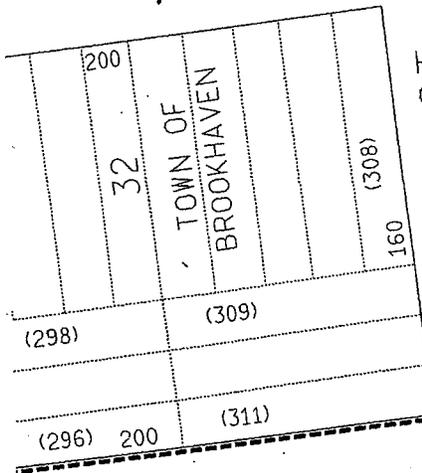
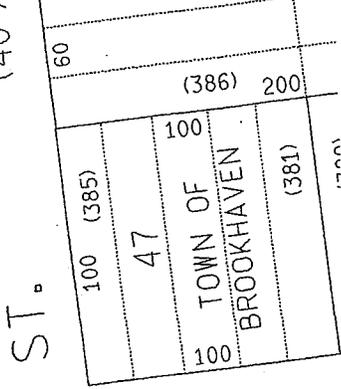
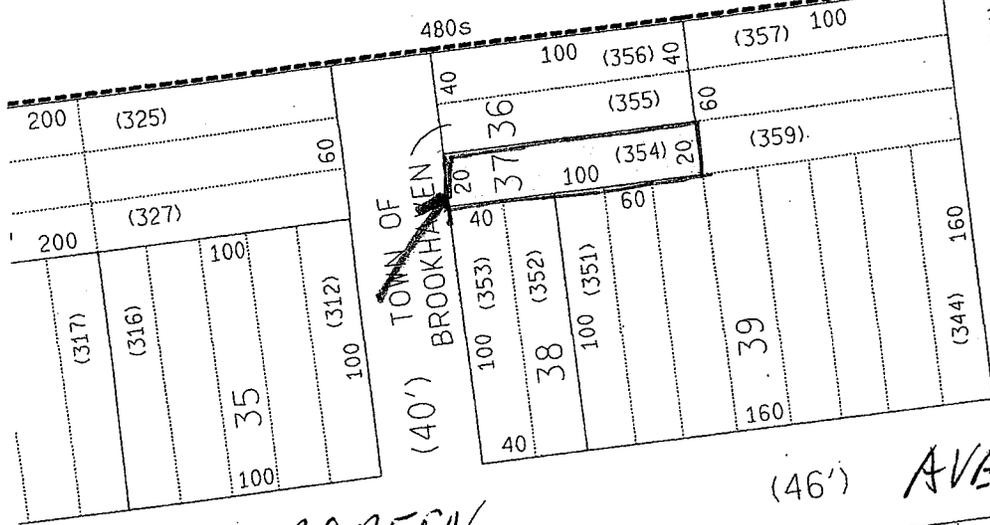
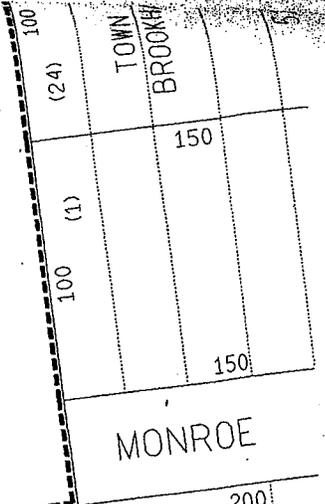
WRT:slb



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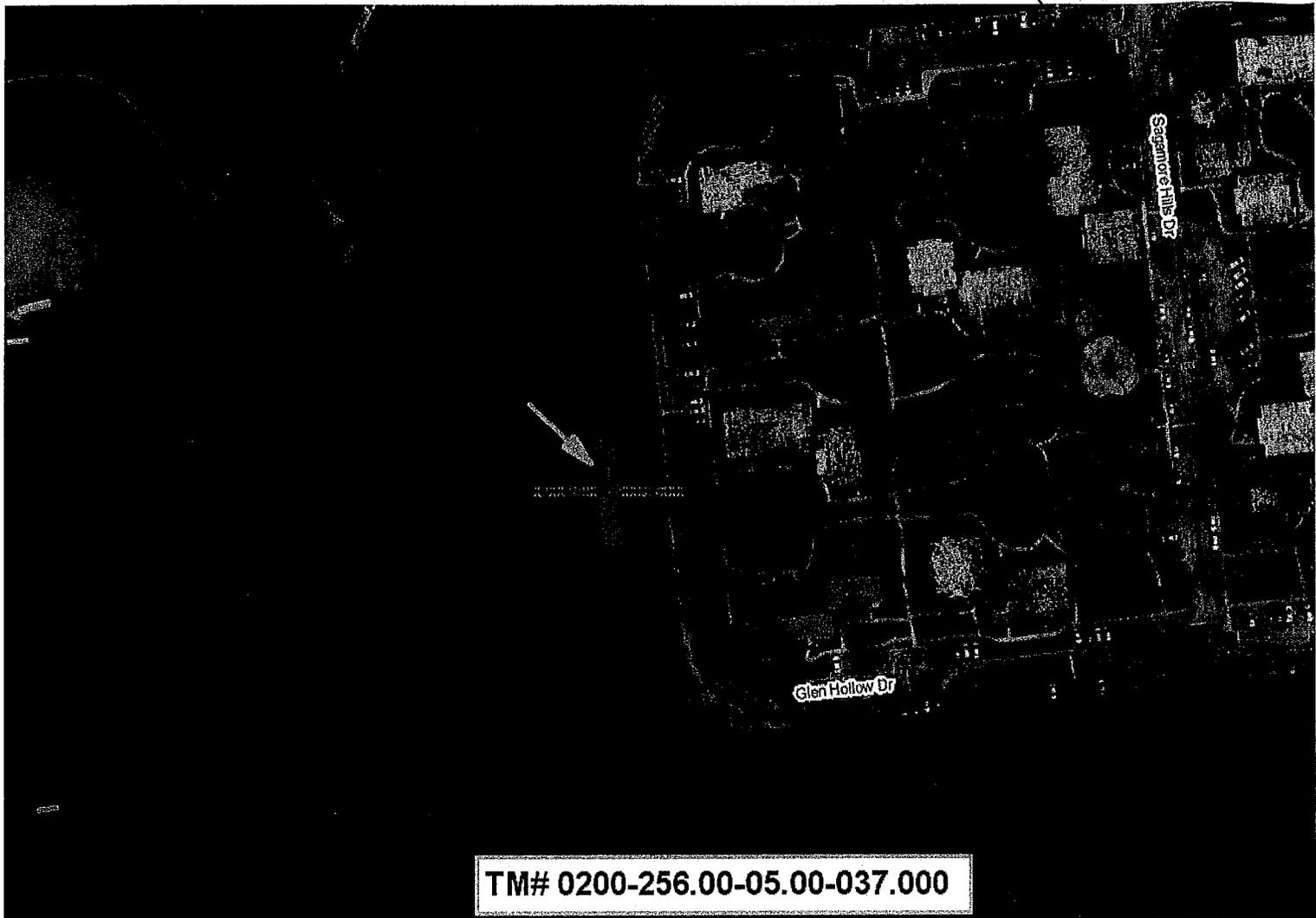


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M # 0200-256.00-05.00-037.000

1231



TM# 0200-256.00-05.00-037.000



1231

**2013 INTRAGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

TITLE OF BILL:

**SALE OF COUNTY-OWNED REAL ESTATE  
PURSUANT TO SECTION 72-h OF THE  
GENERAL MUNICIPAL LAW  
(TOWN OF BROOKHAVEN)  
(SCTM NO. 0200-256.00-05.00-037.000)**

PURPOSE OR GENERAL IDEA OF BILL:

Sale to Town of Brookhaven, 20' x 100' vacant land approximately 0.05 acre for Open Space purpose.

SUMMARY OF SPECIFIC PROVISIONS:

Retention of development rights for transfer and use to promote the development of workforce housing as provided in Resolution No. 840-2004 and Resolution No. 412-2005.

JUSTIFICATION:

Attached Town Board resolution to transfer for Open Space purpose.

FISCAL IMPLICATIONS:

County investment repaid.

COUNTY OF SUFFOLK



1231

Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Department of  
Economic Development and Planning

Joanne Minieri  
Deputy County Executive and Commissioner

March 5, 2013

Division of Real Property  
Acquisition and Management

Jon Schneider  
Deputy County Executive  
Intergovernmental Relations  
H. Lee Dennison Building - 11th Floor  
100 Veterans Memorial Highway  
Post Office Box 6100  
Hauppauge, NY 11788

Re: Tax Map No.: 0200-256.00-05.00-037.000  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real  
Estate to the Town of Brookhaven for General Municipal Purposes.

Dear Mr. Schneider:

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

Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Town of Brookhaven for municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,

Wayne R. Thompson  
Real Property Manager  
Division of real Property Acquisition  
And Management

WRT:slb

Resolution  
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)

1732

Intro. Res. No. -2013

Laid on Table

3/19/13

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. - 2013, AUTHORIZING THE GRANTING OF A PERMANENT EASEMENT TO THE SUFFOLK COUNTY WATER AUTHORITY FOR PRODUCTION, DISTRIBUTION AND TRANSMISSION OF DRINKING WATER ON A PARCEL ACQUIRED BY THE COUNTY OF SUFFOLK UNDER THE OLD DRINKING WATER PROTECTION PROGRAM (ALDRICH LANE, MATTITUCK NEW YORK BEARING SCTM NO. 1000-125.00-01.00-001.000)**

**WHEREAS**, the County has acquired parcels of property pursuant to former Article 12 of the Suffolk County Charter, commonly known as the Old Suffolk County Drinking Water Protection Program (Program); and

**WHEREAS**, the Program authorized and permitted the use of such parcels for the purpose of production and distribution of a public water supply, including ancillary facilities; and

**WHEREAS**, Resolution 983-2009 authorized and granted easements to the Suffolk County Water Authority (SCWA) for the purpose of accessing 34 identified County parcels acquired under the Program for water supply production and distribution use; and

**WHEREAS**, pursuant to Resolution 983-2009, an easement dated March 24, 2010 and recorded at Liber 12620 page 272 in the Office of the Suffolk County Clerk conveyed to SCWA an easement on a parcel of land located on Scout Trail in Wading River (SCTM # 0200-128-1-15), County of Suffolk, State of New York, more particularly described in the Abandonment and Extinguishment of Easement agreement attached hereto and made a part hereof; and

**WHEREAS**, SCWA and the County wish to abandon and extinguish the Scout Trail easement because the SCWA possesses other properties in the area of the Scout Trail parcel that can be developed as public water facilities and if so developed these facilities would adequately serve the water needs of the residents in the Scout Trail area, and in its place convey a substitute easement to SCWA for water supply production and distribution use across the premises known as the Aldrich Lane parcel in Mattituck New York bearing Suffolk County tax map no. 1000-125.00-01.00-001.000, more particularly described in the Agreement Amendment and Easement Agreement annexed hereto and made a part hereof; and

**WHEREAS**, the contemplated easement would permit the SCWA to specifically identify ~ 5 acres within the Aldrich Lane parcel to use for water supply production and distribution use; and

**WHEREAS**, when identified, and prior to use, the specific location of the 5 acre area shall be subject to the review and approval of the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation (Commissioner) and the Board of Trustees of Parks Recreation and Conservation (Trustees); and

**WHEREAS**, if and when such ~ 5 acre area is approved by the Commissioner and the Trustees, the easement herein approved would be amended to limit access and use to said ~ 5

acre area, and that the balance of the easement would be extinguished over the remaining area of the parcel; and

**WHEREAS**, it is necessary to grant an easement to the SCWA now in order to give SCWA access to Aldrich Lane for planning steps for water supply production and distribution use; and

**WHEREAS**, site-specific environmental review of future development at Aldrich Lane in accordance with the State Environmental Quality Review Act (SEQRA), cannot be conducted until the specific ~ 5 acre portion of the Aldrich Lane parcel is selected and specific plans are proposed; and

**WHEREAS**, segmentation of the SEQRA review is necessary in this situation, in order for the County to grant the easement and access to SCWA; and

**WHEREAS**, pursuant to SEQRA, the SCWA has agreed that Suffolk County shall be the lead agency and shall perform the environmental review of the initial phase of the proposed action (which is the granting of the easement) and that such review shall be coordinated with the SCWA, as an involved agency; and

**WHEREAS**, the SCWA has agreed to be the lead agency for SEQRA review of proposed site-specific actions at the Aldrich Lane parcel, and that the County will be an involved agency, and that the SCWA shall conduct such SEQRA review and shall coordinate its review with the County; and

**WHEREAS**, pursuant to 6 NYRCC §617.3, segmentation of the SEQRA review is permissible because for this resolution and any subsequent development, each related phase of the action shall be subject to full SEQRA review by the appropriate agencies; and

**WHEREAS**, a segmented review will be equally as protective, or more protective, of the environment, as consideration of all phases of the action at one time; and

**WHEREAS**, this Legislature has considered the Environmental Assessment Form (EAF) and associated documentation, and any other oral and written testimony submitted by interested or involved agencies and parties; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Executive or his designee is hereby authorized and directed and empowered to execute the Abandonment and Extinguishment of Easement, Agreement Amendment and Easement Agreement in the form annexed hereto for the production and distribution of public water, including ancillary facilities for the people of Suffolk County; and be it

**2<sup>nd</sup> RESOLVED**, that the County Executive or his designee are further authorized to execute and deliver on behalf of the County, any agreements, instruments or authorizations as maybe contemplated by, or necessary or advisable to consummate or otherwise give full effect to this resolution and to perform all acts and do all things required or contemplated to be performed by this resolution; and be it further

**3<sup>rd</sup> RESOLVED**, that the SEQRA review of the grant of the easement and future development of the ~ 5 acre portion of the Aldrich Lane parcel shall be segmented and conducted as required herein; and be it further

4<sup>th</sup> **RESOLVED**, that prior to any development, SCWA shall perform a site specific environmental review of the proposed action for the development for the Aldrich Lane parcel in accordance with SEQRA, the SCWA shall be the lead agency for such action, the County shall be an involved agency, and the SCWA shall coordinate its review of such action with the County; and be it further

5<sup>th</sup> **RESOLVED**, that the SCWA shall post the Aldrich Lane parcel with a construction sign not later than thirty (30) days prior to the start of construction at the site of such parcel which sign shall include a telephone number to call for information about the project and shall comply with the Public Notification Law, Chapter 183 of the Suffolk County Code, Suffolk County Parks as enacted by the Suffolk County Legislature; and be it further

6<sup>th</sup> **RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the SUFFOLK COUNTY CODE, hereby determines that this resolution constitutes an Type I action, pursuant to 6 NYCRR §617.4(b)(10); and be it further

7<sup>th</sup> **RESOLVED**, and determined that implementation of this action will not have a significant impact on the environment for the following reasons, as demonstrated in the EAF:

1. The proposed action will not exceed any of the criteria in Section 617.7 (c) of Title 6 of the NYCRR which sets forth thresholds for determining significant effect on the environment;
2. No significant habitats will be affected;
3. Existing cleared areas on the site will be utilized, to the extent practicable, and less than ~ 5 acres of the existing vegetation on the Aldrich Lane parcel will be disturbed;
4. Suffolk County Legislative covenants on the property allow for future water supply production and distribution, including ancillary facilities required specifically for such distribution;
5. The SCWA, as lead agency, in coordination with Suffolk County as an involved agency will complete SEQRA for each site before construction can proceed; and
6. The Commissioner and the Trustees must approve the specific ~ 5 acre portion of the Aldrich Lane parcel for such use;

and be it further

8<sup>th</sup> **RESOLVED**, that in accordance with Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this law.

DATED:

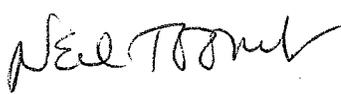
APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date: \_\_\_\_\_

1232

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation <b>AUTHORIZING THE GRANTING OF A PERMANENT EASEMENT TO THE SUFFOLK COUNTY WATER AUTHORITY FOR PRODUCTION, DISTRIBUTION AND TRANSMISSION OF DRINKING WATER ON A PARCEL ACQUIRED BY THE COUNTY OF SUFFOLK UNDER THE OLD DRINKING WATER PROTECTION PROGRAM (ALDRICH LANE, MATTITUCK NEW YORK BEARING SCTM NO. 1000-125.00-01.00-001.000)</b>		
3. Purpose of Proposed Legislation SAME AS ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  </u> No <u>  X  </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding N/A		
9. Timing of Impact - n/a		
10. Typed Name & Title of Preparer Neil Toomb Intergovernmental relations Coordinator	11. Signature of Preparer 	12. Date: 3/12/13

FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1237

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.

1232

**Agreement Amendment**

This Agreement made on the \_\_\_\_ day of \_\_\_\_\_, 2013, is by and between the Suffolk County Water Authority (the "SCWA"), with offices at P.O. Box 38, 4060 Sunrise Highway, Oakdale, New York 11769, and the County of Suffolk (the "County"), with offices at H. Lee Dennison Building, P.O. Box 6100, Veterans Memorial Highway, Hauppauge, New York 11788.

**WITNESSETH**

Whereas, the SCWA and the County executed an Agreement dated March 24, 2010 pursuant to which the County conveyed to the SCWA easements on certain County owned property; and

Whereas, the parties wish to amend the Agreement by simultaneously terminating the easement on the parcel #9 located on Scout Trail in Wading River in exchange for an easement on a parcel located on Aldrich Lane in Southold.

Now therefore based upon the premises and the mutual covenants, conditions and terms contained herein, the parties agree as follows:

1. The SCWA agrees to execute the Release of Easement attached hereto and made a part hereof as Exhibit A.
2. The County agrees to execute the Easement attached hereto and made a part hereof as Exhibit B.
3. The parties shall execute the Release of Easement and the Easement simultaneously.
4. With the exception of the substitution of an easement on the Aldrich Lane parcel instead of an easement on the Scout Trail Parcel, no other provisions of the Agreement shall be affected and the Agreement shall remain in full force and effect as so modified.

1232

In Witness whereof, the parties have set their hands to this Agreement on the day first set forth above.

County of Suffolk

Suffolk County Water Authority

By: \_\_\_\_\_  
Steven A. Bellone  
County Executive

By: \_\_\_\_\_  
Jeffrey W. Szabo  
Chief Executive Officer

1232

**Easement Agreement**

THIS INDENTURE made this \_\_\_\_\_ day of \_\_\_\_\_, 2013, between the County of Suffolk, a municipal corporation of the State of New York with offices at Suffolk County Center, Center Drive, Riverhead, New York 11901, (hereinafter "Grantor") and the Suffolk County Water Authority, a public benefit corporation having its principal place of business at P.O. Box 38, 4060 Sunrise Highway, Oakdale, New York 11969, (hereinafter "SCWA" or "Grantee").

WITNESSETH:

WHEREAS, the Grantor is seized of certain Premises described in Schedule A, attached hereto and made part hereof, and has good right to convey the same (hereinafter the "Premises"); and

WHEREAS, the Grantor covenants that the said Premises are free and clear of encumbrances other than those of record; and

WHEREAS, the Grantee owns and operates a public water supply system in the vicinity of the Premises; and

WHEREAS, Grantor wants to convey an easement in perpetuity on, over and across the Premises described in Schedule A to the Grantee, its successors and assigns, for the water supply purposes as set forth below;

NOW THEREFORE, the Grantor, in consideration of good and valuable consideration paid by the Grantee, does hereby grant and convey unto the Grantee, its successors and assigns forever an easement in perpetuity over the Premises consisting of:

The right to install, operate, maintain and repair any structures and/or appurtenances and

1232

ancillary facilities, without limitation, on up to five (5) acres of said Premises, for the purpose of taking and using water for water supply purposes,

TOGETHER with the right to install, operate, maintain and repair said structures and/or appurtenances to the extent the same may be required within the Premises,

TOGETHER with the right of vehicular and pedestrian ingress and egress over the Premises necessary to install, operate, maintain and repair such structures and/or appurtenances and ancillary facilities,

TO HAVE AND TO HOLD, the rights and easements granted herein unto the Grantee, its successors and assigns, forever and which shall run with the Premises for so long as Premises are used for water supply purposes.

AND said Grantor and Grantee mutually agree and covenant as follows:

1. All structures and/or appurtenances installed or to be installed by the Grantee, its successors and assigns, shall be and remain property of the Grantee, its successors and assigns, forever;

2. That the Grantee shall quietly enjoy the said rights and easements;

3. Grantee agrees, to the extent possible, to restore any areas disturbed by Grantee to a condition similar to that which existed prior to the disturbance by Grantee.

4. Grantor agrees that the terms, conditions, restrictions and purposes of this easement shall continue as a servitude running in perpetuity with the Premises and will be incorporated by reference in any subsequent deed or other legal instrument by which the Grantor divests itself of either the fee simple title to or its possessory interest in the Premises or any portion thereof

1232

specifically setting forth the date, and the liber and page of the Suffolk County Clerk's records of the recording hereof, if and when the same is available.

5. Except as to paragraph 6 of the easement agreement, any rule of strict construction designed to limit the breadth of the restrictions on the use of the Premises shall not apply in the construction or interpretation of this easement, and this easement shall be interpreted broadly to effect the purposes of this easement as intended by Grantor.

6. Grantee acknowledges, agrees and accepts that this grant of easement shall be deemed to have been made pursuant to and in accordance with Article XII of the Suffolk County Charter, as amended, and effective December 1, 1989 to November 30, 2000, including but not limited to §C12-3(A) as set forth in Schedule B hereto, and Grantee shall, be and remain in compliance therewith, in perpetuity.

7. Grantee shall maintain its facilities and ingress and egress areas in good repair at its own cost and expense.

8. Grantee shall, at its sole cost and expense, defend and indemnify the Grantor, and its successors and assigns, for any liability whatsoever (including reasonable attorneys' fees), related to the grant and/or Grantee's use of this easement, which shall be deemed to include the right to develop public water supply facilities and/or appurtenances including ancillary facilities pertaining thereto.

IN WITNESS WHEREOF, the Grantor has executed and delivered and Grantee has accepted this easement and Grantor and Grantee have hereunto set their respective hands and seals, caused their corporate seals to be hereunto affixed and caused these presents to be signed

1232

by their duly authorized Officers, the day and year first above written.

WITNESS:

COUNTY OF SUFFOLK

SUFFOLK COUNTY WATER AUTHORITY

By: \_\_\_\_\_

By: \_\_\_\_\_

Jeffrey W. Szabo

Title: \_\_\_\_\_

Title: Chief Executive Officer

STATE OF NEW YORK }

ss.:

COUNTY OF SUFFOLK }

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2013 before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, 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 individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK }

ss.:

COUNTY OF SUFFOLK }

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2013 before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey W. Szabo, 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 individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

1232

### SCHEDULE A

All that certian plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Mattituck, Town of Southold, County of Suffolk and State of New York, bounded and described as follows:

Beginning at a point on the easterly side of Aldrich Lane distant 2705.31 feet northerly as measured along the easterly side of Aldrich Lane from its intersection with the northerly side of Main Road;

RUNNING THENCE Northerly along the East line of Aldrich Lane the following six (6) courses and distances:

1. North 32 degrees 07 minutes 36 seconds West, 260.00 feet;
2. North 33 degrees 37 minutes 36 seconds West, 359.52 feet;
3. North 34 degrees 07 minutes 36 seconds West, 353.05 feet;
4. North 35 degrees 08 minutes 36 seconds West, 463.53 feet;
5. North 33 degrees 26 minutes 36 seconds West, 395.17 feet;
6. North 33 degrees 15 minutes 36 seconds West, 232.30 feet; to the lands now or formerly of Raymond and Barbara Kujawski;

RUNNING THENCE along said last mentioned land the following two (2) courses and distances:

1. North 58 degrees 19 minutes 59 seconds East, 200.00 feet;
2. North 32 degrees 28 minutes 51 seconds West, 300 feet; to lands now or formerly of W. Gatz;

THENCE along said land now or formerly of Gatz, North 58 degrees 19 minutes 24 seconds East, 723.29 feet to lands now or formerly of R. H. Reeve;

THENCE along said last mentioned lands, the following six (6) courses and distances to:

1. South 34 degrees 16 minutes 36 seconds East, a distance of 325.33 feet to a point;
2. South 34 degrees 04 minutes 36 seconds East, 417.20 feet to a point;
3. South 33 degrees 58 minutes 51 seconds East, 1127.47 feet to a point;
4. South 33 degrees 23 minutes 18 seconds East, 114.47 feet to a point;
5. South 31 degrees 19 minutes 06 seconds East, 86.60 feet to a point;
6. South 39 degrees 17 minutes 47 seconds East, 168.80 feet to land now or formerly of Laurel Properties;

1232

THENCE along lands now or formerly of Laurel Properties the following twelve (12) courses and distances:

1. South 23 degrees 55 minutes 54 seconds West, 86.85 feet;
2. South 43 degrees 13 minutes 54 seconds West, 62.80 feet;
3. South 46 degrees 00 minutes 23 seconds West, 25.35 feet;
4. South 63 degrees 52 minutes 24 seconds West, 26.40 feet;
5. South 49 degrees 42 minutes 54 seconds West, 73.30 feet;
6. South 40 degrees 39 minutes 54 seconds West, 30.36 feet;
7. South 56 degrees 18 minutes 54 seconds West, 28.63 feet;
8. South 53 degrees 05 minutes 24 seconds West, 117.00 feet;
9. South 45 degrees 10 minutes 24 seconds West, 73.70 feet;
10. South 56 degrees 21 minutes 54 seconds West, 69.30 feet;
11. South 66 degrees 38 minutes 24 seconds West, 106.25 feet;
12. South 53 degrees 49 minutes 24 seconds West, 270.70 feet to a monument at the point or place of BEGINNING.

Said parcel being and intended to be the same as described in a deed dated December 22, 1994 and recorded at Liber 11707 Page 628.

1232

**SCHEDULE B**

1232

ARTICLE XII<sup>1</sup>Suffolk County Drinking Water Protection Program  
[Added 7-14-87 by L.L. No. 40-1987<sup>2</sup>]

## § C12-1. Creation.

There are hereby created a Suffolk County Pine Barrens Wilderness and a Suffolk County Water Protection Preserve, as defined in § C12-2 of this Article, which shall be preserved and protected in their natural states and in perpetuity.

## § C12-2. Definitions.

The following words and phrases when used in this Article, unless otherwise expressly stated, are defined as follows:

**SUFFOLK COUNTY PINE BARRENS WILDERNESS** — The Pine Barrens Zone described in Local Law No. 7 of 1984<sup>3</sup> and any other land as Suffolk County may in the future designate by resolution and any other area as may be designated by the County Executive with the approval of the Legislature.

**SUFFOLK COUNTY WATER PROTECTION PRESERVE** — The special groundwater protection areas in Suffolk County identified in the Long Island Regional Planning Commission report on special groundwater protection areas and any other land as Suffolk County may in the future designate by resolution and any other area as may be designated by the County Executive with the approval of the Legislature.

**UNDEVELOPED LAND** — Land that has not been improved upon in any manner whatsoever by humankind and remains intact in its natural state, and land that has only been nominally disturbed by humankind and remains substantially intact in its natural state.

<sup>1</sup> Editor's Note: Former Art. XII, Department of Fire Safety, added 10-24-63 by L.L. No. 6-1963 and amended 1-4-64 by L.L. No. 1-1964, was repealed 9-27-83 by L.L. No. 16-1983. See Art. XI of this Charter.

<sup>2</sup> Editor's Note: This local law was approved at referendum 11-3-87.

<sup>3</sup> Editor's Note: See Article XXXIV of this Charter.

1232

## § C12-3. Acquisition of property.

- A. Upon resolution duly adopted, and within such appropriations as may duly be made available therefor, the County of Suffolk may acquire one (1) or more parcels of undeveloped land within the Suffolk County Pine Barrens Wilderness and/or Water Protection Preserve. Land so acquired from any funds authorized under this Article shall remain in a natural state and be managed so as to perpetuate the natural ecosystem of said lands as a nature preserve under § C1-7 of this Charter, with the sole exception of those portions of said lands which the Suffolk County Legislature may determine as being necessary for use for water supply production and distribution, including ancillary facilities required specifically for such production and distribution.
- B. Before any parcel shall be acquired pursuant to this Article by the County of Suffolk, it shall be reviewed by the Board of Trustees of the Department of Parks, Recreation and Conservation, minus its ex officio members, which shall, pursuant to § C28-3A of the Suffolk County Charter, recommend to the Commissioner of the Suffolk County Department of Real Estate any parcel to be acquired under this Article which has been approved by an affirmative vote of the entire membership of said Board, minus the ex-officio members thereof, taking into consideration the criteria, time considerations and priorities which said Board shall establish in order to implement the purposes of this Article.
- C. The Commissioner of the Suffolk County Department of Real Estate shall not enter into any negotiations for the acquisition of, nor consummate the acquisition of, any such parcel so contemplated unless and until said parcel has been recommended by said Board for acquisition.
- D. The Commissioner of the Suffolk County Department of Real Estate shall not be authorized to enter into any negotiations for the acquisition of, nor consummate the acquisition of, any such parcel which will require the expenditure of county funds in excess of the appropriations provided therefor unless and until sufficient additional appropriations are provided by this Legislature.

Exhibit "D-9"

## § C12-4. Payment of costs.

1232

A. In the event that the New York State Legislature enacts enabling state legislation, prior to November 30, 1989, for the explicit purpose of extending, within the territorial limits of the County of Suffolk, the additional sales and compensating use tax of one-fourth of one percent ( $\frac{1}{4}$  of 1%) imposed by the County of Suffolk pursuant to the provisions of § 1210 of the New York Tax Law and Suffolk County Resolution No. 823-1984,<sup>1</sup> and, in the event that the County of Suffolk extends, prior to November 30, 1989, by appropriate legislative action, within the territorial limits of the County of Suffolk, the additional sales and compensating use tax of one-fourth of one-percent ( $\frac{1}{4}$  of 1%) imposed by the County of Suffolk pursuant to the provisions of § 1210 of the New York Tax Law and the Suffolk County Resolution No. 745-1968, as amended by Resolution Nos. 114-1972, 115-1972 and 823-1984, then any revenues generated by the extension of such one-fourth-of-one-percent sales and compensating use tax, so authorized by appropriate state and local action, shall be used for the payment of any and all costs associated by the program authorized by this Article for the period of December 1, 1988, to December 1, 2000. In addition, every effort shall be made to apply for any state or federal aid money that may be available to defray the costs of this program.

B. Any such sales and compensating use tax collected pursuant to this Article shall be held in a Water Quality Protection Reserve Fund ("reserve fund") which shall be created for such purpose and established as of January 1, 1989. Moneys in the reserve fund shall be expended for the purposes specified in this Article. Moneys in the reserve fund may, in the event that obligations have been issued to pay the cost of either the acquisition of land in the Pine Barrens Wilderness and the Water Protection Preserve or the cost of any capital project to be undertaken as part of the Water Quality Protection Program, be expended to pay debt service on such obligations from the reserve fund. [Amended 6-28-88 by L.L. No. 35-1988<sup>2</sup>]

<sup>1</sup> Editor's Note: This resolution and those resolutions subsequently named in this section are on file in the offices of the County Legislature.

<sup>2</sup> Editor's Note: This local law was approved at referendum 11-6-88.

1232

C. Notwithstanding any provision of this Article to the contrary, this Legislature may, pursuant to the provisions of the Local Finance Law, authorize the issuance of general obligation serial bonds and/or bond anticipation notes to pay the cost of both the acquisition of land in the Pine Barrens Wilderness and the Water Protection Preserve and the cost of any capital project to be undertaken as part of the Water Quality Protection Program. Any issue of such obligations may be additionally secured, as this Legislature shall determine, by the irrevocable pledge of such portions of the sales and compensating use tax proceeds allocated to land acquisition pursuant to § C12-5A of this Article or to the water quality protection programs pursuant to § C12-5E of this Article, respectively. [Added 6-28-88 by L.L. No. 35-1988<sup>2</sup>]

**§ C12-5. Acquisition program costs and related expenditures. [Amended 6-28-1988 by L.L. No. 35-1988; 6-9-1993 by L.L. No. 26-1993; 6-11-1996 by L.L. No. 21-1996<sup>3</sup>]**

NOTE: Local Law No. 26-1993 which amended § C12-5K, also provided as follows Section L Legislative intent.

This Legislature hereby finds and determines that management of the County Drinking Water Protection Program is virtually nonexistent at the present time because of overlapping and confusing administrative assignments of personnel, responsibilities and jurisdiction for this program.

This Legislature further finds and determines that this lack of management threatens the primary environmental protection objectives of the program which can readily be eroded by administrative manipulation and distortion.

Therefore, the purpose of this law is to prevent such abuses from occurring in the future by establishing the Division of Real Estate within the Department of Law as the entity with primary jurisdiction and responsibility for this program.

Section 6. Form of proposition.

The proposition to be submitted to the electorate at the next general election pursuant to Section 7 of this law shall be in the following form:

<sup>2</sup> Editor's Note: This local law was approved at referendum 11-6-1988.

<sup>3</sup> Editor's Note: This local law was approved at referendum 11-6-1993.

<sup>4</sup> Editor's Note: Local Law No. 26-1993 was approved at referendum 11-3-1993.

<sup>5</sup> Editor's Note: This local law was approved at referendum 11-6-1996.

"Shall Resolution No. 222-1987, Adopting a Charter Law to Provide Management of the One-quarter Per Cent (1/4%) Drinking Water Protection Program by the County Division of Real Estate, be adopted?"

**Section 3. Applicability.**

This law shall apply to the allocation of any sales and compensating-use tax made on or after the effective date of this law.

NOTE: Local Law No. 31-1986 also provided as follows:

**Section 1. Legislative intent.**

This Legislature hereby finds and determines that the preservation of environmentally sensitive land within the County of Suffolk and the protection of vital water resources are of essential significance to the promotion of the health, safety and general welfare of the people of the County of Suffolk.

This Legislature further finds that the preservation of such lands and water resources will protect, enhance and promote the county's inherent physical and aesthetic qualities which have captured the attention, fancy and imagination of the residents of this county as well as numerous visitors.

This Legislature also finds and determines that recent action by the New York State Legislature to amend the Long Island Pine Barrens Protection Act has provided a comprehensive settlement of the issues that previously divided developers and environmentalists by creating a land use planning mechanism to protect and develop the Central Pine Barrens area of Suffolk County, which program requires reliable funding by the state, local and federal government in order to be effectively implemented.

This Legislature also finds and determines that Local Law No. 40-1987 and Local Law No. 22-1988, establishing a One-Fourth-Percent County Drinking Water Protection Program, each approved by the electorate for the purpose of extending a one-fourth-percent sales and compensating use tax through December 1, 2000, combined land acquisition with water quality protection and tax mitigation.

This Legislature further finds and determines that the use of \$24,000,000 in such moneys by the County of Suffolk to fund a portion of the county's general fund operating budget represents an act of bad faith on the part of Suffolk County that threatens to compromise the integrity, goals and objectives of the existing One-Fourth-Percent County Drinking Water Protection Program as originally contemplated.

Therefore, the purpose of this law is to ensure an orderly, rational, fiscally prudent, cost-effective, carefully structured program of environmental protection narrowly targeted at unique environmental resources in the Pine Barrens which are vital to watershed, ecological and aquifer protection for the residents of Suffolk County that will be coupled with protection of the One-Fourth-Percent County Drinking Water Protection Program against any diversion of funds from land acquisition via an amendment to said Drinking Water Protection Program to ensure the use of unallocated funds, above and beyond a minimum statutory allocation of 10% for tax relief, for the acquisition of Pine Barrens land as well as parkland (inclusive of beach nourishment) by prohibiting the use of the remaining unallocated reserve funds for purposes other than land acquisition.

**Section 4. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this Law constitutes a Type I Action pursuant to Section 817.12(b)(1) and (4) of Title VI of the New York Code of Rules and Regulations (NYCRR) and will not have a significant impact on the environment within the meaning of § 8-0100(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW for the following reasons:

- A. Enactment of this law will not exceed any of the criteria in Section 817.11 of Title VI NYCRR which sets forth thresholds for determining significant effects on the environment.
- B. This law will continue the Drinking Water Protection Program of promoting beneficial environmental impacts, including the following:
  - (1) It will provide enhanced protection of groundwater quality and quantity through preservation of additional above-lying Pine Barrens areas of the Central Pine Barrens and parklands (inclusive of beach nourishment allocation) in as many as five towns; and

1232

- (3) It will ensure implementation of the Long Island Pine Barrens Protection Act and will advance a comprehensive settlement of the issues that have divided developers and environmentalists by ensuring consistent funding to protect and develop the Central Pine Barrens area of Suffolk County, which program requires funding by the state, local and federal governments in order to be effectively implemented.
- C. This law essentially constitutes a promulgation of rules and regulations for preserving the integrity of the One-Fourth Percent Drinking Water Protection Program while simultaneously providing enhanced protection of the Central Pine Barrens through a more secure funding mechanism.
- D. This law affords an opportunity for the county to acquire, protect and preserve parklands in areas of the county not receiving the full benefit of one-fourth-percent land acquisitions previously authorized under the One-Fourth-Percent Drinking Water Quality Protection Program.

Furthermore, in accordance with Section C1-6A(1)(d) of the SUFFOLK COUNTY CHARTER and Section 379-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this resolution.

**Section 5. Applicability.**

This law shall apply to funds available for allocation on or after the effective date of this law.

The proposition to be submitted at the next general election pursuant to Section 8 of this law shall be in the following form:

"Shall Resolution 891-1984, Amending the County One-Fourth-Percent Drinking Water Protection Program to Use 80% of All Surplus Funds in this Program for County-wide Land Acquisition, Instead of General Government Purposes, Coupled with the use of 2% of such funds for County Parkland Operations and Security, Be Approved?"

**Section 6. Effective Date.**

This law shall take effect immediately upon filing in the office of the Secretary of State if it is approved by an affirmative vote of the qualified electors of the County of Suffolk voting upon a proposition for its approval at the next general election in conformity with the provisions of § 24 of the New York Municipal Home Rule Law. After approval by the electorates, this law, as well as any other law converted into a mandatory referendum pursuant to § 24(4) of the New York Municipal Home Rule Law, by a vote of the County Legislature, may only be amended, modified, repealed or altered by enactment of an appropriate Charter law subject to mandatory referendum in accordance with prevailing law.

**Section 7. Conflicting referenda.**

In the event that there are other referenda on the ballot, pertaining to or addressing substantially the same issues as are contained in this law, then the provisions of the measure approved by the electorate receiving the greatest number of affirmative votes shall prevail, and the alternative measure, or measures, as the case may be, shall be deemed null and void.

- A. The first priority of this program shall be the acquisition of land in the Pine Barrens Wilderness and the Water Protection Preserve. For this purpose, sufficient funds shall be set aside during the course of this program to allow for the acquisition of the maximum amount of acres which may be available in the Suffolk County Pine Barrens Wilderness and Water Protection Preserve lands. For each year of this program, pursuant to this article, not less than 40% of the total sales and compensating use tax shall be expended and/or set aside

1232

for the exclusive purposes set forth herein and in § C12-5B, unless funds are advanced through borrowing or financing agreements. These lands shall be acquired in accordance with the prioritization procedures and acquisition criteria set forth in Article II of Chapter 634 of the Suffolk County Code. At the end of each year, any funds set aside pursuant to this subdivision shall be put into and kept in a separate appropriation within the reserve fund. This appropriation within the reserve fund shall not be used for any other purpose until said land acquisitions are completed in accordance with this article. Over the life of this program, 52% of the total sales and compensating use tax, together with 65.34% of unallocated, uncommitted reserve funds determined by the compute model for this program prepared by the Legislative Office of Budget Review, and calculated for fiscal years 1996, 1997, 1998, 1999 and the first 11 months of the year 2000, shall be used for Pine Barrens Wilderness and Water Protection Preserve acquisitions and related administrative costs which shall be limited to underwriting and bond counsel costs associated with acquiring said land. Approximately 15% of this 52% or 7.8% for land acquisitions and related costs, over the life of the program, shall be for land acquisitions based upon the recommendation of each respective town where such lands are still extant, as such lands are defined in § C12-2A and B of this article. Such recommendations for such land acquisitions shall be subject to review and approval by the Environmental Trust Fund Review Board and the County Legislature pursuant to § C12-5D(6). These town-recommended lands which are acquired by the county shall not be subject to the provisions of § C12-5B. For the purposes of this subsection, the expenditure of sales and compensating use tax proceeds to pay debt service on obligations issued to pay the cost of the acquisition of land in the Pine Barrens Wilderness and the Water Protection Preserve shall be included in computing the percentage of the

1232

total sales and compensating use tax proceeds expended for the purposes set forth herein.

- B. Payments in lieu of taxes shall be made as follows: During the life of this program, whenever property is acquired by Suffolk County pursuant to this article and, as a consequence, is removed from the tax rolls, the County of Suffolk shall make payments in lieu of taxes to municipalities and school districts and any other eligible taxing districts, except for the County of Suffolk and any of its taxing districts, for a period of five years, except that no payments shall be made for any year after the expiration of this program. These payments shall be made, where applicable, as follows: For the first year that such property is removed from the tax rolls, payments shall be made in an amount equal to 100% of the taxes and assessments which would have been received for that year by each such jurisdiction if such acquisition had not occurred; for the second year, payments shall be 80% of the applicable amount; for the third year, 60%; for the fourth year, 40%; and for the fifth year, 20%. The payments for each year shall be based on the assessment for that year in which said property is removed from the tax rolls.
- C. For each year of this program, no more than 10% of the total sales and compensating use tax collected for that year shall be used to reduce the county's general property taxes for the subsequent fiscal year by being credited to revenues in direct proportion to taxes assessed and collected by the County of Suffolk from parcels within the county. The remaining 2% of these proceeds shall be used to fund operating and security expenses on county-owned or county-leased parklands. The funds for this purpose shall be guaranteed on an annual basis. In no event shall the aggregate tax stabilization component contained in this subsection exceed 22% of the total sales and compensating use tax proceeds generated over the life of the program by implementation of this article.

## D. Suffolk County Environmental Trust Fund.

## (1) Creation; purpose.

- (a) A Suffolk County Environmental Trust Fund ("trust fund") is hereby created. A portion of the funds acquired under this program shall be allocated annually to this trust fund. The moneys in this trust fund shall be made available to the towns for the purposes of capping and closing municipal solid waste landfills, identifying, characterizing and remediating toxic and hazardous waste landfills and for other purposes as provided in § C12-5D(4). These funds shall be allocated annually, pursuant to the provisions contained in § C12-5D, and based upon the following formula: \$10 per capita for the towns of 100,000 or more in population; \$15 per capita for towns fewer than 100,000 in population; provided, however, that in no event shall the annual allocation to the trust fund exceed 40% of the total sales and compensating use tax collected for that year pursuant to this article. Payments to the towns from this trust fund shall be consistent with the above formula as applied to the respective towns. In the event that this forty-percent limitation comes into effect, then the payments to each town shall be reduced in proportion to the percentage share each town would have received if the forty-percent limitation had not been in effect. The formula for annual payments for any given year, to any given town, may be exceeded for that year if funds are advanced as described in § C12-5D(5), but the total of any advanced funds, together with any other payments made to the towns pursuant to § C12-5D and any related administrative, legal or borrowing costs, may not exceed the estimated share to any given

1232

town over the life of this program, based upon the formulas provided herein.

- 1232
- (b) For towns where lands are still extant which fit the definitions of Suffolk County Pine Barrens Preserve or Suffolk County Water Protection Preserve, as defined in § C12-2 of this article, no less than 75% of their respective allocations shall be used for acquisitions of such lands. Land acquisitions made pursuant to this requirement shall be made by the county, on the recommendation of the relevant town in accordance with the provisions contained within § C12-5A. The county shall retain such amounts from the allocations to the respective towns which are calculated pursuant to § C12-5D(1)(e) above.
- (2) An Environmental Trust Fund Review Board shall be created and shall be comprised of the County Executive, each of the 10 Town Supervisors, the Commissioner of the county's Department of Health Services and the Director of the county's Planning Department, or their respective designated representatives. This Review Board shall be responsible for reviewing requests and making recommendations for the allocation of moneys to the towns, from the trust fund, for the capping and closing of municipal solid waste landfills and/or for the identifying, characterizing and remediating of toxic and hazardous waste landfills.
- (3) The Environmental Trust Fund Review Board shall convene at the earliest possible time to prepare an estimate of the moneys that shall be available to the trust fund over the life of the program. The Environmental Trust Fund Review Board shall then take this estimate and apply the various formulas contained in this Article to determine the appropriate estimated annual allocations, the appropriate estimated overall allocations and the

1232

appropriate estimated amounts which may be the subject of advanced funding, financing and borrowing. The Environmental Trust Fund Review Board, within sixty (60) days of its convening, shall issue a written plan, based upon these estimates, containing the estimated amounts and percentages, its borrowing recommendations and/or borrowing contingencies, along with a breakdown of principal, interest, time frames and the related costs. The Division of the Budget, within the office of the County Executive, shall assist the Environmental Trust Fund Review Board with its responsibilities as contained herein.

- (4) In the event that a town wishes to use funds available to it pursuant to this section for other environmental and water preservation projects consistent with the provisions of § C12-5E(2) and the formula set forth in § C12-5D(1), it shall first present to the Environmental Trust Fund Review Board that there is no demonstrable need for allocating trust fund moneys for the purposes of capping and closing municipal solid waste landfills or for the identification, characterization or remediation of toxic or hazardous waste landfills. If the Review Board is then satisfied, upon the presentation of evidence, that there is no demonstrable need for funds for such purposes, the Review Board may find, by a majority of its members, that there is no such need, and may allocate funds for other allowable environmental or water preservation projects, subject to review and approval by the Suffolk County Legislature pursuant to Subsection D(6) of this section.
- (5) In the event that the county enters into any borrowing or financing agreements for the purpose of advancing funds for the purposes provided in § C12-5D(1), then the trust fund shall be reduced by an amount equal to any and all costs incurred by the

county and related to such borrowing or financing agreements.

- 1232
- (6) Upon an affirmative recommendation of a majority of the members of the Environmental Trust Fund Review Board of a town's plan and upon approval by the Suffolk County Legislature of such a plan, funding shall be made available to the towns through the annual capital budget and/or expense budget processes. Each town's plan shall be acted upon annually, if appropriate, and individually. The towns shall report annually to the Environmental Trust Fund Review Board and to the Suffolk County Legislature, regarding expenditures made during the previous fiscal year, the status of the projects being funded and the other sources of funding for such projects.
  - (7) If a town has not complied with the programmatic intent of its approved program, then the Review Board or the County Legislature may withhold moneys in an amount equal to the amount affected by the noncompliance in future years.

**E. Water Quality Protection Program and enforcement.**

- (1) Any surplus funds which exist under this program on an annual basis, after first meeting the obligations under § C12-5A through D and C12-6, shall be allocated to the acquisition as determined by the County Executive and the County Legislature via duly enacted resolution of the County of Suffolk, through the annual budget appropriations process, as follows:
  - (a) One-third of any such surplus funds (32.66% of unallocated, uncommitted reserve funds determined by the computer model for this program prepared by the Legislative Office of Budget Review and calculated for fiscal years 1996, 1997, 1998, 1999 and the first 11 months of the year 2000) shall be allocated to the

1232

acquisition of parkland (inclusive of beach nourishment allocation) in the Towns of Huntington, Babylon, Islip, Shelter Island and/or Smithtown, based on each town's pro rata share of the county-wide population (most recent LILCO figures) as determined via duly enacted resolution of the County of Suffolk; and

(b) Two-thirds of any such surplus funds (65.34% of unallocated, uncommitted reserve funds determined by the computer model for this program prepared by the Legislative Office of Budget Review and calculated for fiscal years 1996, 1997, 1998, 1999 and the first 11 months of the year 2000) shall be allocated to the acquisition of land in accordance with § C12-5A of this article, as determined via duly enacted resolution of the County of Suffolk.

(4) The management, administration and day-to-day supervision of this program shall be provided by the Division of Real Estate in the County Department of Law, which Division shall be responsible for maintaining the official records of land acquisitions consummated and moneys expended pursuant to each of the funding components of this Article.

#### § C12-6. Sewer districts guaranty.<sup>6</sup>

A. The Southwest Sewer District and all other sewer districts within Suffolk County which are currently receiving sales and compensating use tax distribution from the present sewer district quarter-percent sales tax shall be guaranteed an amount during the term of this Article equal to the closing fund balance of the present Assessment Stabilization Reserve Fund at the end of

<sup>6</sup> Editor's Note: Former § 12-4, Criteria for payments to towns, was repealed 6-26-1998 by L.L. No. 34-1998, which local law also provided for the renumbering of former §§ C12-7 and C12-8 as §§ C12-6 and C12-7, respectively.

1988, and an amount equal to the actual amount of the sales and compensating use tax that would have been collected from the sewer district quarter-percent sales tax in 1989.

- B. This guaranteed amount shall be allocated to the Assessment Stabilization Reserve Fund in the form of the actual closing fund balances for 1988, and a credit memorandum for the actual 1989 collected sewer district quarter-percent sales tax. For 1989 and the ensuing years of this program, the amounts required to continue tax stabilization for these sewer districts shall be allocated through the annual budget appropriations process until this initial guaranteed amount shall be fully depleted.

**§ C12-7. Expiration of Article.**

In the event that the sales and compensating use tax extension contemplated by § C12-4A is brought before the County of Suffolk for legislative action and approval, then such sales and compensating use tax extension may only be approved by the County Legislature and County Executive on the condition that the resolution, local law or Charter law imposing such extension contain a condition, term and/or provision mandating the expiration of such sales and compensating use tax extension no later than December 1, 2000.

**§ C12-8. Construction with other laws. [Added 6-28-1988 by L.L. No. 35-1988']**

Notwithstanding any law to the contrary, expenditures pursuant to this Article shall not be subject to §§ C4-6B, C4-10E, F and G and C4-11D of the Suffolk County Charter.

(Cont'd on page C66.15)

<sup>7</sup> Editor's Note: This local law was approved at referendum 11-8-1988.

1232

## Abandonment and Extinguishment of Easement

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 2013, is by and between the Suffolk County Water Authority, P.O. Box 38, 4060 Sunrise Highway, Oakdale, New York 11769 (hereinafter the "SCWA") and the County of Suffolk, P.O. Box 6100, H. Lee Dennison Building, Veterans Memorial Highway, Hauppauge, New York 11788 (hereinafter the "County").

Whereas, by easement dated March 24, 2010 and recorded at Liber 12620 Page 272 in the Office of the Suffolk County Clerk, the County conveyed to the SCWA an easement on a parcel of land located on Scout Trail in Wading River, County of Suffolk, State of New York more particularly described in Schedule A attached hereto and made a part hereof (the "Easement"); and

Whereas, the SCWA and the County wish to abandon and extinguish the Easement to the extent it affects the Property.

Now, therefore, the parties hereto, intending to be legally bound do hereby agree as follows:

1. The SCWA hereby grants and conveys to the County, its successors and assigns all of the SCWA's right, title and interest in and to the Easement on the Property without covenant, representation or warranty of any kind.
2. The SCWA hereby abandons and extinguishes the Easement on the Property and the Easement is of no further force or effect.

1732

IN WITNESS WHEREOF, the parties have executed this Release of Easement as of the day and year first written above.

Suffolk County Water Authority

County of Suffolk

By: \_\_\_\_\_  
Jeffrey W. Szabo  
Chief Executive Officer

By: \_\_\_\_\_

STATE OF NEW YORK )  
COUNTY OF SUFFOLK ) ss.:

STATE OF NEW YORK )  
COUNTY OF SUFFOLK ) ss.:

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2013 before me, the undersigned, personally appeared Jeffrey W. Szabo personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2013 before me, the undersigned, personally appeared Steven Bellone personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public

1232

### Schedule A

All that certain plot, piece, or parcel of land, situate, lying, and being at Wading River, Town of Brookhaven, County of Suffolk and State of New York being more particularly bounded and described as follows:

BEGINNING at a point at the southeasterly corner of Deerfield Drive where the same is intersected by the northerly line of the premises herein described and the southwesterly corner of Lot No. 19 on the "Map of Wading River Acres", Map No. 8366, said point being South 10 degrees 58 minutes 38 seconds East, 273.11 feet as measured along the easterly line of Deerfield Drive from the extreme southerly end of the curve which connects the southerly line of Elms Lane and the easterly line of Deerfield Drive;

RUNNING THENCE North 83 degrees 20 minutes 58 seconds East, along the southerly line of the aforementioned map, 809.25 feet to land now or formerly of Spring Meadow Enterprises, LLC;

THENCE along said last mentioned land the following fourteen (14) courses and distances:

1. South 14 degrees 32 minutes 59 seconds West, 292.08 feet;
2. Southeasterly along an arc of a curve bearing to the right having a radius of 775.00 feet, a distance of 174.68 feet;
3. South 27 degrees 27 minutes 50 seconds West, 229.35 feet;
4. South 40 degrees 54 minutes 05 seconds East, 117.37 feet;
5. South 12 degrees 25 minutes 37 seconds East, 336.02 feet;
6. North 82 degrees 23 minutes 17 seconds East, 97.35 feet;
7. North 80 degrees 50 minutes 30 seconds East, 149.15 feet;
8. North 66 degrees 45 minutes 29 seconds East, 104.35 feet;
9. North 51 degrees 47 minutes 37 seconds East, 104.00 feet;
10. North 36 degrees 51 minutes 16 seconds East, 104.00 feet;
11. North 15 degrees 24 minutes 54 seconds East, 83.87 feet;
12. South 89 degrees 11 minutes 54 seconds East, 225.00 feet;
13. Northerly along an arc of a curve bearing to the left having a radius of 391.06 feet, a distance of 163.98 feet; and
14. North 78 degrees 22 minutes 48 seconds East, 289.20 feet to land now or formerly of Town of Brookhaven (Nature Preserve);

THENCE along said land now or formerly of Town of Brookhaven the following three (3) courses and distances:

1. South 07 degrees 14 minutes 23 seconds East, 973.34 feet;
2. North 83 degrees 07 minutes 12 seconds East, 752.27 feet; and
3. North 05 degrees 50 minutes 08 seconds West, 1410.36 feet to other land now or formerly of Town of Brookhaven (Natural Recharge Basin);

1232

THENCE North 82 degrees 44 minutes 32 seconds East along said land and later along Lot No.52 on "Map of Wading River Estates, Section One", Map No. 8639, 588.02 feet to land now or formerly of Bernard May, Jr.;

THENCE South 07 degrees 15 minutes 28 seconds East along said land now or formerly of Bernard May, Jr.; 457.09 feet;

THENCE South 07 degrees 30 minutes 18 seconds East along the westerly line of "Map of Barnes Woods", Map No. 5933, 2815.06 feet to the northerly line of "Map of Lone Pond Woods, Section One", Map No. 5557;

THENCE along the northerly and easterly lines of said map the following three (3) courses and distances:

1. South 83 degrees 13 minutes 22 seconds West, 235.51 feet;
2. South 82 degrees 46 minutes 22 seconds West, 440.00 feet; and
3. North 07 degrees 07 minutes 28 seconds West, 124.50 feet;

THENCE still along said easterly map line and later along the easterly line of "Map of Lone Pond Woods, Section Two", Map No. 5558 the following three (3) courses and distances:

1. North 03 degrees 02 minutes 28 seconds West, 121.10 feet
2. North 07 degrees 25 minutes 28 seconds West, 274.18 feet; and
3. North 05 degrees 51 minutes 08 seconds West, 966.94 feet;

THENCE South 83 degrees 12 minutes 02 seconds West along the northerly line of said map and later along the northerly line of "Map of Lake Panamoka, Section Eight", Map No. 1984, 1622.98 feet to land now or formerly of New York State;

THENCE North 05 degrees 54 minutes 58 seconds West along said land now or formerly of New York State, 107.45 feet;

THENCE South 86 degrees 59 minutes 55 seconds West still along said last mentioned land, 1324.13 feet to land now or formerly of Richard and Robert Zeidler;

THENCE along said land now or formerly of Richard and Robert Zeidler the following ten (10) courses and distances:

1. North 24 degrees 53 minutes 18 seconds West, 188.01 feet;
2. North 25 degrees 31 minutes 18 seconds West, 134.50 feet;
3. North 06 degrees 27 minutes 18 seconds West, 159.29 feet;
4. North 03 degrees 18 minutes 42 seconds East, 151.53 feet;
5. North 05 degrees 38 minutes 18 seconds West, 159.48 feet;
6. North 02 degrees 31 minutes 18 seconds West, 162.80 feet;
7. North 15 degrees 23 minutes 18 seconds West, 126.17 feet;

1232

8. North 23 degrees 51 minutes 18 seconds West, 234.38 feet;
9. North 05 degrees 49 minutes 18 seconds West, 276.72 feet;
10. North 27 degrees 42 minutes 18 seconds West, 137.97 feet to land now or formerly of Town of Brookhaven (Nature Preserve);

THENCE North 75 degrees 36 minutes 52 seconds East along said land, 249.55 feet;

THENCE North 83 degrees 20 minutes 58 seconds East, 266.98 feet to the point or place of BEGINNING.

Being and intended to be the same parcel described in a deed dated February 13, 2001 between Wading Brook Land Development, Inc. and the County of Suffolk said deed recorded at Liber D00012103, Page 804 in the Offices of the Suffolk County Clerk.

**RESOLUTION NO. -2013, DIRECTING THE  
DEPARTMENT OF SOCIAL SERVICES TO IMPLEMENT AN  
EMERGENCY HOUSING POLICY THAT WILL BENEFIT  
HOMELESS CHILDREN**

**WHEREAS**, the Suffolk County Department of Social Services is responsible for housing the County's homeless individuals and families; and

**WHEREAS**, the County's emergency housing policy for homeless families must make a special effort to protect children from the negative impacts associated with homelessness; and

**WHEREAS**, placing homeless families in emergency shelters in or near their home school districts minimizes the dislocation experienced by homeless children, avoids long trips for children from shelters to school and reduces the County's transportation costs; and

**WHEREAS**, the Department of Social Services should place homeless families in the emergency shelters closest to their home school district; now, therefore be it

**1st RESOLVED**, that the Department of Social Services, to fullest extent practicable, shall implement a policy to place homeless families in the emergency housing shelter that is in, or closest to, the family's home school district; 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:

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION OF A SUFFOLK COUNTY TELEPHONY STRUCTURAL IMPROVEMENTS (CP 1814)**

**WHEREAS**, the Commissioner of Information Technology has requested the appropriation of funds in connection with the acquisition of a Suffolk County Telephony Structural Improvements Project; and

**WHEREAS**, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request and it has been reviewed and approved by the Information Processing Steering Committee; 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 \$250,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (25) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of computer applications and hardware which constitutes a purchase of materials other than land, radioactive material, pesticides, herbicides or other hazardous materials and the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> 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

**3<sup>rd</sup> RESOLVED**, that the proceeds of the \$250,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1814.110 (Fund 016-Debt Service)	Suffolk County Telephony Structural Improvements	\$250,000

DATED:

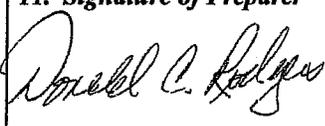
APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

1234

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/>	Local Law	Charter Law
2. Title of Proposed Legislation <b>RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION OF A SUFFOLK COUNTY TELEPHONY STRUCTURAL IMPROVEMENTS (CP 1814 )</b>		
3. Purpose of Proposed Legislation Appropriation of funds for a Suffolk County Telephony Structural Improvements ( Capital Project # 1814 )		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County <input checked="" type="checkbox"/>	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: Expenditure of \$ 250,000		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. \$250,000		
8. Proposed Source of Funding Serial Bonds		
9. Timing of Impact Current fiscal year		
10. Typed Name & Title of Preparer <b>Donald C. Rodgers CIO/Commissioner Dept of IT</b>	11. Signature of Preparer 	12. Date 2/11/2013

1234

**2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

**DEPARTMENT OF INFORMATION  
TECHNOLOGY**

**TITLE OF BILL: CP 1814 – SUFFOLK COUNTY TELEPHONY STRUCTURAL IMPROVEMENTS**

**PURPOSE OR GENERAL IDEA OF BILL:**

The County currently is using Centrex telephone service that is provided by Verizon. Centrex service allows the County to utilize features of a PBX phone system without the need to purchase the hardware that goes with it. All County lines are able to communicate with each other by dialing a 5 digit number to reach another employee regardless of where they are located in the County. We are presently paying \$ 12.44 per line and we have approximately 15,000 lines. The service has been offered by Verizon for about 40 years and we run the risk of not having the service supported if Verizon decides that it wants to abolish the service for a newer technology. The Suffolk County Department of Information Technology (DoIT) would like implement a Voice over Internet Protocol (VoIP) telephone system at various locations throughout the County to lessen our dependence on Centrex and to utilize our existing Data network infrastructure to handle voice services at a minimal cost. Other possible VoIP solutions could include a VoIP Private Branch Exchange (PBX), a hosted solution by a network provider, or other products that we may not be aware are available. DoIT would like to hire a telecommunications consultant is help us review the county's voice network and recommend to us what product or solution would provide the most benefit to the county.

**SUMMARY OF SPECIFIC PROVISIONS:**

The first phase would be to hire a consultant through the Request for Proposal process to review the county's voice network and recommend to us what product or solution would provide the most benefit to the county. The second phase is for DoIT personnel to review findings of the consultant and formulate a plan to roll out and install the final design of the new voice network. Based on these findings, we will develop an RFP to solicit bids from Telecommunication service providers. The third phase would be to have the selected vendor from the RFP process to begin installation of the new voice network design over a three year period. DoIT will determine how the installation will be rolled out based on the departments that will benefit the most from the upgrade

**JUSTIFICATION:**

The Suffolk County Department of Social Services has 6 locations where they utilize a Call Center environment to sort incoming calls based on the services needed by the constituent that is placing the call. The calls currently remain in the DSS center that the constituent calls into. A VoIP environment would allow the caller to access their case information through data mining. This will lessen the need for a constituent to talk to a DSS employee to get that information. The DSS employee will then be available to address the needs of constituents that are in need of personal assistance depending on their circumstance. Wait times for incoming callers should dramatically decrease by utilizing this technology.

Automatic updates that departments need to send to constituents can be handled in-house rather than using a service at a cost to the County. These updates include Health Center appointment scheduling and verification and the notification of county employees in the event of an emergency. The installation of a VoIP system would eliminate the need for several thousand Centrex lines. The economic impact of the removal of these lines will be determined during the consultant's review of our voice network.

**FISCAL IMPLICATIONS:**

Appropriation of funding \$250,000

1234

The County currently is using Centrex telephone service that is provided by Verizon. Centrex service allows the County to utilize features of a PBX phone system without the need to purchase the hardware that goes with it. All County lines are able to communicate with each other by dialing a 5 digit number to reach another employee regardless of where they are located in the County. We are presently paying \$ 12.44 per line and we have approximately 15,000 lines. The service has been offered by Verizon for about 40 years and we run the risk of not having the service supported if Verizon decides that it wants to abolish the service for a newer technology.

The Suffolk County Department of Information Technology (DoIT) would like implement a Voice over Internet Protocol (VoIP) telephone system at various locations throughout the County to lessen our dependence on Centrex and to utilize our existing Data network infrastructure to handle voice services at a minimal cost. Other possible VoIP solutions could include a VoIP Private Branch Exchange (PBX), a hosted solution by a network provider, or other products that we may not be aware are available. DoIT would like to hire a telecommunications consultant is help us review the county's voice network and recommend to us what product or solution would provide the most benefit to the county.

FIRST PHASE, would be to hire a consultant through the Request for Proposal process to review the county's voice network and recommend to us what product or solution would provide the most benefit to the county.

SECOND PHASE, is for DoIT personnel to review findings of the consultant and formulate a plan to roll out and install the final design of the new voice network. Based on these findings, we will develop an RFP to solicit bids from Telecommunication service providers.

THIRD PHASE, would be to have the selected vendor from the RFP process to begin installation of the new voice network design over a three year period. DoIT will determine how the installation will be rolled out based on the departments that will benefit the most from the upgrade

The Suffolk County Department of Social Services has 6 locations where they utilize a Call Center environment to sort incoming calls based on the services needed by the constituent that is placing the call. The calls currently remain in the DSS center that the constituent calls into. A VoiP environment would allow the caller to access their case information through data mining. This will lessen the need for a constituent to talk to a DSS employee to get that information. The DSS employee will then be available to address the needs of constituents that are in need of personal assistance depending on their circumstance. Wait times for incoming callers should dramatically decrease by utilizing this technology.

Automatic updates that departments need to send to constituents can be handled in-house rather than using a service at a cost to the County. These updates include Health Center appointment scheduling and verification and the notification of county employees in the event of an emergency.

The installation of a VoIP system would eliminate the need for several thousand Centrex lines. The economic impact of the removal of these lines will be determined during the consultants review of our voice network.

Our current Verizon Centrex contact will be expiring in May 2015. There is a risk that the technology will not be supported after the current contract expiration date. We are trying to be proactive in the event that Centrex will no longer be supported and we will be prepared to move on with the latest technology going forward.

COUNTY OF SUFFOLK



1734

STEVE BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF INFORMATION TECHNOLOGY  
NORTH COUNTY COMPLEX BLDG. 50  
P.O. Box 6100  
HAUPPAUGE, NY 11788-0099  
FAX (631) 853-4979

DONALD C. RODGERS  
Commissioner  
(631) 853-6363

DOUGLAS A. MILLER  
DIRECTOR OF MANAGEMENT INFORMATION  
(631) 853-4758

TO: Jon Schneider, Deputy County Executive

FROM: Donald C. Rodgers, Commissioner of Information Technology *DCR*

DATE: February 1, 2013

SUBJECT: Capital Project # 1814 – SUFFOLK COUNTY TELEPHONY STRUCTURAL IMPROVEMENTS

We are forwarding a draft resolution requesting appropriation of \$ 250,000 for the year 2013. The resolution amount represents the monies that will be provided by CP-1814 for Capital Project # 1814. An email version of the resolution was sent to CE RESO saved under the title "Reso-ITS-CP1814-VOIP."

Program Description The County currently is using Centrex telephone service that is provided by Verizon. Centrex service allows the County to utilize features of a PBX phone system without the need to purchase the hardware that goes with it. The service has been offered by Verizon for about 40 years and we run the risk of not having the service supported if Verizon decides that it wants to abolish the service for a newer technology. The Suffolk County Department of Information Technology (DoIT) would like implement a Voice over Internet Protocol (VoIP) telephone system at various locations throughout the County to lessen our dependence on Centrex and to utilize our existing Data network infrastructure to handle voice services at a minimal cost.

Operating Budget Impact: The installation of a VoIP system would eliminate the need for several thousand Centrex lines. The economic impact of the removal of these lines will be determined during the consultant's review of our voice network. We feel that in the long run, this request will have a positive operating budget impact as it will upgrade the county voice network allowing us to manage and administer our telephone system without having to use Verizon services.

DCR/ dmc

Attachments: Draft Resolution  
Statement of Financial Impact  
Request for Introduction of Suffolk Legislation

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations

**RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION OF AN IFMS RELEASE 3 (CP 1782)**

**WHEREAS**, the Commissioner of Information Technology has requested the appropriation of funds in connection with the acquisition of an IFMS Release 3 Project; and

**WHEREAS**, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request and it has been reviewed and approved by the Information Processing Steering Committee; 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 \$380,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (25) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of computer applications and hardware which constitutes a purchase of materials other than land, radioactive material, pesticides, herbicides or other hazardous materials and the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup>** **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

**3<sup>rd</sup>** **RESOLVED**, that the proceeds of the \$380,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1782.110 (Fund 016-Debt Service)	IFMS Release 3 Project	\$350,000
525-CAP-1782.512 (Fund 016-Debt Service)	IFMS Release 3 Project	\$ 30,000

DATED:

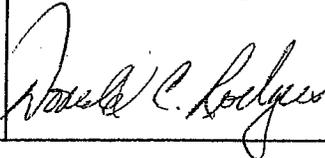
APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

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

1235

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation <b>RESOLUTION NO.      -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION OF A IFMS RELEASE 3 (CP 1782 )</b>		
3. Purpose of Proposed Legislation Appropriation of funds for a IFMS Release 3 ( Capital Project # 1782 )		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <input checked="" type="checkbox"/> NO _____		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County <input checked="" type="checkbox"/>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Expenditure of \$ 380,000		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. \$380,000		
8. Proposed Source of Funding Serial Bonds		
9. Timing of Impact Current fiscal year		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
<b>Donald C. Rodgers CIO/Commissioner Dept of IT</b>		2/1/2013

1235

**2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

**DEPARTMENT OF INFORMATION  
TECHNOLOGY**

**TITLE OF BILL: CP 1782 – IFMS RELEASE 3.9**

**PURPOSE OR GENERAL IDEA OF BILL:**

This project is for the Integrated Financial Management System Maintains compliance with the application provider, our own County and IRS Standards. The funding is used to implement major modification and/or enhancements to the application. The upgrade to 3.9 would allow us to migrate from an expensive Oracle database to a SQL server platform. This project remains open to address major modifications and enhancements required by IRS as well as Suffolk County financial standards.

**SUMMARY OF SPECIFIC PROVISIONS:**

Funding was utilized in 2011 for the analysis by CGI to upgrade to the next release – 3.9 including recommendations for hardware and software requirements. Due to aging hardware and Oracle 9i software which is two releases behind an upgrade is needed in 2013. The upgrade to 3.9 would allow us to migrate from an expensive Oracle database platform to a Microsoft SQL platform at a considerable saving. Also, we will be able to utilize VMware to virtualize the application for increased efficiency. The 3.9 release will also include the IRS regulation changes for Section Code 3402, which would be a major modification if implemented in our current release.

**JUSTIFICATION:**

The upgrade is required in order to obtain support on our IFMS Systems. The current Oracle database is three releases behind and has limited support. The application does not contain the new IRS regulation changes for Section Code 3402. The newer release will address many of the issues and limitations that the IFMS users face with the current application. The upgrade will provide a more efficient financial management system.

**FISCAL IMPLICATIONS:**

Appropriation of funding \$380,000

# COUNTY OF SUFFOLK



**STEVE BELLONE**  
SUFFOLK COUNTY EXECUTIVE

1235

DEPARTMENT OF INFORMATION TECHNOLOGY  
NORTH COUNTY COMPLEX BLDG. 50  
P.O. Box 6100  
HAUPPAUGE, NY 11788-0099  
FAX (631) 853-4979

DONALD C. RODGERS  
Commissioner  
(631) 853-6363

DOUGLAS A. MILLER  
DIRECTOR OF MANAGEMENT INFORMATION  
(631) 853-4758

TO: Jon Schneider, Deputy County Executive

FROM: Donald C. Rodgers, Commissioner of Information Technology *DR*

DATE: February 1, 2013

SUBJECT: Capital Project # 1782 – IFMS RELEASE 3

We are forwarding a draft resolution requesting appropriation of \$ 380,000 for the year 2013. The resolution amount represents the monies that remain un-appropriated in Capital Project # 1782. An email version of the resolution was sent to CE RESO saved under the title "Reso-ITS-CP1782-IFMS Release3.9".

**Program Description:** This project's funding was utilized in 2011 for the analysis by CGI to upgrade to the next release – 3.9 including recommendations for hardware and software requirements. Due to aging hardware and Oracle 9i software which is two releases behind an upgrade is needed in 2013. The upgrade to 3.9 would allow us to migrate from an expensive Oracle database platform to a Microsoft SQL platform at a considerable saving. Additionally, we will be able to utilize VMware to virtualize the application for increased efficiency. The 3.9 release will also include the IRS regulation changes for Section Code 3402, which would be a major modification if implemented in our current release.

**Operating Budget Impact:** The upgrade will require a substantial commitment of County employee time and training. The initial cost of the project will be in terms of the County's financial staff, whose time will be committed to training on the new system. Additionally, some productivity will be lost during the transition to the newly upgraded Financial Management System. However, the upgrade in technology will provide a more efficient financial management system.

DCR/ dmc

Attachments: Draft Resolution  
Statement of Financial Impact  
Request for Introduction of Suffolk Legislation

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION OF A DISASTER RECOVERY PROJECT (CP 1729)**

**WHEREAS**, the Commissioner of Information Technology has requested the appropriation of funds in connection with the acquisition of a Disaster Recovery Project; and

**WHEREAS**, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request and it has been reviewed and approved by the Information Processing Steering Committee; 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 \$500,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (25) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of computer applications and hardware which constitutes a purchase of materials other than land, radioactive material, pesticides, herbicides or other hazardous materials and the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup>** **RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-one (31), 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

**3<sup>rd</sup>** **RESOLVED**, that the proceeds of the \$500,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1729.522 (Fund 016-Debt Service)	Disaster Recovery Project	\$500,000

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

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

1236

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/>	Local Law	Charter Law
2. Title of Proposed Legislation <b>RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION OF A DISASTER RECOVERY PROJECT (CP 1729 )</b>		
3. Purpose of Proposed Legislation Appropriation of funds for a Disaster Recovery Project ( Capital Project # 1729 )		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County <input checked="" type="checkbox"/>	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:  Expenditure of \$ 500,000		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  \$500,000		
8. Proposed Source of Funding  Serial Bonds		
9. Timing of Impact  Current fiscal year		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
<b>Donald C. Rodgers CIO/Commissioner Dept of IT</b>		2/1/2013

1236

2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT

DEPARTMENT OF INFORMATION  
TECHNOLOGY

**TITLE OF BILL:** CP 1729 – DISASTER RECOVERY PROJECT (CP 1729)

**PURPOSE OR GENERAL IDEA OF BILL:**

Funding for this project will provide for planning and implementation of a comprehensive countywide Disaster Recovery Program. The plan will provide restoration of critical applications services and data for all county departments in event of an emergency

**SUMMARY OF SPECIFIC PROVISIONS:**

This project will be used to purchase the Phase I hardware and software to protect the critical applications currently running at the DoIT Building 50 location in an architecture that supports Disaster Recovery. This consists of server consolidation and virtualization to more efficiently use the system resources, Storage Area Network (SAN) expansion to accommodate real-time data replication to a remote location, consolidated management and monitoring of all systems, and hardware support to access remote systems. This datacenter infrastructure supports the transfer of critical system processing to a remote location in the event of an emergency where Building 50 was rendered unusable.

Additional equipment will have to be purchased for the upgrade of the Riverhead D/R Power Room, the additional moves of other Agencies into our Hauppauge and Riverhead Disaster Recovery Data Centers, software licenses, upgrades of UPS units, replacement of UPS batteries, and additional electric for other County agencies. Equipment needed for WAN electric power, WAN UPS, CWDM SFP, redesign of WAN switches. Additional Netscaler's, Netscaler Load Hardware, Blade Server/databases & Server Virtualization, SAN migrate to new platform and expansions, Backup Appliances Hardware and Software Licenses, Oracle Licenses and Redundant GBIC Dark Fiber.

Additional phase will populate other additional departments into the disaster recovery centers. In addition to the DR Centers this will include the disaster recovery and business continuity for the County Clerk's Office in the event of an emergency or disaster occurrence for key systems.

**JUSTIFICATION:**

The ability for the datacenter infrastructure supports the critical legacy systems that support the County's operation in the event of an emergency.

**FISCAL IMPLICATIONS:**

Appropriation of funding \$500,000

# COUNTY OF SUFFOLK



1736

**STEVE BELLONE**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF INFORMATION TECHNOLOGY  
NORTH COUNTY COMPLEX BLDG. 50  
P.O. Box 6100  
HAUPPAUGE, NY 11788-0099  
FAX (631) 853-4979

DONALD RODGERS  
Commissioner  
(631) 853-6363

DOUGLAS A. MILLER  
DIRECTOR OF MANAGEMENT INFORMATION  
(631) 853-4758

TO: Jon Schneider, Deputy County Executive

FROM: Donald C. Rodgers, Commissioner of Information Technology *DR*

DATE: February 1, 2013

SUBJECT: Capital Project # 1729 - DISASTER RECOVERY

We are forwarding a draft resolution requesting appropriation of \$ 500,000 for the year 2013. The resolution amount represents the monies that will be provided by Capital Project # 1729. An email version of the resolution was sent to CE RESO REVIEW saved under the title "Reso-ITS-CP-1729-DisasterRecovery".

Program Description: Funding for this project will be used to purchase additional equipment for the upgrade of the Riverhead DR Power Room and additional moves to the Riverhead DR for other County department agencies to utilize. As well as server consolidation and virtualization to efficiently use the system resources, Storage Area Network (SAN) expansion to accommodate real time data replication at a remote location, consolidated management and monitoring of all systems, and hardware support to access remote systems. This phase will populate other additional departments into the disaster recovery centers. In addition to the DR Centers this will include the disaster recovery and business continuity for the County Clerk's Office in the event of an emergency or disaster occurrence for key systems.

Operating Budget Impact: Savings will be realized by both the elimination of duplicative services, and through a coordination of systems based on the County's overall priorities, not those of individual departments.

DCR/dmc

Attachments: Draft Resolution  
Statement of Financial Impact  
Request for Introduction of Suffolk Legislation

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations

**RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION OF FIBER CABLING NETWORK AND WAN TECHNOLOGY UPGRADES (CP 1726)**

**WHEREAS**, the Commissioner of Information Technology has requested the appropriation of funds in connection with the acquisition of Fiber Cabling Network and WAN Technology Upgrades; and

**WHEREAS**, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request and it has been reviewed and approved by the Information Processing Steering Committee; 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 \$600,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (25) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of computer applications and hardware, other than land, radioactive material, pesticides, herbicides or other hazardous materials and the Legislature has no further responsibilities under SEQRA; and be it further

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

**3<sup>rd</sup>** **RESOLVED**, that the proceeds of the \$600,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1726.111 (Fund 016-Debt Service)	Fiber Cabling and WAN Technology Upgrades	\$ 50,000
525-CAP-1726.516 (Fund 016-Debt Service)	Fiber Cabling and WAN Technology Upgrades	\$550,000

DATED:

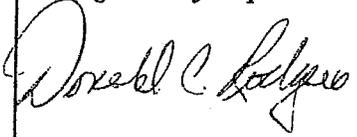
APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

1237

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/>	Local Law <input type="checkbox"/>	Charter Law <input type="checkbox"/>
2. Title of Proposed Legislation <b>RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION OF FIBER CABLING NETWORK and WAN TECHNOLOGY UPGRADE ( CP 1726 )</b>		
3. Purpose of Proposed Legislation Appropriation of funds for a Fiber Cabling Network and WAN Technology Upgrade ( CP 1726 )		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County <input checked="" type="checkbox"/>	Town <input type="checkbox"/>	Economic Impact <input type="checkbox"/>
Village <input type="checkbox"/>	School District <input type="checkbox"/>	Other (Specify): <input type="checkbox"/>
Library District <input type="checkbox"/>	Fire District <input type="checkbox"/>	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Expenditure of \$600,000		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. \$ 600,000		
8. Proposed Source of Funding Serial Bonds		
9. Timing of Impact Current fiscal year		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
<b>Donald C. Rodgers CIO/Commissioner Dept of IT</b>		2/11/2013

1237

**2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

**DEPARTMENT OF INFORMATION  
TECHNOLOGY**

**TITLE OF BILL: CP 1726 – FIBER CABLING NETWORK and WAN TECHNOLOGY  
UPGRADE**

**PURPOSE OR GENERAL IDEA OF BILL:**

The scope of this project will primarily concern the Hauppauge north complex, H. Lee Dennison Bldg., Riverhead County Center, Yaphank County Center and Cohalan Court complex locations but will also involve every county location with WAN or fiber equipment

**SUMMARY OF SPECIFIC PROVISIONS:**

The current County WAN infrastructure is nearing the end of its useful life. There are significant numbers of county switches and routers that are already at the end of their useful life. Over the course of the next three years all of the equipment will be either be at the end of its lease or at the end of its useful life. A phased approach to equipment replacement and refresh is required in order to ensure the integrity of the County's WAN network. WAN equipment will be replaced with current technology and equipment that will provide the County with the ability to have a managed approach to growth and improve existing county services.

**JUSTIFICATION:**

Phase I – Redesign of Core Switches of County's Main Data Center in Hauppauge at Building 50. This upgrade will provide redundancy for the Core switches where County Wide data resides.  
Phase II – Redesign of Core Switches at Yaphank Police Headquarters that will also provide better reliability for Public Safety Departments (Probation, Sheriff, and FRES). This upgrade will provide redundancy to the Core switches for departments who utilize PD data. Continuous upgrades will be provided to other buildings within the County on an as needed basis.  
Phase III – On Demand basis – upgrades and improvements will be provided to meet the various County departments changing and growing needs for additional bandwidth and redundant routes over the Wide Area Network.

**FISCAL IMPLICATIONS:**

Appropriation of funding \$600,000

1237

2013

**Capital Project 1726 - Fiber Cabling Network and WAN Technology Upgrade – Requested \$600,000**

Redesign of Core Switches of County's Main Data Center in Hauppauge at Building 50. This upgrade will provide redundancy for the Core switches where County Wide data resides. The current Core switch is over-taxed by the WAN upgrades and a new design is needed to take advantage of our current design as well as future growth.

Continue replacements of Countywide Security Equipment within the WAN as capacity is reaching its limit with the equipment we have in place. This was identified as a limiting factor to our growth as we began necessary WAN improvements and upgrades forecasted in previous year's capital projects.

Continue the implementation of Countywide wireless access with wireless controllers, access points and Switches. This will enable us to take advantage of newer technologies and add to the functionality of workers devices both County-owned and personal to increase productivity.

Continue the upgrades to the County's fiber optic cabling infrastructure. We have two notable major projects on the table for 2013 to include the old infirmary building being migrated to single mode fiber and re-routing fiber out of the old consumer affairs building where fiber currently resides that services other buildings on the campus. Both conduit and fiber cabling are required for both projects. As well as continuing routine break-fix and upgrades to fiber cable plants.

COUNTY OF SUFFOLK



1237

STEVE BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF INFORMATION TECHNOLOGY  
NORTH COUNTY COMPLEX BLDG. 50  
P.O. Box 6100  
HAUPPAUGE, NY 11788-0099  
FAX (631) 853-4979

DONALD C. RODGERS  
Commissioner  
(631) 853-6363

DOUGLAS A. MILLER  
DIRECTOR OF MANAGEMENT INFORMATION  
(631) 853-4758

TO: Jon Schneider, Deputy County Executive

FROM: Donald C. Rodgers, Commissioner of Information Technology *DCR*

DATE: February 1, 2013

SUBJECT: Capital Project # 1726 – FIBER CABLING NETWORK and WAN  
TECHNOLOGY UPGRADE

We are forwarding a draft resolution requesting appropriation of \$ 600,000 for the year 2013. The resolution amount represents the monies that will be provided by CP-1726 for Capital Project # 1726. An email version of the resolution was sent to CE RESO saved under the title "Reso-ITS-CP1726-FiberWAN."

Program Description: The current County WAN infrastructure is nearing the end of its useful life. There are significant numbers of county switches and routers that are already at the end of their useful life and over the course of the next three years; all of the equipment will be either be at the end of its term or at the end of its useful life. A phased approach to equipment replacement and refresh is required in order to ensure the integrity of the County's WAN network throughout the County. This phase is for the redesign of core switches of county's main data center in Hauppauge at Building 50. This upgrade will provide redundancy for the core switches where County Wide data resides in Hauppauge, Yaphank, and Riverhead.

Operating Budget Impact: This program will have a positive operating budget impact as it will proactively upgrade the county WAN allowing us to add sites/users in managed approach rather than an ad-hoc fashion.

DJR/ dmc

Attachments: Draft Resolution  
Statement of Financial Impact  
Request for Introduction of Suffolk Legislation

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations

**RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION AND IMPLEMENTATION OF A DISTRICT ATTORNEY CASE MANAGEMENT SYSTEM (CP 1136)**

**WHEREAS**, the Commissioner of Information Technology has requested funds for the appropriation of funds in connection with the acquisition and implementation of a District Attorney Case Management System; and

**WHEREAS**, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request and it has been reviewed and appropriated by the Information Processing Steering Committee; 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 \$350,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (25) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of computer applications and hardware, other than land, radioactive material, pesticides, herbicides or other hazardous materials and the Legislature has no further responsibilities under SEQRA; and be it further

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

**3<sup>rd</sup>** **RESOLVED**, that the proceeds of \$350,000 in Suffolk County Serial Bonds to be and they are hereby appropriated as follows:

<u>Project No:</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1136.111 (Fund 016-Debt-Service)	District Attorney Case Management System	\$100,000
525-CAP-1136.511 (Fund 016 Debt-Service)	District Attorney Case Management System	\$250,000

DATED:

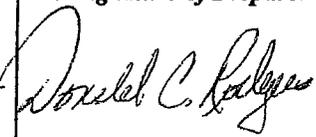
APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

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

1238

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/>	Local Law	Charter Law
2. Title of Proposed Legislation <b>RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE DISTRICT ATTORNEY'S CASE MANAGEMENT SYSTEM (CP 1136)</b>		
3. Purpose of Proposed Legislation Appropriation of funds for a District Attorney's Case Management System (Capital Project # 1136 )		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County <input checked="" type="checkbox"/>	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:  Expenditure of \$ 500,000		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  \$500,000		
8. Proposed Source of Funding  Serial Bonds		
9. Timing of Impact  Current fiscal year		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
<b>Donald C. Rodgers CIO/Commissioner Dept of IT</b>		2/11/2013

1238

**2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

**DEPARTMENT OF INFORMATION  
TECHNOLOGY**

**TITLE OF BILL: CP 1136 – DISTRICT ATTORNEY'S CASE MANAGEMENT SYSTEM**

**PURPOSE OR GENERAL IDEA OF BILL:**

This program will allow the District Attorney's Office to accurately track all case prosecuted in the office. Employees will benefit from the accessibility and accuracy of the application. The application will streamline current operations and communications between the District Attorney's Office, Suffolk County Police Department and the Courts. Future phases will include imaging and archiving data.

**SUMMARY OF SPECIFIC PROVISIONS:**

The District Attorney's Office needs a stable case management system to track defendants prosecuted from the time of arrest to sentencing in a case based system. Data collected includes codefendants, court events, charges dispositions and sentencing information. This system must also interface with the Suffolk County Police Department for arrests made.

**JUSTIFICATION:**

This application will streamline the current operations and communication between the District Attorney's Office, Police Department and the Courts.

**FISCAL IMPLICATIONS:**

Appropriation of funding \$500,000

1238

**2013 CAPITAL BUDGET  
ATTACHMENT****DEPARTMENT OF INFORMATION  
TECHNOLOGY****6. DETAIL PROGRAM DESCRIPTION AND STATUS**

E. Program benefits and impact: (Include physical, economic, social, environmental etc.)

This program will allow the District Attorney's Office to accurately track all case prosecuted in the office. Employees will benefit from the accessibility and accuracy of the application. The application will streamline current operations and communications between the District Attorney's Office, Suffolk County Police Department and the Courts. Future phases will include imaging and archiving data.

2011, 2012 and 2013: Configuring systems and converting data, additional planning and implementation of Case Management System, analysis for digital files for DA imagery and scanning equipment will be needed in order to scan all documents for images, archiving files, training and purchasing of equipment.

# COUNTY OF SUFFOLK



**STEVE BELLONE**  
SUFFOLK COUNTY EXECUTIVE

1738

DEPARTMENT OF INFORMATION TECHNOLOGY  
NORTH COUNTY COMPLEX BLDG. 50  
P.O. Box 6100  
HAUPPAUGE, NY 11788-0099  
FAX (631) 853-4979

DONALD C. RODGERS  
Commissioner  
(631) 853-6363

DOUGLAS A. MILLER  
DIRECTOR OF MANAGEMENT INFORMATION  
(631) 853-4758

TO: Jon Schneider, Deputy County Executive

FROM: Donald C. Rodgers, Commissioner of Information Technology *DR*

DATE: February 1, 2013

SUBJECT: Capital Project # 1136 – District Attorney's Case Management System

We are forwarding a draft resolution requesting appropriation of \$ 500,000 for the year 2013. The resolution amount represents the monies that will be provided by CP-1136 for Capital Project # 1136. An email version of the resolution was sent to CE RESO saved under the title "Reso-ITS-CP1136-DA-CaseMangementSystem."

**Program Description:** This project will provide funding for a case management system to track defendants prosecuted from the time of arrest to sentencing. This all inclusive system will collect data on co-defendants, court events, the disposition of charges and sentencing information. Phase 2 will involve electronic document imaging of DA Case materials, document archiving ability and purchasing of equipment.

**Operating Budget Impact:** Licensing, and maintenance costs, should be offset by an increase in productivity.

DCR/ dmc

Attachments: Draft Resolution  
Statement of Financial Impact  
Request for Introduction of Suffolk Legislation

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations

Intro. Reso. No. 1239-13 Laid on Table  
Introduced by Presiding Officer on request of the County Executive

3/19/13

**RESOLUTION NO. -2013, APPROPRIATING FUNDS  
IN CONNECTION WITH THE REPLACEMENT OF EXISTING  
FIREWORKS BURN PITS (C.P. 3016)**

**WHEREAS**, the Police Commissioner has requested funds to construct and install new fireworks burn pits for the disposal of fireworks seized by the Suffolk County Police Department, which will ensure future ground water protection while providing a more efficient way to dispose of the dangerous fireworks; and

**WHEREAS**, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said construction under Capital Project No. 3016; 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 County Legislature, by resolution of even date herewith, has authorized the issuance of \$600,000 in Suffolk County Serial Bonds; now, therefore, be it

**1st RESOLVED**, that it is determined that this program 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

**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 constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1),(2) and (25) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**3rd RESOLVED**, that the proceeds of \$600,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Proj. No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3016.310 (Fund 115-Debt Service)	21	Replacement Existing Fireworks Burn Pits	\$600,000

**DATED:**

**APPROVED BY:**

\_\_\_\_\_  
County Executive of Suffolk County

**Date of Approval:**

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1239

<b>1. Type of Legislation</b> Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
<b>2. Title of Proposed Legislation</b>  APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT OF FIREWORKS BURN PITS FOR THE POLICE DEPARTMENT (C.P. 3016).		
<b>3. Purpose of Proposed Legislation</b>  This resolution provides funds for the construction and installation of fireworks burn pits for the Police Department for 2013.		
<b>4. Will the Proposed Legislation Have a Fiscal Impact?</b> Yes <u>  X  </u> No <u>      </u>		
<b>5. If the answer to item 4 is "yes", on what will it impact?</b> (circle appropriate category)		
County <u>  X  </u>	Town	Economic Impact
Village	School District	Other (Specify): Serial Bonds
Library District	Fire District	
<b>6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact</b>  Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the bonds.		
<b>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</b>  2013-2015---\$600,000 in Serial Bonds + Interest		
<b>8. Proposed Source of Funding</b>  SERIAL BONDS		
<b>9. Timing of Impact</b>  2013		
<b>10. Typed Name &amp; Title of Preparer</b>  Marianne Scheschowitz, Budget Analyst Police Department---Budget Section	<b>11. Signature of Preparer</b>  	<b>12. Date</b>  2/22/13

2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT

1239

**TITLE OF BILL:** APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF EXISTING FIREWORKS BURN PITS. (CP 3016)

**PURPOSE OF GENERAL IDEA OF BILL:** Provides funds to construct and install the fireworks burn pits, which will ensure future ground water protection while providing a more efficient way to dispose of dangerous fireworks.

**SUMMARY OF SPECIFIC PROVISIONS:** Capital Projects requesting \$600,000 in construction funds.

**JUSTIFICATION:** This request is of an urgent nature due to ongoing environmental issues and the necessity to promptly dispose of seized fireworks before they become unstable and dangerous.

**FISCAL IMPLICATIONS:** None

COUNTY OF SUFFOLK

1239



STEVEN BELLONE  
COUNTY EXECUTIVE

EDWARD WEBBER  
POLICE COMMISSIONER

**POLICE DEPARTMENT**  
**MEMORANDUM**

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

**FROM:** Edward Webber, Police Commissioner *EW*

**DATE:** February 22, 2013

**SUBJECT:** INTRODUCTORY RESOLUTION REQUEST

Per the 2013 Adopted Capital Budget, the Police Department requests the introduction of a resolution to appropriate construction funds in connection with the replacement of fireworks burn pits under Capital Project No. 3016.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-CP3016-2013"; "Backup-POL-CP3016-SCIN 175A"; "Backup-POL-CP3016-SCIN 175B"; "Backup-POL-CP3016-cover letter-2013; and "Backup-POL-CP3016-Memorandum of Support".

If you have any questions, please contact Lieutenant Robert Scharf, Staff Services Bureau, at 852-6537 or Marianne Scheschowitz, Budget Analyst, at 852-6550.

/ms  
Att.

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations  
James Burke, Chief of Department  
Mark White, Chief of Division, Office of Chief of Support Services  
Robert Oswald, Inspector, Office of Chief of Support Services  
Michael Shanahan, Deputy Inspector, C.O., Special Patrol Bureau  
Kevin Burke, Lieutenant, C.O., Emergency Services Section  
Robert Scharf, Lieutenant, C.O., Staff Services Bureau



**ACCREDITED LAW ENFORCEMENT AGENCY**  
Visit Us Online at [www.suffolkpd.org](http://www.suffolkpd.org)  
Crime Stoppers Confidential Tip Hotline 1-800-220-TIPS  
Non-Emergencies Requiring Police Response, Dial (631) 852-COPS  
30 Yaphank Avenue, Yaphank, New York 11980 – (631) 852-6000



Intro. Reso. No. 1240-13  
Introduced by Presiding Officer on request of the County Executive

Laid on Table 3/19/13

**RESOLUTION NO. -2013, APPROPRIATING FUNDS  
IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY  
VEHICLES FOR THE POLICE DEPARTMENT (C. P. 3135)**

**WHEREAS**, the Police Commissioner has requested funds for the purchase of a replacement two-car carrier; and

**WHEREAS**, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said vehicle under Capital Project No. 3135; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$120,000 in Suffolk County Serial Bonds; and

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

**WHEREAS**, Resolution No. 321-2003 requires that no vehicles shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted by the Suffolk County Legislature"; now, therefore, be it

**1st RESOLVED**, that it is determined that this program with a priority ranking of fifty-five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

**2nd RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Env. Con. Law Art. 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5(c)(20)(25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**3rd RESOLVED**, that the proceeds of \$120,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Proj. No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3135.527 (Fund 115-Debt Service)	28	Purchase of Heavy Duty Vehicle (Two-Car Carrier)	\$120,000

and be it further

**4th RESOLVED**, as per Resolution No. 321-2003, the purchase of this vehicle is a replacement vehicle and shall not increase the County fleet, and is hereby approved by this legislature.

**DATED:**

**APPROVED BY:**

---

**County Executive of Suffolk County**

**Date of Approval:**

1240

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY VEHICLES (TWO CAR CARRIER) FOR THE POLICE DEPARTMENT (C.P. 3135).		
3. Purpose of Proposed Legislation		
This resolution provides funds for the replacement of a two-car carrier truck for the Police Department for 2013.		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes</b> <u>  X  </u> <b>No</b> _____		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
County <u>  X  </u>	Town _____	Economic Impact _____
Village _____	School District _____	Other (Specify): Serial Bonds _____
Library District _____	Fire District _____	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the bonds.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
2013-2015---\$120,000 in Serial Bonds + Interest		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2013		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Marianne Scheschowitz, Budget Analyst Police Department---Budget Section	<i>Marianne Scheschowitz</i>	2/22/13

1240

**2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

**TITLE OF BILL:** APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY VEHICLES (TWO CAR CARRIER) FOR THE POLICE DEPARTMENT (C.P. 3135)

**PURPOSE OF GENERAL IDEA OF BILL:** Provides funding for replacement of heavy duty vehicle (two-car carrier) for the Police Department's Transportation Section.

**SUMMARY OF SPECIFIC PROVISIONS:** Capital project requesting \$120,000 for cyclical replacement of equipment.

**JUSTIFICATION:** The Police Department is responsible for the towing of evidence impounds for the Suffolk County (Police Department, District Attorney/assist(s) to other agencies), as well as disabled & decommissioned police department vehicles. The Emergency Recovery Tow operators who perform this function operate on a 24-hour per day, 7 day per week schedule.

**FISCAL IMPLICATIONS:** None

COUNTY OF SUFFOLK

1240



STEVEN BELLONE  
COUNTY EXECUTIVE

EDWARD WEBBER  
POLICE COMMISSIONER

**POLICE DEPARTMENT**  
**MEMORANDUM**

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

**FROM:** Edward Webber, Police Commissioner *EW*

**DATE:** February 22, 2013

**SUBJECT:** INTRODUCTORY RESOLUTION REQUEST

Per the 2013 Adopted Capital Budget, the Police Department requests the introduction of a resolution to appropriate funds in connection with the replacement of a heavy duty vehicle (two-car carrier) under Capital Project No. 3135.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-CP3135-2013"; "Backup-POL-CP3135-SCIN 175A"; "Backup-POL-CP3135-SCIN 175B"; "Backup-POL-CP3135-cover letter-2013; and "Backup-POL-CP3135-Memorandum of Support".

If you have any questions, please contact Lieutenant Robert Scharf, Staff Services Bureau, at 852-6537 or Marianne Scheschowitz, Budget Analyst, at 852-6550.

/ms  
Att.

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations  
James Burke, Chief of Department  
Mark White, Chief of Division, Office of Chief of Support Services  
Robert Oswald, Inspector, Office of Chief of Support Services  
Robert Scharf, Lieutenant, C.O., Staff Services Bureau  
John Kirshey, Fleet Service Manager, Transportation Section



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3/19/13

**RESOLUTION NO. -2013, APPROPRIATING FUNDS  
IN CONNECTION WITH THE PURCHASE OF  
MARINE BUREAU DIESEL ENGINES (C. P. 3198)**

**WHEREAS**, the Police Commissioner has requested funds to purchase diesel propulsion engines used in the Marine Bureau's 38 foot patrol boats; and

**WHEREAS**, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said purchase under Capital Project No. 3198; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$125,975 in Suffolk County Serial Bonds; and

**WHEREAS**, Resolution No. 471-1994, as amended 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

**1st RESOLVED**, that it is determined that this program with a priority ranking of fifty-two (52) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

**2nd RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Env. Con. Law Art. 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5(c)(25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**3rd RESOLVED**, that the proceeds of \$125,975 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Proj. No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3198.518 (Fund 115-Debt Service)	07	Purchase of Marine Bureau Diesel Engines	\$125,975

**DATED:**

**APPROVED BY:**

---

**County Executive of Suffolk County**

**Date of Approval:**

1241

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF MARINE BUREAU DIESEL ENGINES (C.P. 3198).		
3. Purpose of Proposed Legislation		
This resolution provides funds for the purchase of diesel propulsion engines used in the Marine Bureau's 38 foot patrol boats for 2013.		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
County <u>  X  </u>	Town	Economic Impact
Village	School District	Other (Specify): Serial Bonds
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the bonds.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
2013-2015---\$125,975 in Serial Bonds + Interest---		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2013		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Marianne Scheschowitz, Budget Analyst Police Department---Budget Section		2/22/13

2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT

1241

**TITLE OF BILL:** APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF MARINE BUREAU DIESEL ENGINES (C.P. 3198)

**PURPOSE OF GENERAL IDEA OF BILL:** provides ongoing funding for the purchase of diesel engines used in the Marine Bureau's 38-foot patrol boats.

**SUMMARY OF SPECIFIC PROVISIONS:** Capital project requesting \$125,975 for cyclical replacement of equipment.

**JUSTIFICATION:** To maintain an acceptable level of readiness, reliability and performance of four (4) 38 ft. patrol boats, worn propulsion power units must be replaced before total failure occurs. The typical service interval is five (5) years and about 6,000 hours. We have in some cases well exceeded the hours already and in every engine exceeded five (5) years of service at this time.

**FISCAL IMPLICATIONS:** None

COUNTY OF SUFFOLK

1241

STEVEN BELLONE  
COUNTY EXECUTIVE



EDWARD WEBBER  
POLICE COMMISSIONER

**POLICE DEPARTMENT**  
**MEMORANDUM**

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

**FROM:** Edward Webber, Police Commissioner *EW*

**DATE:** February 22, 2013

**SUBJECT:** INTRODUCTORY RESOLUTION REQUEST

Per the 2013 Adopted Capital Budget, the Police Department requests the introduction of a resolution to appropriate funds in connection with the purchase of diesel propulsion engines for Marine Bureau under Capital Project No. 3198.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-CP3198-2013"; "Backup-POL-CP3198-SCIN 175A"; "Backup-POL-CP3198-SCIN 175B"; "Backup-POL-CP3198-cover letter-2013; and "Backup-POL-CP3198-Memorandum of Support".

If you have any questions, please contact Lieutenant Robert Scharf, Staff Services Bureau, at 852-6537 or Marianne Scheschowitz, Budget Analyst, at 852-6550.

/ms  
Att.

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations  
James Burke, Chief of Department  
Mark White, Chief of Division, Office of Chief of Support Services  
Robert Oswald, Inspector, Office of Chief of Support Services  
Christopher Hatton, Deputy Inspector, C.O., Marine Bureau  
Robert Scharf, Lieutenant, C.O., Staff Services Bureau



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Intro. Reso. No. 1242-12 Laid on Table  
Introduced by Presiding Officer on request of the County Executive

3/19/13

**RESOLUTION NO. -2013, APPROPRIATING FUNDS  
IN CONNECTION WITH THE REPLACEMENT OF  
POLICE HEADQUARTERS 911 BACKUP GENERATOR (C. P. 3216)**

**WHEREAS**, the Police Commissioner has requested funds for the replacement of the 911 Communications Center backup emergency generator at Police Headquarters; and

**WHEREAS**, the frequency of repairs, as well as the number of failures necessitates replacement of the aging equipment; and

**WHEREAS**, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said purchase under Capital Project No. 3216; 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 County Legislature, by resolution of even date herewith, has authorized the issuance of \$110,000 in Suffolk County Serial Bonds; now, therefore, be it

**1st RESOLVED**, that it is determined that this program with a priority ranking of fifty-one (51) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

**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 constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1),(2) and (25) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**3rd RESOLVED**, that the proceeds of \$110,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Proj. No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3216.310 (Fund 001-Debt Service)	07	Replacement Police Headquarters 911 Backup Generator	\$110,000

**DATED:**

**APPROVED BY:**

\_\_\_\_\_  
County Executive of Suffolk County

**Date of Approval:**

1242

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>X</u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF POLICE HEADQUARTERS 911 BACKUP GENERATOR (C.P. 3216).		
3. Purpose of Proposed Legislation		
This resolution provides funds for the replacement of the 911 Communications Center backup emergency generator at Police Headquarters for 2013.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>X</u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County <u>X</u>	Town _____	Economic Impact _____
Village _____	School District _____	Other (Specify): Serial Bonds
Library District _____	Fire District _____	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the bonds.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
2013-2015---\$110,000 in Serial Bonds + Interest		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2013		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Marianne Scheschowitz, Budget Analyst Police Department---Budget Section	<i>Marianne Scheschowitz</i>	2/22/13

1242

2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT

**TITLE OF BILL:** APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF POLICE HEADQUARTERS 911 BACKUP GENERATOR (C.P. 3216)

**PURPOSE OF GENERAL IDEA OF BILL:** Provides funding for the replacement of the 911 Communications Center backup emergency generator at Police Headquarters. The project would also fund the replacement of an air conditioning unit in the transfer switch room, which controls the generator.

**SUMMARY OF SPECIFIC PROVISIONS:** Capital project requesting \$110,000 in construction funds.

**JUSTIFICATION:** The aging equipment that is currently installed has failed several times and is no longer reliable. It has reached the end of its useful life and repair parts are no longer available. Manufacturer support is becoming increasingly limited as newer products are produced. The frequency of repairs, as well as the number of failures necessitates replacement.

**FISCAL IMPLICATIONS:** None

COUNTY OF SUFFOLK

1242



STEVEN BELLONE  
COUNTY EXECUTIVE

EDWARD WEBBER  
POLICE COMMISSIONER

**POLICE DEPARTMENT**  
**MEMORANDUM**

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

**FROM:** Edward Webber, Police Commissioner *EW*

**DATE:** February 22, 2013

**SUBJECT:** **INTRODUCTORY RESOLUTION REQUEST**

Per the 2013 Adopted Capital Budget, the Police Department requests the introduction of a resolution to appropriate funds in connection with the replacement of Police Headquarters 911 backup generator under Capital Project No. 3216.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-CP3216-2013"; "Backup-POL-CP3216-SCIN 175A"; "Backup-POL-CP3216-SCIN 175B"; "Backup-POL-CP3216-cover letter-2013; and "Backup-POL-CP3216-Memorandum of Support".

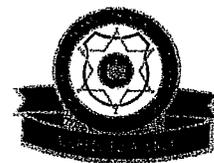
If you have any questions, please contact Lieutenant Robert Scharf, Staff Services Bureau, at 852-6537 or Marianne Scheschowitz, Budget Analyst, at 852-6550.

/ms  
Att.

- cc: Dennis M. Cohen, Chief Deputy County Executive
- Lisa Santeramo, Assistant Deputy County Executive
- Tom Vaughn, Director of Intergovernmental Relations
- James Burke, Chief of Department
- Mark White, Chief of Division, Office of Chief of Support Services
- Robert Oswald, Inspector, Office of Chief of Support Services
- John Hanley, Deputy Inspector, C.O., Communications & Records Bureau
- Mark Fisher, Captain, C.O., Communications Section
- Robert Scharf, Lieutenant, C.O., Staff Services Bureau



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3/19/13

**RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF EXISTING SHOWER FACILITIES IN THE POLICE EMERGENCY SERVICES SECTION BUILDING (C. P. 3232)**

**WHEREAS**, the Police Commissioner has requested funds for the replacement of the showers located in the police Emergency Services Section building; and

**WHEREAS**, the Emergency Services Section functions as the County's hazardous materials team, and is therefore exposed to numerous toxic and hazardous substances during hazardous material operations and other assigned duties; and

**WHEREAS**, prompt removal of these products is necessary to protect officers from harm and to allow them to continue to work after they have come contaminated with harmful materials; and

**WHEREAS**, OSHA requires that hazardous material technicians have access to showers for safety reasons; and

**WHEREAS**, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said construction under Capital Project No. 3232; 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 County Legislature, by resolution of even date herewith, has authorized the issuance of \$50,000 in Suffolk County Serial Bonds; now, therefore, be it

**1st RESOLVED**, that it is determined that this program with a priority ranking of thirty-two (32) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

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

**3rd RESOLVED**, that the proceeds of \$50,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Proj. No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3232.310 (Fund 115-Debt Service)	21	Replacement Existing Shower Facilities in Police ES Section Building	\$50,000

**DATED:**

**APPROVED BY:**

\_\_\_\_\_  
**County Executive of Suffolk County**

**Date of Approval:**

1243

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF EXISTING SHOWER FACILITIES IN THE POLICE ES SECTION BUILDING (C.P. 3232).		
3. Purpose of Proposed Legislation		
This resolution provides funds for the replacement of the showers located in the police Emergency Services Section building for 2013.		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
County <u>  X  </u>	Town _____	Economic Impact _____
Village _____	School District _____	Other (Specify): Serial Bonds _____
Library District _____	Fire District _____	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the bonds.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
2013-2015---\$50,000 in Serial Bonds + Interest		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2013		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Marianne Scheschowitz, Budget Analyst Police Department---Budget Section		2/22/13

1243

**2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

**TITLE OF BILL:** APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF EXISTING SHOWER FACILITIES IN THE POLICE EMERGENCY SERVICES SECTION BUILDING (C.P. 3232)

**PURPOSE OF GENERAL IDEA OF BILL:** Provides funding to replace the showers in the Emergency Services Section Building.

**SUMMARY OF SPECIFIC PROVISIONS:** Capital Project requesting \$50,000 construction funds.

**JUSTIFICATION:** Tiles are falling off the walls, the wallboard has become saturated with water, and water is leaking out into other areas of the building, thereby creating the risk of mold and slip and fall injuries. The Police Department's Emergency Service Section functions as the County's hazardous materials team. They also perform other duties including heavy rescue. During the normal course of their duties, they are exposed to, and often become contaminated with hazardous substances, including gasoline, oil, hydraulic fluid, sewage and toxic chemicals. Prompt removal of these products is necessary to ensure the health and safety of these officers. Having access to showers also allows them to decontaminate and return to duty in an efficient fashion, which is vitally important given the small size of the command and their vital role in public safety through the County. OSHA requires that hazardous material technicians have access to showers for safety reasons.

**FISCAL IMPLICATIONS:** None

COUNTY OF SUFFOLK

1243

STEVEN BELLONE  
COUNTY EXECUTIVE



EDWARD WEBBER  
POLICE COMMISSIONER

**POLICE DEPARTMENT**  
**MEMORANDUM**

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

**FROM:** Edward Webber, Police Commissioner *EW*

**DATE:** February 22, 2013

**SUBJECT:** INTRODUCTORY RESOLUTION REQUEST

---

Per the 2013 Adopted Capital Budget, the Police Department requests the introduction of a resolution to appropriate funds in connection with the replacement of existing shower facilities in the Police Emergency Services Section building under Capital Project No. 3232.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-CP3232-2013"; "Backup-POL-CP3232-SCIN 175A"; "Backup-POL-CP3232-SCIN 175B"; "Backup-POL-CP3232-cover letter-2013; and "Backup-POL-CP3232-Memorandum of Support".

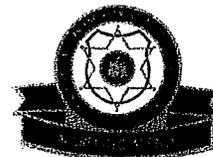
If you have any questions, please contact Lieutenant Robert Scharf, Staff Services Bureau, at 852-6537 or Marianne Scheschowitz, Budget Analyst, at 852-6550.

/ms  
Att.

- cc: Dennis M. Cohen, Chief Deputy County Executive
- Lisa Santeramo, Assistant Deputy County Executive
- Tom Vaughn, Director of Intergovernmental Relations
- James Burke, Chief of Department
- Mark White, Chief of Division, Office of Chief of Support Services
- Robert Oswald, Inspector, Office of Chief of Support Services
- Michael Shanahan, Deputy Inspector, C.O., Special Patrol Bureau
- Kevin Burke, Lieutenant, C.O., Emergency Services Section
- Robert Scharf, Lieutenant, C.O., Staff Services Bureau



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Intro. Res. No. 1244-13  
Introduced by Presiding Officer on request of the County Executive

LOT 3/19/13

**RESOLUTION NO. -2013, AMENDING THE OPERATING  
BUDGET OF THE DEPARTMENT OF CIVIL SERVICE/HUMAN  
RESOURCES TO ADD TWO CLERK TYPIST POSITIONS**

**WHEREAS**, the addition of two Clerk Typist positions to the Employee Benefits Unit is critical to the Department's continuing administration of the Employee Medical Health Plan, and

**WHEREAS**, the imposition of mandatory mail prescription procedures will substantially increase the workload of the existing staff which is already working to capacity; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the Operating Budget of the Department of Civil Service/Human Resources is hereby amended as follows:

**AMENDMENT TO OPERATING BUDGET**

**ADDITIONS**

<u>Position No.</u>	<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
39-1317-0100-0158	0021	C	Clerk Typist	09	02
39-1317-0100-0159	0021	C	Clerk Typist	09	02

**2<sup>nd</sup>** **RESOLVED**, that the provisions within this resolution shall take effect within the first pay period immediately succeeding its adoption.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

# COUNTY OF SUFFOLK



1244

**STEVEN BELLONE**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF CIVIL SERVICE/HUMAN RESOURCES  
NORTH COUNTY COMPLEX BLDG. 158  
P. O. BOX 6100  
HAUPPAUGE, NY 11788-0099  
(631) 853-5500  
FAX (631) 853-6305

ALAN SCHNEIDER  
PERSONNEL DIRECTOR

## *interoffice memorandum*

**TO:** Jon Schneider, Deputy County Executive  
**FROM:** Cynthia DiStefano, Director of Classification  
**DATE:** March 6, 2013  
**RE:** Request for Two Clerk Typist Positions

---

A draft of a Resolution to amend the Operating Budget of the Department of Civil Service/Human Resources to add two Clerk Typist positions in our Employee Benefits Unit is attached. These positions are needed to augment the existing staff, which is already working at or beyond capacity. The Employee Benefits Unit handles the day-to-day administration of the Employee Medical Health Plan and continues to experience one workload crisis after another. The return to County-on-County coverage has added to the already full workload, and the impending change to mandatory mail order prescriptions will be more than the current staff will be able to handle.

Please initiate this resolution to add two new Clerk Typist positions to the Employee Benefits unit in the Employee Medical Health Plan section of our Operating Budget.

An e-mail version of the Resolution has been sent to CE RESO REVIEW saved under the title "Reso-CS-2 CT Pos for EMHP 3-13."

### Attachments

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intragovernmental Relations

2013 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT

1244

TITLE OF BILL: A Resolution amending the Operating Budget of the Department of Civil Service/Human Resources to add two Clerk Typist Positions.

PURPOSE OR GENERAL IDEA OF BILL: To provide the staffing necessary to maintain the administration and processing of Employee Medical Health Plan records in the face of time-consuming on-going changes to the Plan.

SUMMARY OF SPECIFIC PROVISIONS: This Resolution adds two Clerk Typist positions to the Employee Benefits Unit in the Employee Medical Health Plan section of the Operating Budget of the Department of Civil Service/Human Resources.

JUSTIFICATION: The Employee Benefits Unit is always extremely busy and routinely works at or beyond capacity. This year has been especially challenging with the updating of records and responding to participant questions arising from the return to County-on-County health insurance coverage. The coming imposition of mandatory mail order prescriptions and all that this additional change will entail will be more than the unit can handle. Two additional Clerk Typist positions would provide the extra staff necessary to maintain the records efficiently and to respond to the sometimes overwhelming number of inquiries concerning the impact on both active employees and many thousands of retirees.

FISCAL IMPACT: Funding will come from Employee Medical Health Plan funds.

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1244

1. Type of Legislation Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation  <b>RESOLUTION NO. -2012, APPROVING THE REAPPOINTMENT OF ALAN SCHNEIDER AS PERSONNEL OFFICER OF THE SUFFOLK COUNTY DEPARTMENT OF HUMAN RESOURCES, PERSONNEL, AND CIVIL SERVICE</b>		
3. Purpose of Proposed Legislation SAME AS ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  X  </u> No		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact Each Clerk Typist will make an annual salary of \$28,266 for the first year for a total cost of \$56,533.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. The five year cost will be \$331,522 exclusive of benefits and future contractual increases.		
8. Proposed Source of Funding Operating Budget		
9. Timing of Impact - UPON ADOPTION		
10. Typed Name & Title of Preparer Stephanie Rubino Chief Executive Analyst	11. Signature of Preparer 	12. Date: March 12, 2013

**FINANCIAL IMPACT  
2014 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1244

**GENERAL FUND**

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

*Stephanie Rubins*  
*Chief Executive Analyst*  
 3/13/12

1245

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

Laid on Table

3/19/13

**RESOLUTION NO. 2013  
ACCEPTING AND APPROPRIATING 100% FEDERAL  
FUNDS AWARDED BY THE U.S. MARSHALS SERVICE TO  
THE SUFFOLK COUNTY DEPARTMENT OF PROBATION  
AND AUTHORIZING THE COUNTY EXECUTIVE TO  
EXECUTE RELATED AGREEMENTS.**

**WHEREAS**, the U. S. Marshals Service will provide funding to the Suffolk County Probation Department for the Department's participation in the NY/NJ Regional Fugitive Task Force operations; and

**WHEREAS**, a total of \$16,000.00 has been awarded by the U.S. Marshals Service for overtime expenses for services rendered by the Department of Probation for the period of October 9, 2012 through September 30, 2013; and

**WHEREAS**, said funds have not been included in the 2013 Suffolk County Operating Budget; and; now, therefore, be it

**1st RESOLVED**, that the County Executive is authorized to execute any Agreement with the U.S. Marshals Service, as necessary, to secure said funds; and further

**2nd RESOLVED**, that the non-reimbursable fringe benefits associated with the overtime salaries for this grant are included in the 2013 Suffolk County Operating Budget; and further

**3rd RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted funds in the amount of \$16,000.00 as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001- 4320 -Federal Aid: Crime Control	\$16,000.00
 <u>APPROPRIATIONS</u>	
	<u>AMOUNT</u>
Suffolk County Probation Department U.S. Marshals Fugitive Task Force 001-PRO-3153	
<u>1000 Personal Service</u>	<u>\$16,000.00</u>
1120-Overtime	\$16,000.00

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK



1245

Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PROBATION

Patrice S. Dlhopsky, Acting Director

March 11, 2013

Jon Schneider, Deputy County Executive

Enclosed please find 2 copies of the resolution packet prepared by the Suffolk County Department of Probation to accept a total of \$16,000.00 grant funding from the U.S. Department of Justice Marshalls Service. The resolution for the award of \$16,000 is for the funding period effective October 9, 2012 through September 30, 2013. The grant is for reimbursement of Overtime costs associated with the Suffolk County Probation Department participation in the U.S. Marshalls Fugitive Task Force.

A copy of the award letter is attached. Currently and for a number of years, the Probation Department participates in the efforts of the Long Island Division of the U.S. Marshalls Fugitive Task Force. This joint effort is in order to identify and target for prosecution, the most dangerous federal, state and local fugitives on the eastern seaboard, specifically within the Long Island Region.

It is requested at this time that priority consideration be given to this resolution due to the fact that the grant period was effective for the 2012 budget year. The resolution establishes funds for overtime incurred beginning with October 9, 2012.

Please feel free to contact Anne Abel, Principal Accountant at 2-5032 if you have any questions. I thank you in advance for any assistance that can be given to this matter.

Patrice S. Dlhopsky  
Acting Director  
52-5107

c: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations

INSTRUCTIONS: See last page for detailed instructions.

**SECTION 1: OBLIGATION**

DOCUMENT CONTROL #: JLEO-13-0028

**SECTION 2: PARTICIPATING AGENCIES**

Notification to state and local agencies of funding provided in support of Joint Law Enforcement Operations, pursuant to the Memorandum of Understanding (MOU) between:

SUFFOLK COUNTY PROBATION OFFICE

and

NYNJRFTF

1245

All other terms and conditions of the MOU remain the same.

**SECTION 3: PERIOD OF PERFORMANCE**

October 9, 2012 to September 30, 2013

**SECTION 4: APPROPRIATION DATA**

FISCAL YEAR	ORGANIZATION	FUND	PROJECT	SOC / PURPOSE	DOLLAR AMOUNT
2013	A34	APF-B-OP-1	JLEOTFS5	25302 - TFO Overtime	\$16,000.00
Total Obligation Amount:					\$16,000.00

**SECTION 5: DESCRIPTION OF OBLIGATION**

**SECTION 6: CONTACT INFORMATION**

**DISTRICT/RFTF CONTACT:**

Name: Brenda Catalano  
Phone: 631-715-6227  
E-mail: Brenda.Catalano@usdoj.gov

**STATE/LOCAL CONTACT:**

Name: \_\_\_\_\_  
Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**SECTION 7: AUTHORIZATION**

**USMS Representative - Certification of Funds:**

Signature: *Kimberly Grunett* Date: 11/29/2012  
Kimberly Grunett, DIB Financial Chief

**Chief Deputy or RFTF Commander - Obligation Approval:**

Signature: *Jeff Tyler* Date: 11/29/2012  
Jeff Tyler, Chief, Domestic Investigations Branch

**Departmental Representative - Acknowledgement:**

Signature: *Patrice Delapolsky* Date: 12-4-12

**COORDINATION OF GRANT APPLICATION OR CONTRACT**  
**County of Suffolk**

**DATE 3/11/13**

Submitting Department/Agency  
 Suffolk County Probation Department

Location  
 100 East Avenue, Yaphank

1245

Contact Person In Department/Agency  
 Anne Abel  
 Principal Accountant

Telephone Number  
 852-5032

Grant Application Due Date  
 N/A

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

**I. BACKGROUND INFORMATION**

1. Grant Title **U.S. Marshals Regional Fugitive Task Force Program**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) The Presidential Threat Protection Act of 2000 (Public L. 106-544, Section 6, December 19, 2000, 114 Stat. 2718, 28 U.S.C. 566 note).

3. Grant/Contract Status (Check One Box)

A.  New Program Application

B.  Renewal Application

C.  Supplemental (Specify) \_\_\_\_\_

D.  Extension of Funding Period

E.  Contract

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

The U.S. Marshals Service has allocated \$16,000 to reimburse overtime expenses associated with the Department's services in the Regional Fugitive Task Force Operations during the period 10/9/2012-9/30/2013.

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

**II. BUDGET INFORMATION**

1. Term of Contract

From 10/9/2012

To: 09/30/2012

2. Financial Assistance Requested

SOURCE	FIRST FUNDING CYCLE SC Probation funds		SECOND FUNDING CYCLE SC Probation funds		THIRD FUNDING CYCLE SC Probation funds	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$16,000	100%	\$	%	\$	%
State	\$	%	\$	%	\$	%
Private	\$	%	\$	%	\$	%
County	\$	%	\$	%	\$	%
<b>Total</b>	\$16,000	100%	\$	%	\$0	0%



1246

Intro. Res. No. \_\_\_-2013

Laid on Table:

3/19/13

Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. 2013  
ACCEPTING AND APPROPRIATING 100% FEDERAL  
FUNDS AWARDED AS PASS-THRU FUNDING BY THE  
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE  
SERVICES TO THE SUFFOLK COUNTY DEPARTMENT OF  
PROBATION AND AUTHORIZING THE COUNTY  
EXECUTIVE TO EXECUTE RELATED AGREEMENTS.**

**WHEREAS**, the New York State Division of Criminal Justice Services has awarded National Highway Traffic Safety Administration funding, in the amount of \$356,749.00, to the Suffolk County Probation Department for continued support of the Department's participation in the Ignition Interlock Device Monitoring Program; and

**WHEREAS**, the funds will allow the collaborative initiative between the New York State Division of Criminal Justice Services, Office of Probation and Correctional Alternatives-GTSC, the Suffolk County District Attorney, and the Suffolk County Probation Department, pursuant to Leandra's Law; and

**WHEREAS**, the GTSC Ignition Interlock Device Monitoring Program will utilize these federal funds to engage in Breath Alcohol Ignition Interlock Device monitoring activities in Suffolk County for DWI-related offenders sentenced, pursuant to Chapter 496 of the 2009 Laws of New York State, and whose sentence requires the installation and maintenance of Ignition Interlock Devices in vehicles owned or operated by the offender; and

**WHEREAS**, the grant period for this award is October 1, 2012 through September 30, 2013; and

**WHEREAS**, the 2013 Probation Department budget includes \$166,000 for contracted agencies for this monitoring program; and

**WHEREAS**, the Ignition Interlock program plan includes \$190,749 in additional funding for the Suffolk County Department of Probation to pay for contracted agency expenses that will be required in the program; and

**WHEREAS**, \$190,749 of the \$356,749.00 has not been included in the 2013 Operating Budget Expenditures to further this initiative; and

**WHEREAS**, the \$356,749.00 has not been included in the 2013 Operating Budget Revenues as revenue is recognized at a claimable reimbursement rate of \$110.21 per Ignition Interlock Device order to further this initiative; now, therefore, be it

**1st RESOLVED**, that the County Executive is authorized to execute the New York State Division of Criminal Justice Services award contract, NYS Comptroller's Number C523696, as necessary, to secure said funds; and further

**2nd RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized to accept said grant funds as follows:

REVENUES

AMOUNT

001- 4320 -Federal Aid: Crime Control

\$356,749.00

**3rd RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized to appropriate the additional said grant funds as follows:

APPROPRIATIONS

AMOUNT

Suffolk County Probation Department  
Ignition Interlock Program  
001-PRO-3137

4000 Contractual Service  
4980 Contracted Agencies

\$190,749.00  
\$190,749.00

**4th RESOLVED**, that the County Executive be and hereby is authorized to execute related agreements.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK



1246

Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PROBATION

Patrice S. Dlhopsky, Acting Director

March 11, 2013

Jon Schneider, Deputy County Executive

Enclosed please find 2 copies of the resolution packets prepared by the Suffolk County Department of Probation.

This resolution is to accept up to \$356,749.00 pass-thru grant funding from the New York State Division of Criminal Justice Services. The total funding received by Suffolk County is dependent upon the number of Ignition Interlock court orders. The grant funding is to provide reimbursement at a rate of \$110.21 per Ignition Interlock Device Sentence for the period October 1, 2012 through September 30, 2013.

A copy of the award letter for this grant is attached. The Ignition Interlock Funding is a continuation of prior years' grant award funding pursuant to Chapter 496 of the 2009 Laws of New York State mandating monitoring of Ignition Interlock Devices.

It is requested at this time that priority consideration be given to this resolution due to the fact that the grant period was effective for the 2012 budget year. The resolution establishes funds per court order beginning with October 1, 2012.

Please feel free to contact Anne Abel at 2-5032 if you have any questions. I thank you in advance for any assistance that can be given to this matter.

Patrice S. Dlhopsky  
Acting Director  
852-5107

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations

P.O. Box 188  
YAPHANK, NEW YORK 11980 - 0188  
(631) 852 - 5000

<b>COORDINATION OF GRANT APPLICATION OR CONTRACT</b> County of Suffolk	DATE 3/12/13
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Submitting Department/Agency Suffolk County Probation Department	Location 100 East Avenue, Yaphank	1246
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Contact Person In Department/Agency Anne Abel Principal Accountant	Telephone Number 852-5032	Grant Application Due Date N/A
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**Instructions:** Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (\*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

**I. BACKGROUND INFORMATION**

1. Grant Title **GTSC Ignition Interlock Device Monitoring Program**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) National Highway Traffic Safety Administration (NHTSA) thru NY State Division of Criminal Justice Services (NY State Vehicle and Traffic Law 1193 (b) (ii).

3. Grant/Contract Status (Check One Box)  
 A.  New Program Application  
 B.  Renewal Application  
 C.  Supplemental (Specify) \_\_\_\_\_  
 D.  Extension of Funding Period  
 E.  Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment).  
 The New York State Division of Criminal Justice Services, Office of Probation and Correctional Alternatives – GTSC Ignition Interlock Device Monitoring Program has received funding in the amount of \$356, 749 through a Federal grant to continue the implementation of Leandra’s Law during the period 10/1/2012-9/30/2013. Under this program an offender is required to install and maintain the Ignition Interlock Device in any vehicle they own or operate throughout the term of Probation or Conditional Discharge; and in no event for less than six (6) months.

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

**II. BUDGET INFORMATION**

1. Term of Contract From 10/1/2012 To: 09/30/2013

2. Financial Assistance Requested

<i>SOURCE</i>	<i>FIRST FUNDING CYCLE</i>		<i>SECOND FUNDING CYCLE</i>		<i>THIRD FUNDING CYCLE</i>	
	<i>SC Probation funds</i>		<i>SC Probation funds</i>		<i>SC Probation funds</i>	
	Amount	Percent	Amount	Percent	Amount	Percent
<b>Federal</b>	\$356,749	100%	\$	%	\$	%
<b>State</b>	\$	%	\$	%	\$	%
<b>Private</b>	\$	%	\$	%	\$	%
<b>County</b>	\$	%	\$	%	\$	%
<b>Total</b>	\$356,749	100%	\$	%	\$0	0%

1246			
3. Explanation of Requested County Financial Assistance			
Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE:	\$0	\$0	\$0
A. Cash Contribution	\$0	\$0	\$0
B. In-Kind Contribution	\$0	\$0	\$0
4. Total Number of New Positions Requested     0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X	YES                      NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)			
In the event that funding is eliminated, the function of monitoring and reporting of non-compliance will remain a NY State mandated function pursuant to NY State Vehicle and Traffic Law.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet). The Probation Department has contracted with SCS Support Claims Services for the purposes of Ignition Interlock compliance monitoring of the offenders with Ignition Interlock conditions and reporting to Probation all alerts requiring Probation interaction.			
<b>III. COUNTY EXECUTIVE'S OFFICE REVIEW</b>			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			



STATE OF NEW YORK  
DIVISION OF CRIMINAL JUSTICE SERVICES  
4 Tower Place  
Albany, New York 12203-3764  
<http://criminaljustice.ny.gov>

1246

ANDREW M. CUOMO  
GOVERNOR

MICHAEL C. GREEN  
EXECUTIVE DEPUTY COMMISSIONER

November 20, 2012

Ms. Regina Calcaterra  
Chief Deputy County Executive  
Suffolk County  
H. Lee Dennison Building  
100 Veterans Memorial Highway, PO Box 6100  
Hauppauge, NY 11788-0099

**RE: Contract Number C523696**

Dear Ms. Calcaterra:

I am pleased to inform you that your locality has been awarded a Governor's Traffic Safety Committee (GTSC) Ignition Interlock Device Monitoring project award in the amount of \$356,749 to support probation supervision and monitoring services. This year's allocations are based on 2010 conviction data where previous awards had been based on 2008, and so local awards may differ somewhat from prior years. The award allocations have been adjusted to reflect the needs in each county based on the changes in arrest and conviction rates. Also, New York State is experiencing a steady decline in DWI arrests and consequently, there are fewer convictions in some localities. We are confident this reflects New York State's comprehensive strategy in addressing highway fatalities and the problem of DWI.

In order to facilitate the development of the new contract, please go into the Grants Management System (GMS) under your new contract number and ensure that the **Budget** correctly reflects the award amount cited above for October 1, 2012 – September 30, 2013. Also please check and verify that all contact information for your program is accurate under the *Participant* tab of your GMS record.

Please note the following information with regard to vouchering for Ignition Interlock contracts for SY FY 2012-13:

- *Vouchers/Claims* - Please refrain from submitting claims/vouchers to the Division of Criminal Justice Services' (DCJS) Finance Office until you receive executed contracts. Fiscal claims and vouchers should be submitted quarterly (see dates below under Progress Reports) to:

NYS Division of Criminal Justice Services  
Finance Office, 10<sup>th</sup> Floor  
4 Tower Place  
Albany, New York 12203

An Equal Opportunity/Affirmative Action Employer

1246

- *Progress Reports* - All programs are required to submit quarterly Progress Reports via GMS. Once your Application/Contract in GMS is in "Under Review" status, these Progress Reports can be completed on GMS and are due as follows:

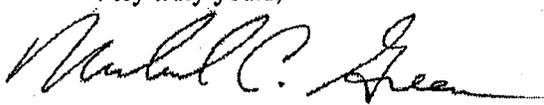
<u>Calendar Quarter</u>	<u>Report Due</u>
January 1 - March 31	May 15
April 1 - June 30	August 15
July 1 - September 30	November 15
October 1 - December 31	February 15

- *Office of Probation and Correctional Alternatives (OPCA) Quarterly Reports* - In addition to the four (4) work plan based progress reports referenced in contract Appendix A-1 which are required to be submitted in GMS, for purposes of this grant award, the grantee is also required to submit quarterly reports with program data involving receiving logs on the form: ***County Monitors' Report of Ignition Interlock Device Sentencing Orders Received and Installation Status***. This form and instructions are attached to this letter. This form must be sent to OPCA at [dcjsopcaiidreports@dcjs.ny.gov](mailto:dcjsopcaiidreports@dcjs.ny.gov) and is due 30 days after the close of the quarter.

Please be aware that in these times of serious fiscal crisis, there is no guarantee of future funding for this program. All grantees should make every effort to manage funds efficiently and seek ways to sustain their program with other resources wherever possible.

Congratulations on your award! We are looking forward to continuing our work with you on this important initiative.

Very truly yours,



Michael C. Green  
Executive Deputy Commissioner

cc: Robert M. Maccarone  
Deputy Commissioner and Director  
Office of Probation and Correctional Alternatives

John Desmond, Director  
Suffolk County Probation Department

Attachment

# APPENDIX B-1

Contractor: Suffolk County

Contract # C523696

Project: Suffolk County Probation GTSC

Contract Term: 10/01/2012 - 09/30/2013

BUDGET CATEGORIES	OPERATING BUDGET	PERFORMANCE MILESTONE	MILESTONE WEIGHT	MILESTONE BUDGET	ANNUAL MILESTONE TARGET	MILESTONE UNIT COST	STATE REIMBURSEMENT
Personal Services							
Fringe Benefits							
Consultant Services							
Equipment							
Supplies							
Travel and Subsistence							
Rental of Facilities	-						
Alterations and Renovations	-						
All Other Expenses	356,749						
<b>Total Operating Budget</b>	<b>\$ 356,749</b>						
			100%	356,749.00	3,237	\$ 110.21	\$ 110.21
			100%	<b>\$ 356,749.00</b>			

Maximum State Reimbursement \$ 356,749

Reimbursement Rate 100%

1246

1246

<p><b>STATE AGENCY</b>                  Division of Criminal Justice Services                  80 South Swan Street                  Albany, NY 12210</p>	<p><b>NYS COMPTROLLER'S NUMBER:</b> C523696                  (Contract Number)   <b>ORIGINATING AGENCY CODE:</b> 01490 - Division of Criminal Justice Services</p>
<p><b>GRANTEE/CONTRACTOR:</b> (Name &amp; Address)                  Suffolk County                  H Lee Dennison Building                  100 Veterans Memorial Highway                  Hauppauge, NY 11788-5402</p>	<p><b>TYPE OF PROGRAMS:</b> GTSC Ignition Interlock Device Monitoring Program  <b>DCJS NUMBERS:</b> II12523696  <b>CFDA NUMBERS:</b> 20.600</p>
<p><b>FEDERAL TAX IDENTIFICATION NO:</b> 116000464  <b>MUNICIPALITY NO:</b> (if applicable) 470100000000</p>	<p><b>INITIAL CONTRACT PERIOD:</b>                  FROM 10/01/2012 TO 09/30/2013  <b>FUNDING AMOUNT FROM INITIAL PERIOD:</b> \$356,749.00</p>
<p><b>STATUS:</b>                  Contractor is not a sectarian entry.                  Contractor is not a not-for-profit organization.</p>	<p><b>MULTI-YEAR TERM:</b> (if applicable): 2 1-year renewal options.</p>
<p><b>CHARITIES REGISTRATION NUMBER:</b>                  [Redacted Box]                  (Enter number or Exempt)                  If "Exempt" is entered above, reason for exemption.                  N/A</p> <p>Contractor has ___ has not ___ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.</p>	<p><b>APPENDIX ATTACHED AND PART OF THIS AGREEMENT</b></p> <p><input checked="" type="checkbox"/> APPENDIX A Standard Clauses required by the Attorney General for all State contracts</p> <p><input checked="" type="checkbox"/> APPENDIX A1 Agency-specific Clauses</p> <p><input checked="" type="checkbox"/> APPENDIX B Budget</p> <p><input checked="" type="checkbox"/> APPENDIX C Payment and Reporting Schedule</p> <p><input checked="" type="checkbox"/> APPENDIX D Program Workplan</p> <p><input type="checkbox"/> APPENDIX F Guidelines for the Control and Use of Confidential Funds</p> <p><input type="checkbox"/> APPENDIX G Procedural Guidelines for the Control of Surveillance Equipment</p> <p><input checked="" type="checkbox"/> Other (Identify)</p> <p>Appendix B-1 Performance Budget</p>
<p>IN WITNESS THERE OF, the parties hereto have electronically executed or approved this AGREEMENT on the dates of their signatures.</p>	
<p>NYS Division of Criminal Justice Services                  BY: _____ Date: _____                  Office of Program Development and Funding</p> <p><b>State Agency Certification:</b> "In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract".</p> <p>GRANTEE:                  BY: Mr. Eric Kopp , Assistant Deputy County Executive Date: _____</p>	
<p>ATTORNEY GENERAL'S SIGNATURE                  _____                  Title: _____                  Date: _____</p>	<p>APPROVED,                  Thomas P. DiNapoli, State Comptroller                  _____                  Title: _____                  Date: _____</p>

1246

**Award Contract****GTSC Ignition Interlock Device Monitoring Program****Project No.****Grantee Name**

II12-1049-D00

Suffolk County

02/08/2013

**AGREEMENT****STATE OF NEW YORK  
AGREEMENT**

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

**WITNESSETH:**

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

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

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

**I. Conditions of Agreement**

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

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

C. This AGREEMENT incorporates the face page attached as presented in the Grants Management System (GMS) AWARD online printable report, and all of the marked appendices identified on the face page hereof.

D. For each succeeding PERIOD of this AGREEMENT, the parties shall prepare new appendices, to the extent that any require modification, and a Modification Agreement. Any terms of this AGREEMENT not modified shall remain in effect for each PERIOD of the AGREEMENT.

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

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

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

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

**II. Payment and Reporting**

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

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

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

**III. Terminations**

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

B. The STATE may terminate the AGREEMENT immediately, upon written notice of termination to the

1246

CONTRACTOR, if the CONTRACTOR fails to comply with the terms and conditions of this AGREEMENT and/or with any laws, rules, regulations, policies or procedures affecting this AGREEMENT.

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

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

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

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

#### IV. Indemnification

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

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

#### V. Property

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

#### VI Safeguards for Services and Confidentiality

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

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

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

Certified by - on

(246)

**Award Contract****GTSC Ignition Interlock Device Monitoring Program****Project No.****Grantee Name**

1112-1049-D00

Suffolk County

02/08/2013

**APPENDIX A****STANDARD CLAUSES FOR NYS CONTRACTS**

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

1. **EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.
2. **NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the 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

1246

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 premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

7. **NON-COLLUSIVE BIDDING CERTIFICATION.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

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

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

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

11. **IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.**

(a) **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 transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such

1246

number or numbers, the payee, on 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 of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in 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

1246

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 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>

1246

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

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

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

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

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

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

22. **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

**Award Contract**

**GTSC Ignition Interlock Device Monitoring Program**

**Project No.**

**Grantee Name**

II12-1049-D00

Suffolk County

02/08/2013

**APPENDIX B - Budget Summary by Participant**

1246

Suffolk County - Version 1

#	All Other Expenses	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Ignition Interlock Device Sentences Received	1	\$356,749.00	\$356,749.00	\$356,749.00	\$0.00
Justification: Reimbursement for IID orders received at rate of \$110.21 ea.						
Total				\$356,749.00	\$356,749.00	\$0.00

Total Project Costs	Total Cost	Grant Funds	Matching Funds
	\$356,749.00	\$356,749.00	\$0.00

Total Contract Costs	Total Cost	Grant Funds	Matching Funds
	\$356,749.00	\$356,749.00	\$0.00

**Award Contract**

**GTSC Ignition Interlock Device Monitoring Program**

**Project No.**

**Grantee Name**

1112-1049-D00

Suffolk County

02/08/2013

1246

**APPENDIX C**

**PAYMENT AND REPORTING SCHEDULE**

NOTE: Additional payment provisions associated with the schedule(s) below are detailed in Appendix A-1.

For All Grantees:

1. The Grantee agrees that this is a reimbursement-based contract; an advance may be provided through Appendix D (Special Conditions). All requests for reimbursement must reflect actual costs that have been disbursed or items received by the Grantee. A purchase order issued without receipt of the items or service is not eligible for reimbursement.

2. Grantees must submit all required fiscal reports, supporting documentation and program progress reports. Failure to meet these requirements will result in the rejection of associated vouchers. Failure to submit the final program report, or interim progress report designated as the final report, may result in a disallowance of 25 percent (25%) of the grant amount. The Grantee must also refund all unexpended advances (see item three below.) Final vouchers, reimbursement payment and reports must be submitted within 45 days of the end of the grant contract period. Failure to voucher within this period may result in the loss of grant funds.

3. If at the end of this grant contract there remains any unexpended balance of the monies advanced under this contract in the possession of the Grantee, the Grantee shall submit a certified check or money order for the unexpended balance payable to the order of the State of New York and return it to the DCJS Office of Finance with its final fiscal cost report within 45 days of termination of this grant contract.

4. Vouchers shall be submitted in a format acceptable to DCJS and the Office of the State Comptroller (see <http://www.criminaljustice.state.ny.us/ofpa/forms.htm>). 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. When submitting a voucher, 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. Requirement b) does not apply to Legislative sponsored State grants.

5. For purposes of prompt payment provisions, the Designated Payment Office for the processing of all vouchers is the DCJS Office of Financial Services. Payment of grant vouchers shall be made in accordance with the provisions of Article XI-A of the State Finance Law (<http://caselaw.lp.findlaw.com/nycodes/c113/a19.html>). 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 Office of Finance 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.

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

NYS Division of Criminal Justice Services  
Office of Finance  
4 Tower Place  
Albany, NY 12203-3764

**7. Payment Schedule**

**PAYMENT and PAYMENT DUE DATE**

1: Pending appropriation, 30 days after commencement date of contract with proper documentation or upon receipt of proper documentation, whichever is later.

1246

## 2-4: Quarterly

A not-for-profit Grantee operating on a multi-year contract may voucher for an optional fifth quarter advance against the succeeding year's appropriation, pursuant to NYS Finance Law, Section 179-u.

All submitted vouchers will reflect the Grantee's actual expenditures and will be accompanied by supporting detailed itemizations of personal service and non-personal service expenditures and other documentation as required, and by a fiscal cost report for the reporting period. DCJS reserves the right not to release subsequent grant awards pending Grantee compliance with this Agreement. In the event that any expenditure for which the Grantee has been reimbursed by grant funds is subsequently disallowed, DCJS 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. Fiscal cost reports must be submitted showing grant expenditures and/or obligations for each quarter of the grant within 45 days after the last day of the quarter for the reporting period.

Advance payments shall be permitted as specified in Appendix A-1, and in the amount specified in Appendix D (Special Conditions).

Payment requests need to include the following documents as required:

- Detailed Itemization of Personal Service Expenditures
- Detailed Itemization of Non-Personal Service Expenditures
- Detailed Itemization of Consultant Expenditures
- Expert witness agreement and supporting documentation
- Voucher and Fiscal Cost Report signed
- Written documentation of all required DCJS prior approvals as follows:
  - DCJS approval of non-competitive consultant.
  - DCJS approval of non-competitive vendor for services.
  - DCJS approval of consultant services reimbursement greater than \$450 per eight hour day.
  - DCJS approval of change to Personal Services by more than 10 percent.
  - DCJS approval to exceed NYS Office of the State Comptroller travel, meals and lodging rates.
  - DCJS approval to subaward to another organization.
  - DCJS approval for overtime payments exceeding 25 percent of an employee's annual personnel cost.
  - DCJS and NYS Office of the State Comptroller approval to modify Personal Services and Non Personal Services budget categories by more than 10 percent.
  - DCJS approval to reallocate funds between Personal Services and Non Personal Services.

8. CONTRACT PAYMENTS: Contractor shall provide complete and accurate billing invoices to the agency in order to receive payment. Billing invoices submitted to the agency must contain all information and supporting documentation required by the Contract, the Agency and the State Comptroller. Payment for invoices submitted by the Contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Contractor 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](http://www.osc.state.ny.us/epay/index.htm), by email at [epunit@osc.state.ny.us](mailto:epunit@osc.state.ny.us), or by telephone at 518-474-4032. Contractor acknowledges that it will not receive payment on any invoices submitted under this Contract if it does not comply with the State Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

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Certified by - on

**Award Contract****GTSC Ignition Interlock Device Monitoring Program****Project No.**

II12-1049-D00

**Grantee Name**

Suffolk County

1246

02/08/2013

**APPENDIX D - Work Plan****Goal**

To enhance public safety by engaging in Breath Alcohol Ignition Interlock Device (BAIID) monitoring activities for adult DWI offenders who have been sentenced, pursuant to Chapter 496 of the 2009 Laws of New York State, and whose sentence requires the installation and maintenance of Ignition Interlock Devices in vehicles owned or operated by the offender.

**Objective #1**

To engage in Breath Alcohol Ignition Interlock Device monitoring activities in Suffolk County for an estimated 3,237 DWI-related offenders sentenced to probation or Conditional Discharge on or after October 1, 2012, and having conditions requiring the installation and maintenance of Ignition Interlock Devices in vehicles owned or operated by the offender.

**Task #1 for Objective #1**

Designated oversight agencies in Suffolk County will receive sentencing orders from the criminal courts pertaining to adult DWI-related offenders who, as a condition of their sentence, must install and maintain a BAIID in each vehicle owned or operated by the offender and initiate monitoring activities.

**# Performance Measure**

- 1 The number of Probation and/or Conditional Discharge sentencing orders having BAIID-related conditions received by the county's designated BAIID monitor(s) from all criminal courts within Suffolk County.

**Task #2 for Objective #1**

To coordinate the reimbursement for Breath Alcohol Ignition Interlock Device (BAIID) court orders received for designated oversight agencies within Suffolk County.

**# Performance Measure**

- 1 The grantee will receive the quarterly reporting form entitled MONITORS REPORT OF IGNITION INTERLOCK DEVICE SENTENCES RECEIVED AND INSTALLATION STATUS which should be submitted in spreadsheet format. This form will provide the DCJS Office of Probation and Correctional Alternatives with basic data as to the monitoring services provided and will also be the basis upon which reimbursement claims are made. Offenders should only be entered in one quarterly report - cases which receive monitoring services subsequent to that initial entry should NOT be entered on subsequent quarterly reports.

- 2 During the reporting period for each quarter of the contract year, Suffolk County will submit the required fiscal paperwork including vouchers and supporting documentation to the Finance Office of the Division of Criminal Justice Services and upon receipt of reimbursement funds distribute them to the designated agencies.

1246

**Award Contract****GTSC Ignition Interlock Device Monitoring Program****Project No.****Grantee Name**

II12-1049-D00

Suffolk County

02/08/2013

**Award Conditions**

Upon approval of this grant by the Office of the State Comptroller, or DCJS for "T" contract only, the Grantee is authorized to initially voucher for advance payment of those prospective expenses previously approved by DCJS not to exceed \$0.00 from the total contracted amount. Consistent with paragraph 15 of Appendix A-1 of this grant contract, vouchers for advance payments for the purchase of equipment and supplies must be supported by a copy of the purchase order.

**APPENDIX D - Special Conditions****OPCA Special Conditions**

Notwithstanding any other provisions of the AGREEMENT, the following Special Conditions are incorporated into the AGREEMENT between the parties as though set forth in its entirety therein and shall, with the exception of the provision of Appendix A, STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS, be controlling.

A not for profit organization operating on a multi-year contract may, at the sole discretion of the STATE, be issued a fifth quarter advance against the succeeding year's appropriation, pursuant to State Finance Law, Section 179 u.

For performance based contracts, Appendix B 1, Program Performance Milestones and Costs, is included herein via the GMS Attachment Module, and is incorporated into the AGREEMENT.

**A. PROGRAM SERVICES**

1. The CONTRACTOR agrees to promptly notify the STATE of any critical incidents involving the respective PROGRAM, its clients/participants or staff, as well as negative media reports, as required by the STATE.
2. The CONTRACTOR shall provide, on STATE supplied case monitoring forms, client/participant specific data as called for and delineated within those forms. Identification of client/participant names and disclosure of other PROGRAM records to the STATE shall be pertinent to performance under this AGREEMENT.

**B. TERMINATION**

1. The STATE shall have the right to terminate this AGREEMENT early for: (i) unavailability of funds; (ii) cause; (iii) without cause; or (iv) upon mutual consent.
2. The STATE may terminate this AGREEMENT if federal/state appropriation authorizations lapse and are not renewed, continued or reenacted or if funds are no longer made available pursuant to the laws controlling such authorizations and availabilities. However, if such authorizations or availabilities lapse and are not renewed, continued or reenacted, as to funds encumbered or available and to the extent of such encumbrances or availabilities, this AGREEMENT shall remain in effect for the duration of such encumbrances or availabilities unless this AGREEMENT is otherwise terminated by the STATE. Although the liquidity of encumbrances or availability of funds may be affected by budgetary hiatuses, a STATE budgetary hiatus will not by itself be construed to lapse this AGREEMENT, provided any necessary STATE appropriations or other funding authorizations therefore are eventually enacted.
3. The STATE may terminate the AGREEMENT immediately for cause upon written notice of termination to the CONTRACTOR: (i) if the STATE determines that the CONTRACTOR and/or any other identified SERVICE PROVIDER(S) fails to comply with the terms and conditions of this agreement and/or with any laws, rules, regulations, policies or procedures affecting this AGREEMENT, including but not limited for reason of vendor responsibility or failure to accurately disclose or (ii) upon a disapproved Service Plan.

1246

4. The STATE reserves the right to terminate this AGREEMENT in the event it is found that the certification filed by the CONTRACTOR in accordance with New York State Finance Law §139 k was intentionally false or intentionally incomplete. Upon such finding, the STATE may exercise its termination right by providing written notification to the CONTRACTOR in accordance with the written notification terms of this AGREEMENT.

5. The STATE may only invoke its right to terminate without cause provided the STATE has given 90 days or more written notice to the CONTRACTOR, except with respect to contractual language contained herein that gives the STATE the general right to terminate at any time.

6. This AGREEMENT may be terminated at any time upon mutual written consent of the STATE and the CONTRACTOR or by the DIVISION serving thirty (30) calendar days written notice upon the other party, as specified by the STATE.

#### C. SAFEGUARDS FOR SERVICES AND CONFIDENTIALITY

1. The CONTRACTOR agrees that all records on this PROGRAM shall be safeguarded and not be open to indiscriminate public review. Towards this end, the CONTRACTOR shall establish written policies and procedures as to maintenance, security, retention and disposition of such records. The CONTRACTOR shall agree to maintain complete confidentiality of all information concerning applicants, employees, PROGRAM clients/participants, and their families which it may obtain during the course of performing the services of this AGREEMENT unless required in the performance of this AGREEMENT or otherwise authorized by law. Except as authorized by law and for audit purposes as noted above and for provision of PROGRAM services, the CONTRACTOR will not release any of said information, including names and addresses, without prior written permission from the STATE. Records retention and disposition shall be in accordance with this AGREEMENT and any applicable Federal or State laws, rules or regulations. The STATE shall have access to all CONTRACTOR records relating to the PROGRAM. Information relating to individuals who may receive services pursuant to this CONTRACTOR shall be maintained and safeguarded in conformity with the applicable provisions of laws, regulations and policies and directives of the STATE.

2. The CONTRACTOR specifically agrees to comply with New York State's INFORMATION SECURITY BREACH AND NOTIFICATION ACT as set forth in State Technology Law Section 208 and General Business Law Section 899 aa. The CONTRACTOR shall promptly notify the STATE where there is reasonable belief of breach of security, unauthorized access or unauthorized release of personal computer data containing personal information and take appropriate action with respect to notification of affected individuals and to other required state agencies consistent with such Act. CONTRACTOR shall be liable for the costs associated with such breach if caused by CONTRACTOR'S negligent or willful acts or omissions, or the negligent or willful acts or omissions of CONTRACTOR'S agents, officers, employees or subcontractors.

#### D. FUNDING

1. For performance based CONTRACTS, the CONTRACTOR shall promptly provide written notice to the STATE, via a separate letter, of special circumstances experienced by the PROGRAM in achieving its milestones and outcomes. Notwithstanding any fiscal provisions relative to reimbursement for milestones and outcomes, the CONTRACTOR may request written approval of the STATE to adjust a milestone and/or outcome to compensate for over achievement of PROGRAM participants. The reimbursement will be at the agreed upon participant cost for the milestone and/or outcome and in no event exceed the total maximum costs delineated in Appendix B or B1, where applicable.

2. Reimbursement to the CONTRACTOR will be made after the CONTRACTOR submits vouchers and supporting documents as established by the STATE and the CONTRACTOR is otherwise adhering to the AGREEMENT, including submission of necessary reporting documentation in a timely manner. Programmatic data shall be completed and submitted in accordance with timeframes and procedures established by the STATE. Failure to timely report may result in termination of contractual services. The CONTRACTOR agrees to provide detailed fiscal and other programmatic information in keeping with STATE instructions.

In addition to the four (4) progress reports referenced in Appendix A-1 which are required, for purposes of this grant award, the CONTRACTOR shall also submit quarterly reports and PROGRAM data involving receiving logs on the form: COUNTY MONITORS REPORT OF IGNITION INTERLOCK DEVICE SENTENCING ORDERS

1246

RECEIVED AND INSTALLATION STATUS. This form must be sent to OPCA at [dcjsopcaiidreports@dcjs.ny.gov](mailto:dcjsopcaiidreports@dcjs.ny.gov) as follows:

October 1st through December 31st is DUE January 30th  
January 1st through March 31st is DUE April 30th  
April 1st through June 30th is DUE July 30th  
July 1st through September 30th is DUE October 30th

Funds will be reimbursed to the CONTRACTOR within 30 days of receipt of the claim if the claim and supporting documentation are in order and the CONTRACTOR is otherwise adhering to the terms and conditions of the AGREEMENT.

3. A not for profit organization operating on a multi-year contract may, at the sole discretion of the STATE, be issued a fifth quarter advance against the succeeding year's appropriation, pursuant to State Finance Law, Section 179 u.

4. Vouchers and supporting documentation should be sent to:

NYS Division of Criminal Justice Services  
Office of Finance  
Alfred E. Smith Building  
80 S. Swan Street  
Albany, NY 12210

5. Reconciliation shall be based upon services provided by the CONTRACTOR and payments made by the STATE consistent with the terms of this AGREEMENT and may occur at any time during the AGREEMENT and shall occur upon termination of the AGREEMENT. The CONTRACTOR shall refund any overpayments made pursuant to this AGREEMENT within ninety (90) calendar days of written notification by the STATE unless written approval is obtained by the STATE.

12410

**Award Contract****GTSC Ignition Interlock Device Monitoring Program****Project No.****Grantee Name**

1112-1049-D00

Suffolk County

02/08/2013

**APPENDIX A1****AGENCY-SPECIFIC CLAUSES**

1. For grant solicitations or direct grant awards announced before April 10, 2006, if this Agreement exceeds \$15,000, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If this Agreement is for \$15,000 or less, it shall not take effect until it is executed by both parties.

For grant solicitations or direct grant awards announced on or after April 10, 2006, if this Agreement exceeds \$50,000, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If this Agreement is for \$50,000 or less, it shall not take effect until it is executed by both parties.

2. This Agreement sets forth the entire understanding of the parties and may not be altered or amended except in writing and signed by the parties hereto.

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

4. 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.

5. The Grantee must notify DCJS in writing of any change in the number, title, job duties or rate of remuneration of project staff which changes the Personal Service Project Budget line by 10 percent or under. Any change in the number, title, job duties or rate of remuneration of project staff which changes the Project Budget line more than 10 percent must be approved in writing by DCJS prior to implementation. The Grantee agrees to provide DCJS with resumes and supporting documentation upon request.

6. The Grantee shall submit detailed itemization forms for personal service and fringe benefit expenditures, in a format determined by DCJS, with any voucher and Fiscal Cost Reports requesting payment for expenditures.

7. The Grantee must maintain specific documentation as support for project related personal service expenditures, depending upon whether this grant contract project is supported by State or Federal funds:

**A. For State funded grants:**

For all Grantee's staff whose salaries are paid in whole or in part from grant funds provided under this Agreement, the Grantee shall maintain a time recording system which shows the time devoted to the grant project. The system shall consist of time sheets, computerized workload distribution reports, or equivalent systems. The time devoted to grant activities must be determinable and verifiable by DCJS. If time sheets are used, each must be signed by the individual and certified by the individual's supervisor in a higher level position at the end of each time reporting period.

**B. For Federally funded grants:**

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 the requirements of the Federal Office of Management and Budget (OMB) Circulars A-21, A-87 or A-122, as applicable:

1. OMB Circular A-21 [Item J, General provisions for selected items of cost] identifies documentation required for educational institutions as support for grant project personnel costs.
2. OMB Circular A-87 [Attachment B, Selected Items of Cost] identifies the documentation required for local government agencies as support for grant project personnel costs.
3. OMB Circular A-122 [Attachment B, Selected Items of Cost] identifies the documentation required for non-

profit organizations as support for grant project personnel costs.

1246

The most current version of these Federal OMB Circulars may be viewed on-line at:  
[www.whitehouse.gov/omb/circulars](http://www.whitehouse.gov/omb/circulars).

The Grantee is to ensure full compliance with specific personal service documentation requirements of these OMB Circulars as applicable directly to the Grant recipient and to any sub-recipient (or collaborative agency/organization). Failure to do so may result in disallowance of costs upon audit.

8. Budget amendments are governed as follows:

A. Any proposed modification to the contract must be submitted for prior approval by DCJS and the NYS Office of the State Comptroller (OSC) when:

1. The amount of the modification is equal to or greater than ten percent of the total value of the contract for contracts of less than five million dollars; or
2. The amount of the modification is equal to or greater than five percent of the total value of the contract for contracts of five million dollars or more.

An Appendix X setting forth the proposed amendment must be electronically signed via the Grants Management System by the Grantee for approval by DCJS and the NYS Office of the State Comptroller before the next voucher and/or fiscal cost report will be approved.

B. For proposed modifications to the contract below the DCJS/OSC approval thresholds as set forth in 8 (A), the following shall apply:

1. The Grantee is not permitted to reallocate funds between Personal Service and Non-Personal Service budget categories without the prior approval of DCJS. A grant amendment setting forth the proposed reallocation must be approved by DCJS via the Grants Management System before the next voucher and/or fiscal cost report will be approved.
2. The Grantee is not permitted to reallocate funds between Non-Personal Service budget categories without the prior approval of DCJS when the amount of the modification is equal to or greater than ten percent of the category. A grant amendment setting forth the proposed reallocation must be approved by DCJS via the Grants Management System before the next voucher and/or fiscal cost report will be approved.
3. Prior approval by DCJS is not required for Non-Personal Service budget changes which are less than 10 percent. These changes, however, must be submitted to DCJS with the next voucher or fiscal cost report submission.

Requests for modifications must be made in writing by an authorized representative of the Grantee.

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

10. The Grantee's request for travel, meals or lodging reimbursement shall be in accordance with Appendix B, Budget, and, unless prior written authorization has been received from DCJS, shall not exceed rates authorized by the NYS Office of the State Comptroller.

11. The Grantee's employment of a consultant must be supported by a written agreement executed by the Grantee and the consultant. A consultant is defined as an individual or organization hired by the Grantee for the stated purpose of accomplishing a specific task relative to the funded project. A copy of the agreement must be submitted to DCJS with the appropriate voucher for payment. 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. 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. The rate for a consultant should not exceed \$450 for an eight-hour day (not including travel and subsistence costs). A rate exceeding \$450 per eight-hour day requires prior written approval from DCJS and may be

1246

approved on a case-by-case basis where adequate justification is provided and expenses are reasonable and allowable.

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

1. Consultant services that cost up to \$999 under this grant agreement can be obtained at the Grantee's discretion.
2. Consultant services that cost between \$1,000 and \$4,999 under this grant agreement must be supported by at least three telephone quotes and a record created of such quotes.
3. Consultant services that cost between \$5,000 and \$9,999 under this grant agreement must be supported by at least three written quotes on a vendor's stationery and a record created of competitive procurement process utilized.
4. A Grantee obtaining consultant services that cost in excess of \$10,000 must use a competitive bidding process. Guidance may be obtained from DCJS. 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; sealed bids opened at one time before a committee who will certify the process; establishment of the methodology for evaluating bids before the bids are opened; and maintenance of a record of competitive procurement process.

C. A Grantee who proposes to obtain consultant services from a particular vendor without competitive bidding, must obtain the prior written approval of DCJS. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and 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 Justice. A copy of DCJS' approval must also be submitted with the voucher for payment.

D. Notwithstanding the provisions of this paragraph, the Parties agree that DCJS' prior written approval is not required for the employment of a consultant when such employment is secured in relationship to a criminal matter as an expert witness, consultant or investigator. The Parties agree that the employment shall be supported by a written agreement and that all requests for reimbursement shall be supported by documentation identifying the criminal matter involved, services provided, time commitment and schedule. Such agreement and documentation shall be submitted to DCJS with the appropriate voucher for payment.

12. All procurements, other than consultant services, shall be conducted in the following manner. Written justification and documentation for all procurements must be maintained on file and made available upon request. Detailed itemization forms for non-personal service expenditures, in a format determined by DCJS, shall accompany each voucher and Fiscal Cost Report requesting payment. 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 responsive bidder or best value).

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

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

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

1. 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.
2. A Grantee may purchase any single piece of equipment, single service or multiples of each that cost up to \$999 at its discretion.
3. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost between \$1,000 and \$4,999, a Grantee must secure at least three telephone quotes and create a record for audit of such quotes.
4. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost between \$5,000 and \$9,999, the Grantee must secure at least three written quotes on a vendor's stationery and maintain a record of the competitive procurement process for audit purposes.
5. A Grantee spending in aggregate of \$10,000 and above must use a competitive bidding process. Guidance may be obtained from DCJS. At a minimum, the competitive bidding process must incorporate the following:

1246

open, fair advertisement of the opportunity to provide services; equal provision of information to all interested parties; reasonable deadlines; sealed bids opened at one time before a committee who will certify the process; establishment of the methodology for evaluating bids before the bids are opened; and maintenance of a record of competitive procurement process.

6. A Grantee who proposes to purchase from a particular vendor without competitive bidding must obtain the prior written approval of DCJS. 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 Justice. A copy of DCJS' approval must also be submitted with the voucher for payment.

13. Applicable equipment purchased with funds provided by this Agreement as listed in Appendix B, Budget, shall be assigned a unique inventory number. The Grantee shall list all applicable equipment purchased with such funds in the GMS Property Module and print and submit such reports to DCJS/ODPF program representatives with the final program progress report or sooner. Alternatively, the Grantee may use the Equipment Inventory reports prescribed by DCJS to list equipment purchases and submit them to DCJS via postal service. Items of equipment costing less than \$500 do not need to be reported on the Equipment Inventory Reports although the Grantee is encouraged to maintain an internal inventory for audit purposes. Upon completion of all contractual requirements by the Grantee, DCJS will consider a request for continued use and possession of the equipment purchased with grant funds provided the equipment continues to be used in conducting a criminal justice program.

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

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

15. Where advance payments are approved by DCJS, the Grantee agrees to expend the advance payments in accordance with the purposes set forth in Appendix D and consistent with Appendix B.

16. DCJS 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 DCJS 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 DCJS' judgment, the services provided by the Grantee under the Agreement are unsatisfactory or untimely. DCJS shall provide the Grantee with written notice of noncompliance. Upon the Grantee's failure to correct or comply with the written notice by DCJS, DCJS reserves the right to terminate this Agreement, recoup funds and recover any assets purchased with the proceeds of this Agreement. DCJS reserves the right to use approved grant related expenditures to offset disallowed expenditures from any grant funded through its offices upon issuance of a final audit report and appropriate notification to the Grantee, or upon reasonable assurance that the Grantee is not in compliance with Agreement terms.

17. 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.

18. Program income earned by the Grantee during the funding period as a direct result of the grant award must be reported in writing to DCJS, in addition to any other statutory reporting requirements. This includes income received from seized and forfeited assets and cash, as well as: sale of grant purchased property; royalties; fees

1246

for services; and registration/tuition fees. Interest earned on grant funds is not program income unless specified in Appendix D. The Grantee agrees to report the receipt and expenditures of grant program income to DCJS. All income, including interest, generated by the use of these grant funds will be used to enhance the grant project.

19. 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 DCJS with this information as soon as it is available.

20. Unless otherwise specified, in accordance with the State Finance Law, the availability of all State funds for liabilities already incurred thereunder shall cease on September 15th of the year following the fiscal year in which the funds were appropriated, unless such funds are reappropriated by the New York State Legislature. To ensure payment, vouchers must be received by DCJS by August 1st of the year following the fiscal year in which the funds were appropriated.

21. The Grantee will submit program progress reports and one final report to DCJS via the GMS system and additional information or amended data as required.

A. Program progress reports will be due within 45 days of the last day of each calendar quarter or on an alternate schedule as prescribed in Appendix D. The first program progress report will be due within 45 days of the last day of the calendar quarter from the start date of the program.

Program progress reports thereafter will continue to be made until such time as the funds subject to this Agreement are no longer available, have been accounted for, and/or throughout the Agreement period or project duration.

Calendar quarters, for the purposes of making program progress reports, shall be as follows:

Calendar Quarter Report Due January 1 - March 31 May 15 April 1 - June 30 August 15 July 1 - September 30  
November 15 October 1 - December 31 February 15

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

22. If for any reason the State of New York or the federal government terminates its appropriation through DCJS 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 DCJS, provided that no such reduction or termination shall apply to allowable costs already incurred by the Grantee where funds are available to DCJS for payment of such costs. Upon termination or reduction of the Agreement, all remaining funds paid to the Grantee that are not subject to allowable costs already incurred by the Grantee shall be returned to DCJS. In any event, no liability shall be incurred by DCJS or by the State of New York beyond monies available for the purposes of this Agreement. The Grantee acknowledges that any funds due to DCJS because of disallowed expenditures after audit shall be its responsibility.

23. If Appendix B, Program Budget, makes provisions for overtime payment, the Grantee agrees to submit vouchers for such payment of overtime charges within 45 days after the last day of the quarter for the reporting period. The Grantee further agrees to limit overtime earnings to no more than 25 percent (25%) of the employee's annual personnel cost (salary plus fringe benefits) during the term of this Agreement. No reimbursements for overtime charges in excess of this 25 percent (25%) limit will be made unless prior written approval has been obtained from DCJS.

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

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

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

Activities to be performed;

Time schedule;

Project policies;

Other policies and procedures to be followed;

Dollar limitation of the Agreement;

Appendix A, Appendix A-1, Appendix C, Certified Assurances for Federally Supported Projects, Certification Regarding Lobbying, Debarment and Suspension and any special conditions set forth in the Agreement; and

Applicable Federal and/or State cost principles to be used in determining allowable costs.

The Grantee will not be reimbursed for subgranted funds unless all expenditures by a subgrantee are listed on certification forms. Backup documentation for such expenditures must be made available upon request. All expenditures must be programmatically consistent with the goals and objectives of this Agreement and with the financial plan set forth in Appendix B.

## 25. Federal Funds

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

B. In accordance with Federal requirements, a Grantee receiving Federal pass-through funds must also agree to comply with the terms and conditions of any and all applicable Federal OMB Circulars. For the convenience of the Grantee, the following OMB circulars are noted as the most common applicable to federal funds passed through DCJS:

OMB Circular A 21, Cost Principles for Educational Institutions;

OMB Circular A 87, Cost Principles for State, Local and Indian Tribal Governments;

OMB Circular A 102, Grants and Cooperative Agreements With State and Local Governments;

OMB Circular A 110, Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Non Profit Organizations; and

OMB Circular A 122, Cost Principles for Non Profit Organizations.

The Parties agree that, dependent upon the status of the Grantee, additional circulars may also be applicable. The most current version of all Federal OMB Circulars may be viewed on-line at:  
[www.whitehouse.gov/omb/circulars](http://www.whitehouse.gov/omb/circulars).

The Grantee is to ensure full compliance with all cost documentation requirements of OMB Circulars as applicable directly to the Grant recipient and to any sub-recipient (or collaborative agency/organization). Failure to do so may result in disallowance of costs upon audit.

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

A. If DCJS shares its right to copyright such work with the Grantee, DCJS reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: (a) the copyright

124p  
in any work developed under a grant, subgrant, or contract under a grant or subgrant; and (b) any rights of copyright to which a Grantee, Subgrantee, or a Contractor purchases ownership with grant support.

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

C. The Grantee shall submit one copy of all reports and publications resulting from this Agreement to DCJS. Any publications must contain the following statement, in visible print, of any document generated pursuant to a grant administered by DCJS:

This project was supported by a grant administered by the New York State Division of Criminal Justice Services. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the Division of Criminal Justice Services.

27. Original records must be retained for six years following the submission of the final claim against this Agreement. In the event of a fiscal audit, the project manager or a designated responsible party must be prepared to produce source documents that substantiate claimed expenditures. DCJS 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, 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. In addition, a separate set of records must be retained for each project year.

28. Grant-related expenditures shall be reported on Fiscal Cost Reports and detailed itemization forms provided by DCJS. These reports must be prepared periodically as defined in Appendix C of this Agreement. All reported expenditures must reconcile to the program accounting records. Prior period adjustments shall be reported in the same accounting period that the correction was made.

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Certified by - on