LAID ON THE TABLE SEPTEMBER 12, 2013

LADS REPORT PREPARED BY:
Michele Gerardi

1699. Authorizing an appraisal for the purchase of Development Rights of Farmland under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Knoll Farms of Long Island, Inc. - Town of Islip (SCTM Nos. 0500-117.01-01.00-078.001 and 0500-117.01-01.00-078.002). (Montano) ENVIRONMENT, PLANNING AND AGRICULTURE

1700. Adopting Local Law No. -2013, A Local Law amending Chapter 8 of the Suffolk County Code. (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1701. Amending the Rules of the Legislature. (Browning) WAYS & MEANS

1702. Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Ray and Pamela Bortzfield. (Pres. Off.) WAYS & MEANS

1703. Approving the change of project for Downtown Revitalization Grant (CP 6412) to the Rocky Point Civic Association and amending the contract with the Town of Brookhaven to reflect same. (Anker) ECONOMIC DEVELOPMENT AND ENERGY

1704. Authorizing certain technical correction to Adopted Resolution No. 599-2013. (Co. Exec.) WAYS & MEANS

1705. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Speonk Mobile Home Park, Inc. property - Manorville Pine Barrens County Park addition - Town of Brookhaven (SCTM No. 0200-511.00-06.00-064.001). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1706. Extending existing one percent sales and compensating use tax for the period beginning December 1, 2013 and ending November 30, 2015, pursuant to authority of Section 1210 of Article 29 of the Tax Law of the State of New York. (Co. Exec.) BUDGET AND FINANCE

1707. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 933-2013). (Co. Exec.) BUDGET AND FINANCE

1708. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 934-2013). (Co. Exec.) BUDGET AND FINANCE

1709. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 391. (Co. Exec.) BUDGET AND FINANCE

1710. Approving a license agreement for Kenneth Dickinson to reside at the Isaac Mills House, St. James. (Co. Exec.) PARKS & RECREATION

1711. Approving a license agreement for Michelle Hein to reside at Charles R. Dominy County Park, West Sayville. (Co. Exec.) PARKS & RECREATION

1712. Approving a license agreement for George Bean to reside at the Robinson Duck Farm, Brookhaven. (Co. Exec.) PARKS & RECREATION

1713. Amending the 2013 Operating Budget and appropriating funds in connection with bonding for a settlement to reimburse the Fashion Institute of Technology for out of County tuition. (Co. Exec.) BUDGET AND FINANCE

1714. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 935-2013). (Co. Exec.) BUDGET AND FINANCE

1715. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 936-2013). (Co. Exec.) BUDGET AND FINANCE

1716. Adopting Local Law No. -2013, A Charter Law to improve the accuracy of Fiscal Impact Statements. (Cilmi) BUDGET AND FINANCE

1717. Amending Resolution No. 40-2012, establishing a Blue Ribbon Panel to examine restructuring all County-owned sewer districts into one consolidated district. (Horsley) PUBLIC WORKS AND TRANSPORTATION

1718. Adopting Local Law No. -2013, A Local Law to authorize conveyance of real property previously taken for delinquent taxes. (Browning) WAYS & MEANS

1719. Making a SEQRA determination in connection with the proposed demolition of the Bavarian Inn building structure, Town of Smithtown. (Pres. Off.) ENVIRONMENT, PLANNING AND AGRICULTURE

1720. Authorizing certain technical corrections to Adopted Resolution No. 499-2013. (Co. Exec.) WAYS & MEANS

1721. Accepting donation of an All-Terrain Vehicle (ATV) from Rose-Breslin Associates, LLC for the Suffolk County Park Police. (Browning) PARKS & RECREATION

1722. Amend Resolution No. 824-2012, task force to optimize early intervention for children with special needs. (Spencer) HEALTH

1723. Amending Resolution No. 894-2011, to change the membership of the Suffolk County Pet Store Rating Board. (Spencer) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION

1724. Approving the donation of certain items to the Suffolk County Historical Society. (Pres. Off.) PARKS & RECREATION

1725. Amending the Adopted 2013 Operating Budget and appropriating excess revenues received from Hotel/Motel Tax in 2012. (Schneiderman) ECONOMIC DEVELOPMENT AND ENERGY

1726. Amending the 2013 Capital Budget and Program, accepting a Community Enhancement Facilities Assistance Program (CEFAP) Grant in the amount of $125,000 from the Dormitory Authority of the State of New York, and appropriating funds in connection to improvements and lighting to County Parks – Construction of Canoe/Kayak Launch sites in Suffolk County Parks (CP 7079). (Co. Exec.) PARKS & RECREATION

1727. Appropriating funds in connection with renovations and alterations to probation buildings (CP 3063). (Co. Exec.) PUBLIC SAFETY

1728. Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of $51,000 for the 2012 HazMat Grant Program administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements. (Co. Exec.) PUBLIC SAFETY

1729. Amending the 2013 Adopted Operating Budget to accept and appropriate 100% additional State Aid from the New York State Office of Mental Health to Clubhouse of Suffolk for the purpose of continuing a Pilot Program in Suffolk County to assist veterans suffering from Post-Traumatic Stress Disorder. (Co. Exec.) VETERANS AND SENIORS

1730. Appropriating funds in connection with reconstruction of CR 59, Long Lane, Town of East Hampton (CP 5561). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

1731. Appropriating funds in connection with Suffolk County Highway Rehabilitation Project (CP 5576). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

1732. Approving the change of project for Downtown Revitalization Grant (CP 6412) to the Rocky Point Civic Association and amending the contract with the Town of Brookhaven to reflect same. (Co. Exec.) ECONOMIC DEVELOPMENT AND ENERGY

1733. Approving the appointment of Kathleen Riddle as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1734. Approving the appointment of John Haley as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1735. Approving the appointment of Roy Probeyahn as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1736. Approving the appointment of Barbara Townsend as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1737. Approving the appointment of Barbara Carey-Shaw as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning And Advisory Board. (Co. Exec.) HEALTH

1738. Approving the appointment of Kathleen Brown as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1739. Approving the appointment of Doris Wagner as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1740. Approving the appointment of Christine Epifania as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1741. Approving the appointment of Elaine Economopoulos as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol And Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1742. Approving the appointment of Elba Garcia-Marmo as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol And Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1743. Approving the appointment of Gregson Pigott as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1744. Approving the appointment of Kathleen Herz as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1745. Approving the appointment of Lou Ann Rinde as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1746. Approving the appointment of Robert Detor as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1747. Approving the appointment of Norma Downey as a member of the Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Substance Abuse Planning and Advisory Board. (Co. Exec.) HEALTH

1748. Authorizing an Intermunicipal Agreement with the Board of Trustees of the Freeholders and Commonality of the Town of Southampton, and accepting funds associated with overtime costs for dredging of County waters within the Town of Southampton. (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

1749. Amending the 2013 Operating Budget and appropriating funds in connection with bonding for a settlement for a liability case against the County. (Co. Exec.) BUDGET AND FINANCE

1750. Appropriating funds for the Office of the Medical Examiner Consolidated Laboratory (CP 1109). (Co. Exec.) PUBLIC SAFETY

1751. Requesting legislative approval of a contract award for Temporary Lab Support Services for the Office of the Medical Examiner. (Co. Exec.) PUBLIC SAFETY

1752. Accepting and appropriating $183,613 in 100% Federal funding under the Continuum of Care Grant Renewal Program from the United States Department of Housing and Urban Development and authorizing a contract with United Veterans Beacon House, Inc. (Co. Exec.) HUMAN SERVICES

1753. A Resolution making certain Findings and Determinations in relation to the establishment of Suffolk County Sewer District No. 4 – Smithtown Galleria. (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

1754. Amending the 2013 Operating Budget and appropriating funds in connection with bonding for a settlement for a Medical Malpractice Case against the County. (Co. Exec.) BUDGET AND FINANCE

1755. Amending the 2013 Capital Budget and Program and appropriating funds in connection with improvements and lighting at County Parks (CP 7079). (Co. Exec.) PARKS & RECREATION

1756. Authorizing execution of agreement by the Administrative Head of SCSD No. 11 - Selden with Wincoram Commons, LLC (BR-1647). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

1757. Amending Resolution No.147-1999 in connection with the renovation to the Physical Plant Building/Warehouse (CP 2165). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

1758. Amending Resolution No. 909-2002 in connection with the renovation to the Physical Plant Building/Warehouse (CP 2165). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

1759. Amending the 2013 Capital Budget and Program and appropriating funds in connection with strengthening and improving County roads (CP 5014). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

1760. Sale of County-owned real estate pursuant to Local Law No. 13-1976 1790 Route 25 LLC (SCTM No. 0200-350.00-02.00-013.000). (Co. Exec.) WAYS & MEANS

1761. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Brian J. DeCanio and Monica DeCanio, his wife (SCTM No. 0500-482.00-04.00-027.000). (Co. Exec.) WAYS & MEANS

1762. Amending Resolution No. 606-2013, authorizing appraisal for the acquisition of Development Rights under the Suffolk County Drinking Water Protection Program as amended by Local Law No. 24-2007 - Gus Wade Farm property - Town of Babylon. (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1763. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Joseph Zachary Gazza (SCTM No. 0900-325.00-01.00-010.000). (Co. Exec.) WAYS & MEANS

1764. Sale of County-owned real estate pursuant to Local Law No. 13-1976 James D. Clark (SCTM No. 0100-160.00-01.00-019.000). (Co. Exec.) WAYS & MEANS

1765. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Donald P. Bartunek (SCTM No. 0200-447.00-02.00-024.002). (Co. Exec.) WAYS & MEANS

1766. Sale of County-owned real estate pursuant to Local Law No. 13-1976 CLA Family Holdings Six, LLC (SCTM No. 0100-039.00-03.00-036.000). (Co. Exec.) WAYS & MEANS

1767. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven (SCTM No. 0200-166.00-05.00-025.000). (Co. Exec.) WAYS & MEANS

1768. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven (SCTM No. 0200-987.00-01.00-046.003). (Co. Exec.) WAYS & MEANS

1769. Accepting and appropriating 100% reimbursable grant funds from the New York State Office for Aging. (Co. Exec.) VETERANS AND SENIORS

1770. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John Wienert (SCTM No. 0404-012.00-01.00-010.000). (Co. Exec.) WAYS & MEANS

1771. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Thomas McEvilly (SCTM No. 0209-022.00-05.00-052.000). (Co. Exec.) WAYS & MEANS

1772. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Gerard Dunn and William J. Dunn as Administrators CTA and as devisees under last will and testament of William J. Dunn (SCTM No. 0400-101.00-01.00-061.000). (Co. Exec.) WAYS & MEANS

1773. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Stephanie Howard (SCTM No. 0100-083.00-04.00-003.000). (Co. Exec.) WAYS & MEANS

1774. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jack Kwong Moy and Jennie Yung Moy, his wife (SCTM No. 0500-348.00-02.00-022.000). (Co. Exec.) WAYS & MEANS

1775. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under section 46 of the Suffolk County Tax Act Gary Bresnick and Gail F. Kearney (SCTM No. 0100-109.00-01.00-140.000). (Co. Exec.) WAYS & MEANS

1776. 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 Joan Scales (SCTM No. 0902-003.00-04.00-069.001). (Co. Exec.) WAYS & MEANS

1777. Accepting and appropriating a 100% reimbursed grant from the U.S. Department of Housing and Urban Development for the HOME Investment Partnerships Program and authorizing the County Executive to execute agreements. (Co. Exec.) ECONOMIC DEVELOPMENT AND ENERGY

1778. Accepting and appropriating a 100% reimbursed grant from the U.S. Department of Housing and Urban Development for the Community Development Block Grant Program and authorizing the County Executive to execute agreements. (Co. Exec.) ECONOMIC DEVELOPMENT AND ENERGY

1779. Accepting and appropriating a 100% reimbursed grant from the U.S. Department of Housing and Urban Development for the Emergency Solutions Grants Program and authorizing the County Executive to execute agreements. (Co. Exec.) ECONOMIC DEVELOPMENT AND ENERGY

1780. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Leisure Village Association, Inc. (SCTM No. 0200-192.00-07.00-034.000). (Co. Exec.) WAYS & MEANS

1781. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Dawn M. Olave (SCTM No. 0100-162.00-02.00-031.000). (Co. Exec.) WAYS & MEANS

1782. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Robert Slomkowski and Rosetta Slomkowski, as joint tenants with right of survivorship (SCTM No. 0100-155.00-02.00-115.000). (Co. Exec.) WAYS & MEANS

1783. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Joseph Zachary Gazza (SCTM No. 0900-145.00-03.00-037.000). (Co. Exec.) WAYS & MEANS

1784. Authorizing execution of an Intermunicipal Agreement pursuant to §103 with the Town of Islip. (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY

1785. Sale of County-owned Real Estate Pursuant To Local Law No. 13-1976 A.B. of Sayville, Ltd. (SCTM NO. 0200-235.00-01.00-015.000). (Co. Exec.) WAYS & MEANS

1786. Sale of County-owned real estate pursuant to Local Law No. 13-1976 A.B. of Sayville, Ltd. (SCTM No. 0200-213.00-03.00-008.000). (Co. Exec.) WAYS & MEANS

1787. Sale of County-owned real estate pursuant to Local Law No. 13-1976 A.B. of Sayville, Ltd. (SCTM No. 0200-213.00-03.00-014.000). (Co. Exec.) WAYS & MEANS

1788. To appoint member of the Suffolk County Planning Commission (Nicholas J. Planamento). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1789. Sale of County-owned real estate pursuant to Local Law No. 13-1976 A.B. of Sayville, Ltd. (SCTM No. 0200-234.00-03.00-003.000). (Co. Exec.) WAYS & MEANS

1790. Authorizing the County Comptroller and County Treasurer to close certain Capital Projects and transfer funds. (Co. Exec.) BUDGET AND FINANCE

1791. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the William and Antoinette Smith property - Swan River County Park addition - Town of Brookhaven - (SCTM No. 0200-981.10-03.00-005.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1792. Adopting Local Law No. -2013, A Charter Law amending Article II of the Suffolk County Charter to clarify the requirements of a revenue impact statement. (Co. Exec.) BUDGET AND FINANCE

PROCEDURAL MOTION

PM14. Apportioning Mortgage Tax By: County Treasurer. (Pres. Off.)

1699

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

Laid on Table 9/12/13

RESOLUTION NO. -2013, AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007, KNOLL FARMS OF LONG ISLAND, INC. – TOWN OF ISLIP (SCTM NO. 0500-117.01-01.00-078.001 & 0500-117.01-01.00-078.002)

WHEREAS, the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of farmland development rights in accordance with specific criteria set forth therein; and

WHEREAS, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

WHEREAS, Resolution No. 265-2013 established a new three step acquisition process, the first step being an appraisal of any parcel proposed for acquisition; now, therefore be it

1st **RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section A35-3(B)(1) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to have the subject parcel(s) appraised; and be it further

3rd **RESOLVED**, that the cost of such appraisal shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

4th **RESOLVED**, the costs associated with the preparation of a title search, survey, map or environmental assessment of the subject parcels(s), which may be authorized by a subsequent legislative resolution or procedural motion, shall be paid for from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

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

Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
1	District	0500	12.450	Pierre Mercier 849 Suffolk Avenue Brentwood, NY 11717
	Section	117.01		
	Block	01.00		
	Lot	078.001		
2	District:	0500	4.70	Pierre Mercier 849 Suffolk Avenue Brentwood, NY 11717
	Section	117.01		
	Block	01.00		
	Lot	078.002		
	TOTAL ACREAGE		17.15	

EXHIBIT "A"

1700

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 2013, ADOPTING LOCAL LAW NO. -2013, A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE

WHEREAS, there was duly presented and introduced to this County Legislature, at a regular meeting held on July 30, 2013, a proposed local law entitled, "A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE"; now, therefore be it

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

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE

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

Section 1. Legislative Intent.

This Legislature hereby finds that the County of Suffolk ("county") has had a long history of agricultural production, dating back to the 17th Century.

This Legislature further finds that the county is number one out of 62 counties in the State of New York in terms of value of agricultural products sold according to the 2007 Census of Agriculture.

This Legislature further finds and determines that the agricultural industry is an essential component of the county's current economy.

This Legislature further finds that the county has more than 34,000 acres of land in active commercial agricultural production according to the 2007 Census of Agriculture.

This Legislature further finds and determines that the county has had a long successful history of farmland preservation evidenced by 10,485 acres of viable farmland permanently protected since 1974 through this nation's first purchase of development rights program.

This Legislature further finds and determines that it continues to be in the best interests of the county and its residents to preserve farmlands pursuant to the Suffolk County Purchase of Development Rights Program ("program").

This Legislature further finds that the county's residents demonstrated their support for farmland preservation pursuant to this program by extending the Suffolk County Drinking Water Protection Program in 2007 through 2030.

This Legislature further finds and determines that the agricultural industry on Long Island has evolved since the inception of this program and subsequent to the amendment

in 2010 and that it is necessary to modify the program's policies and procedures the county will employ to administer and enforce it.

Therefore, the purpose of this local law is to amend Suffolk County Administrative Local Law Chapter 8, "Development Rights to Agricultural Lands," to ensure the county's ability to conserve and protect viable farmlands and active agricultural operations that will serve current and future generations of county residents.

Section 2. Amendments.

Chapter 8 of the Administrative Local Laws is hereby amended to read as follows:

Chapter 8
Development Rights of Agricultural Lands

§8-1. Statutory policy; legislative intent
§8-2. Definitions.
§8-3. Applicability.
§8-4. Farmland Committee
§8-5. Development rights; acquisition
§8-6. Development rights; alienation
§8-7. Notification requirements.
§8-8. Permits.
§8-9. Permit conditions.
§8-10. Lot coverage.
§8-11. Agricultural Tourism.
§8-12. Farm Stands and Processing Facilities.
§8-13. Alternative energy systems.
§8-14. Prohibitions.
§8-15. Enforcement.
§8-16. Provisions to control over other legislation.
§8-17. Severability.

§ 8-1. Statutory policy; legislative intent.

A. The State of New York, by various legislative enactments, has emphatically stated it to be a most important policy to conserve and protect viable farmlands and to encourage the improvement of such lands both for the production of food and for the preservation of such lands as valued natural and ecological resources. It has further stated that the expenditure of County funds to acquire legal interests and rights in such lands is in furtherance of such policy and is a proper expenditure of public funds for public purposes.

B. The County is in complete accord with such policy, and it is the goal of the County to conserve and protect viable farmlands, open spaces, open areas and the various natural and ecological resources associated with such lands, particularly soil and water. It is the intent of this chapter to establish the policies and procedures that will be employed by the County in its pursuit of this goal.

C. The Suffolk County Legislature finds that adequate fresh, local food supplies are critical to the health and economy of the County, that best management practices are essential to ensure that the benefits associated with land preservation are not realized at the cost of the County's natural and ecological resources, that working farms and a diversity of agricultural practices are necessary to secure the future of the business of agriculture and that a minimum threshold of acreage must be in active agricultural production to sustain the industries that support agricultural production. The Suffolk County Legislature further finds that conservation and protection of farmlands associated with viable agricultural operations that use best management practices will ensure that such lands are available to serve future generations.

§ 8-2. Definitions.

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

AGRICULTURAL DEVELOPMENT PERMIT

Written permission, issued by the Committee, to erect, install, locate, relocate, modify, rebuild, remove or demolish a proposed or existing structure, to operate an alternative energy system and/or to operate a farm stand or processing facility on agricultural land. Only improvements necessary for agricultural production or for the operation of a commercial horse boarding operation and/or for the operation of a commercial equine operation, as determined by the Committee, shall be permitted on agricultural land.

AGRICULTURAL EDUCATION

Instruction about agricultural production, agricultural products, processing, [agricultural product management] soil and water conservation, natural resource management, land preservation, best management practices and other agricultural matters, as deemed appropriate by the Committee.

AGRICULTURAL EDUCATIONAL TOURS

A form of agricultural tourism that teaches about agricultural production, agricultural products, processing, soil and water conservation, natural resource management and land preservation in the form of short tours and hands-on demonstrations.

AGRICULTURAL ENVIRONMENTAL MANAGEMENT PLAN

A document prepared by the Natural Resources Conservation Service or the Suffolk County Soil and Water Conservation District and accepted by a participating landowner which documents a course of action for the environmental management of a farm operation, including, but not limited to, measures to abate and control agricultural nonpoint source water pollution, air pollution and other adverse environmental impacts from farm operations, through the implementation of best management practices, in a way which maintains the viability of the farm operation.

AGRICULTURAL LAND

Land to which the County has purchased the development right(s), in whole in or in part, in order to preserve resources necessary for agricultural production. Land acquired in order to preserve nonagricultural open spaces or open areas shall not be considered agricultural land.

AGRICULTURAL LAND LESSEE

The person, persons or entity who or which occupies or utilizes the agricultural land parcel under lease from the current agricultural landowner.

AGRICULTURAL LANDOWNER

The person, persons or entity owning the residual right(s) to an agricultural land parcel.

AGRICULTURAL PRODUCTION

The production for commercial purposes of agricultural products, as defined herein. [Agricultural production shall not include the processing of agricultural products.]

AGRICULTURAL PRODUCTS

The crops, livestock and livestock products as defined in § 301 of the New York State Agriculture and Markets Law, as may be amended.

AGRICULTURAL TOURISM

Agricultural tourism shall be defined as "U-Pick" activities, harvestable crop mazes, hayrides, and agricultural educational tours conducted on-farm to promote the sale, marketing, production, harvesting or use of the products of the farm and enhance the public's understanding, awareness and enjoyment of farming and farm life.

AGRICULTURE-RELATED PRODUCTS

Clothing and souvenir items that promote the farm or locally grown produce.

ALIENATION

The transfer of any development right in real property from the County to another.

ALL-TERRAIN VEHICLE

Any self-propelled vehicle which is manufactured for sale for operation primarily on off-highway trails or for off-highway competitions and only incidentally operated on public highways, provided that such vehicle does not exceed 70 inches in width or 1,000 pounds of dry weight, as defined in the New York State Vehicle and Traffic Law, as may be amended. All-terrain vehicles shall not include agricultural vehicles nor any vehicles used for law enforcement, fire, emergency or military purposes.

ALTERNATIVE ENERGY SYSTEM

A solar energy system, wind energy system or other renewable energy transduction system intended to reduce on-site nonrenewable energy consumption.

BUILDING

Any building, as defined in § 372 of the New York State Executive Law, as may be amended, such as barns, farm stands and greenhouses.

COMMERCIAL EQUINE OPERATION

A commercial equine operation as defined in § 301 of the New York State Agriculture and Markets Law, as may be amended.

[Added 3-27-2012 by L.L. No. 25-2012]

COMMERCIAL HORSE BOARDING OPERATION

A commercial horse boarding operation as defined in § 301 of the New York State Agriculture and Markets Law, as may be amended.

COMMITTEE

The Suffolk County Farmland Committee.

COUNTY

The County of Suffolk.

DIVISION [DEPARTMENT]

The Suffolk County Division of Planning and Environment within the Department of Economic Development and Planning, which shall administer the Purchase of Development Rights Program.

DEVELOPMENT RIGHT

As authorized by § 247 of the New York State General Municipal Law, as may be amended, the permanent legal interest in the use of the subject property, the permanent

legal right to permit and require the use of the subject property for agricultural production and the permanent legal right to limit, prohibit and restrict the use of the subject property to agricultural production, except where specified in this chapter.

FARM OPERATION

A single commercial agricultural operation, a single commercial horse boarding operation, a single commercial equine operation or an enterprise that combines a single commercial agricultural operation, [with] a single commercial horse boarding operation, and/or a single commercial equine operation, including all parcels, contiguous and/or noncontiguous, that are owned and/or rented for the production, preparation and marketing of agricultural products for said operation.

[Amended 3-27-2012 by L.L. No. 25-2012]

FARM STAND

A structure for retail sales of agricultural products grown on the premises and processed agricultural products, such as cheese, jam and wine, derived from agricultural products grown on the premises. Retail sales also may include locally-grown agricultural products grown off the premises, [and] processed agricultural products derived from agricultural products locally-grown off the premises, and agriculture-related products subject to the limitations specified herein. [Only agricultural products and processed agricultural products shall be offered for sale at a farm stand.]

GREENHOUSE

A structure specifically designed, constructed and used for the culture and propagation of agricultural products. Temporary structures, such as hoop layers, that do not exceed a height of three feet six inches and do not require or result in the alteration of the property grade shall not be regulated by this chapter.

GROSS SALES VALUE

The proceeds from the sale of agricultural products and processed agricultural products. For the purposes of this chapter, receipts collected in the operation of a commercial horse boarding operation and/or in the operation of a commercial equine operation may be included in the gross sales value.

HAZARDOUS WASTE

Those wastes identified or listed in regulations promulgated pursuant to § 27-0903 of the New York State Environmental Conservation Law, as may be amended.

INTEREST or RIGHT

All legally recognized interests and rights in real property.

LANDSCAPE SCREEN

Any vegetative screen such as a hedgerow, excluding agricultural crops, that obscures the agricultural land from view. Only landscape screens planted and maintained in accordance with standard agricultural practices, the contract of sale, the deed of development rights and this chapter, as determined by the Committee, shall be permitted.

LOCALLY GROWN

A product grown in the County of Kings, Nassau, Queens or Suffolk, in the State of New York.

LOT COVERAGE

The total floor area used for buildings, display areas and parking areas divided into the total lot area, expressed as a percentage. The total lot area shall only include agricultural lands to which the County has acquired development rights under the Purchase of

Development Rights Program and shall not include any land where the development rights are intact or any land to which the County does not own any interest or right.

PERSON

Any individual, partnership, firm, association, trust, company, joint venture or corporation.

PREMISES

All parcels that constitute the farm operation.

PROCESSING

The conversion of locally-grown crops and locally-raised livestock [and other goods] into any form or condition other than the natural form by subjecting the item to any procedure or technique, including, but not limited to, slaughter, milling, fermentation, cooking or juicing.

PURCHASE OF DEVELOPMENT RIGHTS PROGRAM

The official name of the program by which the County may purchase the development right(s), in whole or in part, to properties used for agricultural production, as established and outlined by this chapter.

[PURCHASE OF DEVELOPMENT RIGHTS PROGRAM SIGN]

[A sign provided by the Department, which may be posted on agricultural land, for the purpose of educating the public about and promoting participation in the Purchase of Development Rights Program.]

RESIDUAL RIGHT

All legally recognized interests and rights in real property, excluding development rights.

SITE DISTURBANCE

Any physical alteration of agricultural land, including, but not limited to, dredging, excavation, filling, grading and/or soil removal. Standard agricultural practices, including, but not limited to, crop harvesting and tilling, shall not be considered site disturbances. Only site disturbances necessary for agricultural production, for the operation of a commercial horse boarding operation and/or for the operation of a commercial equine operation, as determined by the Committee, shall be permitted.

SOIL

The unconsolidated mineral and organic material creating the topsoil and subsoil layers, including, but not limited to, sand, silt, clay and organic matter, that serves as a natural medium for the growth of plants.

SOLAR ENERGY SYSTEM

A solar energy transduction system, wherein sunlight is used to produce electricity using photovoltaic technology and/or to heat water using solar thermal collection technology. Such transduction systems are intended to reduce on-site nonrenewable energy consumption.

SOLID WASTE

Any unwanted and/or discarded material from agricultural, commercial, industrial, institutional, mining and/or residential sources, including, but not limited to, durable goods, nondurable goods, yard trimmings, stones, rubble, construction and demolition debris, garbage, rubbish, litter, ash or other substance described as solid waste in Title 6 of the New York Codes, Rules and Regulations, Part 360, as may be amended. Materials used as livestock bedding or as fertilizer supplements and/or soil conditioners or used in other manners pursuant to standard agricultural practices shall not be deemed solid waste.

SPECIAL EVENT

Any occasion, wedding, catered event or activity conducted on agricultural land, with or without an admission fee, and held on a one-time [or intermittent] basis [that does not constitute agricultural production, as determined by the Committee.] Only special events consisting of agricultural education or the sale, marketing, production, harvesting or use of agricultural products, as determined by the Committee, shall be permitted.

SPECIAL USE PERMIT

Written permission, issued by the Committee to:

A. Conduct a site disturbance; and/or

B. Conduct a special event.

STRUCTURE

Any improvement constructed or erected which requires location in, on or under the ground or attachment to something having a location in, on or under the ground, including, but not limited to, farm stands, greenhouses, processing facilities, [access roadways] alternative energy systems, berms, buildings, [driveways, fences, greenhouses] irrigation pumps, landscape screens, parking areas, signs, fences, and utilities [and walkways]. This definition shall not include the following so long as they are constructed or erected in accordance with standard agricultural practices, as determined by the Committee: permeable farm roads and walkways, and trellis systems.

TEMPORARY STRUCTURE

Any structure as defined herein that is erected and in use for less than 90 days. Temporary structures erected for special events shall be removed immediately following the termination of the special event. Hoop layers that do not exceed a height of three feet six inches and do not require or result in the alteration of the property grade shall not be regulated by this chapter.

UTILITIES

Any overhead, surface or underground equipment such as a transmission line, pole, wire, pipe, well, drainage system or septic system necessary for the supply of electricity, natural gas and/or water, for the mitigation of stormwater runoff, for the removal of sanitary sewage effluent and/or for communication purposes. Only utilities necessary for the farm operation, farm stand or processing facilities shall be permitted. In addition, all utilities infrastructure shall be subordinate to the agricultural use of the agricultural land.

WIND ENERGY SYSTEM

A wind energy transduction system, wherein kinetic wind energy is converted into electricity or mechanical energy using a wind turbine, a tower and associated equipment. Such transduction systems are intended to reduce on-site nonrenewable energy consumption.

§ 8-3. Applicability.

This chapter shall be applicable to all agricultural lands to which the County has acquired interests or rights, in whole or in part, under the Purchase of Development Rights Program. This chapter shall not apply to nonagricultural lands acquired as open spaces or open areas for the purpose of preserving active parkland, passive parkland, woodlands and/or wetlands and shall not apply to farmlands to which the County does not own any interest or right.

§ 8-4. Farmland Committee.

A. Established. The Committee is hereby constituted as a continuing agency of the County government.

B. Membership.

(1) The Committee shall consist of 19 members, nine of whom shall be appointed by the Suffolk County Executive with the approval of the Suffolk County Legislature and shall serve at the pleasure of the Suffolk County Executive and 10 of whom shall be designated one from each town within the County and shall serve at the pleasure of the respective town boards.

(2) The Committee may invite any government officials, agricultural advocates and/or others with technical expertise to participate in its deliberations in a nonvoting capacity or otherwise assist it in discharging its functions under this chapter.

C. Financial disclosure. Each Committee member shall submit the financial disclosure statement that is annexed as Exhibit A to Chapter 77 of the Suffolk County Code. Committee members shall submit this disclosure statement to the Suffolk County Ethics Commission, or any successor body, by May 15 of each year.

[Amended 10-11-2011 by L.L. No. 54-2011]

D. Composition.

(1) The Suffolk County Executive shall appoint nine members as follows: the Suffolk County Economic Development and [Workforce Housing] Planning Department Commissioner, or his/her designee; [the Suffolk County Environment and Energy Department Commissioner, or his/her designee; the Suffolk County Health Services Department Commissioner, or his/her designee;] the Suffolk County [Planning Department Director] Division of Planning and Environment Director, or his/her designee; and seven [five] members at large subject to the [criteria set forth in Subsection E(3) of this section] following criteria:

(a) At least one member shall be an individual with a background or expertise in the cultivation of edible crops, including, but not limited to, vegetables, fruits, berries, tree nuts, herbs, and spices;

(b) At least one member shall be an individual with a background or expertise in livestock and livestock products;

(c) At least one member shall be an individual with a background or expertise in the cultivation of ornamental, horticulture and nursery crops;

(d) At least one member shall be an individual with a background or expertise in viticulture;

(e) At least one member shall be an individual with a background or expertise in organic agriculture; and

(f) Two members may be appointed from the public at large.

(2) The 10 town designees shall be certified to the Clerk of the Suffolk County Legislature by the Town Clerk of the respective towns. Each member shall be subject to the criteria set forth in Subsection E of this section.

(3) The [Director of the Suffolk County Planning Department] Division of Planning and Environment Director, or his/her designee, shall serve as Chairman of the Committee commencing on January 1, 2012, and continuing thereafter.

(4) The Committee may appoint [three] four advisors, one from each of the following, to participate in the Committee's deliberations in a nonvoting capacity or otherwise assist the Committee in discharging its functions under this chapter: the Suffolk County Health Services Department Commissioner, or his/her designee; the Natural Resources Conservation Service or the Suffolk County Soil and Water Conservation District, Cornell Cooperative Extension and a farm advocacy group.

E. Eligibility.

(1) The [four] two Suffolk County Executive appointees from County departments, as specified in § 8-4D(1) of this chapter, shall not be subject to the eligibility requirements specified herein.

(2) A Committee member shall be a resident of the County or an employee of a municipality in the County at the time of his/her appointment and throughout the duration of his/her term as a member of the Committee.

[(3) The five at-large members appointed by the Suffolk County Executive shall meet the following criteria:

(a) At least three members shall be individuals with a background or expertise in agriculture; and

(b) Two members may be appointed from the public at large.]

([4]3) The Committee members designated by the towns shall have diverse backgrounds or expertise in areas including, but not limited to, agriculture, municipal planning, natural resources management, ecology, land use litigation, land use regulation, environmental law, tax law and/or real estate. All designees shall have a general understanding of agricultural practices.

([5]4) A member of the Committee shall continue to satisfy the requirements of this section with respect to eligibility for appointment to the Committee throughout the duration of his/her term.

([6]5) In order to continue to serve as a member of the Committee, the member shall have attended at least 75% of the meetings held by the Committee on an annual basis. Absences from such meetings caused by death in the immediate family of the member (i.e., spouse, children, parents, brothers, sisters, in-laws and/or grandparents), caused by a verifiable illness or caused by a verifiable accident shall not be counted for the purpose of this attendance calculation.

(6) If a vacancy occurs in any town position for any reason, including but not limited to expiration of term, absence or resignation and the Town does not certify a member within 90 days of notice from the county, the County Executive shall fill the vacancy for the remainder of the term or four years if the term has expired. The County Executive appointee must reside in the Town where the vacancy exists.

F. Terms.

(1) An existing Committee member, as of January 1, [2010] 2014, shall continue to serve until such time as the individual voluntarily vacates the position or until such time as the appropriate appointing body approves a resolution replacing the individual.

(2) Each successive appointment shall be for a term of four years, and no member shall serve more than three terms, for a maximum of 12 consecutive years of service, except each member appointed as per § 8-4D(1)of this chapter, whose term will run concurrent to service in the title specified.

(3) Any member appointed under this chapter shall serve through the term to which he/she is appointed.

(4) Any appointments made to fill a terminated, expired or vacated position shall be made in accordance with the provisions of this chapter.

G. Authority. The Committee shall have and be entitled to exercise the following powers and duties:

(1) To recommend to the Suffolk County Legislature farmlands from which development rights may be acquired;

(2) To review requests to subdivide the residual right(s) of agricultural lands and to make, thereafter, a recommendation to the Suffolk County Legislature whether such requests be granted;

(3) To review permit applications in accordance with the criteria set forth in this chapter and the rules and regulations promulgated thereunder and to make, thereafter, a decision whether or not to issue a permit and the terms and conditions that should apply;

(4) To determine what constitutes standard agricultural practices;

(5) At the first Committee meeting of the calendar year, in order to expedite the processing of applications, the Committee may introduce a list of minor and routine agricultural practices whose permitting review and determination shall be delegated to the Division. The Committee shall issue guidelines and standards as they deem necessary and proper for the review and determination of these minor and routine practices to Division staff. The list of these minor and routine agricultural practices, and their permitting standards, shall be introduced as resolutions and voted upon at the subsequent Committee meeting. If passed via resolution the permitting review and determination for this practice shall be delegated to staff for two years. The Committee cannot delegate any additional permitting review responsibilities to the Division during these two years but can, if it deems it appropriate, re-

assume permitting review and determination. The Division may, if it deems it appropriate, refer any single application back to the Committee for approval. Any applicant denied by the Division may, upon written request, have the matter referred to the Committee.

(6) To provide guidance and recommendations on matters relevant to development rights, farmland conservation and the agricultural economy;

(7) To promulgate such rules and/or regulations as may be necessary to carry out the intent of this chapter and to govern the administration and functions of the Committee;

(8) To establish and adopt written guidelines and property rating systems;

(9) To cooperate with, at the discretion of the Committee, any governmental agents and/or any experts to further the purposes of this chapter; and

(10) To perform other duties at the request of the Suffolk County Legislature, the Suffolk County Executive and/or the [Department] Division.

H. Meetings.

(1) Schedule. The Committee shall hold an organizational meeting not later than the 15th day of February of each year. At such meeting, the Committee shall adopt a schedule of meetings for that year. The Committee may amend the adopted schedule as necessary.

(2) Open meetings. Committee meetings shall be open to the general public and shall have an opportunity for public comments.

(3) Quorum. A majority of the total membership of the Committee shall constitute a quorum thereof.

(4) Required vote for action. Resolutions of the Committee shall be adopted by a vote of not less than the majority of the total membership of the Committee.

§ 8-5. Acquisition of development rights.

A. Application Bi-Annual Review Process. [Annual review] A Bi-Annual [annual] review period shall be designated in order to maximize the County's financial resources while preserving its valuable natural resources, including, but not limited to, its viable agricultural soils and sole-source aquifer.

(1) Review of new parcels.

(a) New parcels shall include those parcels that have never been reviewed by the Committee for inclusion in the Purchase of Development Rights Program; those parcels whose approval by the Suffolk County Legislature for planning steps under the Purchase of Development Rights Program has expired; or those parcels that were denied by the Committee and/or the Suffolk County Legislature for inclusion in the Purchase of

Development Rights Program but for which a substantive change in the preservation proposal has occurred, as determined by the Committee.

(b) Each landowner of a new parcel interested in participating in the Purchase of Development Rights Program shall submit an application to the [Department during the month of September] Division in order to be considered for the Program.

(c) Each complete application received by the [Department during September] Division by the last day of January shall be considered by the Committee at [the first Committee meeting of the subsequent year.] its March meeting or subsequent meeting held after March. Each complete application received by the Division by the last day of July shall be considered by the Committee at its September meeting or subsequent meeting held after September.

(d) Within five years of rejecting the County's offer or expiration of the County's offer, the landowner may re-submit an application but the landowner must bear the expense incurred by the County associated with the application process including but not limited to: surveys, title searches, appraisals, and environmental assessments. Furthermore, the landowner will be required to follow the bi-annual review process in the same manner as a new parcel outlined in this section. After five years of rejecting the County's offer or expiration of the County's offer, the landowner can re-submit an application free-of-charge.

[1] In the case of a landowner death, the surviving tenant by the entirety or devisee can resubmit a parcel application within the five year window without bearing the expenses incurred by the County.

[(d) Applications may be considered by the Committee outside of the annual review period if there is a necessity for review, such as estate concerns resulting from the sudden death of the landowner(s) or financial hardship resulting from crop failure or similar imperative, and if the proposed preservation is consistent with the applicable County, town and/or village comprehensive plans and/or agricultural and farmland protection plans. In addition, a referral made by a Suffolk County Legislator, a town or village within the County and/or a not-for-profit conservation organization may be considered outside of the annual review period, provided that the proposed preservation is consistent with the applicable County, town and/or village comprehensive plans and/or agricultural and farmland protection plans.

(2) Review of pending parcels.

(a) Pending parcels shall include those parcels that have been approved by the Suffolk County Legislature for planning steps under the Purchase of Development Rights Program, excluding those parcels whose approval by the Suffolk County Legislature for planning steps under the Purchase of Development Rights Program has expired, those that are in negotiation, those that are in contract and those from which development rights have been acquired.

(b) The Committee shall consider all pending parcels at the first Committee meeting of the year.

(3) Preservation priority list.]

(2) Comprehensive Master List for Farmland.

(a) Every six months [Each year] the Committee shall establish a [preservation priority list] Comprehensive Master List that prioritizes all of the [new and pending] parcels the Committee recommends for inclusion in the Purchase of Development Rights Program. It will not include parcels that are in negotiations, that are in contract or that have been approved for acquisition by resolution of the County Legislature.

(b) The Committee shall prioritize the parcels in a manner that maximizes the County's financial resources while protecting the County's most significant agricultural resources.

(c) The [preservation priority list] Comprehensive Master List shall be recommended to the Suffolk County Executive and Suffolk County Legislature [not later than the 15th day of February of each year] following the Farmland Committee's March meeting or its subsequent meeting, as well as following the Farmland Committee's September meeting, or its subsequent meeting.

[(d) Upon adoption of the preservation priority list by the Suffolk County Legislature, the Real Property Acquisition and Management Division of the Suffolk County Environment and Energy Department shall conduct its outreach and negotiations in accordance with the established list, which shall replace all existing farmland preservation priority lists.

(e) The Committee may recommend to the Suffolk County Executive and Suffolk County Legislature amendments to the adopted preservation priority list not more than two times per year.

(f) In the event that the preservation priority list is not adopted, the preservation priority list from the prior year shall remain in effect until such time as a new list is adopted.]

B. Acquisitions.

(1) The County shall have the authority to purchase the development right(s) to a parcel, in whole or in part, upon approval of the Suffolk County Legislature and subject to the provisions of this chapter.

(2) Criteria for consideration. Only lands able to sustain an economically viable commercial agricultural enterprise, as determined by the Committee, shall be considered for inclusion in the Purchase of Development Rights Program. Land eligible for inclusion shall either be used in agricultural production, in support of a commercial horse boarding operation, or in support of a commercial equine operation and shall meet the following criteria:

[Amended 3-27-2012 by L.L. No. 25-2012]

(a) Commercial agricultural operation.

[1] All development rights to the subject land shall be intact.

[2] The subject land shall be actively used in agricultural production.

[3] The subject land shall be at least seven acres and the associated farm operation shall have an average annual gross sales value of at least $10,000, or the subject land shall be less than seven acres and the associated farm operation shall have an average annual gross sales value of at least $50,000.

(b) Commercial horse boarding operation.

[1] All development rights to the subject land shall be intact.

[2] The subject land shall be actively used in support of a commercial horse boarding operation.

[3] The subject land shall be at least seven acres and the associated farm operation shall have an average annual gross sales value of at least $10,000.

(c) Commercial equine operation.

[1] All development rights to the subject land shall be intact.

[2] The subject land shall be actively used in support of a commercial equine operation.

[3] The subject land shall be at least seven acres and the associated farm operation shall have an average annual gross sales value of at least $10,000.

(3) The Committee shall demonstrate a preference for farm operations that promote agricultural production while protecting groundwater, soils and viewsheds. [The Committee shall limit its recommendations for acquisitons of farm operations that undermine the long-term viability of such natural resources as the Nassau Suffolk sole source aquifer, prime farmland, farmland of statewide importance, unique farmland, etc.]

(4) As of January 1, 2014, the Committee shall only consider new applicants that have developed an Agricultural Environmental Management Plan in cooperation with the Suffolk County Soil and Water District. The farm operation must be in the Tier 3 stage of the Agricultural Environmental Management Plan, as set forth by the New York State Soil and Water Conservation Committee.

C. Restrictions, conditions or encumbrances. When the County acquires title to a development right(s) with funds received from the federal, state or local governments or from private sources, such title may be acquired subject to restrictions, conditions or encumbrances required as a result of the funds received. Such restrictions, conditions or encumbrances may include, but are not limited to, a reverter interest held by the source of funds. Such restrictions and conditions shall be reviewed by the Suffolk County Attorney. Acceptance of such funds and the terms and conditions for acceptance shall be subject to legislative approval.

D. Title. Where the County acquires the development right(s) through the Purchase of Development Rights Program, which conditions said acquisition upon the financial participation of a governmental entity or other private source, the title may be held by:

(1) The County;

(2) The County, governmental entity(ies) and/or not-for-profit conservation organization(s) as tenants in common, each on an undivided pro-rata interest to the extent of the financial participation stipulated in the legislation authorizing the respective County acquisition or acquisition program; or

(3) The County, governmental entity(ies) and/or not-for-profit conservation organization(s), by physically dividing the property up between the County, governmental entity(ies) and/or not-for-profit conservation organization(s), with the County owning all of the development rights (and/or interests) in its respective portion of the property, with the governmental entity(ies) owning all of the development rights (and/or interests) in its (their) respective portion(s) of the property and with the not-for-profit conservation organization(s) owning all of the development rights (and/or interests) in its (their) respective portion(s) of the property.

E. Management agreement. If it is not contrary to any statute, the Suffolk County Charter, this chapter or any other local law, any regulation or other County policy, the County is hereby authorized to negotiate and to enter into management agreements with governmental entities and not-for-profit conservation organizations for the management of said County acquisition(s), and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Suffolk County [Planning Department] Division of Planning and Environment Director.

§ 8-6. Alienation of development rights.

A. Unless authorized by local law recommended by the Committee and approved upon mandatory referendum, development rights acquired by the County to agricultural lands shall not be alienated in any manner, except where provided herein.

B. In determining whether to recommend the alienation of development rights, the Committee shall take into consideration:

(1) The continuing practicality of the use of the residual right(s) to the land(s);

(2) The development rights which have been acquired by the County;

(3) Such factors as the uses to which adjacent lands have been put; and

(4) The necessity for the use of the land(s) for another governmental purpose.

§ 8-7. Notification requirements.

A. Change of address. The agricultural landowner shall notify the Division [Department] if the land is to be leased to another party and provide the agricultural land lessee's name and address. The agricultural landowner and agricultural land lessee shall notify the Division

[Department] of any change of address for receipt of mail or service of process in writing within 30 days of a change of address.

B. Change in ownership. The agricultural landowner, seller shall notify the Division [Department] of the intention to sell the residual right(s) to the agricultural land and provide the name and address of the intended purchaser in writing 45 days prior to the closing of a sale of the residual right(s) to land(s) for which the County has purchased, in whole or in part, the development right(s).

§ 8-8. Permits.

A. Permit types.

(1) Agricultural development permit. An agricultural development permit shall be necessary for the following actions, where proposed on agricultural land:

(a) To erect a structure, including temporary structures;

(b) To install a structure, including temporary structures;

(c) To locate and/or relocate a structure;

(d) To modify an existing structure, except de minimis alterations such as the replacement of doors on an existing structure;

(e) To rebuild a structure, including temporary structures;

(f) To remove and/or demolish an existing structure;

(g) To operate an alternative energy system; [and/or]

(h) To operate a farm stand;

(i) To operate a processing facility; and/or

(j) To create a permeable parking area.

(2) Special use permit. A special use permit shall be necessary for the following actions, where proposed on agricultural land:

(a) Site disturbances.

[1] Such permit shall be necessary for all site disturbances on agricultural lands.

[2] Only site disturbances associated with standard agricultural practices, drainage improvements and/or agricultural development permits, as determined by the Committee, shall be permitted on agricultural land.

(b) Special events.

[1] Such permit shall be necessary to conduct a special event where proposed on agricultural land.

[2] A maximum of one special event may be held each calendar year per farm operation.

[3] No special event shall exceed two days of operation.

[4] No special event shall adversely impact the viability of the agricultural operation and/or the associated natural resources, as determined by the Committee.

[5] All catered events shall be considered a special event and are subject to special event permitting through the Committee.

B. Permit requirements and limitations.

(1) An agricultural development permit shall be obtained by the agricultural landowner or agricultural land lessee with approval of landowner prior to commencement of construction activities, including clearing, regrading or other site preparation necessary for constructing, placing, modifying or demolishing a structure. Failure to comply with the permit requirements specified herein shall be subject to the provisions of § 8-15 [14]of this chapter.

(2) A special use permit shall be obtained by the agricultural landowner or agricultural land lessee with approval of landowner prior to commencement of site disturbance activities. Failure to comply with the permit requirements specified herein shall be subject to the provisions of § 8-15 [14] of this chapter.

(3) A special use permit shall be obtained by the agricultural landowner or agricultural land lessee with approval of landowner prior to any site preparation activities for a special event. Failure to comply with the permit requirements specified herein shall be subject to the provisions of § 8-15 of this chapter.

(4) An agricultural development permit does not relieve the agricultural landowner and/or agricultural land lessee from compliance with federal, state and local regulatory and/or zoning ordinances.

(5) A special use permit does not relieve the agricultural landowner and/or agricultural land lessee from compliance with federal, state and local regulatory and/or zoning ordinances. Compliance with all health and safety codes shall be required in connection with any special events.

C. Exception to permit requirement. The agricultural landowner and/or the agricultural land lessee shall not be required to obtain a permit for an activity or structure that is existing and in compliance with the provisions of this chapter, the contract of sale and the deed of development rights on the effective date of these amendments. Any modifications to the preexisting, conforming activity or structure shall be subject to the permit requirements specified in this chapter.

D. Permit application procedures.

(1) Applications for permits or permit modifications shall be submitted to the Division [Department] two weeks before the Committee meeting at which the application will be heard, unless a later filing is approved by the Division [Department]. Applications shall include:

(a) An application form, where required;

(b) The name, address and telephone number of the applicant, and if an agent will be representing the applicant, the application shall include the name, address and telephone number of the agent as well as an original signature of the applicant authorizing the agent to represent the applicant;

(c) The name, address and telephone number of the agricultural landowner, and if the agricultural landowner is not the applicant, the application shall include a letter or other written permission signed by the agricultural landowner:

[1] Confirming that the agricultural landowner is familiar with the application; and

[2] Authorizing the submission of the application;

(d) The physical address of the subject parcel;

(e) The Suffolk County Real Property Tax Map Number (i.e., district, section, block and lot) of the subject parcel;

(f) A site plan delineating the location of the proposed development and/or the proposed event, which the Committee may require be prepared by a licensed surveyor or other professional;

(g) A nonrefundable application fee, where required; and

(h) Any other information requested by the Division [Department] and/or Committee that may be necessary to review the proposal.

(2) Applications for permits or permit modifications may be referred to another agency such as the [Natural resources Conservation Service] Suffolk County Soil and Water Conservation District for expert advice.

(3) Only complete applications, as determined by Division staff, may be referred to the Committee for approval.

(4[3]) The Committee may approve, approve with conditions, deny or deem incomplete an application.

[(4) Only complete applications, as determined by the Committee, may be approved.]

(5) The agricultural landowner shall record the agricultural development permit and/or special use permit, including applicable conditions, with the Suffolk County Clerk if such recording

is required by the Committee. Failure to comply with this requirement shall be subject to the provisions of § 8-15[14] of this chapter.

(6) The agricultural landowner shall submit the "as-built" plans associated with an agricultural development permit and/or special use permit, where required by the Committee, to the Division [Department] within one year of permit issuance. The agricultural landowner may submit in writing a request to extend the time frame within which this requirement must be completed. Failure to comply with this requirement shall be subject to the provisions of § 8-15[14] of this chapter.

E. Permit issuance criteria. Permit issuance shall be subject to the following conditions:

(1) The agricultural landowner and the agricultural land lessee, if applicable, shall be otherwise in compliance with this chapter;

(2) The proposed action shall not alienate the development right(s) acquired by the County in any manner;

(3) The proposed action shall be consistent with the intent and provisions of this chapter;

(4) The proposed action shall be consistent with all adopted Committee guidelines;

(5) The proposed action shall promote agricultural production or agricultural tourism;

(6) The proposed action shall not negatively impact the agricultural land's short-term and/or long-term viability for agricultural production;

(7) The proposed action shall not negatively impact the value of the agricultural land;

(8) The proposed action shall not undermine the short-term and/or long-term viability of the natural resources;

(9) The proposed action shall be approved in such a manner, with applicable conditions, as to limit the negative impacts to soils, water (both groundwater and surface waters) and viewsheds;

(10) The proposed action shall not result in a significant negative impact to any adjacent property that is not consistent with standard agricultural practices;

(11) The proposed action shall be approved in such a manner that minimizes, to the extent possible, all other negative impacts; and

(12) The proposed action shall be consistent with expert recommendations, where sought by the Committee.

F. Permit fees.

(1) Application fee. A nonrefundable fee in the amount of $100 shall be submitted with each application for a permit.

(2) The application fee shall be waived if the application is exclusively for:

(a) Permission to remove or demolish an existing structure, in whole or in part.

[(a) Permission to install a Purchase of Development Rights Program sign;

(b) Permission to install a landscape screen;

(c) Permission to install, relocate, modify or extend a fence structure; or]

(3) Public hearing fee. A fee in the amount of $500 shall be submitted with each application for which a public hearing is required. The fee shall be refundable if the application is withdrawn and the public hearing has not been advertised. If the public hearing has been advertised but the application is withdrawn prior to the public hearing, the applicant shall be entitled to a refund of 1/2 of the public hearing fee.

(4) Failure to submit the required fee(s) shall deem the application incomplete.

§ 8-9. Permit conditions.

A. General conditions. Permits shall contain such reasonable conditions as the Committee deems necessary to protect the agricultural land.

B. Covenants and restrictions. Where it deems appropriate and necessary, the Committee may condition the issuance of an agricultural development permit and/or special use permit upon the agricultural landowner's execution of a restrictive covenant, or other instrument acceptable to the Division [Department]. The restrictive covenant or other instrument shall be recorded in the Office of the Suffolk County Clerk prior to permit issuance and not later than 60 days from the date of the Committee's approval. Failure to file said restrictive covenant in accordance with the above shall render the approval null and void and may be subject to the provisions of § 8-15[14] of this chapter.

C. Continuing obligations. The agricultural landowner and/or agricultural land lessee shall have a continuing obligation to maintain all improvements authorized by and to abide by all conditions imposed by a permit, including compliance with all provisions of this chapter.

D. Noncompliance. The failure to comply with any and all conditions of an agricultural development permit and/or special use permit shall be deemed a violation of this chapter, subject to the penalties provided in § 8-15 of this chapter. In addition, the County reserves the right to rescind or revoke, in whole or in part, such permit.

E. Modifications of permits and restrictive covenants. All requests for modifications of conditions of permits or restrictive covenants must be made through the Committee in accordance with § 8-8D.

F. Expiration. All agricultural development permits shall expire within one year of issuance unless the authorized improvements have been commenced; a building permit, where required by the local town or village, has been secured by the agricultural landowner; or the Committee has granted the agricultural landowner an extension. Any request for an extension shall be made in writing to the Committee by the agricultural landowner. Only one extension per

permit application may be granted by the Committee. No extension may be granted for a duration greater than one year. Requests for extension shall not be subject to the permit fee requirements specified in this chapter.

§ 8-10. Lot coverage.

A. Maximum lot coverage. The lot coverage of agricultural lands shall not exceed the following:

Parcel Area (acres)	Maximum Lot Coverage
0 to 25	15%
25 to 50	12.5%
More than 50	10%

B. Further limitations. The maximum lot coverage set forth in Subsection A does not create a right to construct buildings, display areas or parking areas up to the limits imposed. All proposed development must be for the express purpose of supporting agricultural production, a commercial horse boarding operation and/or a commercial equine operation, as set forth in this chapter. The Committee may limit lot coverage to an amount less than the maximum lot coverage as it deems necessary to carry out the purposes of this chapter.

C. Relief. In the event of hardship, the Committee shall have the authority to approve, in whole or in part, or disapprove all agricultural development permit applications for buildings that would result in a lot coverage that exceeds the maximum lot coverage specified in Subsection A of this section. In no case shall the lot coverage exceed 25%. All approvals shall be subject to ratification by the Environment, Planning and Agriculture Committee (EPA), or successor committee, of the Suffolk County Legislature.

(1) Relief process. The Committee shall conduct a public hearing. Upon closing the public hearing, the Committee shall determine whether or not a hardship exists. If a hardship does not exist, the Committee shall disapprove the application. If the Committee makes a determination that a hardship exists, the Committee shall approve, in whole or in part, or disapprove the application. The Committee shall refer all approvals to the EPA for consideration and ratification. The EPA shall have the authority to ratify, ratify with conditions, or reject the application. Upon ratification by the EPA, the Committee shall issue an agricultural development permit specifying any and all necessary conditions. Failure of the EPA to ratify the Committee's approval shall deem it null and void.

(2) Public hearing notice requirements. Written notice of the public hearing shall be provided to all property owners within 500 feet of the subject parcel, to the municipality in which the property is located and to the Suffolk County Legislature. Notice shall be sent or delivered at least 10 days prior to the public hearing. In addition, notice of the hearing shall also be published in the official newspaper(s) of the County at least 10 days prior to the public hearing.

(3) Criteria for relief. In making its determination, the Committee shall take into consideration the benefit to the applicant if the agricultural development permit is approved, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such approval. In making such determination, the Committee shall also consider:

(a) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by approving the agricultural development permit;

(b) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than the agricultural development permit as proposed;

(c) Whether the requested relief is substantial and the extent to which the maximum lot coverage would be exceeded;

(d) Whether the proposed relief will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

(e) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Committee, but shall not necessarily preclude the granting of the agricultural development permit.

(4) Extent of relief. The Committee, in the granting the approval, shall grant the minimum lot coverage that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

(5) Imposition of conditions. The Committee shall, in approving the relief and the agricultural development permit, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the premises. Such conditions shall be consistent with the spirit and intent of this chapter and shall be imposed for the purpose of minimizing any adverse impact such approval may have on the neighborhood or community.

§ 8-11. Agricultural Tourism.

A. Purpose. Agricultural tourism promotes agricultural education and gives the public the opportunity to experience agricultural activities first-hand. Agricultural tourism can enhance the long-term economic viability of agricultural production by providing an additional source of on-the-farm revenue. Agricultural tourism must be accessory to the primary purpose of agricultural production. Catered events shall not be considered agricultural tourism.

B. Permits.

(1) Only the following specifically enumerated agricultural tourism activities are allowed on agricultural lands. The following activities, in conjunction with an active farming operation, shall be considered components of agricultural production and are not subject to the Committee permitting process:

a) "U-Pick" operations with produce such as, but not limited to, strawberries, raspberries, blueberries, pumpkins. "U-Pick" activities can only be offered for produce grown on the farm operation. Produce grown off-premises cannot be imported to the agricultural lands for the purposes of "U-pick" operations;

b) Crop mazes. Crop mazes must be made from a harvestable commodity such as corn stalks or sunflowers that are harvested on a regular basis. Mazes of a permanent nature are not permitted;

c) Hayrides;

d) Agricultural educational tours, such as vineyard tours. Only sampling of products grown or processed on the farming operation is allowed on an agricultural educational tour.

(2) Agricultural tourism activities that require the installation of a temporary structure or the modification within the footprint of an existing structure are subject to the Committee permitting process as specified in § 8-8. Agricultural tourism structures can only be temporary in nature and must be associated with allowable agricultural tourism activities as listed in § 8-11 B (1). Temporary structures shall count towards the parcel area's maximum lot coverage as specified in § 8-10 of this chapter. No permanent agricultural tourism structures are permitted on premises.

C. Parking. Permeable parking areas for agricultural tourism may be permitted as necessary, subject to the agricultural development permit requirement specified in § 8-8 of this chapter. Parking areas shall count towards the parcel area's maximum lot coverage as specified in § 8-10 of this chapter.

§ 8-[11]12. Farm Stands and Processing Facilities.

A. Purpose. Farm stands provide farmers with direct outlets to market the agricultural products grown on [agricultural lands] the farm operation as well as locally grown produce. Processing facilities provide farmers with opportunities to convert natural and raw forms of agricultural products grown on a farm operation into a processed agricultural product such as cheese, jam and wine, derived from products grown on the farm operation.

B. Limitations. In no event shall the cumulative floor area of a farm stand and/or processing facility exceed 1,000 square feet of floor area. For purposes of this calculation, a farm stand display area shall not be counted towards this building limit. All proposed development must be for the express purpose of supporting a farm stand operation or processing facility, as set forth in this chapter. The Committee may limit this building coverage to an amount less than the maximum building allowance as it deems necessary to carry out the purposes of this chapter. Farm stands, display areas, processing facility structures and parking shall count towards the parcel area's maximum lot coverage as specified in § 8-10 of this chapter.

[B]C. Permits. The construction, placement, relocation, modification, expansion, demolition and/or operation of a farm stand or processing facility on agricultural lands shall be subject to the agricultural development permit requirements specified in this chapter. The Committee

may issue an agricultural development permit for a farm stand structure and/or a processing facility subject to the following conditions:

(1) Farm stands:

(a) Only agricultural products, [and] processed agricultural products, and other agriculture-related products shall be offered for sale at the farm stand. Agricultural products shall include:

i) [In addition to a] Agricultural products grown on [the] premises and processed agricultural products, such as cheese, jam and wine, derived from agricultural products grown on [the] premises. [retail sales also may include goods that are grown off the premises, provided they are locally grown agricultural products or processed agricultural products derived from locally grown agricultural products and are offered for sale in an amount that shall not exceed 40% of the total square footage of the farm stand structure.]

ii)Agricultural products grown off premises may be sold on farm stands, provided they are locally grown agricultural products or processed agricultural products derived from locally grown agricultural products. The total amount of locally grown products offered for sale must be subordinate to produce grown on the farm operation and shall not exceed 40% of the total square footage of products displayed at the farm stand structure.

iii) Agriculture-related products, including clothing and other souvenir items that promote the farm or locally grown produce, shall be allowed so long as the total sales area does not exceed 10% of the total square footage of products displayed at the farm stand structure.

[(3)](b) The farm stand structure shall not exceed 1,000 [500] square feet and shall be subject to the agricultural development permit specified in this chapter.

[(4)](c) The farm stand operation may include an additional display area which shall not exceed [1,000] 1,500 square feet. Awnings, overhangs, porches and decks attached to the farm stand structure shall count towards the farm stand display area.

[(5)](d) The farm stand structure shall be [semi-permanent and] designed for either seasonal or year round use, [use in growing seasons only] and the installation and maintenance of permanent heating equipment within the farm stand structure is permitted [shall be prohibited].

(e) Storage of agricultural products and processed agricultural products, including cold or climate controlled storage is permitted within the farm stand structure.

(f) The installation of utilities, including any overhead, surface or underground equipment such as a transmission line, pole, wire, pipe, well, drainage system or septic system necessary for the supply of electricity, natural gas and/or water, for the mitigation of stormwater runoff, for the removal of sanitary sewage effluent and/or for communication

purposes shall be permitted if necessary and required for the farm stand operation. A special use site disturbance permit is required for the installations of such utilities.

(g) Second floors are not permitted to be built for farm stand structures.

(h) Permeable parking areas for the farm stand may be permitted as necessary, subject to the agricultural development permit requirement specified in § 8-8 of this chapter. Parking areas shall count towards the parcel area's maximum lot coverage as specified in § 8-10 of this chapter.

(i) The farm stand and display areas listed herein shall be constructed and operated in compliance with all applicable federal, state and local legal requirements, including, but not limited to, zoning restrictions and New York State and Suffolk County Department of Health Services regulations.

[(6) The farm stand shall be constructed and operated in compliance with all applicable federal, state and local legal requirements, including, but not limited to, zoning restrictions.

(7) Gravel or dirt parking areas for the farm stand may be permitted as necessary, subject to the agricultural development permit requirement specified in this chapter.]

(2) Processing Facilities:

(a) Processing shall be limited to the processing of on-premises and locally grown agricultural products. No less than 51% of the inputs used in processing must consist of products produced on the farm operation.

(b) The processing structure shall not exceed 1,000 square feet and shall be subject to the agricultural development permit specified in this chapter. However, as set forth in Section § 8-12 (B), the cumulative total floor area of a processing structure and a farm stand structure cannot exceed 1,000 square feet.

(c) Processing structures shall not include display areas.

(d) The modification of an existing structure for processing purposes is permissible, subject to the Committee permitting review.

(e) The installation of utilities, including any overhead, surface or underground equipment such as a transmission line, pole, wire, pipe, well, drainage system or septic system necessary for the supply of electricity, natural gas and/or water, for the mitigation of stormwater runoff, for the removal of sanitary sewage effluent and/or for communication purposes shall be permitted if necessary and required for the processing facility. A special use site disturbance permit is required for the installations of such utilities.

(f) The processing structure listed herein shall be constructed and operated in compliance with all applicable federal, state and local legal requirements, including, but not limited to, zoning restrictions and New York State and Suffolk County Department of Health Services regulations.

C. Conditions. The Committee may impose such additional conditions as it deems necessary to carry out the purposes of this chapter.

§ 8-13[12]. Alternative energy systems.

A. Purpose. Alternative energy systems provide farmers with opportunities to generate safe, efficient, effective and renewable energy on site and diminish the farm operation's dependence on nonrenewable energy sources. All alternative energy systems shall be subordinate to the agricultural use of the agricultural land.

B. Permits. The construction, placement, relocation, modification, expansion, demolition and/or operation of an alternative energy system on agricultural lands shall be subject to the agricultural development permit requirements specified in this chapter. The Committee may issue an agricultural development permit for an alternative energy system subject to the following conditions:

(1) The rated capacity of the alternative energy system shall not exceed 110% of the farm operation's average annual consumption, where annual consumption is the total amount of energy used per annum for those agricultural activities permitted on agricultural lands.

(2) Electricity generated by the alternative energy system shall not be consumed by any residential or other nonagricultural land use nor shall it be consumed by any activity prohibited on agricultural lands [including, but not limited to, processing] whether or not said use is on the subject parcel, contiguous to the subject parcel and/or under common ownership with the subject parcel, except as stated herein.

C. Connectivity. The alternative energy system may be connected to the utility provider's electricity grid, provided that the rated capacity of the alternative energy system is less than or equal to the standard set forth in Subsection B(1) of this section. In the event that the farm operation changes and the average annual electricity consumption is reduced, the agricultural landowner shall be required to disconnect from the utility provider's grid unless the alternative energy system is modified such that the new rated capacity of the alternative energy system is consistent with the standard set forth in Subsection B(1) of this section.

D. Conditions. The Committee may impose such additional conditions it deems necessary to carry out the purposes of this chapter.

§ 8-14[13]. Prohibitions.

A. Nonagricultural use. No person shall use agricultural lands for any purpose other than agricultural production, except as provided in this chapter.

B. Abandonment of Agricultural Use. Beginning on January 1, 2014, no owner shall leave agricultural land open and not engage in agricultural production or a commercial horse boarding operation and/or a commercial equine operation, for more than two (2) consecutive years.

[B]C. Mining. Resource extraction, including soil removal, shall be prohibited on all agricultural lands.

[C]D. Dumping. There shall be no dumping on agricultural lands.

[D. Processing. Processing, including the processing of agricultural products, shall be prohibited on agricultural lands.]

E. Solid waste. No solid waste shall be burned or stored on agricultural lands.

F. Hazardous waste. No hazardous waste shall be stored on agricultural lands.

G. Aviation. No aircraft, including, but not limited to, airplanes, helicopters, hot-air balloons and gliders, shall be permitted to land on, hover above or take off from agricultural lands, except where part of standard agricultural practices such as crop dusting or for law enforcement, fire, emergency or military purposes.

H. Vehicles. No vehicles, including all-terrain vehicles, shall be used or stored on agricultural lands except in aiding agricultural production or for law enforcement, fire, emergency or military purposes.

I. Structures. No person shall erect, install, locate, relocate, modify, rebuild, remove or demolish a structure without an agricultural development permit.

J. Farm stands. No person shall operate a farm stand without an agricultural development permit.

K. Processing. No person shall operate a processing facility without an agricultural development permit.

[K]L. Alternative energy systems. No person shall operate an alternative energy system without an agricultural development permit.

[L]M. Driveways, roadways, thoroughfares. No person shall use any driveway, roadway, path or thoroughfare on agricultural land for vehicular access to an adjacent parcel for any purpose other than agricultural production.

[M]N. Parking areas. Asphalt, concrete and all other impermeable parking areas shall be prohibited on agricultural lands.

[N]O. Landscape screens. No landscape screen shall be permitted around fallow agricultural land, except those agricultural lands kept fallow customary to standard agricultural practices.

[O]P. Site disturbances. No person shall conduct a site disturbance, including, but not limited to, dredging, excavation, filling, grading and/or soil removal on agricultural land without a special use permit.

[P]Q. Special events. No person shall conduct a special event on agricultural land without a special use permit.

[Q]R. Contracts. No person shall violate the terms and conditions of the contract of sale, as may be amended, and the deed of development rights, as may be amended.

[R]S. Any nonagricultural activity not explicitly permitted by this chapter shall be prohibited.

§ 8-15[14]. Enforcement.

A. Cease and desist order.

(1) Where a violation of this chapter, the contract of sale and/or the deed of development rights is suspected, the Division [Department] shall cause an investigation to be conducted. If the Division [Department] has reason to believe that a violation of this chapter, the contract of sale and/or the deed of development rights has been committed or exists, the Division [Department] may issue a cease and desist order. The cease and desist order shall be served in person or by certified mail to the agricultural landowner at the address on file with the Division [Department] and, where applicable, the agricultural land lessee. The cease and desist order may direct restoration of the property, removal of structures that are in violation of this chapter, the contract of sale and/or the deed of development rights and such other corrective actions and terms as the Division [Department] finds necessary to protect the County's interest in the agricultural land.

(2) A cease and desist order may be lifted by the Division [Department] upon a finding that the violation has been abated and/or when an application to bring the activity into compliance has been filed and a permit has been issued.

B. Violations. Where it is determined by a court that a violation of any of the provisions of this chapter has been committed or exists, the agricultural landowner, the agricultural land lessee and any other person who takes part or assists in such violation shall each be deemed guilty of a violation of this chapter.

C. Temporary restraining order and/or injunction.

(1) The County may obtain a temporary restraining order and/or injunction to enforce the provisions of this chapter.

(2) Violation of a temporary restraining order and/or injunction may be punishable as contempt under state laws.

(3) Violation of a temporary restraining order and/or injunction shall constitute a separate violation of this chapter, punishable by penalties in addition to those imposed for the underlying violation for which the temporary restraining order and/or injunction was obtained.

D. Restoration.

(1) The court may compel the agricultural landowner and/or agricultural land lessee to restore agricultural land to a condition suitable for agricultural production where there has been an abandonment of agricultural production or a site disturbance has occurred in violation of this chapter.

(2) Where a violation has resulted in damage to the agricultural resource on agricultural land, the court may order restoration of the agricultural land to the greatest extent possible, regardless of cost.

E. Removal.

(1) The court may compel the agricultural landowner and/or the agricultural land lessee to remove any and all unauthorized structures on agricultural land.

(2) Where a violation has resulted in the erection, installation, location, relocation, modification or demolition of a structure or the operation of an alternative energy system, farm stand and/or processing facility on agricultural land, the court may order the removal of said structure or remains, regardless of cost.

F. Damages. Where a violation of the provisions of this chapter results in damage to the County's interest in the development right(s) and/or the underlying value of the land, the court may award damages to the County equal to the development right(s) purchase price plus compounded interest and an additional amount as would be necessary to purchase the development right(s) to a similar agricultural property, as determined by the County.

G. Civil penalties.

(1) A violation of § 8-14[13] shall be punishable by a civil penalty of up to $5,000 per day, with each day constituting a separate violation.

(2) Any violation which causes a substantial reduction in the viability of the agricultural resource shall be punishable by a civil penalty not more than $10,000 per day, with each day constituting a separate violation. The viability of the agricultural resource may be determined by any reasonable means, including, but not limited to, testimony from any person with demonstrated agricultural expertise.

H. Costs and disbursements. The court may award costs of investigating and enforcing this chapter.

I. Attorneys' fees. The court may award attorneys' fees.

J. No waiver. Failure to take an action to enforce the provisions of the contract of sale, the deed of development rights, this chapter and/or any rules or regulations promulgated thereunder shall neither constitute a waiver nor constitute an agreement to allow the prohibited activity nor constitute permission to engage in the activity without first obtaining applicable permits.

K. Other remedies. The County reserves the right to pursue any and all legal and equitable remedies herein mentioned or otherwise available at law, including administrative, civil and criminal actions to enforce the provisions of this chapter and to satisfy the intent and spirit of the Purchase of Development Rights Program.

L. Cost no defense. Cost shall not be a defense to the imposition of remedies.

§ 8-16[15]. Provisions to control over other legislation.
Notwithstanding the provisions of any special law, charter law, local law or resolution which may be inconsistent herewith, in whole or in part, this chapter shall in all respects control in the matter of the acquisition or alienation of development rights in agricultural lands.

§ 8-17[16]. Severability.
Should any provision of this chapter be adjudged invalid by a court of competent jurisdiction, such adjudication shall not affect the validity of any other provision of this chapter.

Section 3. Applicability.

This chapter shall be applicable to all agricultural lands to which the county has acquired interests or rights, in whole or in part, under the Purchase of Development Rights Program. This chapter shall not apply to nonagricultural lands acquired as open spaces or open areas for the purpose of preserving active parkland, passive parkland, woodlands and/or wetlands and shall not apply to farmlands to which the county does not own any interest or right.

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

Section 6. Effective Date.

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

[ ] Denote deletion of existing language

__ Underlining denotes addition of new language

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

Intro. Res. No. 1700 -2013 Laid on Table 9/12/13
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 2013, ADOPTING LOCAL LAW NO. -2013, A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE

WHEREAS, there was duly presented and introduced to this County Legislature, at a regular meeting held on July 30, 2013, a proposed local law entitled, "A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE"; now, therefore be it

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

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE

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

Section 1. Legislative Intent.

This Legislature hereby finds that the County of Suffolk ("county") has had a long history of agricultural production, dating back to the 17th Century.

This Legislature further finds that the county is number one out of 62 counties in the State of New York in terms of value of agricultural products sold according to the 2007 Census of Agriculture.

This Legislature further finds and determines that the agricultural industry is an essential component of the county's current economy.

This Legislature further finds that the county has more than 34,000 acres of land in active commercial agricultural production according to the 2007 Census of Agriculture.

This Legislature further finds and determines that the county has had a long successful history of farmland preservation evidenced by 10,485 acres of viable farmland permanently protected since 1974 through this nation's first purchase of development rights program.

This Legislature further finds and determines that it continues to be in the best interests of the county and its residents to preserve farmlands pursuant to the Suffolk County Purchase of Development Rights Program ("program").

This Legislature further finds that the county's residents demonstrated their support for farmland preservation pursuant to this program by extending the Suffolk County Drinking Water Protection Program in 2007 through 2030.

This Legislature further finds and determines that the agricultural industry on Long Island has evolved since the inception of this program and subsequent to the amendment

in 2010 and that it is necessary to modify the program's policies and procedures the county will employ to administer and enforce it.

Therefore, the purpose of this local law is to amend Suffolk County Administrative Local Law Chapter 8, "Development Rights to Agricultural Lands," to ensure the county's ability to conserve and protect viable farmlands and active agricultural operations that will serve current and future generations of county residents.

Section 2. Amendments.

Chapter 8 of the Administrative Local Laws is hereby amended to read as follows:

Chapter 8
Development Rights of Agricultural Lands

§8-1. Statutory policy; legislative intent
§8-2. Definitions.
§8-3. Applicability.
§8-4. Farmland Committee
§8-5. Development rights; acquisition
§8-6. Development rights; alienation
§8-7. Notification requirements.
§8-8. Permits.
§8-9. Permit conditions.
§8-10. Lot coverage.
§8-11. Agricultural Tourism.
§8-12. Farm Stands and Processing Facilities.
§8-13. Alternative energy systems.
§8-14. Prohibitions.
§8-15. Enforcement.
§8-16. Provisions to control over other legislation.
§8-17. Severability.

§ 8-1. Statutory policy; legislative intent.

A. The State of New York, by various legislative enactments, has emphatically stated it to be a most important policy to conserve and protect viable farmlands and to encourage the improvement of such lands both for the production of food and for the preservation of such lands as valued natural and ecological resources. It has further stated that the expenditure of County funds to acquire legal interests and rights in such lands is in furtherance of such policy and is a proper expenditure of public funds for public purposes.

B. The County is in complete accord with such policy, and it is the goal of the County to conserve and protect viable farmlands, open spaces, open areas and the various natural and ecological resources associated with such lands, particularly soil and water. It is the intent of this chapter to establish the policies and procedures that will be employed by the County in its pursuit of this goal.

C. The Suffolk County Legislature finds that adequate fresh, local food supplies are critical to the health and economy of the County, that best management practices are essential to ensure that the benefits associated with land preservation are not realized at the cost of the County's natural and ecological resources, that working farms and a diversity of agricultural practices are necessary to secure the future of the business of agriculture and that a minimum threshold of acreage must be in active agricultural production to sustain the industries that support agricultural production. The Suffolk County Legislature further finds that conservation and protection of farmlands associated with viable agricultural operations that use best management practices will ensure that such lands are available to serve future generations.

§ 8-2. Definitions.

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

AGRICULTURAL DEVELOPMENT PERMIT

Written permission, issued by the Committee, to erect, install, locate, relocate, modify, rebuild, remove or demolish a proposed or existing structure, to operate an alternative energy system and/or to operate a farm stand or processing facility on agricultural land. Only improvements necessary for agricultural production or for the operation of a commercial horse boarding operation and/or for the operation of a commercial equine operation, as determined by the Committee, shall be permitted on agricultural land.

AGRICULTURAL EDUCATION

Instruction about agricultural production, agricultural products, processing, [agricultural product management] soil and water conservation, natural resource management, land preservation, best management practices and other agricultural matters, as deemed appropriate by the Committee.

AGRICULTURAL EDUCATIONAL TOURS

A form of agricultural tourism that teaches about agricultural production, agricultural products, processing, soil and water conservation, natural resource management and land preservation in the form of short tours and hands-on demonstrations.

AGRICULTURAL ENVIRONMENTAL MANAGEMENT PLAN

A document prepared by the Natural Resources Conservation Service or the Suffolk County Soil and Water Conservation District and accepted by a participating landowner which documents a course of action for the environmental management of a farm operation, including, but not limited to, measures to abate and control agricultural nonpoint source water pollution, air pollution and other adverse environmental impacts from farm operations, through the implementation of best management practices, in a way which maintains the viability of the farm operation.

AGRICULTURAL LAND

Land to which the County has purchased the development right(s), in whole in or in part, in order to preserve resources necessary for agricultural production. Land acquired in order to preserve nonagricultural open spaces or open areas shall not be considered agricultural land.

AGRICULTURAL LAND LESSEE

The person, persons or entity who or which occupies or utilizes the agricultural land parcel under lease from the current agricultural landowner.

AGRICULTURAL LANDOWNER

The person, persons or entity owning the residual right(s) to an agricultural land parcel.

AGRICULTURAL PRODUCTION

The production for commercial purposes of agricultural products, as defined herein. [Agricultural production shall not include the processing of agricultural products.]

AGRICULTURAL PRODUCTS

The crops, livestock and livestock products as defined in § 301 of the New York State Agriculture and Markets Law, as may be amended.

AGRICULTURAL TOURISM

Agricultural tourism shall be defined as "U-Pick" activities, harvestable crop mazes, hayrides, and agricultural educational tours conducted on-farm to promote the sale, marketing, production, harvesting or use of the products of the farm and enhance the public's understanding, awareness and enjoyment of farming and farm life.

AGRICULTURE-RELATED PRODUCTS

Clothing and souvenir items that promote the farm or locally grown produce.

ALIENATION

The transfer of any development right in real property from the County to another.

ALL-TERRAIN VEHICLE

Any self-propelled vehicle which is manufactured for sale for operation primarily on off-highway trails or for off-highway competitions and only incidentally operated on public highways, provided that such vehicle does not exceed 70 inches in width or 1,000 pounds of dry weight, as defined in the New York State Vehicle and Traffic Law, as may be amended. All-terrain vehicles shall not include agricultural vehicles nor any vehicles used for law enforcement, fire, emergency or military purposes.

ALTERNATIVE ENERGY SYSTEM

A solar energy system, wind energy system or other renewable energy transduction system intended to reduce on-site nonrenewable energy consumption.

BUILDING

Any building, as defined in § 372 of the New York State Executive Law, as may be amended, such as barns, farm stands and greenhouses.

COMMERCIAL EQUINE OPERATION

A commercial equine operation as defined in § 301 of the New York State Agriculture and Markets Law, as may be amended.

[Added 3-27-2012 by L.L. No. 25-2012]

COMMERCIAL HORSE BOARDING OPERATION

A commercial horse boarding operation as defined in § 301 of the New York State Agriculture and Markets Law, as may be amended.

COMMITTEE

The Suffolk County Farmland Committee.

COUNTY

The County of Suffolk.

DIVISION [DEPARTMENT]

The Suffolk County Division of Planning and Environment within the Department of Economic Development and Planning, which shall administer the Purchase of Development Rights Program.

DEVELOPMENT RIGHT

As authorized by § 247 of the New York State General Municipal Law, as may be amended, the permanent legal interest in the use of the subject property, the permanent

legal right to permit and require the use of the subject property for agricultural production and the permanent legal right to limit, prohibit and restrict the use of the subject property to agricultural production, except where specified in this chapter.

FARM OPERATION

A single commercial agricultural operation, a single commercial horse boarding operation, a single commercial equine operation or an enterprise that combines a single commercial agricultural operation, [with] a single commercial horse boarding operation, and/or a single commercial equine operation, including all parcels, contiguous and/or noncontiguous, that are owned and/or rented for the production, preparation and marketing of agricultural products for said operation.

[Amended 3-27-2012 by L.L. No. 25-2012]

FARM STAND

A structure for retail sales of agricultural products grown on the premises and processed agricultural products, such as cheese, jam and wine, derived from agricultural products grown on the premises. Retail sales also may include locally-grown agricultural products grown off the premises, [and] processed agricultural products derived from agricultural products locally-grown off the premises, and agriculture-related products subject to the limitations specified herein. [Only agricultural products and processed agricultural products shall be offered for sale at a farm stand.]

GREENHOUSE

A structure specifically designed, constructed and used for the culture and propagation of agricultural products. Temporary structures, such as hoop layers, that do not exceed a height of three feet six inches and do not require or result in the alteration of the property grade shall not be regulated by this chapter.

GROSS SALES VALUE

The proceeds from the sale of agricultural products and processed agricultural products. For the purposes of this chapter, receipts collected in the operation of a commercial horse boarding operation and/or in the operation of a commercial equine operation may be included in the gross sales value.

HAZARDOUS WASTE

Those wastes identified or listed in regulations promulgated pursuant to § 27-0903 of the New York State Environmental Conservation Law, as may be amended.

INTEREST or RIGHT

All legally recognized interests and rights in real property.

LANDSCAPE SCREEN

Any vegetative screen such as a hedgerow, excluding agricultural crops, that obscures the agricultural land from view. Only landscape screens planted and maintained in accordance with standard agricultural practices, the contract of sale, the deed of development rights and this chapter, as determined by the Committee, shall be permitted.

LOCALLY GROWN

A product grown in the County of Kings, Nassau, Queens or Suffolk, in the State of New York.

LOT COVERAGE

The total floor area used for buildings, display areas and parking areas divided into the total lot area, expressed as a percentage. The total lot area shall only include agricultural lands to which the County has acquired development rights under the Purchase of

Development Rights Program and shall not include any land where the development rights are intact or any land to which the County does not own any interest or right.

PERSON

Any individual, partnership, firm, association, trust, company, joint venture or corporation.

PREMISES

All parcels that constitute the farm operation.

PROCESSING

The conversion of locally-grown crops and locally-raised livestock [and other goods] into any form or condition other than the natural form by subjecting the item to any procedure or technique, including, but not limited to, slaughter, milling, fermentation, cooking or juicing.

PURCHASE OF DEVELOPMENT RIGHTS PROGRAM

The official name of the program by which the County may purchase the development right(s), in whole or in part, to properties used for agricultural production, as established and outlined by this chapter.

[PURCHASE OF DEVELOPMENT RIGHTS PROGRAM SIGN]

[A sign provided by the Department, which may be posted on agricultural land, for the purpose of educating the public about and promoting participation in the Purchase of Development Rights Program.]

RESIDUAL RIGHT

All legally recognized interests and rights in real property, excluding development rights.

SITE DISTURBANCE

Any physical alteration of agricultural land, including, but not limited to, dredging, excavation, filling, grading and/or soil removal. Standard agricultural practices, including, but not limited to, crop harvesting and tilling, shall not be considered site disturbances. Only site disturbances necessary for agricultural production, for the operation of a commercial horse boarding operation and/or for the operation of a commercial equine operation, as determined by the Committee, shall be permitted.

SOIL

The unconsolidated mineral and organic material creating the topsoil and subsoil layers, including, but not limited to, sand, silt, clay and organic matter, that serves as a natural medium for the growth of plants.

SOLAR ENERGY SYSTEM

A solar energy transduction system, wherein sunlight is used to produce electricity using photovoltaic technology and/or to heat water using solar thermal collection technology. Such transduction systems are intended to reduce on-site nonrenewable energy consumption.

SOLID WASTE

Any unwanted and/or discarded material from agricultural, commercial, industrial, institutional, mining and/or residential sources, including, but not limited to, durable goods, nondurable goods, yard trimmings, stones, rubble, construction and demolition debris, garbage, rubbish, litter, ash or other substance described as solid waste in Title 6 of the New York Codes, Rules and Regulations, Part 360, as may be amended. Materials used as livestock bedding or as fertilizer supplements and/or soil conditioners or used in other manners pursuant to standard agricultural practices shall not be deemed solid waste.

SPECIAL EVENT

Any occasion, wedding, catered event or activity conducted on agricultural land, with or without an admission fee, and held on a one-time [or intermittent] basis [that does not constitute agricultural production, as determined by the Committee.] Only special events consisting of agricultural education or the sale, marketing, production, harvesting or use of agricultural products, as determined by the Committee, shall be permitted.

SPECIAL USE PERMIT

Written permission, issued by the Committee to:

A. Conduct a site disturbance; and/or

B. Conduct a special event.

STRUCTURE

Any improvement constructed or erected which requires location in, on or under the ground or attachment to something having a location in, on or under the ground, including, but not limited to, farm stands, greenhouses, processing facilities, [access roadways] alternative energy systems, berms, buildings, [driveways, fences, greenhouses] irrigation pumps, landscape screens, parking areas, signs, fences, and utilities [and walkways]. This definition shall not include the following so long as they are constructed or erected in accordance with standard agricultural practices, as determined by the Committee: permeable farm roads and walkways, and trellis systems.

TEMPORARY STRUCTURE

Any structure as defined herein that is erected and in use for less than 90 days. Temporary structures erected for special events shall be removed immediately following the termination of the special event. Hoop layers that do not exceed a height of three feet six inches and do not require or result in the alteration of the property grade shall not be regulated by this chapter.

UTILITIES

Any overhead, surface or underground equipment such as a transmission line, pole, wire, pipe, well, drainage system or septic system necessary for the supply of electricity, natural gas and/or water, for the mitigation of stormwater runoff, for the removal of sanitary sewage effluent and/or for communication purposes. Only utilities necessary for the farm operation, farm stand or processing facilities shall be permitted. In addition, all utilities infrastructure shall be subordinate to the agricultural use of the agricultural land.

WIND ENERGY SYSTEM

A wind energy transduction system, wherein kinetic wind energy is converted into electricity or mechanical energy using a wind turbine, a tower and associated equipment. Such transduction systems are intended to reduce on-site nonrenewable energy consumption.

§ 8-3. Applicability.

This chapter shall be applicable to all agricultural lands to which the County has acquired interests or rights, in whole or in part, under the Purchase of Development Rights Program. This chapter shall not apply to nonagricultural lands acquired as open spaces or open areas for the purpose of preserving active parkland, passive parkland, woodlands and/or wetlands and shall not apply to farmlands to which the County does not own any interest or right.

§ 8-4. Farmland Committee.

A. Established. The Committee is hereby constituted as a continuing agency of the County government.

B. Membership.

(1) The Committee shall consist of 19 members, nine of whom shall be appointed by the Suffolk County Executive with the approval of the Suffolk County Legislature and shall serve at the pleasure of the Suffolk County Executive and 10 of whom shall be designated one from each town within the County and shall serve at the pleasure of the respective town boards.

(2) The Committee may invite any government officials, agricultural advocates and/or others with technical expertise to participate in its deliberations in a nonvoting capacity or otherwise assist it in discharging its functions under this chapter.

C. Financial disclosure. Each Committee member shall submit the financial disclosure statement that is annexed as Exhibit A to Chapter 77 of the Suffolk County Code. Committee members shall submit this disclosure statement to the Suffolk County Ethics Commission, or any successor body, by May 15 of each year.

[Amended 10-11-2011 by L.L. No. 54-2011]

D. Composition.

(1) The Suffolk County Executive shall appoint nine members as follows: the Suffolk County Economic Development and [Workforce Housing] Planning Department Commissioner, or his/her designee; [the Suffolk County Environment and Energy Department Commissioner, or his/her designee; the Suffolk County Health Services Department Commissioner, or his/her designee;] the Suffolk County [Planning Department Director] Division of Planning and Environment Director, or his/her designee; and seven [five] members at large subject to the [criteria set forth in Subsection E(3) of this section] following criteria:

(a) At least one member shall be an individual with a background or expertise in the cultivation of edible crops, including, but not limited to, vegetables, fruits, berries, tree nuts, herbs, and spices;

(b) At least one member shall be an individual with a background or expertise in livestock and livestock products;

(c) At least one member shall be an individual with a background or expertise in the cultivation of ornamental, horticulture and nursery crops;

(d) At least one member shall be an individual with a background or expertise in viticulture;

(e) At least one member shall be an individual with a background or expertise in organic agriculture; and

(f) Two members may be appointed from the public at large.

(2) The 10 town designees shall be certified to the Clerk of the Suffolk County Legislature by the Town Clerk of the respective towns. Each member shall be subject to the criteria set forth in Subsection E of this section.

(3) The [Director of the Suffolk County Planning Department] Division of Planning and Environment Director, or his/her designee, shall serve as Chairman of the Committee commencing on January 1, 2012, and continuing thereafter.

(4) The Committee may appoint [three] four advisors, one from each of the following, to participate in the Committee's deliberations in a nonvoting capacity or otherwise assist the Committee in discharging its functions under this chapter: the Suffolk County Health Services Department Commissioner, or his/her designee; the Natural Resources Conservation Service or the Suffolk County Soil and Water Conservation District, Cornell Cooperative Extension and a farm advocacy group.

E. Eligibility.

(1) The [four] two Suffolk County Executive appointees from County departments, as specified in § 8-4D(1) of this chapter, shall not be subject to the eligibility requirements specified herein.

(2) A Committee member shall be a resident of the County or an employee of a municipality in the County at the time of his/her appointment and throughout the duration of his/her term as a member of the Committee.

[(3) The five at-large members appointed by the Suffolk County Executive shall meet the following criteria:

(a) At least three members shall be individuals with a background or expertise in agriculture; and

(b) Two members may be appointed from the public at large.]

([4]3) The Committee members designated by the towns shall have diverse backgrounds or expertise in areas including, but not limited to, agriculture, municipal planning, natural resources management, ecology, land use litigation, land use regulation, environmental law, tax law and/or real estate. All designees shall have a general understanding of agricultural practices.

([5]4) A member of the Committee shall continue to satisfy the requirements of this section with respect to eligibility for appointment to the Committee throughout the duration of his/her term.

([6]5) In order to continue to serve as a member of the Committee, the member shall have attended at least 75% of the meetings held by the Committee on an annual basis. Absences from such meetings caused by death in the immediate family of the member (i.e., spouse, children, parents, brothers, sisters, in-laws and/or grandparents), caused by a verifiable illness or caused by a verifiable accident shall not be counted for the purpose of this attendance calculation.

(6) If a vacancy occurs in any town position for any reason, including but not limited to expiration of term, absence or resignation and the Town does not certify a member within 90 days of notice from the county, the County Executive shall fill the vacancy for the remainder of the term or four years if the term has expired. The County Executive appointee must reside in the Town where the vacancy exists.

F. Terms.

(1) An existing Committee member, as of January 1, [2010] 2014, shall continue to serve until such time as the individual voluntarily vacates the position or until such time as the appropriate appointing body approves a resolution replacing the individual.

(2) Each successive appointment shall be for a term of four years, and no member shall serve more than three terms, for a maximum of 12 consecutive years of service, except each member appointed as per § 8-4D(1)of this chapter, whose term will run concurrent to service in the title specified.

(3) Any member appointed under this chapter shall serve through the term to which he/she is appointed.

(4) Any appointments made to fill a terminated, expired or vacated position shall be made in accordance with the provisions of this chapter.

G. Authority. The Committee shall have and be entitled to exercise the following powers and duties:

(1) To recommend to the Suffolk County Legislature farmlands from which development rights may be acquired;

(2) To review requests to subdivide the residual right(s) of agricultural lands and to make, thereafter, a recommendation to the Suffolk County Legislature whether such requests be granted;

(3) To review permit applications in accordance with the criteria set forth in this chapter and the rules and regulations promulgated thereunder and to make, thereafter, a decision whether or not to issue a permit and the terms and conditions that should apply;

(4) To determine what constitutes standard agricultural practices;

(5) At the first Committee meeting of the calendar year, in order to expedite the processing of applications, the Committee may introduce a list of minor and routine agricultural practices whose permitting review and determination shall be delegated to the Division. The Committee shall issue guidelines and standards as they deem necessary and proper for the review and determination of these minor and routine practices to Division staff. The list of these minor and routine agricultural practices, and their permitting standards, shall be introduced as resolutions and voted upon at the subsequent Committee meeting. If passed via resolution the permitting review and determination for this practice shall be delegated to staff for two years. The Committee cannot delegate any additional permitting review responsibilities to the Division during these two years but can, if it deems it appropriate, re-

assume permitting review and determination. The Division may, if it deems it appropriate, refer any single application back to the Committee for approval. Any applicant denied by the Division may, upon written request, have the matter referred to the Committee.

(6) To provide guidance and recommendations on matters relevant to development rights, farmland conservation and the agricultural economy;

(7) To promulgate such rules and/or regulations as may be necessary to carry out the intent of this chapter and to govern the administration and functions of the Committee;

(8) To establish and adopt written guidelines and property rating systems;

(9) To cooperate with, at the discretion of the Committee, any governmental agents and/or any experts to further the purposes of this chapter; and

(10) To perform other duties at the request of the Suffolk County Legislature, the Suffolk County Executive and/or the [Department] Division.

H. Meetings.

(1) Schedule. The Committee shall hold an organizational meeting not later than the 15th day of February of each year. At such meeting, the Committee shall adopt a schedule of meetings for that year. The Committee may amend the adopted schedule as necessary.

(2) Open meetings. Committee meetings shall be open to the general public and shall have an opportunity for public comments.

(3) Quorum. A majority of the total membership of the Committee shall constitute a quorum thereof.

(4) Required vote for action. Resolutions of the Committee shall be adopted by a vote of not less than the majority of the total membership of the Committee.

§ 8-5. Acquisition of development rights.

A. Application Bi-Annual Review Process. [Annual review] A Bi-Annual [annual] review period shall be designated in order to maximize the County's financial resources while preserving its valuable natural resources, including, but not limited to, its viable agricultural soils and sole-source aquifer.

(1) Review of new parcels.

(a) New parcels shall include those parcels that have never been reviewed by the Committee for inclusion in the Purchase of Development Rights Program; those parcels whose approval by the Suffolk County Legislature for planning steps under the Purchase of Development Rights Program has expired; or those parcels that were denied by the Committee and/or the Suffolk County Legislature for inclusion in the Purchase of

Development Rights Program but for which a substantive change in the preservation proposal has occurred, as determined by the Committee.

(b) Each landowner of a new parcel interested in participating in the Purchase of Development Rights Program shall submit an application to the [Department during the month of September] Division in order to be considered for the Program.

(c) Each complete application received by the [Department during September] Division by the last day of January shall be considered by the Committee at [the first Committee meeting of the subsequent year.] its March meeting or subsequent meeting held after March. Each complete application received by the Division by the last day of July shall be considered by the Committee at its September meeting or subsequent meeting held after September.

(d) Within five years of rejecting the County's offer or expiration of the County's offer, the landowner may re-submit an application but the landowner must bear the expense incurred by the County associated with the application process including but not limited to: surveys, title searches, appraisals, and environmental assessments. Furthermore, the landowner will be required to follow the bi-annual review process in the same manner as a new parcel outlined in this section. After five years of rejecting the County's offer or expiration of the County's offer, the landowner can re-submit an application free-of-charge.

[1] In the case of a landowner death, the surviving tenant by the entirety or devisee can resubmit a parcel application within the five year window without bearing the expenses incurred by the County.

[(d) Applications may be considered by the Committee outside of the annual review period if there is a necessity for review, such as estate concerns resulting from the sudden death of the landowner(s) or financial hardship resulting from crop failure or similar imperative, and if the proposed preservation is consistent with the applicable County, town and/or village comprehensive plans and/or agricultural and farmland protection plans. In addition, a referral made by a Suffolk County Legislator, a town or village within the County and/or a not-for-profit conservation organization may be considered outside of the annual review period, provided that the proposed preservation is consistent with the applicable County, town and/or village comprehensive plans and/or agricultural and farmland protection plans.

(2) Review of pending parcels.

(a) Pending parcels shall include those parcels that have been approved by the Suffolk County Legislature for planning steps under the Purchase of Development Rights Program, excluding those parcels whose approval by the Suffolk County Legislature for planning steps under the Purchase of Development Rights Program has expired, those that are in negotiation, those that are in contract and those from which development rights have been acquired.

(b) The Committee shall consider all pending parcels at the first Committee meeting of the year.

(3) Preservation priority list.]

(2) Comprehensive Master List for Farmland.

(a) Every six months [Each year] the Committee shall establish a [preservation priority list] Comprehensive Master List that prioritizes all of the [new and pending] parcels the Committee recommends for inclusion in the Purchase of Development Rights Program. It will not include parcels that are in negotiations, that are in contract or that have been approved for acquisition by resolution of the County Legislature.

(b) The Committee shall prioritize the parcels in a manner that maximizes the County's financial resources while protecting the County's most significant agricultural resources.

(c) The [preservation priority list] Comprehensive Master List shall be recommended to the Suffolk County Executive and Suffolk County Legislature [not later than the 15th day of February of each year] following the Farmland Committee's March meeting or its subsequent meeting, as well as following the Farmland Committee's September meeting, or its subsequent meeting.

[(d) Upon adoption of the preservation priority list by the Suffolk County Legislature, the Real Property Acquisition and Management Division of the Suffolk County Environment and Energy Department shall conduct its outreach and negotiations in accordance with the established list, which shall replace all existing farmland preservation priority lists.

(e) The Committee may recommend to the Suffolk County Executive and Suffolk County Legislature amendments to the adopted preservation priority list not more than two times per year.

(f) In the event that the preservation priority list is not adopted, the preservation priority list from the prior year shall remain in effect until such time as a new list is adopted.]

B. Acquisitions.

(1) The County shall have the authority to purchase the development right(s) to a parcel, in whole or in part, upon approval of the Suffolk County Legislature and subject to the provisions of this chapter.

(2) Criteria for consideration. Only lands able to sustain an economically viable commercial agricultural enterprise, as determined by the Committee, shall be considered for inclusion in the Purchase of Development Rights Program. Land eligible for inclusion shall either be used in agricultural production, in support of a commercial horse boarding operation, or in support of a commercial equine operation and shall meet the following criteria:

[Amended 3-27-2012 by L.L. No. 25-2012]

(a) Commercial agricultural operation.

[1] All development rights to the subject land shall be intact.

[2] The subject land shall be actively used in agricultural production.

[3] The subject land shall be at least seven acres and the associated farm operation shall have an average annual gross sales value of at least $10,000, or the subject land shall be less than seven acres and the associated farm operation shall have an average annual gross sales value of at least $50,000.

(b) Commercial horse boarding operation.

[1] All development rights to the subject land shall be intact.

[2] The subject land shall be actively used in support of a commercial horse boarding operation.

[3] The subject land shall be at least seven acres and the associated farm operation shall have an average annual gross sales value of at least $10,000.

(c) Commercial equine operation.

[1] All development rights to the subject land shall be intact.

[2] The subject land shall be actively used in support of a commercial equine operation.

[3] The subject land shall be at least seven acres and the associated farm operation shall have an average annual gross sales value of at least $10,000.

(3) The Committee shall demonstrate a preference for farm operations that promote agricultural production while protecting groundwater, soils and viewsheds. [The Committee shall limit its recommendations for acquisitons of farm operations that undermine the long-term viability of such natural resources as the Nassau Suffolk sole source aquifer, prime farmland, farmland of statewide importance, unique farmland, etc.]

(4) As of January 1, 2014, the Committee shall only consider new applicants that have developed an Agricultural Environmental Management Plan in cooperation with the Suffolk County Soil and Water District. The farm operation must be in the Tier 3 stage of the Agricultural Environmental Management Plan, as set forth by the New York State Soil and Water Conservation Committee.

C. Restrictions, conditions or encumbrances. When the County acquires title to a development right(s) with funds received from the federal, state or local governments or from private sources, such title may be acquired subject to restrictions, conditions or encumbrances required as a result of the funds received. Such restrictions, conditions or encumbrances may include, but are not limited to, a reverter interest held by the source of funds. Such restrictions and conditions shall be reviewed by the Suffolk County Attorney. Acceptance of such funds and the terms and conditions for acceptance shall be subject to legislative approval.

D. Title. Where the County acquires the development right(s) through the Purchase of Development Rights Program, which conditions said acquisition upon the financial participation of a governmental entity or other private source, the title may be held by:

(1) The County;

(2) The County, governmental entity(ies) and/or not-for-profit conservation organization(s) as tenants in common, each on an undivided pro-rata interest to the extent of the financial participation stipulated in the legislation authorizing the respective County acquisition or acquisition program; or

(3) The County, governmental entity(ies) and/or not-for-profit conservation organization(s), by physically dividing the property up between the County, governmental entity(ies) and/or not-for-profit conservation organization(s), with the County owning all of the development rights (and/or interests) in its respective portion of the property, with the governmental entity(ies) owning all of the development rights (and/or interests) in its (their) respective portion(s) of the property and with the not-for-profit conservation organization(s) owning all of the development rights (and/or interests) in its (their) respective portion(s) of the property.

E. Management agreement. If it is not contrary to any statute, the Suffolk County Charter, this chapter or any other local law, any regulation or other County policy, the County is hereby authorized to negotiate and to enter into management agreements with governmental entities and not-for-profit conservation organizations for the management of said County acquisition(s), and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Suffolk County [Planning Department] Division of Planning and Environment Director.

§ 8-6. Alienation of development rights.

A. Unless authorized by local law recommended by the Committee and approved upon mandatory referendum, development rights acquired by the County to agricultural lands shall not be alienated in any manner, except where provided herein.

B. In determining whether to recommend the alienation of development rights, the Committee shall take into consideration:

(1) The continuing practicality of the use of the residual right(s) to the land(s);

(2) The development rights which have been acquired by the County;

(3) Such factors as the uses to which adjacent lands have been put; and

(4) The necessity for the use of the land(s) for another governmental purpose.

§ 8-7. Notification requirements.

A. Change of address. The agricultural landowner shall notify the Division [Department] if the land is to be leased to another party and provide the agricultural land lessee's name and address. The agricultural landowner and agricultural land lessee shall notify the Division

[Department] of any change of address for receipt of mail or service of process in writing within 30 days of a change of address.

B. Change in ownership. The agricultural landowner, seller shall notify the Division [Department] of the intention to sell the residual right(s) to the agricultural land and provide the name and address of the intended purchaser in writing 45 days prior to the closing of a sale of the residual right(s) to land(s) for which the County has purchased, in whole or in part, the development right(s).

§ 8-8. Permits.

A. Permit types.

(1) Agricultural development permit. An agricultural development permit shall be necessary for the following actions, where proposed on agricultural land:

(a) To erect a structure, including temporary structures;

(b) To install a structure, including temporary structures;

(c) To locate and/or relocate a structure;

(d) To modify an existing structure, except de minimis alterations such as the replacement of doors on an existing structure;

(e) To rebuild a structure, including temporary structures;

(f) To remove and/or demolish an existing structure;

(g) To operate an alternative energy system; [and/or]

(h) To operate a farm stand;

(i) To operate a processing facility; and/or

(j) To create a permeable parking area.

(2) Special use permit. A special use permit shall be necessary for the following actions, where proposed on agricultural land:

(a) Site disturbances.

[1] Such permit shall be necessary for all site disturbances on agricultural lands.

[2] Only site disturbances associated with standard agricultural practices, drainage improvements and/or agricultural development permits, as determined by the Committee, shall be permitted on agricultural land.

(b) Special events.

[1] Such permit shall be necessary to conduct a special event where proposed on agricultural land.

[2] A maximum of one special event may be held each calendar year per farm operation.

[3] No special event shall exceed two days of operation.

[4] No special event shall adversely impact the viability of the agricultural operation and/or the associated natural resources, as determined by the Committee.

[5] All catered events shall be considered a special event and are subject to special event permitting through the Committee.

B. Permit requirements and limitations.

(1) An agricultural development permit shall be obtained by the agricultural landowner or agricultural land lessee with approval of landowner prior to commencement of construction activities, including clearing, regrading or other site preparation necessary for constructing, placing, modifying or demolishing a structure. Failure to comply with the permit requirements specified herein shall be subject to the provisions of § 8-15 [14]of this chapter.

(2) A special use permit shall be obtained by the agricultural landowner or agricultural land lessee with approval of landowner prior to commencement of site disturbance activities. Failure to comply with the permit requirements specified herein shall be subject to the provisions of § 8-15 [14] of this chapter.

(3) A special use permit shall be obtained by the agricultural landowner or agricultural land lessee with approval of landowner prior to any site preparation activities for a special event. Failure to comply with the permit requirements specified herein shall be subject to the provisions of § 8-15 of this chapter.

(4) An agricultural development permit does not relieve the agricultural landowner and/or agricultural land lessee from compliance with federal, state and local regulatory and/or zoning ordinances.

(5) A special use permit does not relieve the agricultural landowner and/or agricultural land lessee from compliance with federal, state and local regulatory and/or zoning ordinances. Compliance with all health and safety codes shall be required in connection with any special events.

C. Exception to permit requirement. The agricultural landowner and/or the agricultural land lessee shall not be required to obtain a permit for an activity or structure that is existing and in compliance with the provisions of this chapter, the contract of sale and the deed of development rights on the effective date of these amendments. Any modifications to the preexisting, conforming activity or structure shall be subject to the permit requirements specified in this chapter.

D. Permit application procedures.

(1) Applications for permits or permit modifications shall be submitted to the Division [Department] two weeks before the Committee meeting at which the application will be heard, unless a later filing is approved by the Division [Department]. Applications shall include:

(a) An application form, where required;

(b) The name, address and telephone number of the applicant, and if an agent will be representing the applicant, the application shall include the name, address and telephone number of the agent as well as an original signature of the applicant authorizing the agent to represent the applicant;

(c) The name, address and telephone number of the agricultural landowner, and if the agricultural landowner is not the applicant, the application shall include a letter or other written permission signed by the agricultural landowner:

[1] Confirming that the agricultural landowner is familiar with the application; and

[2] Authorizing the submission of the application;

(d) The physical address of the subject parcel;

(e) The Suffolk County Real Property Tax Map Number (i.e., district, section, block and lot) of the subject parcel;

(f) A site plan delineating the location of the proposed development and/or the proposed event, which the Committee may require be prepared by a licensed surveyor or other professional;

(g) A nonrefundable application fee, where required; and

(h) Any other information requested by the Division [Department] and/or Committee that may be necessary to review the proposal.

(2) Applications for permits or permit modifications may be referred to another agency such as the [Natural resources Conservation Service] Suffolk County Soil and Water Conservation District for expert advice.

(3) Only complete applications, as determined by Division staff, may be referred to the Committee for approval.

(4[3]) The Committee may approve, approve with conditions, deny or deem incomplete an application.

[(4) Only complete applications, as determined by the Committee, may be approved.]

(5) The agricultural landowner shall record the agricultural development permit and/or special use permit, including applicable conditions, with the Suffolk County Clerk if such recording

is required by the Committee. Failure to comply with this requirement shall be subject to the provisions of § 8-15[14] of this chapter.

(6) The agricultural landowner shall submit the "as-built" plans associated with an agricultural development permit and/or special use permit, where required by the Committee, to the Division [Department] within one year of permit issuance. The agricultural landowner may submit in writing a request to extend the time frame within which this requirement must be completed. Failure to comply with this requirement shall be subject to the provisions of § 8-15[14] of this chapter.

E. Permit issuance criteria. Permit issuance shall be subject to the following conditions:

(1) The agricultural landowner and the agricultural land lessee, if applicable, shall be otherwise in compliance with this chapter;

(2) The proposed action shall not alienate the development right(s) acquired by the County in any manner;

(3) The proposed action shall be consistent with the intent and provisions of this chapter;

(4) The proposed action shall be consistent with all adopted Committee guidelines;

(5) The proposed action shall promote agricultural production or agricultural tourism;

(6) The proposed action shall not negatively impact the agricultural land's short-term and/or long-term viability for agricultural production;

(7) The proposed action shall not negatively impact the value of the agricultural land;

(8) The proposed action shall not undermine the short-term and/or long-term viability of the natural resources;

(9) The proposed action shall be approved in such a manner, with applicable conditions, as to limit the negative impacts to soils, water (both groundwater and surface waters) and viewsheds;

(10) The proposed action shall not result in a significant negative impact to any adjacent property that is not consistent with standard agricultural practices;

(11) The proposed action shall be approved in such a manner that minimizes, to the extent possible, all other negative impacts; and

(12) The proposed action shall be consistent with expert recommendations, where sought by the Committee.

F. Permit fees.

(1) Application fee. A nonrefundable fee in the amount of $100 shall be submitted with each application for a permit.

(2) The application fee shall be waived if the application is exclusively for:

(a) Permission to remove or demolish an existing structure, in whole or in part.

[(a) Permission to install a Purchase of Development Rights Program sign;

(b) Permission to install a landscape screen;

(c) Permission to install, relocate, modify or extend a fence structure; or]

(3) Public hearing fee. A fee in the amount of $500 shall be submitted with each application for which a public hearing is required. The fee shall be refundable if the application is withdrawn and the public hearing has not been advertised. If the public hearing has been advertised but the application is withdrawn prior to the public hearing, the applicant shall be entitled to a refund of 1/2 of the public hearing fee.

(4) Failure to submit the required fee(s) shall deem the application incomplete.

§ 8-9. Permit conditions.

A. General conditions. Permits shall contain such reasonable conditions as the Committee deems necessary to protect the agricultural land.

B. Covenants and restrictions. Where it deems appropriate and necessary, the Committee may condition the issuance of an agricultural development permit and/or special use permit upon the agricultural landowner's execution of a restrictive covenant, or other instrument acceptable to the Division [Department]. The restrictive covenant or other instrument shall be recorded in the Office of the Suffolk County Clerk prior to permit issuance and not later than 60 days from the date of the Committee's approval. Failure to file said restrictive covenant in accordance with the above shall render the approval null and void and may be subject to the provisions of § 8-15[14] of this chapter.

C. Continuing obligations. The agricultural landowner and/or agricultural land lessee shall have a continuing obligation to maintain all improvements authorized by and to abide by all conditions imposed by a permit, including compliance with all provisions of this chapter.

D. Noncompliance. The failure to comply with any and all conditions of an agricultural development permit and/or special use permit shall be deemed a violation of this chapter, subject to the penalties provided in § 8-15 of this chapter. In addition, the County reserves the right to rescind or revoke, in whole or in part, such permit.

E. Modifications of permits and restrictive covenants. All requests for modifications of conditions of permits or restrictive covenants must be made through the Committee in accordance with § 8-8D.

F. Expiration. All agricultural development permits shall expire within one year of issuance unless the authorized improvements have been commenced; a building permit, where required by the local town or village, has been secured by the agricultural landowner; or the Committee has granted the agricultural landowner an extension. Any request for an extension shall be made in writing to the Committee by the agricultural landowner. Only one extension per

permit application may be granted by the Committee. No extension may be granted for a duration greater than one year. Requests for extension shall not be subject to the permit fee requirements specified in this chapter.

§ 8-10. Lot coverage.

A. Maximum lot coverage. The lot coverage of agricultural lands shall not exceed the following:

Parcel Area (acres)	Maximum Lot Coverage
0 to 25	15%
25 to 50	12.5%
More than 50	10%

B. Further limitations. The maximum lot coverage set forth in Subsection A does not create a right to construct buildings, display areas or parking areas up to the limits imposed. All proposed development must be for the express purpose of supporting agricultural production, a commercial horse boarding operation and/or a commercial equine operation, as set forth in this chapter. The Committee may limit lot coverage to an amount less than the maximum lot coverage as it deems necessary to carry out the purposes of this chapter.

C. Relief. In the event of hardship, the Committee shall have the authority to approve, in whole or in part, or disapprove all agricultural development permit applications for buildings that would result in a lot coverage that exceeds the maximum lot coverage specified in Subsection A of this section. In no case shall the lot coverage exceed 25%. All approvals shall be subject to ratification by the Environment, Planning and Agriculture Committee (EPA), or successor committee, of the Suffolk County Legislature.

(1) Relief process. The Committee shall conduct a public hearing. Upon closing the public hearing, the Committee shall determine whether or not a hardship exists. If a hardship does not exist, the Committee shall disapprove the application. If the Committee makes a determination that a hardship exists, the Committee shall approve, in whole or in part, or disapprove the application. The Committee shall refer all approvals to the EPA for consideration and ratification. The EPA shall have the authority to ratify, ratify with conditions, or reject the application. Upon ratification by the EPA, the Committee shall issue an agricultural development permit specifying any and all necessary conditions. Failure of the EPA to ratify the Committee's approval shall deem it null and void.

(2) Public hearing notice requirements. Written notice of the public hearing shall be provided to all property owners within 500 feet of the subject parcel, to the municipality in which the property is located and to the Suffolk County Legislature. Notice shall be sent or delivered at least 10 days prior to the public hearing. In addition, notice of the hearing shall also be published in the official newspaper(s) of the County at least 10 days prior to the public hearing.

(3) Criteria for relief. In making its determination, the Committee shall take into consideration the benefit to the applicant if the agricultural development permit is approved, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such approval. In making such determination, the Committee shall also consider:

(a) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by approving the agricultural development permit;

(b) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than the agricultural development permit as proposed;

(c) Whether the requested relief is substantial and the extent to which the maximum lot coverage would be exceeded;

(d) Whether the proposed relief will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

(e) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Committee, but shall not necessarily preclude the granting of the agricultural development permit.

(4) Extent of relief. The Committee, in the granting the approval, shall grant the minimum lot coverage that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

(5) Imposition of conditions. The Committee shall, in approving the relief and the agricultural development permit, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the premises. Such conditions shall be consistent with the spirit and intent of this chapter and shall be imposed for the purpose of minimizing any adverse impact such approval may have on the neighborhood or community.

§ 8-11. Agricultural Tourism.

A. Purpose. Agricultural tourism promotes agricultural education and gives the public the opportunity to experience agricultural activities first-hand. Agricultural tourism can enhance the long-term economic viability of agricultural production by providing an additional source of on-the-farm revenue. Agricultural tourism must be accessory to the primary purpose of agricultural production. Catered events shall not be considered agricultural tourism.

B. Permits.

(1) Only the following specifically enumerated agricultural tourism activities are allowed on agricultural lands. The following activities, in conjunction with an active farming operation, shall be considered components of agricultural production and are not subject to the Committee permitting process:

a) "U-Pick" operations with produce such as, but not limited to, strawberries, raspberries, blueberries, pumpkins. "U-Pick" activities can only be offered for produce grown on the farm operation. Produce grown off-premises cannot be imported to the agricultural lands for the purposes of "U-pick" operations;

b) Crop mazes. Crop mazes must be made from a harvestable commodity such as corn stalks or sunflowers that are harvested on a regular basis. Mazes of a permanent nature are not permitted;

c) Hayrides;

d) Agricultural educational tours, such as vineyard tours. Only sampling of products grown or processed on the farming operation is allowed on an agricultural educational tour.

(2) Agricultural tourism activities that require the installation of a temporary structure or the modification within the footprint of an existing structure are subject to the Committee permitting process as specified in § 8-8. Agricultural tourism structures can only be temporary in nature and must be associated with allowable agricultural tourism activities as listed in § 8-11 B (1). Temporary structures shall count towards the parcel area's maximum lot coverage as specified in § 8-10 of this chapter. No permanent agricultural tourism structures are permitted on premises.

C. Parking. Permeable parking areas for agricultural tourism may be permitted as necessary, subject to the agricultural development permit requirement specified in § 8-8 of this chapter. Parking areas shall count towards the parcel area's maximum lot coverage as specified in § 8-10 of this chapter.

§ 8-[11]12. Farm Stands and Processing Facilities.

A. Purpose. Farm stands provide farmers with direct outlets to market the agricultural products grown on [agricultural lands] the farm operation as well as locally grown produce. Processing facilities provide farmers with opportunities to convert natural and raw forms of agricultural products grown on a farm operation into a processed agricultural product such as cheese, jam and wine, derived from products grown on the farm operation.

B. Limitations. In no event shall the cumulative floor area of a farm stand and/or processing facility exceed 1,000 square feet of floor area. For purposes of this calculation, a farm stand display area shall not be counted towards this building limit. All proposed development must be for the express purpose of supporting a farm stand operation or processing facility, as set forth in this chapter. The Committee may limit this building coverage to an amount less than the maximum building allowance as it deems necessary to carry out the purposes of this chapter. Farm stands, display areas, processing facility structures and parking shall count towards the parcel area's maximum lot coverage as specified in § 8-10 of this chapter.

[B]C. Permits. The construction, placement, relocation, modification, expansion, demolition and/or operation of a farm stand or processing facility on agricultural lands shall be subject to the agricultural development permit requirements specified in this chapter. The Committee

may issue an agricultural development permit for a farm stand structure and/or a processing facility subject to the following conditions:

(1) Farm stands:

(a) Only agricultural products, [and] processed agricultural products, and other agriculture-related products shall be offered for sale at the farm stand. Agricultural products shall include:

i) [In addition to a] Agricultural products grown on [the] premises and processed agricultural products, such as cheese, jam and wine, derived from agricultural products grown on [the] premises. [retail sales also may include goods that are grown off the premises, provided they are locally grown agricultural products or processed agricultural products derived from locally grown agricultural products and are offered for sale in an amount that shall not exceed 40% of the total square footage of the farm stand structure.]

ii)Agricultural products grown off premises may be sold on farm stands, provided they are locally grown agricultural products or processed agricultural products derived from locally grown agricultural products. The total amount of locally grown products offered for sale must be subordinate to produce grown on the farm operation and shall not exceed 40% of the total square footage of products displayed at the farm stand structure.

iii) Agriculture-related products, including clothing and other souvenir items that promote the farm or locally grown produce, shall be allowed so long as the total sales area does not exceed 10% of the total square footage of products displayed at the farm stand structure.

[(3)](b) The farm stand structure shall not exceed 1,000 [500] square feet and shall be subject to the agricultural development permit specified in this chapter.

[(4)](c) The farm stand operation may include an additional display area which shall not exceed [1,000] 1,500 square feet. Awnings, overhangs, porches and decks attached to the farm stand structure shall count towards the farm stand display area.

[(5)](d) The farm stand structure shall be [semi-permanent and] designed for either seasonal or year round use, [use in growing seasons only] and the installation and maintenance of permanent heating equipment within the farm stand structure is permitted [shall be prohibited].

(e) Storage of agricultural products and processed agricultural products, including cold or climate controlled storage is permitted within the farm stand structure.

(f) The installation of utilities, including any overhead, surface or underground equipment such as a transmission line, pole, wire, pipe, well, drainage system or septic system necessary for the supply of electricity, natural gas and/or water, for the mitigation of stormwater runoff, for the removal of sanitary sewage effluent and/or for communication

purposes shall be permitted if necessary and required for the farm stand operation. A special use site disturbance permit is required for the installations of such utilities.

(g) Second floors are not permitted to be built for farm stand structures.

(h) Permeable parking areas for the farm stand may be permitted as necessary, subject to the agricultural development permit requirement specified in § 8-8 of this chapter. Parking areas shall count towards the parcel area's maximum lot coverage as specified in § 8-10 of this chapter.

(i) The farm stand and display areas listed herein shall be constructed and operated in compliance with all applicable federal, state and local legal requirements, including, but not limited to, zoning restrictions and New York State and Suffolk County Department of Health Services regulations.

[(6) The farm stand shall be constructed and operated in compliance with all applicable federal, state and local legal requirements, including, but not limited to, zoning restrictions.

(7) Gravel or dirt parking areas for the farm stand may be permitted as necessary, subject to the agricultural development permit requirement specified in this chapter.]

(2) Processing Facilities:

(a) Processing shall be limited to the processing of on-premises and locally grown agricultural products. No less than 51% of the inputs used in processing must consist of products produced on the farm operation.

(b) The processing structure shall not exceed 1,000 square feet and shall be subject to the agricultural development permit specified in this chapter. However, as set forth in Section § 8-12 (B), the cumulative total floor area of a processing structure and a farm stand structure cannot exceed 1,000 square feet.

(c) Processing structures shall not include display areas.

(d) The modification of an existing structure for processing purposes is permissible, subject to the Committee permitting review.

(e) The installation of utilities, including any overhead, surface or underground equipment such as a transmission line, pole, wire, pipe, well, drainage system or septic system necessary for the supply of electricity, natural gas and/or water, for the mitigation of stormwater runoff, for the removal of sanitary sewage effluent and/or for communication purposes shall be permitted if necessary and required for the processing facility. A special use site disturbance permit is required for the installations of such utilities.

(f) The processing structure listed herein shall be constructed and operated in compliance with all applicable federal, state and local legal requirements, including, but not limited to, zoning restrictions and New York State and Suffolk County Department of Health Services regulations.

C. Conditions. The Committee may impose such additional conditions as it deems necessary to carry out the purposes of this chapter.

§ 8-13[12]. Alternative energy systems.

A. Purpose. Alternative energy systems provide farmers with opportunities to generate safe, efficient, effective and renewable energy on site and diminish the farm operation's dependence on nonrenewable energy sources. All alternative energy systems shall be subordinate to the agricultural use of the agricultural land.

B. Permits. The construction, placement, relocation, modification, expansion, demolition and/or operation of an alternative energy system on agricultural lands shall be subject to the agricultural development permit requirements specified in this chapter. The Committee may issue an agricultural development permit for an alternative energy system subject to the following conditions:

(1) The rated capacity of the alternative energy system shall not exceed 110% of the farm operation's average annual consumption, where annual consumption is the total amount of energy used per annum for those agricultural activities permitted on agricultural lands.

(2) Electricity generated by the alternative energy system shall not be consumed by any residential or other nonagricultural land use nor shall it be consumed by any activity prohibited on agricultural lands [including, but not limited to, processing] whether or not said use is on the subject parcel, contiguous to the subject parcel and/or under common ownership with the subject parcel, except as stated herein.

C. Connectivity. The alternative energy system may be connected to the utility provider's electricity grid, provided that the rated capacity of the alternative energy system is less than or equal to the standard set forth in Subsection B(1) of this section. In the event that the farm operation changes and the average annual electricity consumption is reduced, the agricultural landowner shall be required to disconnect from the utility provider's grid unless the alternative energy system is modified such that the new rated capacity of the alternative energy system is consistent with the standard set forth in Subsection B(1) of this section.

D. Conditions. The Committee may impose such additional conditions it deems necessary to carry out the purposes of this chapter.

§ 8-14[13]. Prohibitions.

A. Nonagricultural use. No person shall use agricultural lands for any purpose other than agricultural production, except as provided in this chapter.

B. Abandonment of Agricultural Use. Beginning on January 1, 2014, no owner shall leave agricultural land open and not engage in agricultural production or a commercial horse boarding operation and/or a commercial equine operation, for more than two (2) consecutive years.

[B]C. Mining. Resource extraction, including soil removal, shall be prohibited on all agricultural lands.

[C]D. Dumping. There shall be no dumping on agricultural lands.

[D. Processing. Processing, including the processing of agricultural products, shall be prohibited on agricultural lands.]

E. Solid waste. No solid waste shall be burned or stored on agricultural lands.

F. Hazardous waste. No hazardous waste shall be stored on agricultural lands.

G. Aviation. No aircraft, including, but not limited to, airplanes, helicopters, hot-air balloons and gliders, shall be permitted to land on, hover above or take off from agricultural lands, except where part of standard agricultural practices such as crop dusting or for law enforcement, fire, emergency or military purposes.

H. Vehicles. No vehicles, including all-terrain vehicles, shall be used or stored on agricultural lands except in aiding agricultural production or for law enforcement, fire, emergency or military purposes.

I. Structures. No person shall erect, install, locate, relocate, modify, rebuild, remove or demolish a structure without an agricultural development permit.

J. Farm stands. No person shall operate a farm stand without an agricultural development permit.

K. Processing. No person shall operate a processing facility without an agricultural development permit.

[K]L. Alternative energy systems. No person shall operate an alternative energy system without an agricultural development permit.

[L]M. Driveways, roadways, thoroughfares. No person shall use any driveway, roadway, path or thoroughfare on agricultural land for vehicular access to an adjacent parcel for any purpose other than agricultural production.

[M]N. Parking areas. Asphalt, concrete and all other impermeable parking areas shall be prohibited on agricultural lands.

[N]O. Landscape screens. No landscape screen shall be permitted around fallow agricultural land, except those agricultural lands kept fallow customary to standard agricultural practices.

[O]P. Site disturbances. No person shall conduct a site disturbance, including, but not limited to, dredging, excavation, filling, grading and/or soil removal on agricultural land without a special use permit.

[P]Q. Special events. No person shall conduct a special event on agricultural land without a special use permit.

[Q]R. Contracts. No person shall violate the terms and conditions of the contract of sale, as may be amended, and the deed of development rights, as may be amended.

[R]S. Any nonagricultural activity not explicitly permitted by this chapter shall be prohibited.

§ 8-15[14]. Enforcement.

A. Cease and desist order.

(1) Where a violation of this chapter, the contract of sale and/or the deed of development rights is suspected, the Division [Department] shall cause an investigation to be conducted. If the Division [Department] has reason to believe that a violation of this chapter, the contract of sale and/or the deed of development rights has been committed or exists, the Division [Department] may issue a cease and desist order. The cease and desist order shall be served in person or by certified mail to the agricultural landowner at the address on file with the Division [Department] and, where applicable, the agricultural land lessee. The cease and desist order may direct restoration of the property, removal of structures that are in violation of this chapter, the contract of sale and/or the deed of development rights and such other corrective actions and terms as the Division [Department] finds necessary to protect the County's interest in the agricultural land.

(2) A cease and desist order may be lifted by the Division [Department] upon a finding that the violation has been abated and/or when an application to bring the activity into compliance has been filed and a permit has been issued.

B. Violations. Where it is determined by a court that a violation of any of the provisions of this chapter has been committed or exists, the agricultural landowner, the agricultural land lessee and any other person who takes part or assists in such violation shall each be deemed guilty of a violation of this chapter.

C. Temporary restraining order and/or injunction.

(1) The County may obtain a temporary restraining order and/or injunction to enforce the provisions of this chapter.

(2) Violation of a temporary restraining order and/or injunction may be punishable as contempt under state laws.

(3) Violation of a temporary restraining order and/or injunction shall constitute a separate violation of this chapter, punishable by penalties in addition to those imposed for the underlying violation for which the temporary restraining order and/or injunction was obtained.

D. Restoration.

(1) The court may compel the agricultural landowner and/or agricultural land lessee to restore agricultural land to a condition suitable for agricultural production where there has been an abandonment of agricultural production or a site disturbance has occurred in violation of this chapter.

(2) Where a violation has resulted in damage to the agricultural resource on agricultural land, the court may order restoration of the agricultural land to the greatest extent possible, regardless of cost.

E. Removal.

(1) The court may compel the agricultural landowner and/or the agricultural land lessee to remove any and all unauthorized structures on agricultural land.

(2) Where a violation has resulted in the erection, installation, location, relocation, modification or demolition of a structure or the operation of an alternative energy system, farm stand and/or processing facility on agricultural land, the court may order the removal of said structure or remains, regardless of cost.

F. Damages. Where a violation of the provisions of this chapter results in damage to the County's interest in the development right(s) and/or the underlying value of the land, the court may award damages to the County equal to the development right(s) purchase price plus compounded interest and an additional amount as would be necessary to purchase the development right(s) to a similar agricultural property, as determined by the County.

G. Civil penalties.

(1) A violation of § 8-14[13] shall be punishable by a civil penalty of up to $5,000 per day, with each day constituting a separate violation.

(2) Any violation which causes a substantial reduction in the viability of the agricultural resource shall be punishable by a civil penalty not more than $10,000 per day, with each day constituting a separate violation. The viability of the agricultural resource may be determined by any reasonable means, including, but not limited to, testimony from any person with demonstrated agricultural expertise.

H. Costs and disbursements. The court may award costs of investigating and enforcing this chapter.

I. Attorneys' fees. The court may award attorneys' fees.

J. No waiver. Failure to take an action to enforce the provisions of the contract of sale, the deed of development rights, this chapter and/or any rules or regulations promulgated thereunder shall neither constitute a waiver nor constitute an agreement to allow the prohibited activity nor constitute permission to engage in the activity without first obtaining applicable permits.

K. Other remedies. The County reserves the right to pursue any and all legal and equitable remedies herein mentioned or otherwise available at law, including administrative, civil and criminal actions to enforce the provisions of this chapter and to satisfy the intent and spirit of the Purchase of Development Rights Program.

L. Cost no defense. Cost shall not be a defense to the imposition of remedies.

§ 8-16[15]. Provisions to control over other legislation.
Notwithstanding the provisions of any special law, charter law, local law or resolution which may be inconsistent herewith, in whole or in part, this chapter shall in all respects control in the matter of the acquisition or alienation of development rights in agricultural lands.

§ 8-17[16]. Severability.
Should any provision of this chapter be adjudged invalid by a court of competent jurisdiction, such adjudication shall not affect the validity of any other provision of this chapter.

Section 3. Applicability.

This chapter shall be applicable to all agricultural lands to which the county has acquired interests or rights, in whole or in part, under the Purchase of Development Rights Program. This chapter shall not apply to nonagricultural lands acquired as open spaces or open areas for the purpose of preserving active parkland, passive parkland, woodlands and/or wetlands and shall not apply to farmlands to which the county does not own any interest or right.

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

Section 6. Effective Date.

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

[ ] Denote deletion of existing language

__ Underlining denotes addition of new language

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

GEORGE NOLAN
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1700

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DATE: AUGUST 7, 2013

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2013

TITLE: I.R. NO. -2013; A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE

SPONSOR: PRESIDING OFFICER, ON THE REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 7/30/13 **PUBLIC HEARING:** 10/8/13

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

This proposed local law would amend Chapter 8 of the SUFFOLK COUNTY CODE to make significant changes to the County's Farmland Program, also known as the Purchase of Development Rights Program ("Program"). The changes can be summarized as follows:

Composition of Farmland Committee

This proposed law would change the composition of the Farmland Committee, specifically, the makeup and qualifications of the nine appointments made by the Suffolk County Executive.[1] This law will reduce the number of County Executive appointments representing his administration from four to two and increase the number of "at-large" appointments from five to seven. The Commissioner of Economic Development and Planning and the Director of the Division of Planning and Environment will continue to serve as members of the Committee. Five of the seven at-large members must have specific farming background or expertise, (i.e., one member must have a background in the cultivation of edible crops, one member must have a background in livestock and livestock products, et al.).

This law would empower the County Executive to fill a vacancy of any town position on the Farmland Committee when the town does not certify a member to fill the vacancy within 90 days.

The law also provides that all existing Committee members, as of January 1, 2014, shall continue to serve until such time as the individual voluntarily vacates the position or until the appropriate appointing body approves a resolution replacing the individual. Persons appointed to replace the existing members will serve terms of four years.

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[1] The Committee consists of 19 members, 10 of whom are designated by the 10 towns within the County.

Operation of Farmland Committee

This law would require the Farmland Committee to review new applications for inclusion in the program and establish a comprehensive master list bi-annually to prioritize "new" parcels that the Committee recommends for inclusion in the program. This list will not include parcels that are in negotiation, in contract or which have been approved by the Legislature for acquisition. Presently, the Committee is required, on an annual basis, to review parcels and establish a "preservation priority" list that includes new and pending parcels.

This law would add an important new criteria for parcels to be considered for inclusion in the program. Beginning in 2014, the Committee will only consider new applicants that have developed an Agriculture Environmental Management Plan in cooperation with the Suffolk County Soil and Water District. The farm operation must be in the Tier 3 stage of the Management Plan, as set forth by the New York State Soil and Water Conservation.

The law would authorize landowners who reject the County's offer to acquire development rights to resubmit an application to participate in the program. However, reapplying landowners will be required to bear the expenses for surveys, title searches and appraisals. A landowner will not be required to bear these expenses if he or she makes a new application to participate in the program more than five years after the initial rejection.

This law would, for the first time, authorize the Farmland Committee to delegate to the staff of the Division of Planning and Environment the permitting review and determination of "minor and routine" agricultural practices.

This law would specifically authorize the operation of a "processing facilities" on participating farms but limit the floor area of a farm stand and/or processing facility to 1,000 square feet. Further, farm stands, processing facilities structures and parking lots would count towards the farm's maximum lot coverage set forth in Chapter 8.

Permitting of Activities on Participating Farmlands

This law would require that farm owners, currently participating in the program, receive an agricultural development permit from the Committee for certain actions on their properties. These actions include the erection or rebuilding of a temporary structure, the operation of a processing facility or the creation of a permeable parking area. All catered events on participating farmland will be considered a special event and are subject to special event permitting through the Committee. This law will allow the Committee to waive the standard $100 permitting fee if an applicant seeks permission to remove or demolish an existing structure.

This law would exempt certain "agricultural tourism" activities from the Committee's permitting process, specifically "u-pick" activities for produce grown on the farm, crop mazes, hay rides and agricultural educational tours. Temporary structures may be erected to support these tours and activities but the structures are subject to the Committee's permitting process.

This law will also add a provision prohibiting the owner of participating farmland from abandoning agricultural production on his or her land for more than two consecutive years.

Farm Stands

This proposed law would liberalize the rules applicable to farm stand operations. Specifically, this law would expand the type of products that may be sold at farm stands to include locally grown agricultural products that are grown off premises and processed agricultural products that are derived from locally grown products. Farm stands could also sell clothing and souvenirs that promote the farm and locally grown produce.

The permissible size of farm stands will be increased from 500 to 1,000 feet and the stands' permissible additional display area will be increased from 1,000 to 1,500 feet.

Additionally, farm stand structures may be designed for year-round use and the existing prohibition of permanent heating equipment is eliminated. Further, the installation of utilities will be permitted if necessary for the farm stand's operation.

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-amend Chapter 8

1701

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Legislator Browning

RESOLUTION NO. -2013, AMENDING THE RULES OF THE LEGISLATURE

WHEREAS, the Suffolk County Legislature utilizes a committee system to review, analyze and debate legislation; and

WHEREAS, the Legislature's strong committee system weeds out bad legislation and, in many cases, helps strengthen and improve legislation that is ultimately enacted by the Legislature; and

WHEREAS, typically no resolution or local law can be considered by the full Legislature unless it is discharged from committee by a majority vote of its membership; and

WHEREAS, the Rules of the Legislature do provide an alternative means to discharge a resolution from committee; and

WHEREAS, a petition signed by ten (10) members of the full Legislature will discharge a resolution from committee; and

WHEREAS, under current legislative rules, a discharge petition can be circulated and legislation discharged even before its assigned committee has met to consider it; and

WHEREAS, this practice weakens and undermines the committee system which has served this Legislature and County very well; now, therefore be it

1st **RESOLVED**, that Rule 6 of the 2013 Rules of the Suffolk County Legislature is hereby amended as follows:

RULE 6. DISCHARGE OF LEGISLATION.

* * * *

C.) Legislation may be discharged from an assigned committee by a written petition to discharge being presented to the Clerk of the Legislature, signed by at least ten (10) members of the Legislature. Signatures on a discharge petition must be dated by the signatories. A petition to discharge shall be delivered to the Clerk of the Legislature no later than 12:00 noon on the day immediately preceding a regular meeting. The Clerk shall notify all Legislators electronically that said legislation will be eligible for consideration at the next regular meeting.

* * * *

3.) A petition to discharge legislation shall not be circulated until the assigned committee considers such legislation and any signature on a petition that predates the committee's action shall not be valid. However, in the event a regularly scheduled committee

meeting is cancelled or rescheduled to a later date, any legislation that is pending in that committee may be discharged by petition and the petition may be circulated at any point after notice is given that the committee meeting has been cancelled or delayed.

* * * *

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.

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-amend-rules-discharge-petitions

1702

Intro. Res. No -2013 Laid on Table 9/12/13

Introduced by Presiding Officer Lindsay

RESOLUTION NO. -2013, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO RAY AND PAMELA BORTZFIELD

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 Sayville, Town of Islip, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0500, Section 409.00, Block 04.00, Lot 038.000, and acquired by tax deed on October 31, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 2, 2012, in Liber 12710, at Page 130, and otherwise known as and by Town of Islip, Map entitled Property of Paul Groh and Julius J. Stenger, Lot 42 Filed in the Office of the Clerk of Suffolk County on June 3, 1911, Map No. 389.

and

WHEREAS, Ray and Pamela Bortzfield were the former owner(s) of said real property; and

WHEREAS, the time for redemption of this real property under Local Law No. 16-1976 has expired; and

WHEREAS, an investigation by the office of Legislator Lindsay has determined that said non-payment of taxes on the part Ray and Pamela Bortzfield was not an intentional act but was due to hardship circumstances beyond their control, more fully described in the documents attached hereto; and

WHEREAS, it would be in the best interest of the County of Suffolk to return said parcel to the tax rolls; and

WHEREAS, the above described parcel has been appraised by the County Department of Environment and Energy, Division of Real Property Acquisition and Management, at $400,000.00; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive and deposit the sum of $60,028.31 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore, be it

RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized to execute, acknowledge, and deliver a quitclaim deed to:

Ray and Pamela Bortzfield
32 Erwin Street
Sayville, NY 11782

upon receipt of the above-described moneys, to convey the interest of the County of Suffolk in the above-described real estate.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\word\215 redemption\-Bortzfield Resolution

COUNTY OF SUFFOLK

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

July 30, 2013

George Nolan, Esq., Counsel
Suffolk County Legislature
Legislature Building
Hauppauge, NY 11788

Re: Tax Map No.: 0500-409.00-04.00-038.000
Name of Redemptor: Ray and Pamela Bortzfield

Dear Mr. Nolan:

We are forwarding herewith copy of a Section 215 County Law Computation together with a copy of the County Treasurer's Computation concerning the above property, as well as other pertinent information.

For your reference, we are also enclosing copy of letter sent this date to Legislator William Lindsay.

Please draw the Resolution to restore title to Ray and Pamela Bortzfield in line with the Title Report submitted and enclosed herewith.

Very truly yours,

Lori Sklar

Lori Sklar
Redemption Unit
(631) 853-5937

las
Enclosures

pc: Legislator: The Honorable William Lindsay

57

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT

Redemption Unit
215 COMPUTATION

July 30, 2013

Tax Map No. 0500-409.00-04.00-038.000 IMPROVED

Date Acquired: October 31, 2012 Taken by: Tax Deed

Prior Fee Owner: Ray & Pamela Bortzfield

STATEMENT OF EXPENDITURES	AMOUNT
1. Treasurer's Computation.....	$59,954.60
2. Outstanding Tax Bills - not included in computation.....2012/2013.....	$ included
3. Recording Fees.	$ N/A
4. Administration Expense.....($200).....	$ Paid
5. License Fee (as per License Fee statement)	N/A
6. Repairs.....	N/A
7. Other County Expenditures.(Process serving)	$ 73.71
8. Appraisal and Review Fee.....($300)....	$ Paid
TOTAL.....	$60,028.31

PREPARED BY:

Lori Sklar

Lori Sklar
Redemption Unit

Description: Town of Islip, County of Suffolk, State of New York, acquired by Tax Deed on October 31, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 2, 2012, in Liber 12710 at Page 130, and otherwise known as and by Town of Islip, Map entitled Property of Paul Groh and Julius J. Stenger, Lot 42 Filed in the Office of the Clerk of Suffolk County on June 3, 1911, Map No. 389.

APPROVED:

L Brownell

Accounting Unit

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0500	409.00	04.00	038.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2008	$12,455.40
2010	$12,176.77
2011	$11,255.88
2012	$9,104.11
TOTAL:	$44,992.16

B. INTEREST DUE	$3,129.07
C. TOTAL	$48,121.23
D. 5% LINE C	$2,406.06
E. FEE	
F. MISC 2013 Town Taxes	$9,427.31
G. MISC	
H. TOTAL DUE	$59,954.60

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 02-Jul-13

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 12/29/13

TS

SINGLE FAMILY COMPARABLE RENT SCHEDULE

File No.

ITEM	SUBJECT	COMPARABLE NO. 1						COMPARABLE NO. 2				COMPARABLE NO. 3			
32 Erwin Street, Sayville, NY		18 Erwin Street, Sayville, NY						46 Hampton Street, Sayville, NY				150 Lincoln Ave, Sayville, NY			
Proximity to Subject	n/a	same street						1 block north				1 mile north			
Date of Sale	n/a n/a	7/7/13						2/4/13				4/30/13			
ales Price	n/a n/a	$450,000.00						$470,000.00				$361,000.00			
N/A	n/a n/a	$0.00 $0.00						$0.00 $0.00				$0.00 $0.00			
Adjusted Sales Price	n/a	$450,000.00						$470,000.00				$361,000.00			
Data Source	exterior inspection	MLS#2541032						MLS#2534131				MLS#2487465			
ADJUSTMENTS	DESCRIPTION	DESCRIPTION					+(-) $Adjustment	DESCRIPTION			+(-) $Adjustment	DESCRIPTION			+(-) $Adjustment
	None noted	None noted						None noted				None noted			
Location/View	Average/Residential	Average/Residential						Average/Residential				Busy Road			$25,000.00
Design & Appeal	colonial/average	colonial/average						colonial/average				colonial/average			
Age/Condition	100 years +/-/average	100 years+/-/average						100 yearsz+/-/average				100+/-/average			
Above Grade	Total	Bdrms	Baths	Total	Bdrms	Baths		Total	Bdrms	Baths			Bdrms	Baths	
Room Count	7	3	1.5	7	3	1.5		7	3	2	($3,000.00)	8	4	2	($3,000.00)
	1800 SF		SF	2000 SF		SF	($15,000.00)	2000 SF		Sq. Ft.	($15,000.00)	1,800			
Other (e.g., basement, etc.)	basement	basement						basement				basement			
Parking	1 car garage	none					$5,000.00	1 car garage				1 car garage			
Amenities/Other	porch	porch, ig-pool, cac					($20,000.00)	porch, cac			($5,000.00)	porch			
Net Adjustments (total)	n/a			-			($30,000.00)	+	-		($23,000.00)	+	-		$22,000.00
Indicated sales price	0.00	$420,000.00						$447,500.00				$383,000.00			

above adjustments. (Rent concessions should be adjusted to the market, not to the subject property).

The sales comparables are the best available at the time of inspection. The sales comps are located within the same market area as the subject property. Subject's condition is judged average per exterior inspection and comments from Redemption Unit. Room count and gross living area differences are adjustmented as necessary. Sale 3 is located on a busy traffic road and has been adjusted as necessary.

NOTE: The subject and all sales are 100 year old (+/-) colonial style homes located within the same market area. The sales comps analyzed are considered the best available in terms of size, room count, functional utility, and overall market appeal.

Final Reconciliation of Fair Market Value.:

I reconciled the subject's market value at the lower end of the range, placing equal weight on all three sales comparables. These comps required the lowest amount of adjustment.

I (WE) ESTIMATE THE MONTHLY MARKET RENT OF THS SUBJECT AS OF 29-Jul-13 TO BE $400,000

APPRAISER: John H. Mohring

Signature

Name John H. Mohring

Date Report Signed 7/29/13

State Certification # 46000033226 State NY

Or State License: State

Date Property Inspected 7/29/13

SUPERVISORY APPRAISER (ONLY IF REQUIRED):

Signature

Name Frederick J. Ford

Date Report Signed 7/29/13

State Certification # 46000003062 State NY

Or State License: State

Date Property Inspected

[ ] Did

[X] Did Not Inspect Property

PURPOSE OF APPRAISAL: The purpose of this appraisal is to estimate the market value of the real property that is the subject of this report based on a quantitative analysis of comparable rentals in the subject's market area.
DEFINITION OF MARKET VALUE: The most probable price that a property should bring in a competitive and open market reflecting all conditions, permitted uses, use restrictions and expense obligations; the buyer and seller each acting prudently and knowledgeably. Fair market value is further defined as the amount that would be paid in the open market by a willing seller and a willing buyer.

STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has not provided an interior layout sketch in the appraisal, as my inspection of the subject premises was limited to an external inspection only. Data pertaining to the interior layout, age, room count, etc. was obtained from either the Town of Islip Assessor's office or the Suffolk County Redemption Unit.
3. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
4. The appraiser has noted in the appraisal report any adverse conditions (such as, but not limited to, needed repairs, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, expressed or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
5. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
6. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
7. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the report to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I performed this appraisal by (1) personally inspecting from the street the subject property and neighborhood and each of the comparable sales (unless I have otherwise indicated in this report that I also inspected the interior of the subject property); (2) collecting, confirming, and analyzing data from reliable public and/or private sources; and (3) reporting the results of my inspection and analysis in this summary appraisal report. I further certify that I have adequate information about the physical characteristics of the subject property and the comparable sales to develop this appraisal.
2. I have researched and analyzed the comparable sales and offerings/listings in the subject market area and have reported the comparable sales in this report that are the best available for the subject property. I further certify that adequate comparable market data exists in the general market area to develop a reliable sales comparison analysis for the subject property.
3. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware, have considered these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them, and have commented about the effect of the adverse conditions on the marketability of the subject property. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
4. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
5. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
6. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.

7. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
8. I estimated the market value of the real property that is the subject of this report based on the sales comparison approach to value. I further certify that I considered the cost and income approaches to value, but, through mutual agreement with the client did not develop them, unless I have noted otherwise in the report.
9. I performed this appraisal as a limited appraisal, subject to the Departure Provision of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in the place as of the effective date of the appraisal (unless I have otherwise indicated in this report that the appraisal is a complete appraisal, in which case, the Departure Provision does not apply).
10. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value. The exposure time associated with the estimate of market value for the subject property is consistent with the marketing time noted in the Neighborhood section of this report. The marketing period concluded for the subject property at the estimated market value is also consistent with the marketing time noted in the Neighborhood section.
11. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. I further certify that no one provided significant professional assistance to me in the development of this appraisal.

SUPERVISORY APPRAISER'S CERTIFICATION: If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have examined the appraisal report for compliance with the Uniform Standards of Professional Appraisal Practice, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 5 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

APPRAISER:

Signature: _____

Name: John H. Mohring
Company Name:
Company Address:
Date Report Signed: 07/29/2013

State Certification #: 46000033226
or State License #:
State: NY
Expiration Date of Certification or License: 11/20/2013

SUPERVISORY APPRAISER (ONLY IF REQUIRED):

Signature: _____

Name: Frederick J. Ford
Company Name:
Company Address:

Date Report Signed:07/29/2013
State Certification #: 46000003062
or State License #:
State: NY
Expiration Date of Certification or License: 08/27/2013

ADDRESS OF PROPERTY APPRAISED:

32 Erwin St, Sayville, N.Y. 11782

SUBJECT PROPERTY

_____

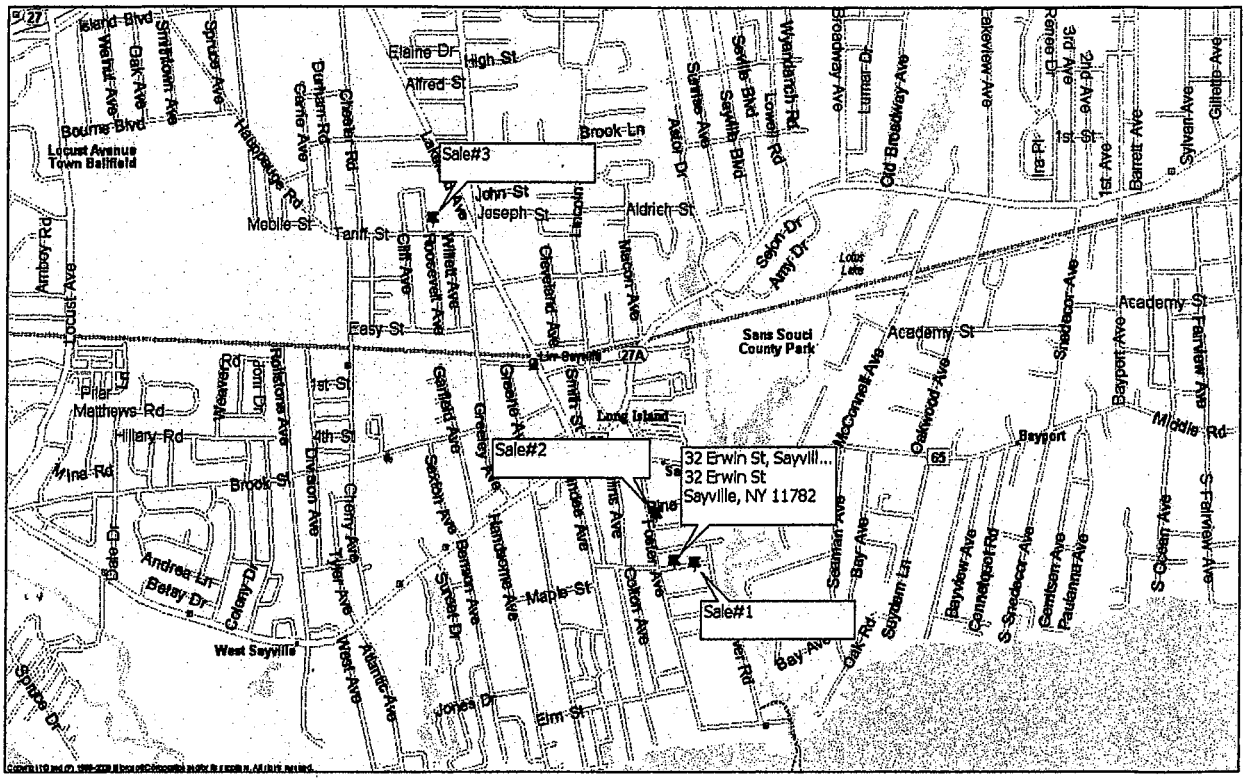
APPRAISED VALUE OF SUBJECT PROPERTY $ 400,000
EFFECTIVE DATE OF APPRAISAL/INSPECTION 7/29/2013

LENDER/CLIENT: Suffolk County Redemption Unit (client)
Name: Michael Brown
Company Name:
Company Address:

SUPERVISORY APPRAISER:

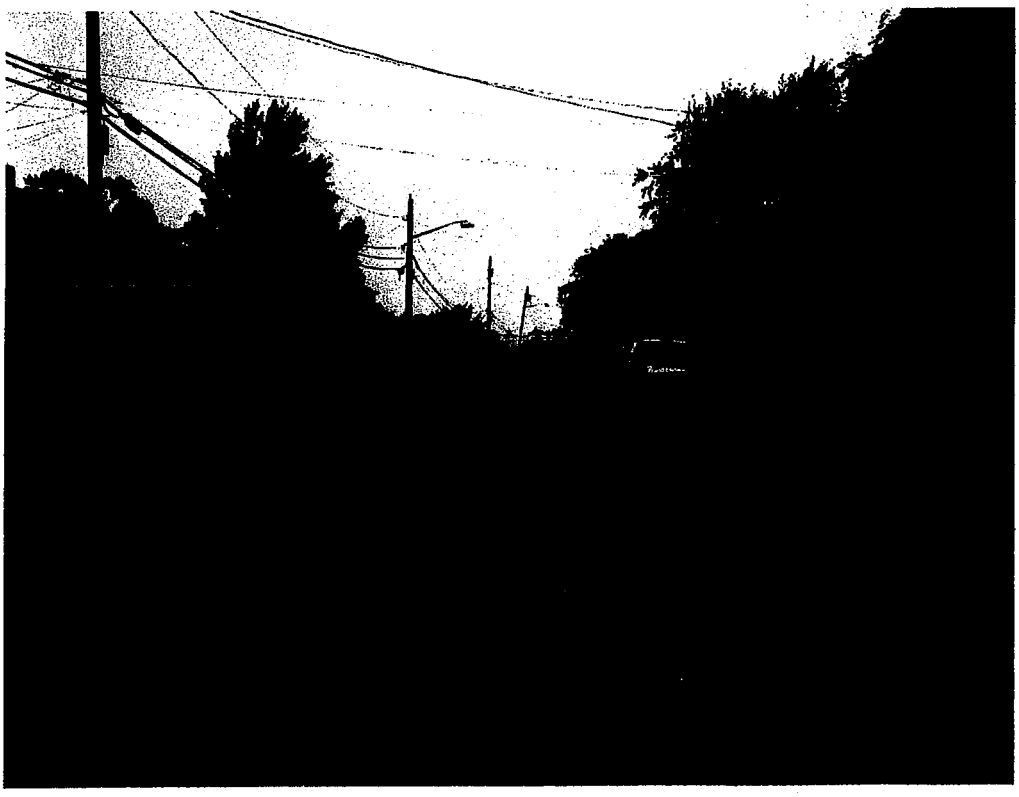
__x__ Did not inspect subject property
____ Did inspect exterior of subject property from street
____ Did inspect interior and exterior of subject property
COMPARABLE SALES
____ Did not inspect exterior of comparable sales from street
____ Did inspect exterior of comparable sales from street

COMPARABLE SALES LOCATION MAP



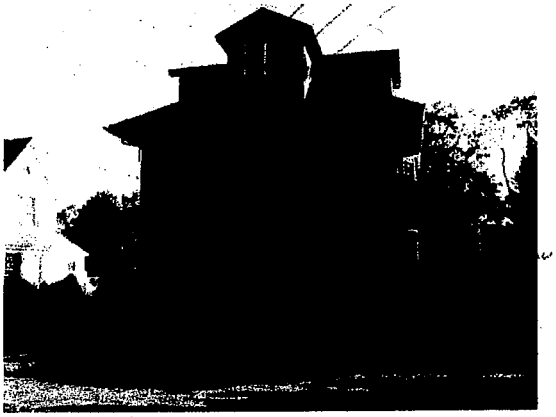
SUBJECT PROPERTY PHOTOGRAPHS

STREET SCENE



SALEl#1

SALEl#2



SALE#3

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

WILLIAM J. LINDSAY

LEGISLATOR, 8TH DISTRICT
PRESIDING OFFICER

August 6, 2013

Mr. George Nolan, Counsel
Suffolk County Legislature
725 Veterans Memorial Hwy.
Smithtown, New York 11787

Dear Mr. Nolan:

Please prepare a resolution that allows for the redemption of the property at 32 Erwin Street, Sayville, New York, 11782. The applicant is Mr. Raymond Bortzfield, and he can be contacted at (631) 664-2630. As you know, the appropriate paperwork in support of Mr. Bortzfield's request and his application fee payment of $500 was submitted to you previously.

Upon your approval, I will sponsor this resolution allowing Mr. Bortzfield to redeem his property following full payment of the amount due to Suffolk County.

Thank you for your assistance with this matter, and please contact me if you have any further questions.

Sincerely,

William J. Lindsay
Presiding Officer

WJL:jz
cc: R. Bortzfield
L. Sklar, Division of Real Property

991 MAIN STREET, SUITE 103 • HOLBROOK, NEW YORK 11741 • E-MAIL: WILLIAM.LINDSAY@SUFFOLKCOUNTYNY.GOV
PHONE (631) 854-9611 • FAX (631) 854-9687 • WWW.CO.SUFFOLK.NY.US/LEGIS/DO/2009/DO8.HTM

STATE OF NEW YORK :
SS.:
COUNTY OF SUFFOLK:

RAY BORTZFIELD, having been duly sworn deposes and states as follows:

1. I reside at 32 Erwin Street, Sayville, New York.

2. That I have been married for forty years.

3. That I have always worked full time and my wife worked part time to make ends meet. My wife always took care of our home and our seven children, while I took care of paying the bills.

4. That in the late 1990's, I had a heart attack. Later, I was diagnosed with diabetes, hypertension, and two bouts of bladder cancer. With all that going on, I managed to keep working for the most part. However, multiple medical problems took a severe toll on my ability to do much, else other than work and, unfortunately, that included paying certain bills.

5. That since there was no mortgage on my property, it was my responsibility to write a check every year to pay the taxes. Unfortunately, my constant fight with diabetes, as well as, my recovery from cancer caused me to miss several tax payments.

6. That I did not realize the extent of my mistake until in late June when a woman came to my driveway to serve me with a Notice to Quit the premises.

7. That I can't lose my family's home.

8. That my wife Pam and I still live there with three of our children.

9. That at sixty years old, it would be impossible for me to start over.

10. That I have money in the bank, as well as, life insurance policies that can be borrowed on or cashed in to cover what I owe.

Sworn to before me this 8

day of August, 2013.

Catherine Riedel

Notary Public

RAY BORTZFIELD

CATHERINE RIEDEL
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01R14685395
QUALIFIED IN SUFFOLK COUNTY
TERM EXPIRES JANUARY 31 2015

APPLICATION FOR RECOVERY OF REAL PROPERTY ACQUIRED BY SUFFOLK COUNTY
County of Suffolk

1. Information Concerning Applicant(s)

Name of Applicant(s)	Address	Telephone Number
RAY BORTZFIELD PAMELA BORTZFIELD	32 ERWIN ST SAYVILLE NY 11782	567 4875 (631) 664 2630

2. Property for Which Recovery is Desired

Location or Address	Date of Recording of Suffolk County's Tax Deed
32 ERWIN ST SAYVILLE NY 11782	11/02/2012

Suffolk County Tax Map Number	District	Section	Block	Lot
	0500	409	04	038

3. Description of Instrument from Which Applicant's Interest Derives

Liber	Page
8969	270

Other (If applicant is not the prior owner, specify nature of applicant's interest)

Grantor	Grantee
Marilyn Merkt Dutton, As executrix of the Last Will & Testament of Agnes Mary Merkt, deceased	Ray Bortzfield and Pamela Bortzfield, his wife
Date of Execution	**Date of Recording**
2/27/1981	3/06/1981

4. Description of Extenuating Circumstances Which Led to Loss of Property

(See Governing Section of County Code § 29)

Please see attached letter from Doctor

(Attached additional pages, if necessary)

5. Acknowledgement

State of New York)ss:
County of Suffolk)

I/We RAY + PAMELA BORTZFIELD, being duly sworn, depose and say that Deponent(s) is/are the applicant(s) in the within application; that Deponent(s) have read the foregoing application and know(s) the contents thereof; and that as to those matters Deponent(s) believe(s) them to be true.

Ray Bortzfield
Signature of Applicant

Pam Bortzfield
Signature of Applicant

Sworn to before me this 9 day of July, 2013

Notary Public of the State of New York

ANDREW REED GARBARINO
Notary Public, State of New York
No. 02GA6219189
Qualified in Suffolk County
Commission Expires March 22, 2014

Great South Bay Medical Practice

Diplomates, American Board of Family Medicine

Stephen M. Burke, M.D.
Raymond L. Ebarb, M.D.
Kenneth B. Levites, M.D.
Nicholas P. Zotto, M.D.

213 Montauk Highway, West Sayville, NY 11796
Tel: (631) 563-6205 • Fax: (631) 563-7718

associates
Robin Arias, P.A.-C
practice manager
Julie Westbay

July 9, 2013

To Whom It May Concern,

My patient, Ray Bortzfield, has been my patient since 1993. He has been treated for multiple medical problems such as hypertension, hyperlipidemia and type 2 diabetes. He suffered a myocardial infarction in March, 2001.

Mr. Bortzfield suffers from chronic lumbar back pain which frequently incapacitates him.

In 2009, Mr. Bortzfield was diagnosed with bladder cancer. Over the next 2 years, Mr. Bortzfield required frequent visits to the urologist and numerous intravesicular treatments. Despite the treatments, he experienced a recurrence of the cancer requiring further surgery.

In summary, Mr. Ray Bortzfield was diagnosed with high grade bladder cancer in 2009 and then a recurrence in 2010. This diagnosis, in addition to his ongoing multiple chronic health issues, required his full attention and focus during 2009 – 2010.

Sincerely,

Raymond L. Ebarb, M.D.

RLE/co

Fidelity National Title Insurance Services, LLC

FILE IN BORTZFIELD

ESTIMATED

Application Date: July 2, 2013 Report Date: July 9, 2013 Title No. F13-7404-91435-SUFF

APPLICANT:

William Garbarino, Esq.
P.O. Box 717, 40 Main Street
SAYVILLE, NY 11782
Phone: (631) 563-4411 Fax: (631) 563-4435
Email: williamrgarbarino@hotmail.com

Sales Rep: NM

LENDER ATTORNEY:

OWNER ATTORNEY:

PREMISES:

32 Erwin Street, Sayville, NY
County of Suffolk
Municipality of Sayville
Town of Islip

Filed Map:
No.: Phase/Block: Unit/Lot:
Dist: 0500 Sect: 409.00 Block: 04.00 Lot: 038.000

SPECIAL INSTRUCTIONS:

AMOUNT OF INSURANCE:

INSURED MORTGAGE:

PURCHASER:

OWNER:

Ray Bortzfield and Pamela Bortzfield

SURVEY INSTRUCTIONS:

COMPANY CHARGES:

Municipal Search	$	30.00
Tax Redemption Search	$	200.00
Sales Tax (Estimated) 8.625%	$	19.84
Sub-Total	$	249.84

RECORDING CHARGES:*

Sub Total:	$	0.00

* Each document to be recorded subject to a $40 service fee.

TOTAL CHARGES: 249.84

Date:	July 2, 2013	Report Date:	July 9, 2013
Title No:	F13-7404-91435-SUFF	Closer:	
Applicant:	William Garbarino, Esq.	Bank:	
Purchaser:		Bank Attorney:	
Owner:	Ray Bortzfield and Pamela Bortzfield	Seller Attorney:	
Premises:	32 Erwin Street, Sayville, NY County of Suffolk Municipality of Sayville Town of Islip	Salesperson:	Nick Magro
		County:	Suffolk
Filed Map:			
No.:	Phase/Block: Unit/Lot:		
Dist: 0500	Sect: 409.00 Block: 04.00 Lot: 038.000		
Type of Insurance:			

MUNICIPAL SEARCH DETAIL:

Tax Search (Tax)	$	30.00
Total Search	$	30.00

EXAM/SEARCH DETAIL:

Tax Redemption Search (Tax)	$	200.00
Total Exam/Search	$	200.00

Fidelity National Title

INSURANCE SERVICES, LLC

TITLE NO. F13-7404-91435-SUFF

CERTIFICATION FOR REDEMPTION FROM TAX SALE AND TAX DEED

FIDELITY NATIONAL TITLE INSURANCE SERVICES, LLC hereby certifies to the COUNTY OF SUFFOLK that it has searched the records of the Suffolk County Clerk for a Chain of Title for 10 years last past for the purpose of redeeming the property described in Schedule A herein from the County of Suffolk which was sold for unpaid taxes.

This certificate is prepared for the limited purposes set forth herein and does not constitute an abstract of title nor set forth defects, liens or encumbrances thereon. No searches have been made other than as expressly stated above. The Company's liability under this Certificate shall only be to the party to whom it is certified and such liability shall under no circumstances exceed the amount of Five Thousand Dollars ($5,000.00) and no policy of title insurance can be issued based upon the information contained in the Certificate.

DATED: 6/05/2013

FIDELITY NATIONAL TITLE
INSURANCE SERVICES, LLC

BY: Sandra J. Goleski
SANDRA J. GOLESKI
ASST. VICE PRESIDENT

24 Commerce Drive • Riverhead, New York 11901 • (631) 727-0600 • Fax: (631) 727-0606

Fidelity National Title

INSURANCE SERVICES, LLC

TITLE NO. F13-7404-91435-SUFF

SCHEDULE A

ALL that certain plot, piece or parcel of land situate, lying and being at Sayville, in the Town of Islip, County of Suffolk and State of New York, and bounded and described as follows, to wit:

COMMENCING at a point in the southerly line or side of Erwin Street, which said point is distant easterly three hundred eighty-four and 1/10 (384.1) feet from a point formed by the intersection of the easterly line or side of Foster Avenue with the southerly line or side of Erwin Street; and

RUNNING THENCE (1st) Southerly, at right angles to said Erwin Street and by and with the easterly boundary line of Lot No. 43 as laid out on a certain map hereinafter referred to, one hundred and twenty-five (125) feet, to land now or formerly of Terry Brothers;

THENCE (2nd) Easterly, parallel with Erwin Street, and by and with said land now or formerly of Terry Brothers, sixty (60) feet;

THENCE (3rd) Northerly, parallel with the first mentioned line and by and with the westerly line or side of Lot No. 41 as laid out on said map, one hundred and twenty-five (125) feet to the southerly line or side of Erwin Street aforesaid; and

THENCE (4th) Westerly, by and with and along the southerly line or side of said Erwin Street, sixty (60) feet, to the point or place of BEGINNING.

Said premises above described being known and designated as Lot No. Forty-two (42) on a certain map entitled "Property of Paul Groh and Julius J. Stenger, Sayville, Suffolk Co., N.Y., January, 1910, Eugene R. Smith, Civil Engineer, Islip, N.Y.", said map being filed in the Office of the Clerk of the County of Suffolk as File No. 389.

S.C.T.M.: 0500.40900.0400.038000.0000

CTF# 3641 IMP

ASSESSED TO: BORTZFIELD RAY AND PAMELA

TAX DEED TAKEN FOR: $12,455.40

24 Commerce Drive • Riverhead, New York 11901 • (631) 727-0600 • Fax: (631) 727-0606

Fidelity National Title

INSURANCE SERVICES, LLC

TITLE NO. F13-7404-91435SUFF

CHAIN OF TITLE

Marilyn Merkt Dutton, as executrix of the Last Will & Testament of Agnes Mary Merkt, deceased To Ray Bortzfield and Pamela Bortzfield, his wife	Liber 8969 cp 270 Dated: 2/27/1981 Rec'd: 3/06/1981
Angie M. Carpenter, as the County Treasurer of the County of Suffolk to County of Suffolk	Liber 12710 cp 130 Dated: 10/31/2012 Rec'd: 11/02/2012 Sale of unpaid 2007/08 taxes Assessed to: Bortzfield, Ray and Pamela

24 Commerce Drive • Riverhead, New York 11901 • (631) 727-0600 • Fax: (631) 727-0606

Fidelity National Title
INSURANCE SERVICES, LLC

TITLE NO. F13-7404-91435-SUFF

MORTGAGE SCHEDULE

NONE FOUND OF RECORD

24 Commerce Drive • Riverhead, New York 11901 • (631) 727-0600 • Fax: (631) 727-0606

SUPERIOR DATA SERVICES, INC.

WWW.SUPERIOR-DATA.COM

188 Montague Street 10th Floor
Brooklyn, NY 11201
Tel: 718-625-9949
Fax: 718-625-9609

3 West Main Street Suite 202
Elmsford, NY 10523
Tel: 914-347-1636
Fax: 914-347-3163

950 New Loudon Road Suite 250
Latham, NY 12110
Tel: 518-785-4892
Fax: 518-785-5086

104 Edwards Ave. Suite 1
Calverton, NY 11933
Tel: 631-727-1308
Fax: 631-727-1309

COUNTY: SUFFOLK **TITLE: FNT-R 91435**

The unpaid taxes, water rates, assessments and other matters relating to taxes which are properly filed and indexed liens at the date of this search are set forth below. Our policy does not insure against such items which have not become a lien up to the date of the policy or installments due after the date of the policy. Neither our tax search nor our policy covers any part of streets on which the premises to be insured abut. If the tax lots reported cover more or less than the premises under examination, this fact will be noted herein. In such cases, the interested parties should take the necessary steps to make the tax map conform to the description to be insured.

Ass'd To:	COUNTY OF SUFFOLK			Search Date:	7/3/2013
Premises:	32 ERWIN ST				
Tax Class:	210	SWIS:	472889	School Dis:	472804-SAYVILLE
Town/City:	TOWN OF ISLIP			Village:	SAYVILLE (NOT INC)
District:	0500	Acct. No.:	490830	District:	
Section:	409.00	Acreage:	0.17	Section:	
Block:	04.00	Land:	$10,800.00	Block:	Land:
Lot(s):	038.000	Total:	$35,800.00	Lot(s):	Total:
Exemp:				Exemp:	

2012/2013 Town/School TAX

Year: 12/1-11/30
Lien: 12/1
Due: 12/1, 5/1

Full Payment	$9,427.31		
1st Payment	$4,713.66	Paid	5/31/2013
2nd Payment	$4,713.65	Open+Penalty	

2007/2008 SOLD TAX DEED TO SUFFOLK COUNTY 10-31-12.

PRIOR TOWN AND SCHOOL TAXES PAID.

WATER AND SEWER CHARGES, IF ANY, NOT SEARCHED. THEREFORE, PLEASE REQUEST THE SELLER OR BORROWER TO PROVIDE RECEIPTED OR UNPAID BILLS.

"INFORMATION ONLY" PURCHASER SHOULD DETERMINE THE EXISTENCE OF ANY WATER MAIN SURCHARGE IN EFFECT FOR WATER SERVICE WITH THE SCWA HTTP://SCWA.COM.

TAXES SUBJECT TO CONTINUATION PRIOR TO CLOSING

Recent payments of any open items returned on this tax search may not be reflected on the public records. Therefore please request the seller or borrower to have the receipted bills available at closing.

0000000.00 0013.00 0000013.00

1703

Intro Res. No. -2013

Introduced by Legislator Anker

Laid on Table 9/12/13

RESOLUTION NO. – 2013, APPROVING THE CHANGE OF PROJECT FOR DOWNTOWN REVITALIZATION GRANT (CP-6412) TO THE ROCKY POINT CIVIC ASSOCIATION AND AMENDING THE CONTRACT WITH THE TOWN OF BROOKHAVEN TO REFLECT SAME

WHEREAS, through duly adopted resolution 821-2008, the Suffolk County Legislature approved Downtown Revitalization funding of $50,000 for the Rocky Point Civic Association for sidewalks along King Road; and

WHEREAS, the project could not proceed due to easement and right-of-way impediments; and

WHEREAS, the Rocky Point Civic Association and the Town of Brookhaven have requested a reallocation of that grant funding to curbing, sidewalks and streetlights associated with a new municipal parking lot to be constructed on Broadway; and

WHEREAS, the Suffolk County Downtown Citizens Advisory Panel has reviewed this request and recommends Legislative approval; and

WHEREAS, the project purpose differs from the purpose originally proposed and approved, Legislative approval for the change is required; now, therefore, be it

1st **RESOLVED**, that the Legislature approves the change in project as presented above and directs the Department of Economic Development and Planning to proceed with the necessary contracts to allow for this project to proceed; 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:

1704

Intro. Res. No. -2013

Laid on Table 9/12/2013

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 599-2013

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 599-2013; and

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

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

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

Resolution No. 599-2013

In the 5th RESOLVED, 6th RESOLVED, and 7th RESOLVED paragraphs change the Project Numbers:

FROM:

529-CAP-5737.510

TO:

529-CAP-5737.511

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1705

Intro. Res. No. – 2013 Laid on Table 9/12/13

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. - 2013 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE SPEONK MOBILE HOME PARK, INC. PROPERTY- MANORVILLE PINE BARRENS COUNTY PARK ADDITION (TOWN OF BROOKHAVEN - SCTM#0200-511.00-06.00-064.001)

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

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

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

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Estate and/or her designee to negotiate the acquisition; and

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

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Estate and/or her designee and approved as to legality by the Office of the County Attorney; now, therefore, be it:

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Forty Seven Thousand Forty Dollars ($47,040.00±), at Five Thousand Dollars ($5,000.00) per acre, for 2.7± acres, and Seventy Eight Thousand Dollars ($78,000.00) per Pine Barren Credit, at 0.43 credits, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	2.7± acres	Speonk Mobile Home Park, Inc.
	Section	511.00		P.O. Box 525
	Block	06.00		Speonk, NY 11972
	Lot	064.001		

; and, be it further

2nd **RESOLVED**, that the Director of Real Estate and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Forty Seven Thousand Forty Dollars ($47,040.00±), subject to a final survey; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $47,040.00±, subject to a final survey, from previously appropriated funds in capital project 8714.211 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

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

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

c.) any tract of land located fully or partially within the statutorily designated Special Groundwater Protection Area: and, be it further

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

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

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

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

2.) the proposed use of the subject parcel(s) is passive parkland; and

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

10th **RESOLVED**, that in accordance with Section 450-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1705

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space, of the Speonk Mobile Home Park, Inc. property (Manorville Pine Barrens County Park Addition), SCTM#0200-511.00-06.00-064.001, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County ¼% Drinking Water Protection Program-Open Space-PayGo

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Jill Rose-Nikoloff Director of Real Estate	J. R. Nikoloff	July 3, 2013

SCIN FORM 175b (10/95)

NEIL TOOMB
INTERGOV REL COORD

Neil Toomb 7/18/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1705

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

To be completed by the Executive Budget Office

1705

2013 INTRAGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL:

AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT – FOR THE SPEONK MOBILE HOME PARK, INC. PROPERTY-MANORVILLE PINE BARRENS COUNTY PARK ADDITION (TOWN OF BROOKHAVEN - SCTM#0200-511.00-06.00-064.001

PURPOSE OR GENERAL IDEA OF BILL:

OPEN SPACE PRESERVATION

SUMMARY OR SPECIFIC PROVISIONS:

ACQUISITION OF OPEN SPACE UNDER THE NEW SUFFOLK COUNTY ¼% DRINKING WATER PROTECTION PROGRAM - OPEN SPACE

JUSTIFICATION:

FUNDING AVAILABLE IN 525-CAP-8714.211

FISCAL IMPLICATIONS:

N/A

COUNTY OF SUFFOLK

1705

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

July 3, 2013

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

Dear Mr. Schneider:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Speonk Mobile Home Park, Inc. property (Manorville Pine Barrens County Park Addition), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program-Open Space. The purchase price is $47,040.00± for 2.7± acres, at $5,000 per acre and 0.43 Pine Barrens Credit at $78,000.00 per credit..

Please contact me if you require any additional information.

Sincerely,

Jill Rosen-Nikoloff
Director of Real Estate

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

Revised 9/6/13

Intro. Res. No. 1706 -2013 Laid on Table 9/12/2013
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, EXTENDING EXISTING ONE PERCENT SALES AND COMPENSATING USE TAX FOR THE PERIOD BEGINNING DECEMBER 1, 2013 AND ENDING NOVEMBER 30, 2015, PURSUANT TO AUTHORITY OF SECTION 1210 OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

WHEREAS, Chapter 27 of the Laws of 2001 authorized the imposition of an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning June 1, 2001 and ending November 30, 2003; and

WHEREAS, Chapter 368 of the Laws of 2003 authorized the County to continue to impose an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning December 1, 2003 and ending November 30, 2005; and

WHEREAS, Chapter 202 of the Laws of 2005 authorized the County to continue to impose an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning December 1, 2005 and ending November 30, 2007; and

WHEREAS, Chapter 684 of the Laws of 2007 authorized the County to continue to impose an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning December 1, 2007 and ending November 30, 2009; and

WHEREAS, Chapter 283 of the Laws of 2009 authorized the County to continue to impose an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning December 1, 2009 and ending November 30, 2011; and

WHEREAS, Chapter 122 of the Laws of 2011 authorized the County to continue to impose an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning December 1, 2011 and ending November 30, 2013; and

WHEREAS, Chapter 225 of the Laws of 2013 authorized the County to continue to impose an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning December 1, 2013 and ending November 30, 2015; and

WHEREAS, it is now desired to continue to impose such additional one percent rate of sales and compensating use tax from December 1, 2013 through November 30, 2015, as authorized by Section 1210 of the New York Tax Law, as amended; now, therefore

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

SECTION 1. The first sentence of section two of Resolution No. 745-1968, as amended, is amended to read as follows:

> **SECTION 2.** Imposition of sales tax.
>
> On and after June 1, 2001, there is hereby imposed and there shall be paid a tax of four and one-quarter percent, provided, however, that on and after December 1, 2015[3], there is hereby imposed and there shall be paid a tax of three and one-quarter percent, and provided further, however, that on and after December 1, 2030, there is hereby imposed and there shall be paid a tax of three percent, upon:

SECTION 2. Subdivision (j) of section three of Resolution No. 745-1968, as amended, is amended to read as follows:

> (j) With respect to the additional tax of one percent imposed for the period commencing June 1, 2001, and ending November 30, 2015[3], the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to June 1, 2001, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to February 1, 2001, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to May 31, 2001. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to June 1, 2001, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 745-1968, as amended, is amended to read as follows:

> **SECTION 4.** Imposition of compensating use tax.
>
> (a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after June 1, 2001, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator), manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real

property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period beginning June 1, 2001, and ending November 30, 2015[3], the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2015[3], and ending November 30, 2030, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible
personal property accepted in part payment and intended for resale.

(c) For the purposes of this subclause (i) of clause (B) of subdivision (a) of this section, for the period beginning June 1, 2001, and ending November 30, 2015[3], the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2015[3], and ending November 30, 2030, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period beginning June 1, 2001, and ending November 30, 2015[3], the tax shall be at a rate of four and one-quarter percent, for the period beginning December 1, 2015[3], and ending November 30, 2030, the tax shall be at a rate of three and one-quarter percent, and on and after December 1, 2030, the tax rate shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any

portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For the purpose of clauses (C), (D) and (E) of subdivision (a) of this section, for the period beginning June 1, 2001, and ending November 30, 2015[3], the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2015[3], and ending November 30, 2030, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period beginning June 1, 2001, and ending November 30, 2015[3], the tax rate shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2015[3], and ending November 30, 2030, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed taxable use by such person.

SECTION 4. Paragraph (D) of subdivision (1) of section 11 of Resolution No. 745-1968, as amended, is amended to read as follows:

(1)(D) With respect to the additional tax of one percent imposed for the period beginning June 1, 2001, and ending November 30, 2015[3], in respect to the use of the property used by the purchaser in this County prior to June 1, 2001.

SECTION 5. Subdivision (b) of section 14 of Resolution No. 745-1968, as amended, is amended to read as follows:

(b)(ii) Notwithstanding any provision of law to the contrary, of the net collections received by the County as a result of the increase of one percent to the tax authorized by

section twelve hundred ten of the Tax Law for the period beginning June first, two thousand one and ending November thirtieth, two thousand fifteen [thirteen], imposed by resolution by simple majority by the County Legislature, and signed by the County Executive, an amount equal to not less than one-eighth and no more than three-eighths of the net collections received from the imposition of the one percent rate increase shall be dedicated for public safety purposes and the balance shall be deposited in the general fund of the County.

SECTION 6. This Resolution shall take effect December 1, 2013.

2nd **BE IT FURTHER RESOLVED**, that the Clerk of this Legislature is hereby directed to forward a certified copy of this Resolution by registered or certified mail to the New York State Commissioner of Taxation and Finance in accordance with section 1210 of the Tax Law, and certified copies of this Resolution to the County Clerk, the New York State Secretary of State, and the New York State Comptroller within five (5) days after enactment of this Resolution.

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

DATED: , 2013

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1706

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law

2. Title of Proposed Legislation – **EXTENDING EXISTING ONE PERCENT SALES AND COMPENSATING USE TAX FOR THE PERIOD BEGINNING DECEMBER 1, 2013 AND ENDING NOVEMBER 30, 2015, PURSUANT TO AUTHORITY OF SECTION 1210 OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

3. Purpose of Proposed Legislation –**See number 2 above.**

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

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

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

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

Each 1% of sales tax produces approximately $282,661,699 in revenue.

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

This allows for the collection of the additional 1% for two years bringing in approximately $565,000,000

8. Proposed Source of Funding

9. Timing of Impact - **FY 2013-2015**

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date:
Stephanie Rubino Chief Executive Analyst	Stephanie Rubino	7/25/2013

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1706

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 NE YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Stephanie Rubin
7/25/13

RESOLUTION NO. CONTROL#933-2013

Intro. Res. # 1707-13 Laid on Table 9/12/13

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 #933-2013)

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#933-2013

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#933-2013

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

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
A	BABYLON	12/13	0100 22700 0500 003000	8550.75	6040.75	2510.00
A	BABYLON	12/13	0100 20100 0100 014001	10290.25	7421.78	2868.47
A	BABYLON	12/13	0100 15200 0100 074000	9221.82	4325.62	4896.20
C	BABYLON	12/13	0100 05400 0400 047000	6140.97	759.23	5381.74
A	BROOKHAVEN	12/13	0200 98480 0400 008001	10400.75	5199.01	5201.74
C	BROOKHAVEN	12/13	0200 83100 0300 049000	3064.68	303.67	2761.01
C	BROOKHAVEN	11/12	0200 83100 0300 049000	3016.72	297.43	2719.29
C	BROOKHAVEN	10/11	0200 83100 0300 049000	2959.97	290.50	2669.47
A	BROOKHAVEN	11/12	0205 00300 0100 013000	41849.64	3587.13	38262.51

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

County Executive of Suffolk County Date of Approval:

1707

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date July 22, 2013

R. Motschenbacher RPAT II

Additional back-up regarding IR 1707 is on file in the

Legislative Clerk's Office, Hauppauge.

RESOLUTION NO.

CONTROL#934-2013

Intro. Res. # 1708

Laid on Table 9/12/13

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 #934-2013)

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#934-2013

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#934-2013

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

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
A	BABYLON	10/11	0100 04000 0300 060000	7010.17	4330.80	2679.37
A	BABYLON	11/12	0100 04000 0300 060000	7378.66	4535.41	2843.25
A	ISLIP	12/13	0500 39303 0100 008000	8513.78	5054.16	3459.62

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

County Executive of Suffolk County Date of Approval:

1708

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

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

11. Signature of Preparer
R. Motschenbacher

12. Date July 26, 2013

Additional back-up regarding IR 1708 is on file in the Legislative Clerk's Office, Hauppauge.

Intro Res. No. 1709-13 Laid on Table 9/12/13
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 #391

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

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

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

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

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
0100-035.00-02.00-002.000	**2012/2013**	**$89,516.70**	**$0**	**$89,516.70**
0100-035.00-02.00-002.000	**2011//2012**	**$88,797.40**	$0	$88,797.40
0100-035.00-02.00-002.000	2010/2011	$82,473.18	$0	$82,473.18

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

1709

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   ResolutionXXX Local Law Charter Law

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

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

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

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

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

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

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

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

9. Timing of Impact
   Variable

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

Angie M. Carpenter
County Treasurer

Additional back-up regarding IR 1709 is on file in the

Legislative Clerk's Office, Hauppauge.

1710

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, APPROVING A LICENSE AGREEMENT FOR KENNETH DICKINSON TO RESIDE IN UNIT IN THE ISAAC MILLS HOUSE, ST. JAMES

WHEREAS, Article II of Chapter 378 of the Suffolk County Code, enacted through the adoption of Local Law No. 30-2008 ("A Local Law to Protect the County's Historic and Culturally Significant Properties"), established a new process to govern the rental of properties under the jurisdiction of the Department of Parks, Recreation and Conservation; and

WHEREAS, in accordance with the process set forth by the aforementioned Local Law, the Commissioner of the Department of Parks, Recreation, and Conservation recommends that Kenneth Dickinson, a Weights and Measures Inspector for the Suffolk County Department of Consumer Affairs, be approved to enter into a license agreement to reside in Unit at the Isaac Mills House, St. James; and

WHEREAS, the Division of Real Property Acquisitions and Management's Appraisal Review Unit has issued an appraisal of the market rent for this rental property; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, to enter into a License Agreement with Kenneth Dickinson to reside in Unit in the Isaac Mills House, St. James at a rental charge/license fee of $600.00 per month in accordance with the provisions set forth in Chapter 378 of the SUFFOLK COUNTY CODE and Local Law No. 30-2008; and be it further

2nd **RESOLVED**, that Unit in the Isaac Mills House and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1710

1. Type of Legislation

Resolution X Local Law _____ Charter Law ____

2. Title of Proposed Legislation

APPROVING A LICENSE AGREEMENT FOR K. DICKINSON TO RESIDE IN UNIT LOCATED IN THE ISAAC MILLS HOUSE, ST. JAMES

3. Purpose of Proposed Legislation

See #2.

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

County will receive $600.00 per month during the duration of the license agreement.

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 Impact

Monthly, during the agreement term.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Terry Maccarrone **Co-ord. Community Based Programming** **Dept. of Parks, Recreation & Conservation**	Terry Maccarrone	07/24/2013

SCIN FORM 175b (10/95)

Debra Kolyer
Principal Financial Analyst 8/19/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1710

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1710

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

GREG DAWSON
COMMISSIONER

2013 INTERGOVERNMENTAL RELATIONS MEMORANDUM OF SUPPORT

TITLE OF BILL: Approving a License Agreement for K. Dickinson to reside in Unit at the Isaac Mills House, St. James.

PURPOSE OR GENERAL IDEA OF BILL: The purpose of this resolution is to approve a License Agreement authorizing K. Dickinson to reside in Unit in the Isaac Mills House, St. James in accordance with the Parks Department's formal rental housing policies and procedures.

SUMMARY OF SPECIFIC PROVISIONS: This resolution approves the license agreement authorizing K. Dickinson, a Weights and Measures Inspector in the Suffolk County Department of Consumer Affairs, to reside in Unit in the Isaac Mills House, St. James. The rental fee of $600.00 per month has been determined via a formal appraisal of fair market value, in accordance with the provisions set forth in Chapter 378 of the Suffolk County Code and Local Law No. 30-2008.

JUSTIFICATION: This resolution will allow a vacant Historic and Culturally Significant Property to be protected and maintained.

FISCAL IMPLICATIONS: The County will receive $600.00 monthly rental fee for the month-to-month rental agreement. This rental fee is in accordance with a fair market value appraisal which was performed by the Suffolk County Division of Real Estate.

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

COUNTY OF SUFFOLK

1710

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

GREG DAWSON
COMMISSIONER

TO: JON SCHNEIDER, Deputy County Executive

FROM: GREG DAWSON, Commissioner

CC: DENNIS COHEN, Chief Deputy County Executive

DATE: July 25, 2013

RE: INTRODUCTORY RESOLUTION APPROVING A LICENSE AGREEMENT FOR K. DICKINSON TO RESIDE IN UNIT AT THE ISAAC MILLS HOUSE, ST. JAMES

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS-Approving License for K. Dickinson to reside in the Isaac Mills House.doc".

In accordance with the procedures set forth by Local Law No. 30-2008, I recommend that the County enter into a license agreement with K. Dickinson, who works as a Weights and Measures Inspector for the Suffolk County Department of Consumer Affairs, to reside in Unit in the Isaac Mills House, St. James.

Should you require anything further, please contact my office at 4-4984.

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

1711

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, APPROVING A LICENSE AGREEMENT FOR MICHELLE HEIN TO RESIDE IN UNIT AT CHARLES R. DOMINY COUNTY PARK, WEST SAYVILLE

WHEREAS, Article II of Chapter 378 of the Suffolk County Code, enacted through the adoption of Local Law No. 30-2008 ("A Local Law to Protect the County's Historic and Culturally Significant Properties"), established a new process to govern the rental of properties under the jurisdiction of the Department of Parks, Recreation and Conservation; and

WHEREAS, in accordance with the process set forth by the aforementioned Local Law, the Commissioner of the Department of Parks, Recreation, and Conservation recommends that Michelle Hein, a Forensic Investigator for the Suffolk County Medical Examiner, be approved to enter into a license agreement to reside in Unit . at Charles R. Dominy County Park, West Sayville; and

WHEREAS, the Division of Real Property Acquisitions and Management's Appraisal Review Unit has issued an appraisal of the market rent for this rental property; now, therefore, be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, to enter into a License Agreement with Michelle Hein to reside in Unit at Charles R. Dominy County Park, West Sayville at a rental charge/license fee of $875.00 per month in accordance with the provisions set forth in Chapter 378 of the SUFFOLK COUNTY CODE and Local Law No. 30-2008; and be it further

2nd RESOLVED, that Unit at Charles R. Dominy County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1711

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

APPROVING A LICENSE AGREEMENT FOR M. HEIN TO RESIDE IN UNIT LOCATED IN CHARLES R. DOMINY COUNTY PARK, WEST SAYVILLE

3. Purpose of Proposed Legislation

See #2.

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

County will receive $875.00 per month during the duration of the license agreement.

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 Impact

Monthly, during the agreement term.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Terry Maccarrone **Co-ord. Community Based Programming** **Dept. of Parks, Recreation & Conservation**	Terry Maccarrone	7/25/13

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Debra Kilber Principal Financial [illegible] 8/17/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1711

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1711

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

GREG DAWSON
COMMISSIONER

2013 INTERGOVERNMENTAL RELATIONS MEMORANDUM OF SUPPORT

TITLE OF BILL: Approving a License Agreement for M. Hein to reside in Unit . in Charles R. Dominy County Park, West Sayville.

PURPOSE OR GENERAL IDEA OF BILL: The purpose of this resolution is to approve a License Agreement authorizing M. Hein to reside in Unit ., in Charles R. Dominy County Park, West Sayville in accordance with the Parks Department's formal rental housing policies and procedures.

SUMMARY OF SPECIFIC PROVISIONS: This resolution approves the license agreement authorizing M. Hein, a Forensic Investigator for the Suffolk County Medical Examiner, to reside in Unit ., at Charles R. Dominy County Park, West Sayville. The rental fee of $875.00 per month has been determined via a formal appraisal of fair market value, in accordance with the provisions set forth in Chapter 378 of the Suffolk County Code and Local Law No. 30-2008.

JUSTIFICATION: This resolution will allow a vacant Historic and Culturally Significant Property to be protected and maintained.

FISCAL IMPLICATIONS: The County will receive $875.00 monthly rental fee for the month-to-month rental agreement. This rental fee is in accordance with a fair market value appraisal which was performed by the Suffolk County Division of Real Estate.

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

COUNTY OF SUFFOLK

1711

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

GREG DAWSON
COMMISSIONER

TO: JON SCHNEIDER, Deputy County Executive

FROM: GREG DAWSON, Commissioner

CC: DENNIS COHEN, Chief Deputy County Executive

DATE: July 25, 2013

RE: INTRODUCTORY RESOLUTION APPROVING A LICENSE AGREEMENT FOR M. HEIN TO RESIDE IN UNIT ., AT CHARLES R. DOMINY COUNTY PARK, WEST SAYVILLE

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS-Approving License for M. Hein to reside in Charles R. Dominy County Park.doc".

In accordance with the procedures set forth by Local Law No. 30-2008, I recommend that the County enter into a license agreement with M. Hein, who works as a Forensic Investigator for the Suffolk County Medical Examiner, to reside at Unit in Charles R. Dominy County Park, West Sayville.

Should you require anything further, please contact my office at 4-4984.

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

1712

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, APPROVING A LICENSE AGREEMENT FOR GEORGE BEAN TO RESIDE IN UNIT AT THE ROBINSON DUCK FARM, BROOKHAVEN

WHEREAS, Article II of Chapter 378 of the Suffolk County Code, enacted through the adoption of Local Law No. 30-2008 ("A Local Law to Protect the County's Historic and Culturally Significant Properties"), established a new process to govern the rental of properties under the jurisdiction of the Department of Parks, Recreation and Conservation; and

WHEREAS, in accordance with the process set forth by the aforementioned Local Law, the Commissioner of the Department of Parks, Recreation, and Conservation recommends that George Bean, an Assistant Special Investigator for the Suffolk County District Attorney's Office, be approved to enter into a license agreement to reside in Unit at the Robinson Duck Farm, Brookhaven; and

WHEREAS, the Division of Real Property Acquisitions and Management's Appraisal Review Unit has issued an appraisal of the market rent for this rental property; now, therefore, be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, to enter into a License Agreement with George Bean to reside at Unit at the Robinson Duck Farm, Brookhaven at a rental charge/license fee of $1,750.00 per month in accordance with the provisions set forth in Chapter 378 of the SUFFOLK COUNTY CODE and Local Law No. 30-2008; and be it further

2nd RESOLVED, that Unit at the Robinson Duck Farm and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1712

1. Type of Legislation

Resolution X Local Law _____ Charter Law ____

2. Title of Proposed Legislation

APPROVING A LICENSE AGREEMENT FOR G. BEAN TO RESIDE IN UNIT LOCATED AT THE ROBINSON DUCK FARM, BROOKHAVEN

3. Purpose of Proposed Legislation

See #2.

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

County will receive $1,750.00 per month during the duration of the license agreement.

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 Impact

Monthly, during the agreement term.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Terry Maccarrone **Coord. Community Based Programming** **Dept. of Parks, Recreation & Conservation**	Terry Maccarrone	07/24/2013

SCIN FORM 175b (10/95)

Debra Kolyer Principal Financial Analyst 8/19/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1712

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1712

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

GREG DAWSON
COMMISSIONER

2013 INTERGOVERNMENTAL RELATIONS MEMORANDUM OF SUPPORT

TITLE OF BILL: Approving a License Agreement for G. Bean to reside in Unit at the Robinson Duck Farm, Brookhaven.

PURPOSE OR GENERAL IDEA OF BILL: The purpose of this resolution is to approve a License Agreement authorizing G. Bean to reside in Unit at the Robinson Duck Farm, Brookhaven in accordance with the Parks Department's formal rental housing policies and procedures.

SUMMARY OF SPECIFIC PROVISIONS: This resolution approves the license agreement authorizing G. Bean, an Assistant Special Investigator in the Suffolk County District Attorney's Office, to reside in Unit at the Robinson Duck Farm, Brookhaven. The rental fee of $1750.00 per month has been determined via a formal appraisal of fair market value, in accordance with the provisions set forth in Chapter 378 of the Suffolk County Code and Local Law No. 30-2008.

JUSTIFICATION: This resolution will allow a vacant Historic and Culturally Significant Property to be protected and maintained.

FISCAL IMPLICATIONS: The County will receive $1750.00 monthly rental fee for the month-to-month rental agreement. This rental fee is in accordance with a fair market value appraisal which was performed by the Suffolk County Division of Real Estate.

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

COUNTY OF SUFFOLK

1712

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

GREG DAWSON
COMMISSIONER

TO: **JON SCHNEIDER, Deputy County Executive**

FROM: **GREG DAWSON, Commissioner**

CC: **DENNIS COHEN, Chief Deputy County Executive**

DATE: **July 24, 2013**

RE: **INTRODUCTORY RESOLUTION APPROVING A LICENSE AGREEMENT FOR G. BEAN TO RESIDE AT UNIT , AT ROBINSON DUCK FARM, BROOKHAVEN**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS-Approving License for G. Bean to reside at the Robinson Duck Farm.doc".

In accordance with the procedures set forth by Local Law No. 30-2008, I recommend that the County enter into a license agreement with G. Bean, who works as an Assistant Special Investigator for the Suffolk County District Attorney's Office, to reside at Unit at Robinson Duck Farm, Brookhaven.

Should you require anything further, please contact my office at 4-4984.

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

Intro. Res. No. 1713-13 Laid on the Table 9/12/13
Introduced by the Presiding Officer at the Request of the County Executive

RESOLUTION NO. –2013, AMENDING THE 2013 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING FOR A SETTLEMENT TO REIMUBURSE THE FASHION INSTITUTE OF TECHNOLOGY FOR OUT OF COUNTY TUITION

WHEREAS, the Ways and Means Committee has approved a settlement of an Article 78 proceeding brought by the Fashion Institute of Technology ("FIT") for reimbursement of costs associated with Suffolk residents attending three-year, four-year and/or graduate programs in the amount of Four Million Nine Hundred Twenty-Six Thousand Fifty-Seven Dollars ($4,926,057); and

WHEREAS, Suffolk County Resolution No. 523-2013 repealed resolution 807-2011, Establishing a New Policy for FIT Reimbursement, which directed the Suffolk County Comptroller to limit reimbursement to FIT to only those costs associated with Suffolk County residents enrolled in a two-year program and/or seeking a two-year degree; and

WHEREAS, FIT and Suffolk County negotiated a settlement in the amount of Four Million Nine Hundred Twenty-Six Thousand Fifty-Seven Dollars ($4,926,057) for out of county tuition owed for the academic year September 1, 2011 to August 31, 2012 and the fall 2012 semester; and

WHEREAS, the Suffolk County Comptroller was precluded from remitting such payment to FIT per Suffolk County Resolution No. 807-201;and

WHEREAS, Suffolk County Resolution No. 807-2011 has been repealed by Suffolk County Resolution No. 523-2013; and

WHEREAS, sufficient funds to satisfy lawsuits, orders, judgments and settlements are not available in the 2013 Operating Budget; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of Four Million Nine Hundred Twenty-Six Thousand Fifty-Seven Dollars ($4,926,057) in Suffolk County Serial Bonds to cover the cost of the above referenced settlement; now, therefore be it

1st RESOLVED, that the settlement for the sum of Four Million Nine Hundred Twenty-Six Thousand Fifty-Seven Dollars ($4,926,057) be bonded and paid under the authority of the County Department of Law, in conjunction with the County Department of Audit and Control and the County Executive's Budget Office; and be it further

2nd RESOLVED, that the proceeds of Four Million Nine Hundred Twenty-Six Thousand Fifty-Seven Dollars ($4,926,057) in Suffolk County Serial Bonds be and are hereby appropriated as follows:

REVENUES:
001-DBT-9710 (UNIT)-2780 (REV) Proceeds: Debt $4,926,057

APPROPRIATIONS:

Miscellaneous
Comm College Non-County Tuition
001-MSC-2490
Mandated

4780 – Out of County Tuition $4,926,057

DATED:

APPROVED BY:

_____
County Executive of the County of Suffolk

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1713

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AMENDING THE 2013 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING FOR A SETTLEMENT TO REIMBURSE THE FASHION INSTITUTE OF TECHNOLOGY FOR OUT OF COUNTY TUITION

3. Purpose of Proposed Legislation

SEE ABOVE.

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

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

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

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

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

IT IS ANTICIPATED THAT SERIAL BONDS WILL BE ISSUED FALL 2013 WITH DEBT SERVICE PAYMENTS COMMENCING 2014. SEE ATTACHED DEBT SCHEDULE.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Colleen Capece Special Project Coordinator	CL Capece	July 29, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1713

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$1,083,317**	**$2.09**	$0.004

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	**$1,083,317**	**$2.09**	$0.004

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 NE YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County

General Obligation Serial Bonds
Level Debt

1713

Term of Bonds	5
Amount to Bond:	$4,926,057

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	3.250%	$923,219.91	$160,096.85	$1,083,316.76	$1,083,316.76
			$65,046.10	$65,046.10	
11/1/2015	3.250%	$953,224.55	$65,046.10	$1,018,270.66	$1,083,316.76
			$49,556.20	$49,556.20	
11/1/2016	3.250%	$984,204.35	$49,556.20	$1,033,760.55	$1,083,316.76
			$33,562.88	$33,562.88	
11/1/2017	3.250%	$1,016,190.99	$33,562.88	$1,049,753.88	$1,083,316.76
			$17,049.78	$17,049.78	
11/1/2018	3.250%	$1,049,217.20	$17,049.78	$1,066,266.98	$1,083,316.76
		$4,926,057.00	$490,526.79	$5,416,583.79	$5,416,583.79

RESOLUTION NO. CONTROL#935-2013

Intro. Res. # 1714-13 Laid on Table 9/12/13

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 #935-2013)

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#935-2013

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#935-2013

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

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
A	SMITHTOWN	12/13	0800 08900 0300 012000	54760.19	24200.98	30559.21
A	SMITHTOWN	11/12	0801 00500 0100 023009	32920.06	29591.95	3328.11
A	SMITHTOWN	11/12	0800 13800 0500 013008	16464.83	12620.80	3844.03
A	SMITHTOWN	11/12	0800 00600 0100 008016	32744.75	29886.02	2858.73
A	SMITHTOWN	11/12	0800 00600 0100 020015	15350.10	11593.40	3756.70
A	SMITHTOWN	11/12	0802 00400 0200 005001	53730.11	47959.22	5770.89
A	SMITHTOWN	11/12	0803 00800 0200 009000	12758.01	9499.09	3258.92
A	SMITHTOWN	12/13	0800 07500 0500 021000	15187.77	12746.41	2441.36

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

County Executive of Suffolk County Date of Approval:

1714

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

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

11. Signature of Preparer
R Motschenbacher

12. Date August 13, 2013

Additional back-up regarding IR 1714 is on file in the

Legislative Clerk's Office, Hauppauge.

RESOLUTION NO. CONTROL#936-2013

Intro. Res. # 1715-13 Laid on Table 9/12/13

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 #936-2013)

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#936-2013

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#936-2013

(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 49330 0100 004003	315547.98	310293.14	5254.84
A	BROOKHAVEN	12/13	0204 00400 0600 017001	282383.28	278147.47	4235.81
A	BROOKHAVEN	12/13	0200 31500 0100 001000	932457.02	922705.37	9751.65
A	BROOKHAVEN	12/13	0200 98080 0200 020000	6376.97	1675.59	4701.38
A	BROOKHAVEN	11/12	0200 98080 0200 020000	6500.62	1778.86	4721.76
A	SOUTHAMPTON	12/13	0900 13300 0100 016007	49495.26	24747.63	24747.63

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

County Executive of Suffolk County Date of Approval:

1715

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

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

11. Signature of Preparer
R Motschenbacher

12. Date August 13, 2013

Additional back-up regarding IR 1715 is on file in the

Legislative Clerk's Office, Hauppauge.

(CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

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

___ Underlining denotes addition of new language.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\laws\cl-improve-fiscal-impact-statements

1716

Intro. Res. No. -2013 Laid on Table 9/12/13
Introduced by Legislator Cilmi

RESOLUTION NO. – 2013, ADOPTING LOCAL LAW NO. -2013, A CHARTER LAW TO IMPROVE THE ACCURACY OF FISCAL IMPACT STATEMENTS

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 IMPROVE THE ACCURACY OF FISCAL IMPACT STATEMENTS** "; 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 IMPROVE THE ACCURACY OF FISCAL IMPACT STATEMENTS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk carefully examines the costs associated with government functions to ensure that taxpayer dollars are spent wisely.

This Legislature also finds that, during these difficult economic times, the County has trimmed expenses to maintain a balanced budget, including making the difficult decision to reduce the County's workforce.

This Legislature further finds that with a smaller workforce, the County of Suffolk must focus on its "core missions" and must not needlessly divert its shrinking resources.

This Legislature recognizes that there are actual costs associated with "opportunity costs".

This Legislature finds that policy makers need specific information when a proposed policy will result in "opportunity costs", to determine if the proposal is truly feasible for the County to undertake given its limited staffing.

This Legislature determines that all fiscal impact statements for legislation should describe in detail any opportunity costs associated with the proposal.

Therefore, the purpose of this law is to amend Article II of the SUFFOLK COUNTY CHARTER to require fiscal impact statements to detail the opportunity costs associated with proposed legislation in terms of employee time and associated monetary costs.

Section 2. Amendment.

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

ARTICLE II.
COUNTY LEGISLATURE

* * * *

§C2-12. Legislative consideration of proposed local laws and resolutions.

* * * *

D. Fiscal impact statements.

* * * *

(5) Such statement of fiscal impact shall contain, but not be limited to, the following information:

* * * *

(h) An analysis of any opportunity costs to the County associated with such legislation, if applicable, including an estimate of the number of employee hours to be expended and the actual monetary costs to the County in terms of salary and benefits for said employee hours.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

1716

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

DATE: September 6, 2013

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2013

TITLE: I.R. NO. -2013; A CHARTER LAW TO IMPROVE THE ACCURACY OF FISCAL IMPACT STATEMENTS

SPONSOR: LEGISLATOR CILMI

DATE OF RECEIPT BY COUNSEL: 9/6/13 **PUBLIC HEARING:** 10/8/13

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

This proposed law would amend Article II of the SUFFOLK COUNTY CHARTER to require that all fiscal impact statements prepared for legislation include an analysis of any opportunity costs associated with the legislation. The opportunity cost analysis shall include an estimate of the number of employee hours required to implement the legislation and the associated salary and benefit costs.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-fiscal impact statements

1717

Intro. Res. No. -2013 Laid on Table 9/12/13
Introduced by Legislator Horsley

RESOLUTION NO. -2013, AMENDING RESOLUTION NO. 40-2012, ESTABLISHING A BLUE RIBBON PANEL TO EXAMINE RESTRUCTURING ALL COUNTY-OWNED SEWER DISTRICTS INTO ONE CONSOLIDATED DISTRICT

WHEREAS, Resolution No. 40-2012 established a blue ribbon panel to explore the restructuring of County-owned sewer districts into one consolidated district; and

WHEREAS, Resolution No. 409-2012 directed the Panel to consider whether the Suffolk County Water Authority could administer such a consolidated district; and

WHEREAS, Resolution No. 132-2013 extended the date for the Panel to complete their written report of its findings and determinations; and

WHEREAS, the Panel is requesting additional time for submission of their report; now, therefore be it

1st **RESOLVED**, that the 16th RESOLVED clause of Resolution No. 40-2012 is hereby amended to read as follows;

> **16th** **RESOLVED**, that this special Panel shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than **[**June 30, 2013**]** <u>December 31, 2014</u> for consideration, review and appropriate action, if necessary by the entire County Legislature; and be it further

and be it further

2nd **RESOLVED**, that the 17th RESOLVED clause of Resolution No. 40-2012 is hereby amended to read as follows;

> **17th** **RESOLVED**, that the Panel shall expire, and the terms of office of its members terminate, as of **[**June 30, 2013**]** <u>December 31, 2014</u>, at which time the Panel shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

and be it further

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-amend-res-40-2012-blue-ribbon-panel

1718

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Legislator Browning

RESOLUTION NO. - 2013, ADOPTING LOCAL LAW NO. -2013, A LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL PROPERTY PREVIOUSLY TAKEN FOR DELINQUENT TAXES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2013, a proposed local law entitled, "**A LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL PROPERTY PREVIOUSLY TAKEN FOR DELINQUENT TAXES**" now, therefore, be it

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

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL PROPERTY PREVIOUSLY TAKEN FOR DELINQUENT TAXES

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 there exists several mechanisms which allow prior owners to redeem real property that the County has taken for taxes.

This Legislature further finds that prior owners, who meet stringent hardship criteria, may reclaim their properties but they must make an application to redeem within two years and six months of the recording of the County's tax deed.

This Legislature also determines that the County of Suffolk has taken a tax deed to a property located at 93 Clinton Avenue, Mastic, which was previously owned by Stephen and Maryanne Durkin. Mr. and Mrs. Durkin's granddaughter, Cassidy Szuflada, was born with numerous medical ailments and Cassidy lived most of her short life with the Durkins. The Durkins provided for many of their granddaughter's needs and also paid a substantial amount in medical bills. As a result, the Durkin's failed to pay their property taxes. The Durkins granddaughter passed away in April, 2009.

This Legislature finds that the Durkins' circumstances satisfy the County's criteria for a Section 215 Redemption, but they filed their hardship application after the statutory deadline.

This Legislature concludes that returning ownership of the above described property to Durkins for the total amount of arrears due and owning is just and equitable and in the best interest of the County of Suffolk.

Therefore, the purpose of this law is to authorize the Division of Real Property Acquisition and Management to convey to Stephen and Maryanne Durkin a parcel located in Mastic, Town of Brookhaven, previously taken by the County for non-payment of taxes.

Section 2. Conveyance Authorized.

Notwithstanding the provisions in any special law, local law or resolution to the contrary, the Director of the Suffolk County Division of Real Property Acquisition and Management is hereby authorized, empowered and directed to execute, acknowledge and deliver a quitclaim deed to Stephen and Maryanne Durkin for real property located at 93 Clinton Avenue, Mastic, New York for real property Suffolk County Tax Map No. 0200-852.00-05.00-040.000 upon receipt of all unpaid taxes, interest, penalties and charges due and owing to the County of Suffolk.

Section 3. Applicability.

This law shall apply only to the property described in Section 2 herein.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\I-215 redemption Durkin

1718

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

DATE: SEPTEMBER 9, 2013

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2013

TITLE: I.R. NO. -2013; LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL PROPERTY PREVIOUSLY TAKEN FOR DELINQUENT TAXES

SPONSOR: LEGISLATOR BROWNING

DATE OF RECEIPT BY COUNSEL: 8/8/13 **PUBLIC HEARING:** 10/8/13

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

This proposed local law would authorize the Division of Real Property Acquisition and Management to convey a certain parcel located in Mastic, Town of Brookhaven, to its former owners, Stephen and Maryann Durkin, upon receipt of all unpaid taxes, interests, penalties and charges due and owing, notwithstanding that the Durkins filed their hardship redemption application after the statutory deadline.

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-Durkin redemption

1718

APPLICATION FOR RECOVERY OF REAL PROPERTY ACQUIRED BY SUFFOLK COUNTY
County of Suffolk

1. Information Concerning Applicant(s)

Name of Applicant(s)	Address	Telephone Number
Stephen + Maryanne Durkin	93 Clinton Ave Mastic NY 11950	(631) 399 3571

2. Property for Which Recovery is Desired

Location or Address	Date of Recording of Suffolk County's Tax Deed
93 Clinton Ave Mastic NY 11950	

Suffolk County Tax Map Number	District	Section	Block	Lot
	0200	852	05	040

3. Description of Instrument from Which Applicant's Interest Derives

Liber	Page
9306	415

Other (If applicant is not the prior owner, specify nature of applicant's interest)

Grantor	Grantee
USA - acting through Farmers Home Administration	Stephen + Maryanne Durkin

Date of Execution	Date of Recording
12-7-82	1-28-83

4. Description of Extenuating Circumstances Which Led to Loss of Property

(See Governing Section of County Code § 29)

See attached

(Attached additional pages, if necessary)

5. Acknowledgement

State of New York)ss:
County of Suffolk)

I/We Stephen + Maryanne Durkin, being duly sworn, depose and say that Deponent(s) is/are the applicant(s) in the within application; that Deponent(s) have read the foregoing application and know(s) the contents thereof; and that as to those matters Deponent(s) believe(s) them to be true.

Stephen + Durkin
Signature of Applicant

Maryanne Durkin
Signature of Applicant

TEODORO L MORALES
Notary Public - State of New York
NO. 01MO6250232
Qualified in Suffolk County
My Commission Expires 10/24/13

Sworn to before me this 8 day of August, 2013

Notary Public of the State of New York

1718

Aug 5, 2013

Cassidy Szuflada, was our granddaughter and lived with us from 8-21-06 through 4-6-09. She was born 6½ weeks early, 4 lbs 4oz with numerous medical conditions.

She had Pierre Robin Syndrome - a medical condition / disease which the person has a very small chin & jaw. She was in Stony Brook NICU for 1 month, where she was placed on a respirator.

June 27, 2006 - she was transferred to NYU - NICU - they found she had a cleft pallet, severe obstructive sleep apnea, severe GERD, she stayed at NYU through 8-21-06 + had fundoplication surgery + jaw distraction surgery before being released. Her medications and special formula were very expensive and her parents could not afford them so they all came + lived with myself & my husband & we paid for her needs. She was readmitted to NYU in October 2006 for surgery to repair her cleft pallet.

Thomas O. Connell
Notary Public - State of New York
No. 01OC6181626
Qualified in Suffolk County
My Commission Expires Feb. 3, 2014

1718

Between her surgery co payments + travel to New York City it was very costly, some co payments as high as $3000.00. If I had to approximate how much money we contributed to Cassidy's care, special equipment formula etc, from when she was born through when she passed away it would be estimated at $30,000.00 which is why we could not pay our taxes. The medical explanation as to why she passed away was a swollen trachea.

Sincerely,

Maryanne Durkin

Maryanne Durkin

Thomas O'Connell
Notary Public - State of New York
No. 01OC6181625
Qualified in Suffolk County
My Commission Expires Feb. 4, 2016

Sworn to before me this 5th day of August, 2013

Notary Public

1718

Stephen M. Warren, M.D.
Associate Professor of Surgery (Plastic)
Director, IRPS Laboratories
Director, Craniofacial Surgery Fellowship
Plastic & Reconstructive Surgery

Kate Browing
Suffolk County Legislator

Dear Ms. Browing,

This letter is to inform you that Cassidy Szuflada was under my care at NYU Langone Medical Center from June 2006 to April 2009. Cassidy had numerous profound medical conditions that required multiple operations as well as extended stays in the intensive care unit. In addition to the operations and hospital stays Cassidy was seen on numerous outpatient visits at NYU Langone Medical Center.

Undoubtedly, Cassidy's severely debilitating medical conditions, numerous outpatient visits and inpatient stays, as well as her multiple operations put a substantial financial strain on her family.

If I can provide you with any more information regarding Cassidy's medical conditions, please feel free to contact me.

Sincerely,

Stephen M. Warren, MD

Department of Plastic Surgery
305 East 33rd Street, New York, NY 10016 • tel 212.263.3704 • fax 212.263.2308

1719

Intro. Res. No. -2013 Laid on Table 9/12/13
Introduced by the Presiding Officer

RESOLUTION NO. -2013, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DEMOLITION OF THE BAVARIAN INN BUILDING STRUCTURE, TOWN OF SMITHTOWN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Demolition of the Bavarian Inn Building Structure, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the demolition of the old Bavarian Inn building structure located on the property identified by the Suffolk County Map Number 0800-171.00-05.00-015.000; and

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

WHEREAS, at its July 17, 2013 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 450 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated July 17, 2013 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Demolition of the Bavarian Inn Building Structure, Town of Smithtown, constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 450 of the Suffolk County Code, which project will not have significant adverse impacts on the environment of the following reasons:

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

2. The proposal does not significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;

3. The proposed action will eliminate an abandoned and dilapidated structure that negatively impacts the area view shed;

4. All necessary permits and approvals will be obtained from New York State Department of Conservation prior to demolition; and

5. The removal of any toxic and/or hazardous substances will be in compliance with all applicable rules and regulations;

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-demolition-bavarian-inn

Statement of Financial Impact on Proposed Suffolk County Legislation

IR Number: 1719 ***IR Year:*** 2013

Introduced By: Presiding Officer Lindsay

Title of Proposed Resolution:
Making a SEQRA determination in connection with the proposed demolition of the Bavarian Inn building structure, Town of Smithtown.

Purpose and Intent of Proposed Legislation:
This legislation will make a SEQRA determination that the Proposed Demolition of the Bavarian Inn Building Structure, Town of Smithtown, constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 450 of the Suffolk County Code. The project will not have significant adverse impacts on the environment.

Detailed Explanation of Fiscal Impact:
There is no fiscal impact to the County for making a SEQRA determination.

If applicable, what is the comparison cost if this is undertaken in-house, compared to an outside contractor or vendor?
Not applicable.

Total Financial Cost and timing over five years on each affected political or other subdivision:
Not applicable.

Proposed Source of Funding:
Not applicable.

Total Estimated Financial Impact on all Funds, tax rates, and property tax:
Not applicable.

Total Estimated Financial Impact on Suffolk County's economy including the impact on goods or services, economic development, small business activity, employment opportunities and overall business activity:
Not applicable.

Authorized Signature

Robert Lipp

Robert Lipp, Director
Budget Review Office

Date Completed
9/5/2013

Analyst Code
JM

1720

Intro. Res. No. -2013 Laid on Table 9/12/2013

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 499-2013

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 499-2013; and

WHEREAS, this resolution when adopted contained technical errors; and

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

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

Resolution No. 499-2013

In the 1st RESOLVED paragraph, under **ORGANIZATION**:

FROM:

EMPLOYEE BENEFITS - SELF INSURANCE
039-EMP-9000-9600 Transfer to Fund 039 - Self Insurance $19,771

TO:

EMPLOYEE BENEFITS - SELF INSURANCE
039-EMP-9060-8360 Transfer to Fund 039 - Self Insurance $19,771

In the 1st RESOLVED paragraph, insert after Employee Beneftis:

Interfund Expense
320-IFT-E039-9600 $19,771

In the 1st RESOLVED paragraph, make the following changes

FROM:

INTERFUND REVENUE
001-IFT-E039-9600 $19,771

TO:

INTERFUND REVENUE
039-IFT-E039-R320 $19,771

DATED:

1721

Intro. Res. No. -2013

Laid on Table 9/12/13

Introduced by Legislator Browning

RESOLUTION NO. –2013 ACCEPTING DONATION OF AN ALL-TERRAIN VEHICLE (ATV) FROM ROSE-BRESLIN ASSOCIATES, LLC FOR THE SUFFOLK COUNTY PARK POLICE

WHEREAS, pursuant to a Stipulation of Settlement in the matter *Open Space Council, Inc. and Diane Schneider v. Town of Brookhaven*, Rose-Breslin Associates, LLC will donate an All-Terrain Vehicle (ATV) to the Suffolk County Park Police; and

WHEREAS, this vehicle will be utilized by the Suffolk County Park Police to patrol areas of the Pine Barrens, including the Rose-Breslin site and surrounding "Warbler Woods" preserve; now, therefore be it

1st **RESOLVED**, that the donation of the following vehicle is hereby accepted by the County of Suffolk for use by the Suffolk County Park Police:

Year:	**Make/Model:**	**Vehicle Number:**
2013	Polaris Sportsman 500/Green A13MH50AX	4XAMH50A2DA051328

and be it further

2nd **RESOLVED**, that the Suffolk County Department of Public Works, Division of Fleet Management, is hereby authorized, empowered and directed to maintain the ATV described in the 1st RESOLVED clause of this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:/res/ATV donation - Rose-Breslin

1722

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Legislator Spencer

RESOLUTION NO. –2013, AMEND RESOLUTION NO. 824-2012, TASK FORCE TO OPTIMIZE EARLY INTERVENTION FOR CHILDREN WITH SPECIAL NEEDS

WHEREAS, Resolution No. 824-2012 established an early intervention task force to examine the state of the early intervention program for children with special needs and to determine if opportunities exist to increase efficiency or optimize services provided to children with special needs; and

WHEREAS, the task force is required to issue a written report to the members of the County Legislature and the County Executive containing its findings and determinations, along with any recommendations; and

WHEREAS, the task force has determined that it needs additional time to complete their report; now, therefore be it

1st **RESOLVED**, that the 13th RESOLVED clause of Resolution No. 824-2012 is hereby amended as follows:

> **13th** **RESOLVED**, that this Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than **[**one hundred eighty (180) days subsequent to the effective date of this Resolution**]** December 31, 2013 for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

and be it further

2nd **RESOLVED**, that the 14th RESOLVED clause of Resolution No. 824-2012 is hereby amended as follows:

> **14th** **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate, as of **[**December 31, 2013**]** January 31, 2014 at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

and be it further

3rd **RESOLVED**, all other terms and conditions of Resolution No. 824-2012 shall remain in full force and effect; and be it further

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

Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

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

s:\res\r-amend-reso-824-2012-early-intervention-task-force

1723

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

Laid on Table 9/12/13

RESOLUTION NO. -2013, AMENDING RESOLUTION NO. 894-2011, TO CHANGE THE MEMBERSHIP OF THE SUFFOLK COUNTY PET STORE RATING BOARD

WHEREAS, Resolution No. 894-2011 established a voluntary pet store rating program; and

WHEREAS, to ensure that pet stores are rated properly, a Pet Store Rating Board ("Board") was established to review rating applications, conduct site visits and establish each applicant's rating; and

WHEREAS, the Board membership includes a retired veterinarian to be appointed by the Long Island Veterinary Medical Association; and

WHEREAS, no retired veterinarian was ever appointed; and

WHEREAS, the composition of the Board should be amended to allow for a working veterinarian to be appointed to serve; now, therefore be it

1st **RESOLVED**, that the 13th RESOLVED clause of Resolution No. 894-2011 is hereby amended as follows:

13th **RESOLVED**, that the Suffolk County Pet Store Rating Board shall consist of the following five (5) members:

* * * *

4) **[**a retired veterinarian selected by the Long Island Veterinary Medical Association**]** <u>a veterinarian practicing in the County of Suffolk, to be appointed by the Presiding Officer of the County Legislature</u>; and

* * * *

and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-amend-res-894-11-pet-store-rating-board

1724

Intro. Res. No. -2013 Laid on Table 9/12/13
Introduced by Presiding Officer Lindsay

RESOLUTION NO. -2013, APPROVING THE DONATION OF CERTAIN ITEMS TO THE SUFFOLK COUNTY HISTORICAL SOCIETY

WHEREAS, the Suffolk County Historical Society seeks to preserve and document the history of Suffolk County; and

WHEREAS, the Museum's collection consists of approximately 20,000 objects that illustrate the history of Suffolk County and Long Island; and

WHEREAS, four Depression era paintings and a mural were displayed at the Foley Skilled Nursing Facility before it closed earlier this year; and

WHEREAS, the paintings and the mural, produced through the support of the Works Progress Administration (WPA), depict life at the County's old infirmary and other scenes from life in Suffolk County during this era; and

WHEREAS, the Suffolk County Historical Society has requested that the County donate the paintings and the mural to their care and custody; and

WHEREAS, such a donation will safeguard an important piece of Suffolk County history and culture; now, therefore be it

1st **RESOLVED,** that the County of Suffolk hereby approves the donation of four paintings and a mural, as described in this resolution and as represented in the Exhibit "A" attached to this resolution, to the Suffolk County Historical Society, 300 W Main Street, Riverhead, New York 11901; and be it further

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

DATED:

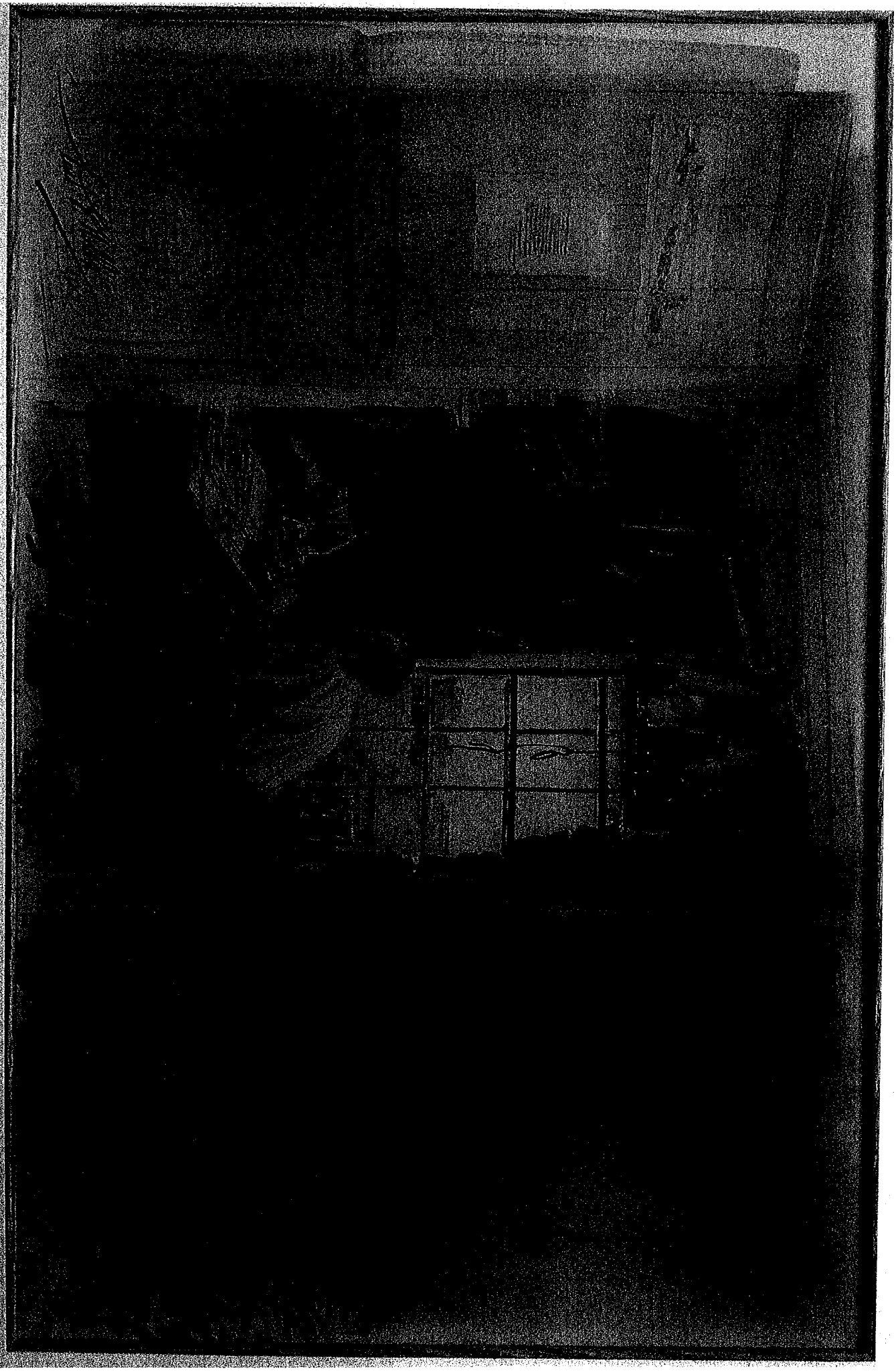
APPROVED BY:

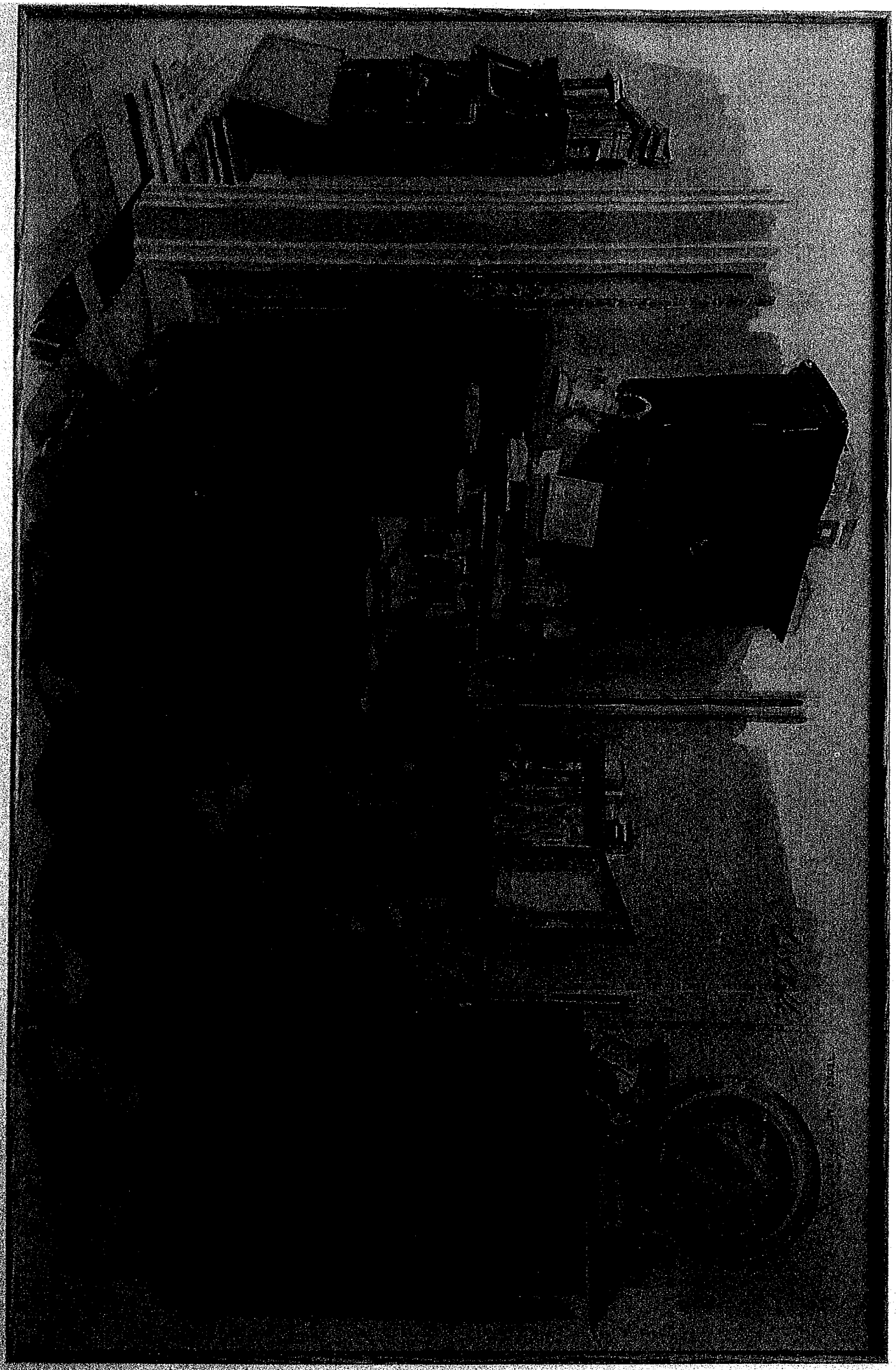
_____
County Executive of Suffolk County

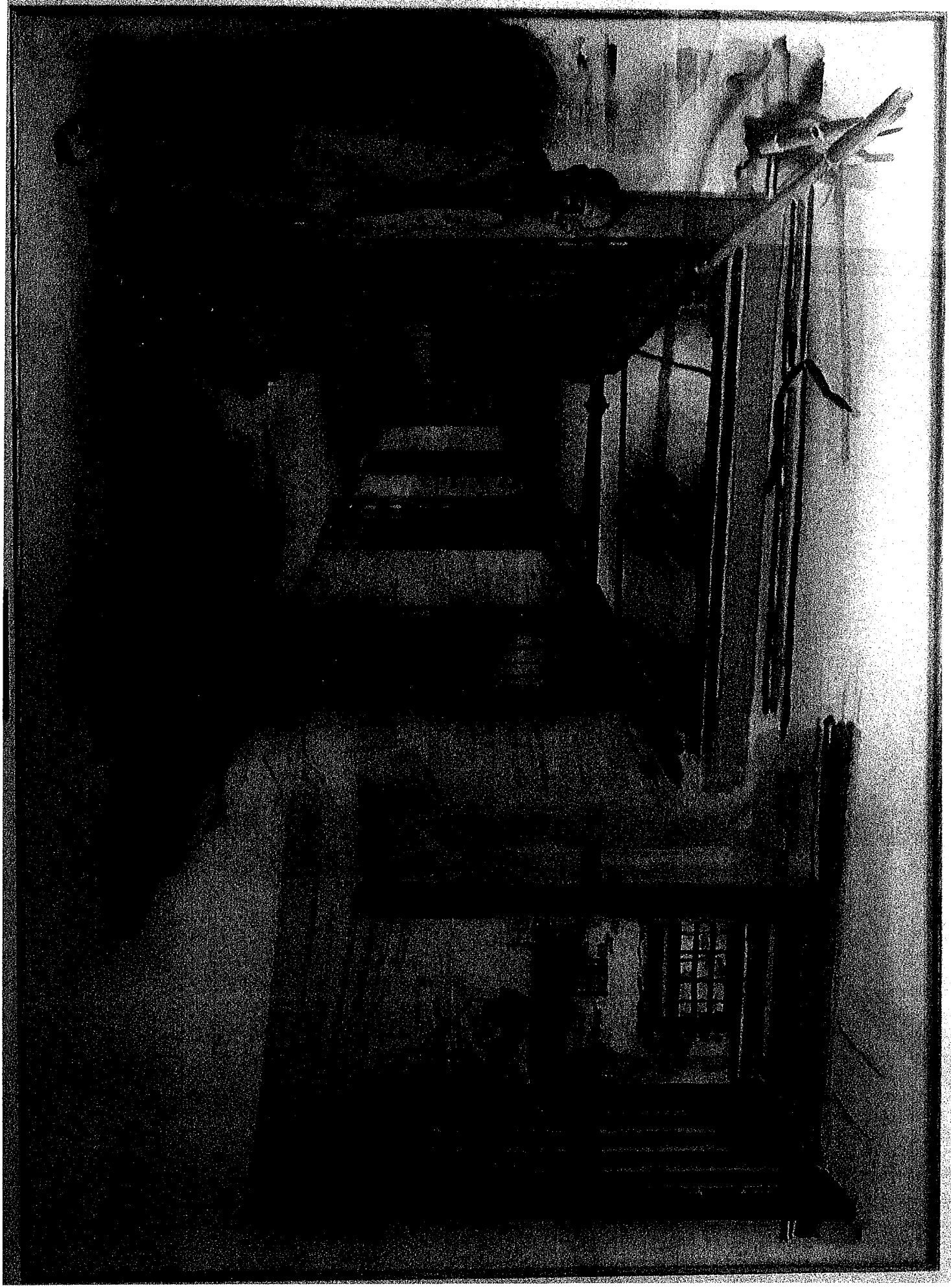
Date:

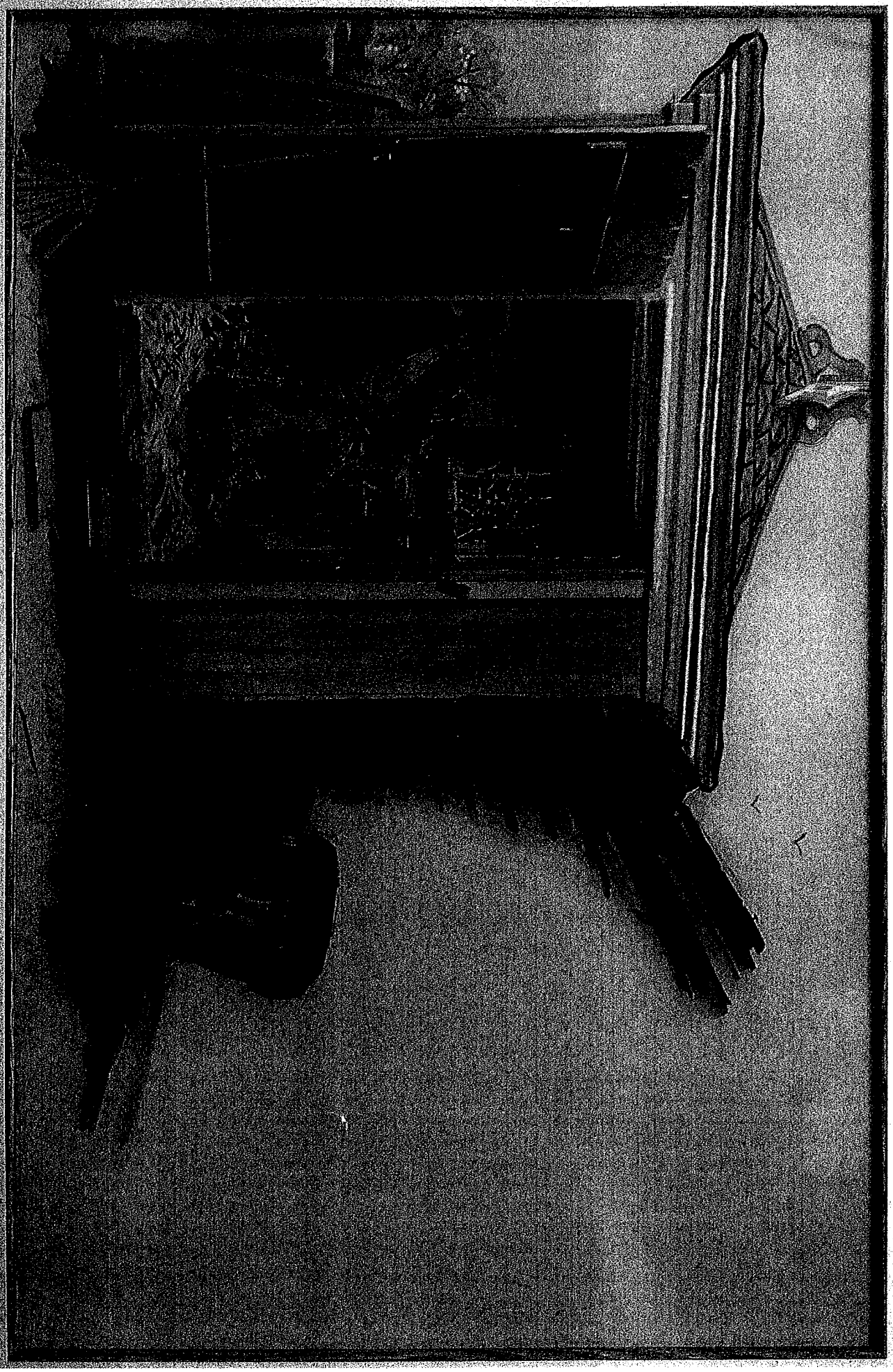
s:\res\r-paintings and mural donated to the SC Historical Society

EXHIBIT “A”









1725

Intro. Res. No. -2013 Laid on Table 9/12/2013
Introduced by Legislator Schneiderman

RESOLUTION NO. -2013, AMENDING THE ADOPTED 2013 OPERATING BUDGET AND APPROPRIATING EXCESS REVENUES RECEIVED FROM HOTEL/MOTEL TAX IN 2012

WHEREAS, the 2012 Adopted Operation Budget included Seven Million One Hundred Twenty-Four Thousand Four Hundred Seventy-four Dollars ($7,124,474) in Fund 192 as the total revenue to be collected through the Hotel/Motel Tax; and

WHEREAS, the actual 2012 Hotel/Motel Tax collected and associated revenues exceeded the 2012 estimate in the 2013 Adopted Budget; by One Million One Hundred Twenty-Four Thousand Eight Hundred Eighty-One Dollars ($1,124,881); and

WHEREAS, Chapter 523-15 of the Suffolk County Code describes the formula by which all revenues resulting from the imposition of the tax shall be distributed by the County to the various components; and

WHEREAS, the formula provides that ten percent of all revenues should be dedicated to cultural programs and activities relevant to the continuation and enhancement of the tourism industry; eight percent of all revenues should be used to support other museums and historical societies, historic residences, and historic birthplaces, with 1.5% of the eight percent utilized to support the Walt Whitman Birthplace State Historic Site and Interpretative Center; and not more than 2% of all revenues should be used to promote Suffolk County as a film friendly location; and

WHEREAS, according to this formula, $112,488 of 2012 surplus Hotel Motel revenues should be dedicated to cultural programs and activities relevant to the continuation and enhancement of the tourism industry; $73,117 of surplus 2012 Hotel Motel revenues should be used to support other museums and historical societies, historic residences, and historic birthplaces (exclusive of the 1.5% for the Walt Whitman Birthplace State Historic Site and Interpretive Center); and not more than $22,498 of 2012 surplus Hotel Motel revenues should be used to promote Suffolk County as a film friendly location; and

WHEREAS, it is the intent of this resolution to appropriate a portion of the 2012 Hotel Motel Tax year end fund balance surplus to worthy agencies; now, therefore be it

1st RESOLVED, that sufficient surplus Hotel & Motel Tax fund balance is available to be used as an offset for cultural appropriations of $110,000, film appropriations of $20,000, and museum and historical appropriations of $70,000; and be it further

2nd RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized to appropriate $200,000 in surplus Hotel & Motel Tax fund balance as follows:

APPROPRIATIONS:

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
192	EDP	6414	GTG1	4980	WESTHAMPTON BCH PERFORM ARTS	+$10,000
192	EDP	6414	GWZ1	4980	PATCHOGUE THEATER FOR PERFORMING ARTS	+$10,000
192	EDP	6414	GZW1	4980	BAY STREET THEATER	+$10,000
192	EDP	6414	HAN1	4980	GUILD HALL OF EAST HAMPTON	+$10,000
192	EDP	6414	HLT1	4980	CHILDREN¿S MUSEUM OF THE EAST END	+$10,000
192	EDP	6414	HWH1	4980	EAST END ARTS COUNCIL - WINTERFEST	+$10,000
192	EDP	6414	JGV1	4980	HUNTINGTON CHAMBER OF COMMERCE, LI FALL FESTIVAL	+$10,000
192	EDP	6414	JIY1	4980	LONG ISLAND PHILHARMONIC, INC.	+$10,000
192	EDP	6414	JKY1	4980	EAST END TOURISM ALLIANCE	+$10,000
192	EDP	6414	JPO1	4980	PERFORMING ARTS CENTER OF SUFFOLK COUNTY	+$10,000
192	EDP	6414	XXXX	4980	VAIL LEVITT MUSIC HALL	+$10,000
192	EDP	6415	HBP1	4980	STALLER FILM FESTIVAL	+$10,000
192	EDP	6415	HIP1	4980	HAMPTON FILM FESTIVAL	+$10,000
192	MSC	7516	JGH1	4980	SUFFOLK COUNTY HISTORICAL SOCIETY	+$10,000
192	PKS	7512	HYG1	4980	EASTVILLE HISTORICAL SOCIETY	+$5,000
192	PKS	7512	JFY1	4980	HALLOCKVILLE MUSEUM FARM	+$5,000
192	PKS	7512	JHK1	4980	HECKSCHER MUSEUM OF ART, HUNTINGTON	+$10,000
192	PKS	7512	JHQ1	4980	MONTAUK HISTORICAL SOCIETY	+$10,000
192	PKS	7512	JHR1	4980	SAG HARBOR WHALING & HISTORICAL MUSEUM	+$10,000
192	PKS	7512	JIF1	4980	BAY SHORE HISTORICAL SOCIETY	+$10,000
192	PKS	7512	JNU1	4980	LONG ISLAND MUSIC HALL OF FAME	+$10,000

and be it further

3rd **RESOLVED**, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code if necessary; and be it further

4th **RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the listed contracted agencies.

DATED:

APPROVED BY:

_____

1726

Intro Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM, ACCEPTING A COMMUNITY ENHANCEMENT FACILITIES ASSISTANCE PROGRAM (CEFAP) GRANT IN THE AMOUNT OF $125,000 FROM THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK, AND APPROPRIATING FUNDS IN CONNECTION TO IMPROVEMENTS AND LIGHTING TO COUNTY PARKS – CONSTRUCTION OF CANOE / KAYAK LAUNCH SITES IN SUFFOLK COUNTY PARKS (CP 7079)

WHEREAS, the Dormitory Authority of the State of New York has awarded a grant in the amount of $125,000 to the Suffolk County Department of Parks, Recreation and Conservation to fund construction of canoe and kayak launch sites in Suffolk County parks; and

WHEREAS, this grant is funded by the Community Enhancement Facilities Assistance Program (CEFAP) for the express purpose of constructing improved access points for the launching of canoes and kayaks; and

WHEREAS, this is a reimbursable grant and the Grant Disbursement Agreement for CEFAP requires that the County establish a segregated account for all expenses associated with this project; and

WHEREAS, the County must first instance fund the project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 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 $125,000 in Suffolk County Serial Bonds, therefore, be it

1st 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 pursuant to 6 NYCRR Part 617.5(c) (1), (2), (20), and (27), and as a Type II action, the County Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-three (43), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2013 Capital Budget and Program be and they are hereby amended as follows:

Project No. 7079
Project Title: Improvements and Lighting to County Parks

	Total Estimated Cost	Current 2013 Capital Program and Budget	Revised 2013 Capital Program and Budget
1. Planning	$ 65,000	$ 25,000 B	$ 25,000 B
3. Construction	$ 925,000	$ 275,000 B	$ 275,000 B
4. Site Improvements	$ 810,000	$ 0	$ 125,000 S
TOTAL	$ 1,800,000	$ 300,000	$ 425,000

and be it further

4th RESOLVED, that State Aid in the amount of $125,000 be and it is hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-7079.426	60	Improvements and Lighting at County Parks – Construction of Canoe / Kayak Launch Sites in Suffolk County Parks – Site Improvements	$125,000

and be it further

5th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept State funding in the amount of $125,000; and be it further

6th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total State share of $125,000; and be it further

7th RESOLVED, that the Department of Parks, Recreation and Conservation shall oversee the performance on this project of behalf of the County of Suffolk and coordinate the reimbursement of funds with the Dormitory Authority of the State of New York; and be it further

8th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the Grant Disbursement Agreement with the Dormitory Authority of the State of New York and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1726

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. -2013, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM, ACCEPTING A COMMUNITY ENHANCEMENT FACILITIES ASSISTANCE PROGRAM (CEFAP) GRANT IN THE AMOUNT OF $125,000 FROM THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK, AND APPROPRIATING FUNDS IN CONNECTION TO IMPROVEMENTS AND LIGHTING TO COUNTY PARKS – CONSTRUCTION OF CANOE / KAYAK LAUNCH SITES IN SUFFOLK COUNTY PARKS (CP 7079)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

Library District **Fire District**

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

County to receive 100% CEFAP Grant. County must first instance fund the project. County Comptroller is authorized to issue BANS to cover County share.

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

N/A

8. Proposed Source of Funding

NYS CEFAP Grant $125,000

9. Timing of Impact

Upon Adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		9/01/2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1726

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1726

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

GREG DAWSON
COMMISSIONER

CANOE / KAYAK LAUNCH SITES

1. **INDIAN ISLAND COUNTY PARK**, Town of Riverhead
   - Create small vehicle parking lot for canoe / kayak parking. Parking would not be asphalt, but stone screenings / RCA-type of surface.
   - Build a designated launch site providing access into Terry Creek and subsequent access to Flanders Bay and the Peconic River.
   - ESTIMATED COST: $3,000.00

2. **MESCHUTT BEACH COUNTY PARK**, Town of Southampton
   - Designate an area at the east end of the beach area for canoe / kayak launching. Since this is already an active park with parking lot, rest rooms, etc., only a minimum amount of work is needed. A fence would be erected to delineate launching area.
   - ESTIMATED COST: $1,000.00

3. **SOUTHAVEN COUNTY PARK**, Town of Brookhaven
   - Improve parking off of Yaphank Avenue, as well as installation of fencing, signage, an information kiosk, and boardwalk restoration to increase access to the Carman's River.
   - ESTIMATED COST: $40,000.00

4. **GREEN'S CREEK COUNTY PARK**, Town if Islip
   - Improvements would include signage and fencing.
   - To provide access to Great South Bay and Green's Creek, canoe and kayakers may hand carry their craft to the south facing beach on Great South Bay.
   - ESTIMATED COST: $1,000.00

5. **PECONIC DUNES COUNTY PARK & GOLDSMITH INLET COUNTY PARK**, Town of Southold
   - These adjacent facilities offer access to Long Island Sound.
   - Peconic Dunes offers access to a fresh water lake in the park and a placid setting for canoeing and kayaking. Docks and parking are already in place because of the children's camp that operates there in season.
   - Goldsmith Inlet provides access to a protected tidal water area as well as Long Island Sound. Improvements would include designated off-road parking and signage.
   - ESTIMATED COST: $3,000.00

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

1726

6. **BLYDENBURGH COUNTY PARK**, Town of Smithtown
   - There is an established rowboat rental site at this location, which includes parking, rest room facilities, and a dock. Work is needed to stabilize access to prevent erosion, including terracing and plantings, as well as a "finger" type of pier.
   - ESTIMATED COST: $15,000.00

7. **MILLER'S POND COUNTY PARK**, Town of Smithtown
   - This site offers the possibility for access and use not available elsewhere. The Department's intent is to construct a launch site on the east side of Maple Avenue, just below Miller's Pond Dam. Canoe and kayak users will be able to travel down to Mill Pond at Blydenburgh County Park.
   - Improvements would include bank stabilization, canoe / kayak launch site construction and parking lot improvements.
   - ESTIMATED COST: $45,000.00

8. **TIMBER POINT COUNTY PARK**, Town of Islip
   - Located on the bank of the Connetquot River, this site will provide access to the River and Great South Bay.
   - Improvements would include construction of a parking area and signage.
   - ESTIMATED COST: $1,000.00

9. **CEDAR POINT COUNTY PARK**, Town of East Hampton
   - Improvements to this park will provide safe and easy access to Alewive Pond.
   - Improvements would include enhanced parking, "stepped" access to the water (for safety reasons and to prevent erosion), and a "finger" type of pier.
   - ESTIMATED COST: $15,000.00

10. **LAKE RONKONKOMA COUNTY PARK**, Town of Smithtown
    - With the recent uncertainty of lake water levels, a formal launch site is difficult. With that in mind, we will designate an area along the shoreline where a prior boat ramp had been built for hand launching.
    - Improvements would include signage and fencing.
    - ESTIMATED COST: $1,000.00

TOTAL ESTIMATED COSTS: $125,000.00

1727

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION WITH RENOVATIONS AND ALTERATIONS TO PROBATION BUILDINGS (CP 3063)

WHEREAS, the Acting Director of Probation has requested funds in connection with renovations and alterations to probation buildings; and

WHEREAS, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith has authorized the issuance of $25,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 ("SEQRA"), classified this action as a Type II action pursuant to the provisions of Title 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (C), (1),(2), as this action concerns the replacement and rehabilitation involving no substantial changes to an existing structure, or reconstruction of a structure or facility in kind; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-six (56), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the proceeds of the $25,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-3063.310 (Fund 001 Debt Service)	20	Renovations and Alterations to Probation Buildings	$25,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date:

1727

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. -2013, APPROPRIATING FUNDS IN CONNECTION RENOVATIONS AND ALTERATIONS TO PROBATION BUILDINGS (CP 3063)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		9/3/2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1727

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$2,171**	**$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	**$2,171**	**$0.00**	$0.000

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

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1727

Term of Bonds	15
Amount to Bond:	$25,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$1,295.63	$875.00	$2,170.63	$2,170.63
			$414.83	$414.83	
11/1/2015	3.000%	$1,340.97	$414.83	$1,755.80	$2,170.63
			$391.36	$391.36	
11/1/2016	3.000%	$1,387.91	$391.36	$1,779.27	$2,170.63
			$367.07	$367.07	
11/1/2017	3.000%	$1,436.48	$367.07	$1,803.56	$2,170.63
			$341.93	$341.93	
11/1/2018	3.000%	$1,486.76	$341.93	$1,828.69	$2,170.63
			$315.91	$315.91	
11/1/2019	3.000%	$1,538.80	$315.91	$1,854.71	$2,170.63
			$288.99	$288.99	
11/1/2020	3.000%	$1,592.66	$288.99	$1,881.64	$2,170.63
			$261.11	$261.11	
11/1/2021	3.000%	$1,648.40	$261.11	$1,909.51	$2,170.63
			$232.27	$232.27	
11/1/2022	3.000%	$1,706.09	$232.27	$1,938.36	$2,170.63
			$202.41	$202.41	
11/1/2023	3.000%	$1,765.81	$202.41	$1,968.22	$2,170.63
			$171.51	$171.51	
11/1/2024	3.000%	$1,827.61	$171.51	$1,999.12	$2,170.63
			$139.53	$139.53	
11/1/2025	3.000%	$1,891.58	$139.53	$2,031.10	$2,170.63
			$106.42	$106.42	
11/1/2026	3.250%	$1,957.78	$106.42	$2,064.20	$2,170.63
			$72.16	$72.16	
11/1/2027	3.250%	$2,026.30	$72.16	$2,098.47	$2,170.63
			$36.70	$36.70	
11/1/2028	3.375%	$2,097.22	$36.70	$2,133.93	$2,170.63
11/1/2029		$25,000.00	$7,559.40	$32,559.40	$32,559.40
11/1/2030					
11/1/2031					

1727

2013 INTERGOVERNMEMTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL: **APPROPRIATING FUNDS IN CONNECTION RENOVATIONS AND ALTERATIONS TO PROBATION BUILDINGS (CP 3063)**

PURPOSE OR GENERAL IDEA OF BILL: The Director of Probation has requested funds in connection with renovations and alterations to probation buildings, specifically replace one major air conditioner for Probation computers.

SUMMARY OF SPECIFIC PROVISIONS: This Legislation requests the allocation and bonding of $25,000 of established 2013 Capital Budget Program costs for the necessary renovation/alteration of the Probation Administrative Building in Yaphank. The funding is specifically for the purpose of replacing one major air conditioner located in the Probation computer equipment room.

JUSTIFICATION: The replacement of the Air Conditioning Unit for the computer equipment room is imperative as the existing unit has reached its useful life. The critical mission data servers are housed in the Yaphank Administrative Office and the equipment requires a temperature controlled environment to remain operational.

FISCAL IMPLICATIONS: The funding for the replacement was included in the adopted 2013 Capital Budget. The Legislation requests the bonding of the $25,000 cost.

COUNTY OF SUFFOLK

1727

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PROBATION

Patrice S. Dlhopolsky, Acting Director

April 2, 2013,

Jon Schneider, Deputy County Executive

This resolution is to approve Capital Project 3063 in the amount of $25,000. Probation has requested funds in connection with renovations and alterations to probation buildings, specifically replace one major air conditioner for probation computers.

A copy of the Capital Budget Program Request form for new and existing capital programs is submitted as backup data.

Please feel free to contact James Golbin at 2-5105 if you have any questions. I thank you in advance for any assistance that can be given to this matter.

Patrice S. Dlhopolsky

Patrice S. Dlhopolsky
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

1728

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. –2013, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF HOMELAND SECURITYAND EMERGENCY SERVICES IN THE AMOUNT OF $51,000 FOR THE 2012 HAZ MAT GRANT PROGRAM ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

WHEREAS, the New York State Division of Homeland Security and Emergency Services has awarded Suffolk County federal funds under the 2012 HazMat Grant Program to be implemented by the Suffolk County Department of Fire, Rescue & Emergency Services; and,

WHEREAS, the 2012 HazMat Grant Program will provide funds to the Department of Fire, Rescue & Emergency Services to promote the development of regional partnerships among the State HazMat community; to build sustainable CBRNE Detection, Response, and Decontamination Capabilities; and to enhance the standing of the State's HazMat teams within FEMA's typing system; and

WHEREAS, this grant is for a twenty-two (22) month period from 10/24/2012 through 08/31/2014 in which the County will receive 100% grant funding in the amount of $51,000 for the 2012 HazMat Grant Program; and,

WHEREAS, said funds have not been included in the 2013 Operating Budget; and now therefore be it

1st RESOLVED, the County Comptroller and the County Treasurer be and they hereby are authorized to accept $51,000 and appropriate said grant funds as follows:

2012 HazMat Grant Program - $51,000

REVENUES	AMOUNT
001-FRE-4393 – 2012 HazMat Grant	$51,000

ORGANIZATIONS

Suffolk County Dept of Fire, Rescue & Emergency Services
2012 HazMat Grant Program
001-FRE-3433 - $51,000

2000 – Equipment	$31,960
2090 – Communications Equipment	$12,600
2500 – Other Equipment	$19,360
3000 – Supplies	$19,040
3500 – Other Supplies	$2,070
3680 – Repairs and Maintenance – Special Equipment	$16,970

2nd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of the 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 of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1728

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Local Law: _____ Charter Law: _____ Resolution: ___X_____

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF HOMELAND SECURITYAND EMERGENCY SERVICES IN THE AMOUNT OF $51,000 FOR THE 2012 HAZ MAT GRANT PROGRAM ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

3. Purpose of Proposed Legislation

The 2012 HazMat Grant Program will provide funds to the Department of Fire, Rescue & Emergency Services to promote the development of regional partnerships among the State HazMat community; to build sustainable CBRNE Detection, Response, and Decontamination Capabilities; and to enhance the standing of the State's HazMat teams within FEMA's typing system; and,

Accept and appropriate 2012 HazMat Grant funding in the SC Departments of FRES.

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

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.

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

$51,000 – FRES

8. Proposed Source of Funding

NYS Division of Homeland Security & Emergency Services pass-through of US Dept of Homeland Security

9. Timing of Impact: 10/24/2012 through 08/31/2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Suzanne J. Banks – Grants Analyst	Suzanne J. Banks	July 22, 2013

SCIN FORM 175b (10/95)

7/23/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1728

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1728

JOSEPH F. WILLIAMS
COMMISSIONER

JOHN G. JORDAN SR.
DEPUTY COMMISSIONER

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

EDWARD K. SPRINGER
CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER
DIRECTOR OF EMERGENCY PREPAREDNESS

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES

TO: Jon Schneider
Deputy County Executive

FROM: Joseph F. Williams
Commissioner

DATE: July 22, 2013

SUBJECT: Request for Introductory Resolution: 2012 Haz Mat Grant

Enclosed for further processing is an introductory resolution and supporting documents to accept and appropriate $51,000 in funding from the US Department of Homeland Security through the NYS Division of Homeland Security and Emergency Services for the 2012 HazMat Grant.

The grant provides funding to promote the development of regional partnerships among the State HazMat community; to build sustainable CBRNE Detection, Response, and Decontamination Capabilities; and to enhance the standing of the State's HazMat teams within FEMA's typing system.

If you have any questions, please contact Joel Vetter at x24856 or Sue Nielsen at x25338.

JFW:sjb

Enclosures

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations

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

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

1128

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT
2012 HAZMAT GRANT

TITLE OF BILL: An act to accept and appropriate 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of $51,000 for the 2012 HazMat Grant Program administered by the Suffolk County Department of Fire, Rescue & Emergency Services and to execute grant-related agreements.

PURPOSE OR GENERAL IDEA OF BILL: To provide funds to the Department of Fire, Rescue & Emergency Services to promote the development of regional partnerships among the State HazMat community; to build sustainable CBRNE Detection, Response, and Decontamination Capabilities; and to enhance the standing of the State's HazMat teams within FEMA's typing system.

SUMMARY OF SPECIFIC PROVISIONS: This legislation will allow Suffolk County FRES to work within the local, state and federal levels to develop a collaborative regional Type I level hazmat response for all of Suffolk County. It allows us to maintain robust partnerships for education, training and true capacity-building for our team. HazMat 2012 funds will be utilized to sustain our capabilities to detect, respond to, and decontaminate areas affected by CBRNE.

JUSTIFICATION: The acceptance of the HazMat 2012 grant funds is vital for the Suffolk County Department of Fire, Rescue & Emergency Services to protect our residents from Chemical, Biological, Radiological, Nuclear, and high-yield Explosives (CBRNE). Fostering collaboration between levels of government is critical to ensuring a most successful defense from and reaction to such crises. It is our intention, for example, to incorporate our current decontamination strike team, suit rescue teams and radiation surveillance capacity within the initial automatic response in comparison to past practice of awaiting local request. With the HazMat 2012 funds, we will purchase HazMat detection and mitigation equipment as well as train the appropriate personnel on its proper use. Funds will also be used to maintain and calibrate HazMat equipment. We will continually work to refine our response efforts based on hazardous assessments and review of deficiencies of current procedure and/or equipment after planned exercises or spontaneous events.

FISCAL IMPLICATIONS: None

1728

NEW YORK STATE
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

Andrew M. Cuomo, Governor | **Jerome M. Hauer, Commissioner**

October 24, 2012

RECEIVED NOV 19 2012

The Honorable Steve N. Bellone
Suffolk County Executive
100 Veterans Memorial Highway
PO Box 6100
Hauppauge, New York 11788

Dear Mr. Bellone:

I am pleased to announce that the NYS Division of Homeland Security and Emergency Services (DHSES) is awarding Suffolk County and its regional partnership $51,000, under the FY2012 Hazmat Grant Program. Funding for this initiative is provided by the federal Department of Homeland Security's State Homeland Security Program (SHSP).

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

Congratulations on your award! We look forward to working with you to administer this program.

Sincerely,

Jerome M. Hauer
Commissioner

cc:
Mr. Joseph Williams, Commissioner, Suffolk County Department of Fire, Rescue & Emergency Services

1220 Washington Avenue, State Office Building Campus
Building 7A, Suite 710
Albany, NY 12242

Additional back-up material regarding IR 1728 is on file in the Legislative Clerk's Office, Hauppauge, as well as on our website.

STATE AGENCY New York State Division of Homeland Security and Emergency Services 1220 Washington Avenue Building 7A Suite 710 Albany, NY 12242	NYS COMPTROLLER'S NUMBER: C152829 (Contract Number) ORIGINATING AGENCY CODE: 01077
GRANTEE/CONTRACTOR: (Name & Address) Suffolk County H Lee Dennison Building 100 Veterans Memorial Highway Hauppauge, NY 11788	TYPE OF PROGRAMS: WM2012 SHSP CFDA NUMBER: 97.067 DHSES NUMBERS: WM12152829
FEDERAL TAX IDENTIFICATION NO: 11-6000464 MUNICIPALITY NO: (if applicable) 470100000 000 SFS VENDER NO: 1000000809	INITIAL CONTRACT PERIOD: FROM 10/24/2012 TO 08/31/2014 FUNDING AMOUNT FOR INITIAL PERIOD: $51,000.00
STATUS: Contractor is not a sectarian entry. Contractor is not a not-for-profit organization.	MULTI-YEAR TERM: (if applicable)
CHARITIES REGISTRATION NUMBER: N/A (Enter number of Exempt) if "Exempt" is entered above, reason for exemption. n/a Contractor has ____ has not ____ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.	APPENDIX ATTACHED AND PART OF THIS AGREEMENT _X_ APPENDIX A Standard Clauses required by the Attorney General for all State contracts _X_ APPENDIX A1 Agency-specific Clauses _X_ APPENDIX B Budget _X_ APPENDIX C Payment and Reporting Schedule _X_ APPENDIX D Program Workplan and Special Conditions ___ APPENDIX X Modification Agreement Form (to accompany modified appendices for changes in terms or considerations on an existing period or for renewal periods) ___ DHSES-55 Budget Amendment/Grant Extension Request ___ Other - Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

IN WITNESS THEREOF, the parties hereto have electronically executed or approved this AGREEMENT on the dates of their signatures.

NYS Division of Homeland Security and Emergency Services

BY: , Date:

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

GRANTEE:

BY: Mr. Dennis M. Cohen , Chief Deputy County Executive Date:

ATTORNEY GENERAL'S SIGNATURE	COMPTROLLER'S SIGNATURE
_____	_____
Title: _____	Title: _____
Date: _____	Date: _____

Award Contract **SHSP**

Project No.	**Grantee Name**	
HM12-1017-D00	Suffolk County	03/21/2013

Award Contract **SHSP**

Project No.	**Grantee Name**	
HM12-1017-D00	Suffolk County	03/21/2013

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, licenser, licensee, lessor, lessee or any other party):

1. EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State's previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller's approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor's business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. COMPTROLLER'S APPROVAL. In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds $50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds $10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed $85,000 (State Finance Law Section 163.6.a).

4. WORKERS' COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of $50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the 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 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 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

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 **SHSP**

Project No.	**Grantee Name**	
HM12-1017-D00	Suffolk County	03/21/2013

APPENDIX A-1
New York State Division of Homeland Security and Emergency Services
AGENCY-SPECIFIC CLAUSES

A. GENERAL TERMS AND CONDITIONS

1. This contract (Agreement) is hereby made by and between the Division of Homeland Security and Emergency Services (DHSES), on behalf of the State of New York (State) and the Grantee.

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

3. This Agreement incorporates the face pages attached, this Appendix and all of the marked Appendices identified on the face page hereof.

4. Funding for the entire Agreement Period shall not exceed the funding amount specified as 'Funding Amount for the Initial Period' on the face page hereof.

5. The period of this Agreement shall be as specified on the face page hereof. Should funding become unavailable, this Agreement may be suspended until funding becomes available. In such event DHSES shall notify the Grantee immediately of learning of such unavailability of funds, however, any such suspension shall not be deemed to extend the term of this Agreement beyond the end date specified on the face page hereof.

6. To modify the Agreement, the parties shall revise or complete the appropriate appendix form(s). Any change in the amount of consideration to be paid, change in scope, or change in the term, is subject to the approval of the NYS Office of the State Comptroller. Any other modifications shall be processed in accordance with DHSES guidelines as stated in this Agreement.

7. The Grantee must meet the program objectives summarized in the Program Work Plan and Special Conditions (Appendix D) to the satisfaction of DHSES in accordance with provisions of the Agreement, relevant laws, rules and regulations, administrative and fiscal guidelines and, where applicable, operating certificates for facilities or license for an activity or program.

8. If the Grantee enters into subcontracts for the performance of work pursuant to this Agreement, the Grantee shall take full responsibility for the acts and omissions of its sub-grantees. Nothing in the subcontract shall impair the rights of the State under this Agreement. No contractual relationship shall be deemed to exist between the sub-grantee and neither DHSES nor the State of New York.

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

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

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

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

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

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

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

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

B. BUDGET, PAYMENT, REIMBURSEMENT AND REPORTING REQUIREMENTS

1. The Grantee is not permitted to make any changes to the Agreement budget without the written approval of DHSES. Furthermore, any proposed modification to the Agreement which results in a change of greater than 10 percent to any budget category, must be submitted to NYS Office of State Comptroller for approval.

2. To be eligible for payment, the Grantee shall submit to the DHSES' designated payment office (identified in Appendix C) any appropriate documentation as required by the Payment and Reporting Schedule (Appendix C) and by agency fiscal guidelines, in a manner acceptable to DHSES.

3. DHSES shall make payments and any reconciliation in accordance with the Payment and Reporting Schedule (Appendix C). DHSES shall pay the Grantee for completed, approved projects, a sum not to exceed the amount noted on the face page hereof. The Grantee must not seek or accept reimbursement from any other sources for Grantee costs and services pursuant to this Agreement.

4. Grantee shall provide complete and accurate vouchers to the Agency in order to receive payment. Vouchers submitted to DHSES must contain all information and supporting documentation required by the Agreement, DHSES and the State Comptroller. Payment for vouchers submitted by the Grantee shall only be rendered electronically, unless a paper check is expressly authorized by the Director of DHSES, at the Director's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with the ordinary State procedures and practices. The Grantee shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at

www.osc.state.ny.us/epay/index.htm, by email at epunit@osc.state.ny.us, or by telephone at (518) 474-4032. Grantee acknowledges that it will not receive payment on any vouchers submitted under this Agreement if it does not comply with the State Comptroller's electronic payment procedures, except where the Director has expressly authorized payment by paper check as set forth above.

5. The Grantee shall meet all audit requirements of the federal government and State of New York.

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

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

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

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

b) Grantee must adhere to the following guidelines at a minimum when obtaining consultant services.

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

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

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

c) A Grantee that is a local government must contract for consultants in accordance with General Municipal Law Article 5-A and any other applicable regulations.

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

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

10. Upon completion of all contractual requirements by the Grantee, DHSES will consider a request for continued use and

possession of the equipment purchased with grant funds provided the equipment continues to be used in connection with a public security program. When disposing of equipment purchased with homeland security grant funding, a State agency must dispose of equipment in accordance with State Laws and procedures. All other Grantees shall dispose of equipment as follows:

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

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

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

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

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

a) Grantee must also make all procurements as noted below:

i. If the Grantee is eligible to purchase an item or service from a government contract or is able to purchase such item or service elsewhere at a lower than or equal price, then such purchase may be made immediately.

ii. A Grantee purchasing any single piece of equipment, single service or multiples of each that cost up to $15,000 may do so by proving reasonableness of price. One method of proving reasonableness of price is to obtain three quotations from responsible vendors, on the vendor's letterhead. A description of the selection process must be maintained, as well as a record of the quotations.

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

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

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

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

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

13. The Grantee shall submit detailed itemization forms or a form deemed acceptable to DHSES for personal service, fringe benefit and non-personal service expenditures with any voucher and fiscal cost report requesting reimbursement. Grant-related expenditures shall be reported on Fiscal Cost Reports approved by DHSES. These reports must be prepared periodically and as defined in Appendix C of this Agreement. All reported expenditures must reconcile to the program accounting records and the approved budget. Prior period adjustments shall be reported in the same accounting period that the correction is made.

14. The Grantee must submit program progress reports and final reports as specified in Appendix C.

15. Where advance payments are approved by DHSES, the Grantee agrees to expend the advance payments in accordance with the purposes set forth in Appendix D and consistent with Appendix B. The advanced funds must be placed in an interest-bearing account and are subject to the rules outlined in 44 CFR Part 13, (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) and 2 CFR 215 (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations), which require Grantees to promptly remit back to the federal government, through New York State Division of Homeland Security and Emergency Services, any interest earned on these advanced funds. The Grantee may keep interest earned up to $100 per federal fiscal year if a local unit of government and $250 per federal fiscal year if a not-for-profit for administrative expenses. This maximum limit is not per award; it is inclusive of all interest earned as the result of all federal grant program funds received per year. Interest must be reported on Fiscal Cost Reports and remitted to DHSES quarterly.

C. ACCOUNTING FOR GRANT EXPENDITURES

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

2. Grantee agrees that it shall maintain adequate internal controls and adhere to Generally Accepted Accounting Principles for Government or Generally Accepted Accounting Principles for Not-for-Profit Organizations.

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

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

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

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

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

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

D. PROPERTY

1. Any equipment, furniture or supplies or other property purchased pursuant to this Agreement is deemed to be the property of the State, except as may otherwise be governed by federal or State laws, rules or regulations or stated in this Agreement.

2. Upon completion of all contractual requirements by the Grantee under this Agreement, DHSES shall accept a request for continued use and possession of the equipment purchased with grant funds providing the equipment continues to be used in accordance with the contracted activities and guidelines in this Agreement.

3. The Grantee must conduct a physical inventory of property records at least once every two years to verify the existence, current utilization and continued need for the property. In the event the property is no longer required by the Grantee, this fact should be reported to DHSES as soon as possible and appropriate guidelines followed, as specified in this Appendix.

4. If Grantee disposes of any equipment purchased under this Agreement during the active lifespan of said equipment, Grantee must reinvest any proceeds from the disposal into additional equipment items to continue Grantee's organization's activities subject to the guidelines of this Agreement. If the Grantee does not reinvest proceeds to continue activities subject to this Agreement, the percentage of the proceeds equal to the proportion of the original purchase price paid by funds for the Agreement must be repaid to the State of New York.

E. FEDERAL REQUIREMENTS

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

2. A list of regulations commonly applicable to United States Department of Homeland Security (DHS) grants are listed below, including the guidance:

a) Administrative Requirements:

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

b) Cost Principles:

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

c) Audit Requirements:

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

3. The Grantee shall ensure it is aware of and complies with all applicable laws, regulations and program guidance. It is the responsibility of the Grantee to become familiar with and comply with all terms and conditions associated with acceptance of funds.

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

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

6. The Grantee must provide one copy of such audit report to DHSES within nine months of the end of its fiscal year, or communicate in writing to DHSES that Grantee is exempt from such requirement.

7. Program income earned by the Grantee during the grant funding Period must be reported in writing to DHSES, in addition to any

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

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

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

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

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

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

F. SAFEGUARDS FOR SERVICES AND CONFIDENTIALITY

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

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

3. Information relating to individuals who may receive services pursuant to this Agreement shall be maintained and used only for the purposes intended under the Agreement and in conformity with applicable provisions of federal and State laws and regulations, or as specified in this Agreement.

G. AMENDMENT, SUSPENSION, TERMINATION OF AGREEMENT

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

2. DHSES will be allowed to extend, increase, amend, decrease or terminate this Agreement, upon appropriate approval of the NYS Offices of Attorney General and/or State Comptroller, as follows:

a) Upon approval by the NYS Office of State Comptroller, the term of this Agreement may be extended in conjunction with the extension of the federal grant award from which this Agreement is funded, not to exceed a term of five years from the initial start date.

b) Upon approval by the NYS Office of State Comptroller, the amount of this Agreement may be increased provided the funds are used in accordance with the guidelines associated with this Agreement grant application kit, as outlined in Appendix D, and the

scope of work has not substantially changed.

c) This Agreement may be terminated at any time upon mutual written consent of DHSES and the Grantee.

d) DHSES may decrease the level of funding or terminate the Agreement immediately, upon written notice of termination to the Grantee, if the Grantee fails to comply with the terms and conditions of this Agreement and/or with any laws, rules, regulations, policies or procedures affecting this Agreement.

e) This Agreement may be terminated for convenience upon thirty (30) days' notice to the Grantee.

3. DHSES reserves the right to suspend program funds if the Grantee is found to be in noncompliance with the provisions of this Agreement or other grant agreements between the Grantee and DHSES or, if the Grantee or principals of the Grantee are under investigation by a New York State or local law enforcement agency for noncompliance with State or federal laws or regulatory provisions or, if in DHSES' judgment, the services provided by the Grantee under the Agreement are unsatisfactory or untimely.

i. DHSES shall provide the Grantee with written notice of noncompliance.

ii. Upon the Grantee's failure to correct or comply with the written notice by DHSES, DHSES reserves the right to terminate this Agreement, recoup funds and recover any assets purchased with the proceeds of this Agreement.

iii. DHSES reserves the right to use approved grant related expenditures to offset disallowed expenditures from any grant funded through its offices upon appropriate notification to the Grantee, or upon reasonable assurance that the Grantee is not in compliance with these terms.

4. All notices permitted or required hereunder shall be in writing and shall be transmitted either:

(a) via certified or registered United States mail, return receipt requested;
(b) by facsimile transmission;
(c) by personal delivery;
(d) by expedited delivery service; or
(e) by e-mail.

5. Any such notice shall be deemed to have been given either at the time of personal delivery or, in the case of expedited delivery service or certified or registered United States mail, as of the date of first attempted delivery at the address and in the manner provided herein, or in the case of facsimile transmission or email, upon receipt.

6. The parties may, from time to time, specify any new or different address in the United States as their address for purpose of receiving notice under this Agreement by giving fifteen (15) days written notice to the other party sent in accordance herewith. The parties agree to mutually designate individuals as their respective representatives for the purposes of receiving notices under this Agreement. Additional individuals may be designated in writing by the parties for purposes of implementation and administration/billing, resolving issues and problems and/or for dispute resolution.

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

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

H. AVAILABILITY OF FUNDS

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

2. Unless otherwise specified, in accordance with the State Finance Law, the availability of federal and State funds budgeted as local

assistance shall cease on September 15th of the year following the fiscal year in which the funds were appropriated, unless such funds are re-appropriated in the State Budget by the New York State Legislature. When local assistance funds are not re-appropriated, vouchers must be received by DHSES by August 1st of the year following the fiscal year in which the funds were appropriated to ensure reimbursement.

I. RETENTION OF RECORDS

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

J. INDEMNIFICATION

1. The Grantee shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the Grantee or its sub-grantees pursuant to this Agreement. The Grantee shall indemnify and hold harmless the State of New York and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this Agreement.

2. The Grantee 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.

Revised 02/26/2010

Certified by - on

Award Contract **SHSP**

Project No.	**Grantee Name**	
HM12-1017-D00	Suffolk County	03/21/2013

Budget Summary by Participant

Suffolk County
Suffolk County Dept of Fire Rescue & Emergency Svcs - Version 1

#	Equipment	AEL	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Maintenance and/or calibration of HazMat team equipment	21GN-00-MAIN	1	$21,470.00	$21,470.00	$21,470.00	$0.00
2	Decontamination equipment	08D2-02-MCDS	1	$6,800.00	$6,800.00	$6,800.00	$0.00
3	HazMat detection equipment	07CD-01-DPMG	1	$10,130.00	$10,130.00	$10,130.00	$0.00
4	Interoperable communications equipment - Portable	06CP-01-PORT	1	$12,600.00	$12,600.00	$12,600.00	$0.00
	Total				$51,000.00	$51,000.00	$0.00

Total Project Costs	Total Cost	Grant Funds	Matching Funds
	$51,000.00	$51,000.00	$0.00

Total Contract Costs	Total Cost	Grant Funds	Matching Funds
	$51,000.00	$51,000.00	$0.00

Award Contract **SHSP**

Project No. **Grantee Name**

HM12-1017-D00 Suffolk County 03/21/2013

APPENDIX C
PAYMENT AND REPORTING SCHEDULE

For All Grantees:

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

Reimbursement requests need to include the following documents:

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

2. Grantee shall provide complete and accurate vouchers to the Agency in order to receive payment. Vouchers submitted to DHSES must contain all information and supporting documentation required by the Agreement, DHSES and the State Comptroller. Payment for vouchers submitted by the Grantee shall only be rendered electronically, unless a paper check is expressly authorized by the Director of DHSES, at the Director's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with the ordinary State procedures and practices. The Grantee shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at www.osc.state.ny.us/epay/index.htm, by email at epunit@osc.state.ny.us, or by telephone at (518) 474-4032. Grantee acknowledges that it will not receive payment on any vouchers submitted under this Agreement if it does not comply with the State Comptroller's electronic payment procedures, except where the Director has expressly authorized payment by paper check as set forth above.

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

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

NYS Division of Homeland Security and Emergency Services
Federal Fiscal Unit
State Campus - Building 7A
1220 Washington Avenue
Albany, NY 12242

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

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

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

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

7. For purposes of prompt payment provisions, the Designated Payment Office for the processing of all vouchers is the Contract Unit of DHSES. Payment of grant vouchers shall be made in accordance with the provisions of Article XI-A of the State Finance Law. Payment shall be preceded by an inspection period of 15 business days which shall be excluded from calculations of the payment due date for purposes of determining eligibility for interest payments. The Grantee must notify the Federal Fiscal Unit in writing of a change of address in order to benefit from the prompt payment provision of the State Finance Law. When progress reports are overdue, vouchers will not be eligible for prompt payment.

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

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

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

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

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

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

Revised 02/26/2010

Certified by - on

Award Contract **SHSP**

Project No.	**Grantee Name**	
HM12-1017-D00	Suffolk County	03/21/2013

Work Plan

Goal

To promote the development of regional partnerships among the State HazMat community; to build sustainable CBRNE Detection, Response and Decontamination Capabilities; and to enhance the standing of the State's HazMat teams within FEMA's typing system.

Objective #1

G & T Workplan Code - 05. Establish/enhance regional response teams.

Investment Justification - CBRNE Detection, Response and Decontamination

Target Capability
Primary - WMD/HazMat Response and Decontamination

To enhance regional response teams. (1.10)

Task #1 for Objective #1

Perform maintenance and calibration of HazMat equipment.

#	Performance Measure
1	Maintenance and/or calibration activities conducted. Provide a brief narrative reporting activities completed and describe how the project enhanced regional response team capabilities.

Task #2 for Objective #1

Purchase allowable interoperable communications and HazMat detection and decontamination equipment. Train appropriate personnel in the proper use of the equipment and place the equipment into service.

#	Performance Measure
1	Identify equipment ordered and received. Provide a brief narrative on the training of personnel and the deployment of equipment. Describe how the project enhanced regional response team capabilities in the region. Equipment accountability records are properly maintained. Provide explanation if equipment is received but not deployed, and include deployment plans as appropriate.

Award Contract **SHSP**

Project No.	Grantee Name	
HM12-1017-D00	Suffolk County	03/21/2013

Special Conditions

I. ALL GRANT FUNDS:
A. Permissible Use of Funding
1. Homeland Security Grant Program (HSGP) funds must be used in accordance with the guidelines set forth in the HSGP application kit, which can be located at http://www.fema.gov/government/grant/hsgp/index.shtm.
2. All planning, training and Chemical, Biological, Radiological and Nuclear Explosives (CBRNE) exercises and/or equipment purchased with HSGP funds must support the prevention, response and/or recovery goals set forth in New York State's Homeland Security Strategy represented by the list of priorities included in the grant applications and approved investment justifications. New York State's Homeland Security Strategy can be located on the NYS Division of Homeland Security and Emergency Services' (DHSES) website at http://www.dhses.ny.gov/planning/#strat.
3. Designated Urban Areas under the Urban Areas Security Initiative (UASI) must have a charter document on file with the Federal Emergency Management Agency (FEMA) prior to drawing down UASI funding. The charter must address critical issues such as membership, governance structure, voting rights, grant management and administration responsibilities, and funding allocation methodologies.

B. Record Requirements
1. Grantees shall keep an agenda and meeting minutes on file for all meetings conducted regarding HSGP funded activities.
2. Any documents produced as a result of these meetings such as plans, schedules, or procedures, will also be kept on file and be made available to DHSES, upon request.

C. Equipment Purchases

1. Equipment purchased with grant funds must fall within the allowable equipment categories for HSGP as listed on the web-based Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB) (https://www.rkb.us).
2. Grantees are responsible to request a determination of eligibility from the U.S. Department of Homeland Security (DHS), through DHSES, for any item in question. Unless otherwise stated in the program guidance, equipment must meet all mandatory regulatory and/or DHS-adopted standards to be eligible for purchase using HSGP funds.
3. The New York State Communication Interoperability Plan (SCIP), as well as DHS Grant Guidance for grant funding, requires that all interoperable communications equipment must be on the Authorized Equipment List (AEL) and that the use of APCO P-25 compliant equipment is a recommended technology to achieve emergency interoperable communications.

D. Training & Exercise Related Activities
1. Any non-DHS approved training courses to be supported by this award must be submitted to DHS, through DHSES for certification.
2. All exercises conducted must be managed and executed in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP). An After-Action Report/Improvement Plan (AAR/IP) must be prepared and submitted to DHSES following every exercise, regardless of type or scope. AAR/IPs must conform to the HSEEP format and must be submitted within 60 days of completion of the exercise.
3. Grantees are required to be NIMS compliant. DHSES requires that Grantees contact their county point of contact to determine how the particular county requires reporting. Grantees are expected to complete the web based NIMSCAST report or provide the county with a completed paper copy of the NIMSCAST report.

E. Law Enforcement Requirements
1. Grantees that are law enforcement agencies agree that such funding shall be utilized for prevention, preparedness, and response initiatives consistent with the New York State Homeland Security Strategy, and with Counter Terrorism Zone (CTZ) efforts at the State and local level. This will ensure that fiscal resources are used for seamless and effective counter terrorism planning, training, information sharing, investigation, equipment acquisition, and response functions.
2. Particular attention must be paid to equipment and technology acquisitions, and, where similar technology already exists in the State's law enforcement communities, grantees will ensure that interoperability between and among existing law enforcement systems, and the New York State Intelligence Center (NYSIC), is accomplished.
3. Grantees further agree to consult with the NYSIC to ensure agency participation and inclusion in New York State's Field Intelligence Officer (FIO) Program.

F. EHP Requirements
1. Grantees shall comply with all applicable federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898).
2. Failure of Grantees to meet federal, State, and local EHP requirements and obtain applicable permits may jeopardize federal funding. Grantees shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Grantees must comply with all conditions placed on the project as the result of the EHP review.
3. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements.
4. If ground disturbing activities occur during project implementation, Grantees must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, such Grantee will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office.
5. Any construction activities that have been initiated prior to the full environmental and historic preservation review could result in non-compliance finding. For your convenience, the screening form is available at: http://www.dhses.ny.gov/grants/#ehp

G. Equipment Maintenance Requirements
1. Grantees must track grant funds used for maintenance contracts, warranties, repair or replacement costs and upgrades, and report such expenditures in fiscal and program reports.

1729

Intro. Res. No. - 2012 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013 AMENDING THE 2013 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO CLUBHOUSE OF SUFFOLK FOR THE PURPOSE OF CONTINUING A PILOT PROGRAM IN SUFFOLK COUNTY TO ASSIST VETERANS SUFFERING FROM POST-TRAUMATIC STRESS DISORDER

WHEREAS, the New York State Office of Mental Health (NYS OMH) has issued the third quarter State Aid letter for 2013; and

WHEREAS, the NYS OMH has allocated $185,000 in 100% additional State Aid for the continuation of a pilot program using individual and small group peer-to-peer counseling methods to assist veterans suffering from Post-Traumatic Stress Disorder (PTSD); and

WHEREAS, the NYS OMH has authorized Suffolk County to contract with Clubhouse of Suffolk to develop the project deliverables for the pilot program; and

WHEREAS, these additional funds are being authorized as a Special Legislative Grant as one-time funding of $185,000 effective 7/1/13; and

WHEREAS, these additional 100% State Aid funds are not currently included in the 2013 Adopted Operating Budget; now, therefore be it

1st **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $185,000 in additional State Aid as follows:

REVENUES:

001-3493 Community Support Services $185,000

ORGANIZATIONS

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
001-HSV-4332-4980

XORG	OBJECT NAME	2013 Modified Adopted	Increase/ Decrease	2013 Modified Adopted
JQJ1	Clubhouse of Suffolk Peer to Peer Program	$180,000	+$185,000	$365,000

and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute an agreement with Clubhouse of Suffolk; and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV #23-2013

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1729

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AMENDING THE 2013 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO CLUBHOUSE OF SUFFOLK FOR THE PURPOSE OF CONTINUING A PILOT PROGRAM IN SUFFOLK COUNTY TO ASSIST VETERANS SUFFERING FROM POST-TRAUMATIC STRESS DISORDER.

3. Purpose or Proposed Legislation

This legislation is needed to accept and appropriate $185,000 in additional 100% State Aid from the New York State Office of Mental Health to Clubhouse of Suffolk for the purpose of continuing a pilot program in Suffolk County to assist veterans suffering from post-traumatic stress disorder (PTSD).

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

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

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

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

Not applicable.

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

None

8. Proposed Source of Funding

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

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with Clubhouse of Suffolk.

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Diane E. Weyer *Principal Financial Analyst*		7/30/13
Theresa Lollo Budget Office	Theresa Lollo	8/29/13

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1729

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1729

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **July 25, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

The New York State Office of Mental Health's third quarter 2013 State Aid letter contains funding for the continuation of a Pilot Program in Suffolk County to assist veterans suffering from Post-Traumatic Stress Disorder (PTSD). This funding is not currently included in the 2013 Suffolk County Operating Budget.

Clubhouse of Suffolk has been authorized by the New York State Office of Mental Health to contract with Suffolk County to develop project deliverables for this pilot program.

The Division is requesting a legislative resolution to add $185,000 in 100% State Aid to Clubhouse of Suffolk so that they can continue to provide these critical services to veterans. I am attaching drafts of the fiscal impact statement, intro resolution and routing form as well as the Office of Mental Health's 2013 third quarter state aid letter. Also attached is correspondence from the OMH Field Office Director detailing the specifics of the funding allocations to the provider.

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

Public Health
Prevent. Promote. Protect.

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

State of New York
Andrew Cuomo
Governor

Office of Mental Health
44 Holland Avenue
Albany, New York 12229
www.omh.ny.gov

July 25, 2013

1729

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

Re: Addition of 100% State Aid for Veteran's Peer to Peer Initiative

Dear Mr. Flescher:

The New York State Office of Mental Health's 2013 State aid approval letter for Suffolk County includes $185,000 in Legislative Addition-Veteran's Peer to Peer Initiative funds (OMH funding code 038F) to continue the pilot program for veterans suffering from Post Traumatic Stress Disorder effective July 1, 2013. The New York State Senate Finance Committee has identified the Suffolk County Veterans Services Agency as the lead administering agency for this initiative. These funds should be reported as Special Legislative Grants (program code 1190) on all OMH financial reports.

We recognize that there are approximately six months remaining in the year, and that it will take time to obtain the necessary County approvals to allocate these funds. We intend to re-authorize the unexpended balance in your 2014 State aid letter so that the County gets the full benefit of the $185,000. Please let us know by December 5, 2013 of the unexpended balance. If you have any additional questions, feel free to contact Michael Katz at michael.katz@omh.ny.gov or at (518) 473-9593.

Sincerely,

Martha Carlin

Martha Carlin, Director
Long Island Field Office

cc: Carolyn Cullity
Michael Hoffman
Michael Katz
Gaylene Pandolfo

New York State Office of Mental Health

Aid to Localities Financial System

Attachment A

Funding Source Allocation Table

County Code: 52 County Name: Suffolk Year: 2013

Authorized On: 7/19/2013 2:27:19 PM
Printed On: 7/24/2013

Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior	Fiscal Year Revised Annualized Value	Beds
Local Assistance	001A	MHPFA	$146,580	$0	$146,580	$146,580	$0	$146,580	
Community Support Services	014	MHPFA	$4,240,436	$0	$4,240,436	$4,240,436	$0	$4,240,436	
Adult Case Management & ACT	034J	MHPFA	$1,555,760	$0	$1,555,760	$1,555,760	$0	$1,555,760	

Remarks

Reduction of $3,134,768 which represents State Aid of $2,017,064 and service dollar funding of $1,117,704 for ICM & BCM programs that converted to Health Homes Care Management. Funds have been transferred to fund code 570.

C&F Case Management	034K	MHPFA	$453,376	$0	$453,376	$453,376	$0	$453,376	
CPEP	036	MHPFA	$0	$0	$0	$0	$0	$0	
Integrated Supp Emp	037	MHPFA	$0	$0	$0	$0	$0	$0	
PROS State Aid	037P	MHPFA	$1,328,708	$0	$1,328,708	$1,328,708	$0	$1,328,708	

Remarks

Increase of $9,100 (AV = $9,100) for recalculation of residual State aid and PROS Vocational Initiative funding pursuant to PROS spending plan guidelines.

Legislative Add: Veteran P2P Pilot Pro	038F	MHPFA	$0	$185,000	$185,000	$0	$0	$0	

1729

Attachment A

Funding Source Allocation Table

County Code: 52 County Name: Suffolk Year: 2013

Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior	Fiscal Year Revised Annualized Value	Beds

Remarks

One time funding of $185,000 effective 7/1/13 per NYS Senate initiative. This funding will be closed out after June 30, 2015. Funding is to support a pilot program for veterans suffering from PTSD using individual and small group peer-to-peer counseling methods. The program is to be administered by the Suffolk County Veterans Service Agency. County should use Program Code 1190 (Special Legislative Grant) for OMH Financial Reporting.

This $0 change is entered solely to facilitate closeout of Veteran Peer To Peer funds, which were issued on the July 1, 2012 liability date. In accordance with letter previously released by the OMH, counties have until June 30, 2014 to expend these funds.

MICA	039C	MHPFA	$0	$0	$0	$0	$0	$0
Adult Family Support	039G	MHPFA	$24,260	$0	$24,260	$24,260	$0	$24,260
Psych Rehab	039L	MHPFA	$57,564	$0	$57,564	$57,564	$0	$57,564
Clinical Infrastructure-Adult	039P	MHPFA	$329,052	$0	$329,052	$329,052	$0	$329,052

Remarks

The allocation funds an Adult Clinical Infrastructure program and is complemented with Federal CMHS Block Grant-Adult funds (FC 041). Net deficit funding was replaced with CSP Medicaid funds.

Innovative Psychiatric Rehabilitation	039Q	MHPFA	$214,716	$0	$214,716	$214,716	$0	$214,716
CMHS Block Grant Adult	041	F	$926,876	$0	$926,876	$926,874	$0	$926,874

Remarks

The allocation includes funding for an Adult Clinical Infrastructure program ($514,462), a Mentally Ill Chemical Abuser program ($66,610); and an Advocacy/Support Services program ($345,802). These funds are complemented with Mental Hygiene Program Funds for Adult Clinical Infrastructure (FC 039P), MICA (FC 039C) and Commuinty Support Programs (FC 014). Federal CMHS block grant funds are covered under CFDA Number 93.958. Please refer to OMH's Federal Funds Guidelines for important information about Federal certifications, audit reporting, monitoring, and restrictions and prohibitions on expenditures for both counties and subcontract providers.

1729

Attachment A

Funding Source Allocation Table

County Code: 52 County Name: Suffolk Year: 2013

Authorized On: 7/19/2013 2:27:19 PM
Printed On: 7/24/2013

Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior	Fiscal Year Revised Annualized Value	Beds
CMHS Block Grant C&F	044	F	$974,584	$0	$974,584	$974,584	$0	$974,584	

Remarks

The allocation includes funding for a C&F Clinical Infrastructure program ($116,375), C&F Community Support Programs ($257,358 for Family Support Services and a School Program Co-located with Clinic Treatment Program at the Huntington Intermediate, J. Taylor Finley Middle, and Woodhull Intermediate Schools in Huntington, NY, and the Riverhead Middle an Riverhead Alternative Schools in Riverhead, NY), C&F Emergency Services ($225,000 for Homebased Crisis Intervention), and C&F MICA prevention programs ($375,851). These funds are complemented with General Funds for the C&F Clinical Infrastructure program (FC 046A), C&F Community Support Programs (FC 046L), and C&F Emergency Services (FC 046G). Federal CMHS block grant funds are covered under CFDA Number 93.958. Please refer to OMH's Federal Funds Guidelines for important information about Federal certifications, audit reporting, monitoring, and restrictions and prohibitions on expenditures for both counties and subcontract providers.

Clinical Infrastructure-C&F	046A	MHPFA	$82,727	$0	$82,727	$82,727	$0	$82,727

Remarks

The allocation funds a C&F Clinical Infrastructure program and is complemented with Federal CMHS Block Grant-C&F funds (FC 044). Net deficit funding was replaced with CSP Medicaid funds.

Emergency Services C&F	046G	MHPFA	$39,184	$0	$39,184	$39,184	$0	$39,184

Remarks

The allocation funds a Home-Based Crisis Intervention program.

Community Support Programs-C&F	046L	MHPFA	$989,744	$0	$989,744	$989,744	$0	$989,744

1729

Attachment A

Funding Source Allocation Table

County Code: 52 County Name: Suffolk Year: 2013

Authorized On: 7/19/2013 2:27:19 PM
Printed On: 7/24/2013

Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior	Fiscal Year Revised Annualized Value	Beds

Remarks

The allocation includes funding for C&F Family Support Services, a Coordinated Children's Services Initiative program, community respite services, MICA prevention programs, and a School Based Mental Health program at the Huntington Intermediate, J. Taylor Finley Middle, and Woodhull Intermediate Schools in Huntington, NY, and the Riverhead Middle and Riverhead Alternative Schools in Riverhead, NY. This allocation is complemented with Federal CMHS Block Grant-C&F funds (FC 044). Net deficit funding was replaced with CSP Medicaid funds.

PATH	048A	F	$273,953	$0	$273,953	$273,953	$0	$273,953
2000 bed Capital Plan	072F	MHPFA	$533,035	$0	$533,035	$533,035	$0	$533,035

Remarks

Additional off site services funds of $179,650 for third CR-SRO operated by CONCERN effective 7/09.

Family Based Treatmt	074	MHPFA	$0	$0	$0	$0	$0	$0
Supported Housing	078	MHPFA	$174,932	$0	$174,932	$174,932	$0	$174,932
CSP Miscellaneous	122	MHPFA	$0	$0	$0	$0	$0	$0

Remarks

This $0 change is entered solely to facilitate closeout of HIT funds, which were issued on the November 15, 2012 liability date. In accordance with documentation previously released by the OMH, providers have until June 30, 2013 to expend these funds.

Prior Year Liability	122P	MHPFA	$97,438	$0	$97,438	$0	$0	$0

729

Attachment A

Funding Source Allocation Table

County Code: 52 County Name: Suffolk Year: 2013

Authorized On: 7/19/2013 2:27:19 PM
Printed On: 7/24/2013

Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior	Fiscal Year Revised Annualized Value	Beds

Remarks

The allocation of $97,438 is for Medicaid Income Contingency payment to the Pederson-Krag Center resulting from Medicaid revenue and SSI revenue shortfalls in their Family Based Treatment program in CYs 2007 and 2008. No contingency funding was necessary for CY 2009. the payment is authorized pursuant to the OMH's Community Residence spending plan guidelines. These funds should be reported under OMH program code 2040 on all OMH financial reports.

Trans. Mgmt. Kendra's	170B	MHPFA	$203,464	$0	$203,464	$203,464	$0	$203,464	
MGP Admin Kendra's	170C	MHPFA	$52,020	$0	$52,020	$52,020	$0	$52,020	
Com. Reinvestment	200	MHPFA	$2,416,796	$0	$2,416,796	$2,416,796	$0	$2,416,796	
Homeless/MICA	300	MHPFA	$751,632	$0	$751,632	$751,632	$0	$751,632	
Commissioner's Perf.	400	MHPFA	$471,092	$0	$471,092	$471,092	$0	$471,092	
Health Home	570	MHPFA	$3,134,768	$0	$3,134,768	$3,134,768	$0	$3,134,768	

Remarks

Increase of $3,134,768 which represents State Aid of $2,017,064 for Health Home Non-Medicaid Care Management (program 2620) and $1,117,704 for Health Home Care Management Service Dollars (program 2740) transferred from 034J.

Grand Total			**$19,472,697**	**$185,000**	**$19,657,697**	**$19,375,257**	**$0**	**$19,375,257**	

2013 Intergovernmental Relations
Memorandum of Support

1729

TITLE OF BILL: Amending the 2013 Adopted Operating Budget to accept and appropriate 100% additional State Aid from the New York State Office of Mental Health to Clubhouse of Suffolk for the purpose of continuing a pilot program in Suffolk County to assist veterans suffering from Post-Traumatic Stress Disorder.

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to accept and appropriate $185,000 in additional 100% State Aid from the New York State Office of Mental Health to Clubhouse of Suffolk for the purpose of continuing a pilot program in Suffolk County to assist veterans suffering from post-traumatic stress disorder (PTSD).

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: These 100% additional State Aid funds will be used by Clubhouse of Suffolk to develop the project deliverables for the pilot program to assist veterans suffering from PTSD.

FISCAL IMPLICATIONS: None

COUNTY OF SUFFOLK

1729

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

July 30, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to amend the 2013 Adopted Operating Budget to accept and appropriate 100% additional State Aid from the New York State Office of Mental Health to Clubhouse of Suffolk for the purpose of continuing a pilot program in Suffolk County to assist veterans suffering from post-traumatic stress disorder.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Carolyn Cullity at 3-6990. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-MH Vets PTSD.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
Art Flescher, LCSW, Director, Division of Community Mental Hygiene Services
Carolyn Cullity, Coordinator of Community Based Drug Programs
Diane E. Weyer, Principal Financial Analyst

Public Health
Prevent. Promote. Protect.

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

1730

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2013, APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF CR 59, LONG LANE, TOWN OF EAST HAMPTON (CP 5561)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of CR 59, Long Lane; and

WHEREAS, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request; and

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

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

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5(C) (1) and (4), of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes maintenance or repair involving no substantial changes in an existing structure or facility as well as repaving of existing highways not involving the addition of new travel lanes; since this law is a Type II action, the Legislature has not further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-six (46) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th **RESOLVED**, that the proceeds of $2,000,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5561.310 (Fund 001 Debt Service)	50	Reconstruction of CR 59, Long Lane	$2,000,000

1730

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. - 2013, APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF CR 59, LONG LANE, TOWN OF EAST HAMPTON (CP 5561)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		9/3/2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1730

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$173,650**	**$0.34**	$0.001

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	**$173,650**	**$0.34**	$0.001

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

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1730

Term of Bonds	15
Amount to Bond:	$2,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$103,650.14	$70,000.00	$173,650.14	$173,650.14
			$33,186.12	$33,186.12	
11/1/2015	3.000%	$107,277.89	$33,186.12	$140,464.02	$173,650.14
			$31,308.76	$31,308.76	
11/1/2016	3.000%	$111,032.62	$31,308.76	$142,341.38	$173,650.14
			$29,365.69	$29,365.69	
11/1/2017	3.000%	$114,918.76	$29,365.69	$144,284.45	$173,650.14
			$27,354.61	$27,354.61	
11/1/2018	3.000%	$118,940.92	$27,354.61	$146,295.53	$173,650.14
			$25,273.14	$25,273.14	
11/1/2019	3.000%	$123,103.85	$25,273.14	$148,376.99	$173,650.14
			$23,118.83	$23,118.83	
11/1/2020	3.000%	$127,412.49	$23,118.83	$150,531.31	$173,650.14
			$20,889.11	$20,889.11	
11/1/2021	3.000%	$131,871.92	$20,889.11	$152,761.03	$173,650.14
			$18,581.35	$18,581.35	
11/1/2022	3.000%	$136,487.44	$18,581.35	$155,068.79	$173,650.14
			$16,192.82	$16,192.82	
11/1/2023	3.000%	$141,264.50	$16,192.82	$157,457.32	$173,650.14
			$13,720.69	$13,720.69	
11/1/2024	3.000%	$146,208.76	$13,720.69	$159,929.45	$173,650.14
			$11,162.04	$11,162.04	
11/1/2025	3.000%	$151,326.06	$11,162.04	$162,488.10	$173,650.14
			$8,513.83	$8,513.83	
11/1/2026	3.250%	$156,622.48	$8,513.83	$165,136.31	$173,650.14
			$5,772.94	$5,772.94	
11/1/2027	3.250%	$162,104.26	$5,772.94	$167,877.20	$173,650.14
			$2,936.11	$2,936.11	
11/1/2028	3.375%	$167,777.91	$2,936.11	$170,714.03	$173,650.14
11/1/2029		$2,000,000.00	$604,752.08	$2,604,752.08	$2,604,752.08
11/1/2030					
11/1/2031					

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

1730

TITLE OF BILL: Appropriating funds in connection with Reconstruction of CR 59, Long Lane (CP 5561)

PURPOSE OR GENERAL IDEA OF BILL: This funding will provide for the reconstruction of Long Lane to improve drainage, riding surface and safety.

SUMMARY OF SPECIFIC PROVISIONS: This is a current Capital Budget project, there are no offsets needed.

JUSTIFICATION: These funds enable Suffolk County Department of Public Works to progress project to construction.

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

COUNTY OF SUFFOLK

1730

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

DATE: July 25, 2013

RE: Appropriating Funds in Connection with Reconstruction of CR 59, Long Lane, Town of East Hampton (CP 5561)

Attached is a draft resolution and duplicate copy to appropriate the sum of $2,000,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2013 Capital Budget and Program for this project.

This funding will provide for the reconstruction of CR 59, Long Lane including installation of additional and replacement of deteriorated drainage structures, cleaning and repair of existing recharge basin to improve storm water infiltration, full depth asphalt concrete reconstruction and resurfacing. This project will improve drainage, riding surface of safety along this corridor.

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

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5561(CR59 Constr).doc".

GA/WH/td
attach.
cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
William Hillman, P.E., Chief Engineer
Charles Jaquin, Acting Head of Finance Division

1731

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2013, APPROPRIATING FUNDS IN CONNECTION WITH SUFFOLK COUNTY HIGHWAY REHABILITATION PROJECT (CP 5576)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Suffolk County Highway Rehabilitation Project; and

WHEREAS, these funds will provide full-depth pavement rehabilitation, asphalt resurfacing, repair/installation of curbing and sidewalk, repairs to drainage structures and traffic safety modifications; and

WHEREAS, these funds will be used primarily on CR 92, Oakwood Road, Town of Huntington, and within existing right-of-ways on additional County roads as needed; and

WHEREAS, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $4,000,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5(C) (1) and (4), of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes maintenance or repair involving no substantial changes in an existing structure or facility as well as repaving of existing highways not involving the addition of new travel lanes; since this law is a Type II action, the Legislature has not further responsibilities under SEQRA; and be it further

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

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

4th **RESOLVED**, that the proceeds of $4,000,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5576.310 (Fund 001 Debt Service)	50	Suffolk County Highway Rehabilitation Project	$4,000,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1731

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. - 2013, APPROPRIATING FUNDS IN CONNECTION WITH SUFFOLK COUNTY HIGHWAY REHABILITATION PROJECT (CP 5576)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		9/3/2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1731

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$347,300**	**$0.67**	$0.001

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	**$347,300**	**$0.67**	$0.001

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

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1731

Term of Bonds	15
Amount to Bond:	$4,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$207,300.28	$140,000.00	$347,300.28	$347,300.28
			$66,372.25	$66,372.25	
11/1/2015	3.000%	$214,555.79	$66,372.25	$280,928.03	$347,300.28
			$62,617.52	$62,617.52	
11/1/2016	3.000%	$222,065.24	$62,617.52	$284,682.76	$347,300.28
			$58,731.38	$58,731.38	
11/1/2017	3.000%	$229,837.52	$58,731.38	$288,568.90	$347,300.28
			$54,709.22	$54,709.22	
11/1/2018	3.000%	$237,881.84	$54,709.22	$292,591.06	$347,300.28
			$50,546.29	$50,546.29	
11/1/2019	3.000%	$246,207.70	$50,546.29	$296,753.99	$347,300.28
			$46,237.65	$46,237.65	
11/1/2020	3.000%	$254,824.97	$46,237.65	$301,062.62	$347,300.28
			$41,778.22	$41,778.22	
11/1/2021	3.000%	$263,743.84	$41,778.22	$305,522.06	$347,300.28
			$37,162.70	$37,162.70	
11/1/2022	3.000%	$272,974.88	$37,162.70	$310,137.58	$347,300.28
			$32,385.64	$32,385.64	
11/1/2023	3.000%	$282,529.00	$32,385.64	$314,914.64	$347,300.28
			$27,441.38	$27,441.38	
11/1/2024	3.000%	$292,417.51	$27,441.38	$319,858.90	$347,300.28
			$22,324.07	$22,324.07	
11/1/2025	3.000%	$302,652.13	$22,324.07	$324,976.20	$347,300.28
			$17,027.66	$17,027.66	
11/1/2026	3.250%	$313,244.95	$17,027.66	$330,272.61	$347,300.28
			$11,545.88	$11,545.88	
11/1/2027	3.250%	$324,208.53	$11,545.88	$335,754.40	$347,300.28
			$5,872.23	$5,872.23	
11/1/2028	3.375%	$335,555.82	$5,872.23	$341,428.05	$347,300.28
11/1/2029		$4,000,000.00	$1,209,504.16	$5,209,504.16	$5,209,504.16
11/1/2030					
11/1/2031					

1731

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL: Appropriating Funds in Connection with Suffolk County Highway Rehabilitation Project (CP 5576)

PURPOSE OR GENERAL IDEA OF BILL: This funding will allow for the rehabilitation of CR 92, Oakwood Road which will include pavement rehabilitation and resurfacing, repair and/or installation of curbing and sidewalk, drainage improvements and traffic safety modifications.

SUMMARY OF SPECIFIC PROVISIONS: This is a current Capital Budget project, there are no offsets needed.

JUSTIFICATION: This would enable Suffolk County to progress the rehabilitation of CR 92, Oakwood Road to construction.

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

COUNTY OF SUFFOLK

1731

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

DATE: July 17, 2013

RE: Appropriating Funds in Connection with Suffolk County Highway Rehabilitation Project (CP 5576)

Attached is a draft resolution and duplicate copy to appropriate the sum of $4,000,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2013 Capital Budget and Program for this project.

This funding will provide for rehabilitation of CR 92, Oakwood Road which will include full-depth pavement rehabilitation and asphalt resurfacing and repair and/or installation of curbing and sidewalk. Additional repairs will be made to drainage structures to alleviate localized flooding. Traffic safety modifications will be made a required.

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

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5576(SC Hwy Rehab).doc".

GA/WH/td
attach.
cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
William Hillman, P.E., Chief Engineer
Charles Jaquin, Acting Head of Finance Division

1732

Intro Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE CHANGE OF PROJECT FOR DOWNTOWN REVITALIZATION GRANT (CP-6412) TO THE ROCKY POINT CIVIC ASSOCIATION AND AMENDING THE CONTRACT WITH THE TOWN OF BROOKHAVEN TO REFLECT SAME

WHEREAS, through duly adopted resolution 821-2008, the Suffolk County Legislature approved Downtown Revitalization funding of $50,000 for the Rocky Point Civic Association for sidewalks along King Road; and

WHEREAS, the project could not proceed due to easement and right-of-way impediments; and

WHEREAS, the Rocky Point Civic Association and the Town of Brookhaven have requested a reallocation of that grant funding to curbing, sidewalks and streetlights associated with a new municipal parking lot to be constructed on Broadway; and

WHEREAS, the Suffolk County Downtown Citizens Advisory Panel has reviewed this request and recommends Legislative approval; and

WHEREAS, the project purpose differs from the purpose originally proposed and approved, Legislative approval for the change is required; now, therefore, be it

1st RESOLVED, that the Legislature approves the change in project as presented above and directs the Department of Economic Development and Planning to proceed with the necessary contracts to allow for this project to proceed.

Dated:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1732

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. – 2013, APPROVING THE CHANGE OF PROJECT FOR DOWNTOWN REVITALIZATION GRANT (CP-6412) TO THE ROCKY POINT CIVIC ASSOCIATION AND AMENDING THE CONTRACT WITH THE TOWN OF BROOKHAVEN TO REFLECT SAME

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

Library District **Fire District**

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

Impact done on appropriating resolution 821-2008.

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

N/A

8. Proposed Source of Funding

6412.316

9. Timing of Impact

Upon Adoption

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		9/3/2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1732

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

1732

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT
DEPARTMENT OF ECONOMIC DEVELOPMENT & PLANNING

TITLE OF BILL: APPROVING THE CHANGE OF PROJECT FOR DOWNTOWN REVITALIZATION GRANT (CP-6412) TO THE ROCKY POINT CIVIC ASSOCIATION AND AMENDING THE CONTRACT WITH THE TOWN OF BROOKHAVEN TO REFLECT SAME

PURPOSE OR GENERAL IDEA OF BILL: requests Legislative approval to amend project associated with Downtown Revitalization Grant to the Rocky Point Civic Association.

SUMMARY OF SPECIFIC PROVISIONS: At its July 2013 meeting, the Downtown Revitalization Citizens Advisory Panel considered and voted to support a request by the Rocky Point Civic Association and the Town of Brookhaven to use previously approved grant funds for a different project. The original project, which was approved by the Legislature, was to fund sidewalks along Kings Rd. The project could not be implemented due to easement and right-of-way impediments. The Rocky Point Civic Association and the Town of Brookhaven request to use the funds for curbs, sidewalks and lighting associated with a new municipal parking lot on Broadway.

JUSTIFICATION: Legislative approval to use funds other than what was originally approved is required.

FISCAL IMPLICATIONS: None

COUNTY OF SUFFOLK

1732

OFFICE OF THE COUNTY EXECUTIVE

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Joanne Minieri
Deputy County Executive and Commissioner

Department of
Economic Development and Planning

MEMORANDUM

TO: Jon Schneider, Deputy County Executive
Office of the County Executive

FROM: Carolyn E. Fahey, Intergovernmental Relations Coordinator
Department of Economic Development & Planning

DATE: August 15, 2013

SUBJECT: **APPROVING THE CHANGE OF PROJECT FOR DOWNTOWN REVITALIZATION GRANT (CP-6412) TO THE ROCKY POINT CIVIC ASSOCIATION AND AMENDING THE CONTRACT WITH THE TOWN OF BROOKHAVEN TO REFLECT SAME**

****

At its July 2013 meeting, the Downtown Revitalization Citizens Advisory Panel considered and voted to support a request by the Rocky Point Civic Association and the Town of Brookhaven to use previously approved grant funds for a different project. The original project, which was approved by the Legislature, was to fund sidewalks along King Road in Rocky Point. Due to easement and right-of-way impediments the project could not proceed. The Civic Association and the Town request to use the funds for curbs, sidewalks, and lighting associated with a new municipal parking lot on Broadway.

Attached please find a resolution which requests Legislative approval for this change of project.

All required documentation has been submitted to the CE Reso Review Committee as required.

Thank you.

CEF/kmb

cc: Dennis Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner
Vanessa Pugh, Deputy Commissioner
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations
Neil Toomb, Intergovernmental Relations Coordinator

1733

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF KATHLEEN RIDDLE AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Kathleen Riddle of Jamesport, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Kathleen Riddle of Jamesport, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 38-2013

1733

KATHLEEN A. RIDDLE
President/CEO

Kathleen Riddle is co-founder and President of Outreach, a non-profit agency providing a comprehensive continuum of behavioral health and drug and alcohol services in the New York metropolitan area since 1980.

Ms. Riddle started her career with New York City Youth Services in 1974. In 1976, Ms. Riddle took a position as a drug education specialist with the New York City Board of Education where she remained until 1980. It was during this time, confronted by the multiplicity of problems that addiction was causing for youth and families that Ms. Riddle decided to take on a new direction.

For the last 33 years, Ms. Riddle has been developing innovative programs that meet the complex needs of individuals, families and communities affected by alcohol and substance abuse issues. She has emphasized designing programs for those special populations, especially youth and women and children, for which services were not readily available.

From an original grant of $60,000 for three employees, Ms. Riddle has facilitated Outreach's growth to 240 employees and a budget of over $16,000,000. Currently, Outreach operates 17 programs at 9 locations in Queens, Brooklyn and Long Island, with specialized treatment and prevention for adolescents, women and children, and individuals involved in the juvenile and criminal justice system. In addition, Outreach's Training Institute operates the largest Credentialed Alcoholism and Substance Abuse Counselor Diploma Program in New York State. For the last four years, Outreach has been named '*One of the Best Companies to Work for in New York State.*'

Ms. Riddle recently served as a member of the New York State Department of Health Medicaid Redesign Team's Behavioral Health Reform Work Group and Children's Subcommittee for Medicaid Redesign and is currently Public Policy Chair the Association of Alcoholism and Substance Abuse Providers of New York State (ASAP). She serves on the Governor's Advisory Council on Alcohol and Substance Abuse, Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities and Alcohol and Substance Abuse Services Planning and Advisory Board, and on the Executive Boards of the Therapeutic Communities Association (TCA) of New York, ASAP, Treatment Communities of America, and New York Families for Autistic Children, Inc. Ms. Riddle is also Co-Chair of the OASAS Talent Management Workgroup and a member of the OASAS Committee on Counselor Scope of Practice.

1733

2013 Intergovernmental Relations
Memorandum of Support

TITLE OF BILL: Approving the appointment of Kathleen Riddle as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Kathleen Riddle to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Kathleen Riddle as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

COUNTY OF SUFFOLK

1733

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Kathleen Riddle as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Carolyn Cullity at 853-6990. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-MH Board-K Riddle.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
Art Flescher, LCSW, Director, Division of Community Mental Hygiene Services
Carolyn Cullity, Coordinator of Community Based Drug Programs
Diane E. Weyer, Principal Financial Analyst

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

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1733

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Kathleen Riddle as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Kathleen Riddle to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer	Diane E Weyer	8.12.13
Principal Financial Analyst		
Theresa Lollo	Theresa Lollo	8/29/13
Budget Office		

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1733

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1433

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Kathleen Riddle to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

1734

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF JOHN HALEY AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated John Haley of Southampton, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of John Haley of Southampton, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 37-2013

1734

Southampton, NY 11968
(516)

John C. Haley

Experience 1995 - Present

SEAFIELD CENTER, INC. Westhampton Beach, New York

Chief Operating Officer

- Overall responsibility of overseeing the daily operation of Seafield's inpatient and outpatient substance abuse treatment facilities.
- Duties include executing the policies and procedures of the Board of Directors.
- Responsible for assuring that all facilities remain in compliance with JCAHO and NYS OASAS regulations.
- Also responsible for the ongoing development and implementation of Seafield's Quality Improvement Program.
- Responsible for budget preparation and allocation for all facilities and strategic planning.
- Responsible for the negotiating of managed care contracts, developing ongoing relationships with HMO's/managed care companies.
- Experienced with expansion ventures.

1991 - 1995

Executive Director

- Responsible for the overall operation of the Center.
- Maintain compliance with all State guidelines and Joint Commission on Accreditation of Healthcare Organizations standards.
- Work closely with the Fiscal Department in preparing budgets and reports.

1989 - 1991

Assistant Executive Director

- Primary responsibility was to assist Executive Director in the daily operation of the Center.
- Act as liaison between Executive Director and directors and supervisors within Seafield Center.
- Attend meetings of Quality Improvement, Executive Committee, Hiring committee and budget meetings.

1734

John C. Haley

1988 - 1991
Director of Support Services

- Responsible for overall supervision of Maintenance, Dietary Services, Housekeeping, Transportation, Therapy Aides, Fire Safety, Personnel, Grounds and Reception.

1987 - 1988
Management Trainee

Education

1982 - 1986 New York State University at Cortland

- B.A., Political Science

American Management Association. Successfully completed the Management Course, a concentrated program of study in the field of professional management.

American Management Association. Creating High Performance Teams.

Workshop Training

Attended training seminars focusing on Quality Assurance and Risk Management conducted by the Joint Commission on Accreditation of Healthcare Organization. Specialized training with Interviewing People conducted by Padgett Thompson. Management seminars include Total Quality Management, Quality Improvement, Hospital Administration and Executive Management.

1734

2013 Intergovernmental Relations
Memorandum of Support

TITLE OF BILL: Approving the appointment of John Haley as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint John Haley to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint John Haley as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

1734

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of John Haley as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

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

Sincerely,

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

Enclosures

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

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Phone (631) 854-0000 Fax (631) 854-0108

1734

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation
Approving the appointment of John Haley as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint John Haley to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date*** 8-12-13
Diane E. Weyer	Diane Weyer	
Principal Financial Analyst		
Theresa Lollo	Theresa Lollo	8/29/13
Budget Office		

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1734

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1734

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of John C. Haley to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

1735

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF ROY PROBEYAHN AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Roy Probeyahn of South Manor, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Roy Probeyahn of South Manor, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 36-2013

Roy Probeyahn
Chartered Property Casualty Underwriter
1
SOUTH MANOR, N.Y. 11949
(631)
FAX (631)

1735

RESUME

I have resided in Suffolk County for the past 50 years. I have resided, for the last 25 years with my three adult sons, who have Autism, at the above address.

I am presently retired however operated my own business, Roy Probeyahn Incorporated here in Suffolk County for the last 30 years. We were Independent Insurance adjusters for the insurance industry. I was previously employed by an insurance company as Vice President of Claims for 10 years. In addition, I was an adjunct professor at both Suffolk and Nassau Community Colleges, New York Institute of Technology, and Hofstra University, over a period of 30 years. I would be pleased to provide either personal or business references upon request.

Attached please find my volunteer affiliations, achievements and recognitions.

Roy Probeyahn

1735

Current Volunteer Affiliations

Chairman - Suffolk County Disability Advisory Board

Chairman - Suffolk County IDD Committee,
Suffolk County Community Board

NYS OPWDD Waiver Advisory Board and Fiscal Target Workgroup

Past Chairman - charter member:
L.I. Family Support Services Advisory Council

Parent Coordinator - Founder:
L.I. Citizens Task Force on Aging Out, Inc.

Former Board member & Immediate Past President
East End Disability Association

Former Board member & past Vice President
Developmental Disabilities Institute

Achievements and Recognitions

First Recipient NYS Senate Achievers Award - 2003

First Recipient Lifetime Achievement Award
L.I. Family Support Services Advisory Council - 2005

W.C. Mepham H.S. Who's Who Award - 2007

Recipient of Community Services Award – 2001
Certificate of Achievement - (1996 & 1990)
New York State Developmental Disabilities Planning Council

1735

Instrumental in the passage of NYS CARES (Chapter 353) to fund OPWDD group home development - 1998

Instrumental in the passage of NYS Transitional Funding bill (Chapter 600) – 1994

Instrumental in continued Suffolk County Transitional Funding – 1988 – 1995

NYS Senate Certificate of Merit - Sen. Spano (1988) - Sen. LaValle (1981)

Project Equals - founder - won IEP diplomas for Special Education students – 1984

NYS PTA Jenkins Memorial Award - MCCSD # 11 - 1978

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1735

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Roy Probeyahn as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Roy Probeyahn to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer	Diane Weyer	8-12-13
Principal Financial Analyst		
Theresa Lollo	Theresa Lollo	8/29/13
Budget Office		

SCIN FORM 175b (10/95)

1735

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1735

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Roy Probeyahn to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

1735

2013 Intergovernmental Relations
Memorandum of Support

TITLE OF BILL: Approving the appointment of Roy Probeyahn as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Roy Probeyahn to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Roy Probeyahn as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

COUNTY OF SUFFOLK

1735

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Roy Probeyahn as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

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

Sincerely,

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

Enclosures

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

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

1736

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF BARBARA TOWNSEND AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Barbara Townsend of Setauket, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Barbara Townsend of Setauket, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 35-2013

1736

Barbara L. Townsend

Setauket, NY 11733
(631)

PROFESSIONAL EXPERIENCE

1985-Present

Chief Executive Officer
Family Residences and Essential Enterprises, Inc. (FREE)

Responsible to the Board of Directors for the overall operation of the Agency: ensuring fiscal viability, code compliance, quality and integrity of operation and function, public visibility and coordinated relationships with funding sources, sister agencies, state and local governmental units.

During this period of time, the Agency developed from a $1 million single entity into a $50 million multiple agency entity serving approximately 5000 mentally challenged citizens of Nassau and Suffolk Counties annually. Additionally, a philosophy of empowerment and recognition of the realization of human potential for differently abled persons was developed and continues to this day to be the cornerstone upon which the Agency functions.

1983-1985

Director of Client Services for the Developmental Disabilities Service Office of the New York State Office of Mental Retardation and Developmental Disabilities

Overall administrative responsibility for community placement, case management, crisis intervention, transitional funding, homemaker services, respite, grant programs for community-based clientele and effecting the client support services portion of the 507 plan.

1979-1983

Director of Program Development for the Suffolk County Developmental Disabilities Service Office of the New York State Office of Mental Retardation and Developmental Disabilities

Administrator of a division responsible for the planning, development and operation of residential and day programs in Suffolk County. Further responsible for the maintenance of the community-based client in appropriate programs and the placement and maintenance of the Development Center client into new or expanding programs within the Suffolk County catchment area.

1976-1979

Coordinator of Site Development and Public Education for the New York State Offices of Mental Health and Mental Retardation and Developmental Disabilities

Managed a team whose responsibility it was to site search for day and residential programs; coordinate site development with the Facilities Development Corporation and to engage the community-at-large in understanding the placement of handicapped individuals into structured, State-certified programs. This included public presentations at town board meetings, local community and civic associations and various other public and voluntary groups and public hearings under Section 41.34 of the Mental Hygiene Law.

1973-1976

Special Education Teacher at Kings Park Developmental Center and Kings Park Psychiatric Center

Teacher of a class of students who were profoundly retarded, behaviorally involved and/or emotionally disturbed and multiply handicapped.

1965-1973

Elementary School Teacher

St. Joachim School, Cedarhurst
St. Anthony School, East Northport
St. Patrick School, Smithtown

Barbara L. Townsend

1736

EDUCATION

Brentwood College, Brentwood, New York
Bachelor of Science in Education

State University of New York at Potsdam
Master of Science in Education

Adelphi University, Garden City, New York
C.W. Post/Long Island University, Greenvale, New York
21 Credits in Special Education

MEMBERSHIPS AND AFFILIATIONS

Alliance of Long Island Agencies, Inc.
American Association on Mental Retardation
American Network of Community Options and Resources
Association for Community Living
Long Island Developmental Disabilities Service Office Advisory Board
Long Island Association
Chair of the Trustees of Christa House
Member of the Golf and Gala Committee for Christa House
National Association of Female Executives
Nassau County Department of Mental Health and Mental Retardation Housing Advisory Board
New York State Association of Community Residential Administrators
Member of the Advisory Board to the President and Development Officers of the Sister of Joseph (Brentwood)
Member of the Catholic Charity Incident Review Committee

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1736

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Barbara Townsend as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Barbara Townsend to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer	Diane E Weyer	8.12.13
Principal Financial Analyst		
Theresa Lollo	Theresa Lollo	8/29/13
Budget Office		

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1736

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1736

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Barbara Townsend to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

2013 Intergovernmental Relations
Memorandum of Support

1736

TITLE OF BILL: Approving the appointment of Barbara Townsend as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Barbara Townsend to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Barbara Townsend as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

COUNTY OF SUFFOLK

1736

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Barbara Townsend as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

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

Sincerely,

FOR

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

Enclosures

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

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

1737

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF BARBARA CAREY-SHAW AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Barbara Carey-Shaw of Jamesport, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Barbara Carey-Shaw of Jamesport, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 34-2013

1737

BARBARA A. CAREY-SHAW

Brookhaven, NY 11719
(516)

EDUCATION

Ph.D. Degree in School-Community Psychology, **Hofstra University**, Hempstead, NY - December 1994
NYS License #012537

M.A. Degree in Applied Psychology, **Adelphi University**, Garden City, NY - May 1982

B.A. Degree in Psychology, **C.W. Post College**, Greenvale, NY - May 1980

WORK EXPERIENCE

January 1996-Present

PRIVATE PRACTICE
Individual and group Cognitive-Behavior Therapy for children, adolescents and adults.
Psychometric testing and behavioral assessment.
Specialization areas include: anxiety and stress management, shyness and social skills problems, depression, anger and impulse control problems, problems associated with developmental disabilities, attention deficit/hyperactivity, and parent training.

April 1990-Present

LECTURER
Workshops given on the areas of Wellness, Stress Management, Self-Control, Parent Skills Training, Social Skills Training, Assertiveness Training, and Weight Reduction and Maintenance.

March 1990-Present

INDEPENDENT GROUP HOME LIVING, INC.
Director of Clinic Services - administrative supervision of Psychology, Social Work, Physical Therapy, Speech and Recreation departments in both residential and day treatment settings servicing developmentally disabled children and adults.

1737

Responsibilities include: ongoing administrative supervision; interviewing and hiring of clinic staff; orientation and training of staff; screening of clients; parent training and support groups; coordination of psychiatric services; and quality assurance of clinical services.

April 1991- January 1993

INSTITUTE FOR BEHAVIORAL HEALTH

Paid Clinical Internship - individual and group therapy with children and adolescents; psychological testing. Areas of focus included: social skills training, rational-emotive therapy for teenagers, cognitive-behavioral therapy for impulsivity, and parent training therapy.

March 1989 - March 1990

UNITED CEREBRAL PALSY OF NASSAU COUNTY

Applied Behavior Specialist - at a day treatment program servicing 140 developmentally disabled adults.

Responsibilities included: psychological testing; behavior modification program development and implementation; individual and group therapy; family counseling and inservice training.

May 1984 - March 1990

INDEPENDENT GROUP HOME LIVING, INC.

Applied Behavior Specialist - in both residential and day treatment settings for developmentally disabled adults.

Responsibilities included: psychological testing; behavior modification program development and implementation; individual and group therapy; family counseling; QMRP duties; and inservice training.

June 1987- May 1990

SUFFOLK COUNTY COMMUNITY COLLEGE

Adjunct Instructor - teaching courses in the areas of behavior modification, introduction to psychology and developmental disabilities.

1737

July 1982 - May 1984

YOUNG ADULT INSTITUTE

Applied Behavior Specialist - coordinator of psychological services for a day treatment program servicing 150 developmentally disabled adults.

Responsibilities included: supervision of psychology asst.; psychological testing; behavior modification program development and implementation; individual and group therapy; family counseling and inservice training.

Sept. 1981- June 1982

ST. MARY OF THE ANGEL'S HOME

Clinical Internship - individual psychotherapy, group therapy for social skills, anger control and assertiveness training and psychological testing with children and adolescents.

Sept. 1981 - May 1982

ADELPHI UNIVERSITY AND SMITHTOWN LANDING FITNESS CENTER

Group leader - of weight reduction workshops. Taught stimulus control techniques, maintenance strategies and functional analysis of individual eating behavior.

Professional Affiliations: American Psychological Association, Suffolk County Psychological Association, Nassau County Psychology Association and the Behavior Therapy Society of New York.

EXCELLENT PERSONAL AND PROFESSIONAL REFERENCES FURNISHED UPON REQUEST.

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1737

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Barbara Carey-Shaw as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Barbara Carey-Shaw to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer	Diane E Weyer	8.12.13
Principal Financial Analyst		
Theresa Lollo	Theresa Lollo	8/29/13
Budget Office		

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1737

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1737

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Barbara Carey-Shaw to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

2013 Intergovernmental Relations
Memorandum of Support

M31

TITLE OF BILL: Approving the appointment of Barbara Carey-Shaw as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Barbara Carey-Shaw to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Barbara Carey-Shaw as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

COUNTY OF SUFFOLK

1737

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Barbara Carey-Shaw as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Carolyn Cullity at 853-6990. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-MH Board-B Shaw.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
Art Flescher, LCSW, Director, Division of Community Mental Hygiene Services
Carolyn Cullity, Coordinator of Community Based Drug Programs
Diane E. Weyer, Principal Financial Analyst

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

1738

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF KATHLEEN BROWN AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Kathleen Brown of Sayville, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Kathleen Brown of Sayville, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 33-2013

1738

Kathleen Brown

Bayville NY 11782

(631) 2

Experience

6/2012-Present Family Residences and Essential Enterprises, Inc. Old Bethpage, NY

Human Rights Committee Chairperson/ Quality Improvement Coordinator

Chairperson for agency –wide Human Rights Committee charged with review, approval or denial of all proposed rights restrictions for all people receiving services. Restriction review includes all psychotropic medications, all behavioral support plans with consideration of any form of rights restrictions, physical interventions, etc. Human Rights Trainer for entire organization including new team member Orientations, Management Trainings, Program specific trainings, etc.

Quality Improvement Coordinator responsible for data collection, analysis and trending of multiple division's reviews within the organization and utilizing results to provide specific, targeted support to the divisions of operation. Trained Person Centered Outcome Interviewer conducting interviews with people receiving services; analyzing and trending gathered data to improve quality and provide true person centered services for each individual.

2/2011 -6/2012 Family Residences and Essential Enterprises, Inc.

Residential Director

Responsible for the administrative oversight of twelve residential programs comprised of both IRAs and ICFs. The programs provide support and services to facilitate individual growth and increased independence while fostering choice for 91 individuals with all spectrums of developmental disabilities. Ensurance of the highest quality of services and adherence to OPWDD regulations through supervision of inter disciplinary teams including management, behavioral clinicians, and nurses. Active participant in agency wide trainings and committees to further promote individualized, quality services throughout the agency.

7/2005-2/2011 AHRC Suffolk Chapter Bohemia, NY

Assistant ICF Director

Responsible for the administration, management, and supervision of a 96 bed Intermediate Care Facility for individuals with severe/ profound developmental disabilities; included coordination and oversight of the daily operation of the residence. Ensured that the highest quality of services were provided to the individuals through program oversight, supervision of 100 staff members including clinicians, nurses, and direct care counselors, as well as insurance of adherence to NYS OPWDD regulations.

2002-7/2005 AHRC Suffolk Chapter

Assistant Director of Vocational Services

Responsible for the administration, management, and supervision of the Vocational Programs; including coordination and oversight of the daily operation of the sheltered workshops, evaluations/assessments, and supported employment. Ensured provision of individualized services of high quality to program participants to facilitate individual growth and increased independence while fostering choice. The vocational programs provided

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services for over 600 individuals with over 75 staff members.

Kathleen Brown

1999 –2002 YAI National Institute for People with Disabilities New York, NY

Residential Supervisor

Supervised an ICF residential program for ten adults all with the diagnosis of Severe/Profound developmental disability. Responsibilities included the training and supervision of direct care counselors, auxiliary medical and clinical staff; all administrative systems including health and safety, budget, payroll, account ledgers, active treatment, clinical plans, medical system, and the implementation of policy and procedure.

1996-1999 Studio *K* Dance Center/Kallima Dance Company Oakdale, NY

Owner / Director

Responsible for all aspects of business administration including budget, payroll, supervision of staff, advertising, and public relations. Dance Instructor of all levels of dance and specializing in instruction for students with special needs including those with physical as well as developmental disabilities. Organized, coordinated, and produced benefit dance performances with in-house dance company to raise awareness and funds for numerous local charities.

1991-1996 Long Island Ballet Center/Ballet Long Island Bohemia, NY

Director Special Needs Dance Program/

Professional Ballet Dancer

Developed, implemented, supervised, and taught a Special Needs Dance Program for the Town of Islip. Program included students with both physical as well as developmental disabilities. Professional member of touring dance company.

1981-1983 Skills Unlimited, Inc. Oakdale, NY

Day Treatment Aide

Implemented active treatment plans with severe/profound Developmentally disabled adults in Day Treatment setting.

1979-1981 Suffolk Child Development Center Smithtown, NY

Art Therapy Assistant

Assistant to Art Therapist in school program for children with the diagnosis of Autism.

Education

State University of New York at Stony Brook
BA conferred in Psychology *Magna Cum Laude* 1999

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1738

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Kathleen Brown as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Kathleen Brown to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer	Diane E Weyer	8.12.13
Principal Financial Analyst		
Theresa Lollo	Theresa Lollo	8/29/13
Budget Office		

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1738

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

1738

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Kathleen Brown to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

2013 Intergovernmental Relations
Memorandum of Support

1738

TITLE OF BILL: Approving the appointment of Kathleen Brown as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Kathleen Brown to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Kathleen Brown as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

COUNTY OF SUFFOLK

1738

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Kathleen Brown as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

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

Sincerely,

FOR

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

Enclosures

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

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3500 Sunrise Highway, Suite 124, P. O. Box 9006, Great River, NY 11739-9006
Phone (631) 854-0000 Fax (631) 854-0108

1739

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF DORIS WAGNER AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Doris Wagner of West Babylon, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Doris Wagner of West Babylon, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 32-2013

1739

DORIS S. WAGI ER, CSW, CPRP

West Babylon, NY 11704
(631)

WORK EXPERIENCE

1982 – Present **Federation of Organizations**
One Farmingdale Road, West Babylon, NY 11704
(631) 669-5355, ext. 107

2001 – Present **Chief Administrative Officer (Title Change)**

1993 – 2001 **Deputy Executive Director**

Responsibilities include management of not for profit agency, providing services to special needs populations. Services include personalized recovery oriented services (PROS), adult home case management services, mental health clinic, housing, case management, advocacy, financial management, respite, companion services, homeless outreach, day and evening social center and the Foster Grandparent Program

Responsible for housing development and facilities management for over 150 sites in four counties. Completed design and construction of two 50 bed CR/SRO's on Long Island and Queens.

Fiscal oversight of $24 million dollar organization, with programs in Nassau, and Suffolk Counties, and New York City.

Directly responsible for Operations, Human Resources, Liaison with Government, Funding and Corporate Contacts, Program and Facility Development and analysis.

1987 – 1993 **Director of Senior Companion Program**

Responsibilities include managing a budget over $4.2 million over this period; recruitment, training and supervision of a professional staff for programs to include Senior Companion Day Training Centers, POWER and Senior Companion Program.

1984 – 1987 **Director of Senior Companion Day Training Centers**

Developed and implemented social model programs for people recovering from mental illness. Responsible for program design, training and supervising staff, budget reporting and community relations. One hundred twenty five adults participated in daily programs at two community sites that offer a variety of rehabilitation opportunities. The original budget was $600,000.

1982 – 1984 **Coordinator of Senior Companion Program**

Responsible for expanding original program developed in 1981 in Town of Islip supporting 10 senior companion volunteers, to a county wide program supporting 120 senior companions who provided services to over 400 people residing in State psychiatric

centers, nursing homes and adult homes. Responsible for community relations, grants writing, training and supervising staff.

Doris S. Wagner, CSW, CPRP

PROFESSIONAL COMMITTEES

NEW YORK STATE Office of Mental Health

- 2002 – Present Member, NYS Commissioner's Council for Families
- 2001 – Present Member, Board of Visitors, Pilgrim Psychiatric Center
- 1992 Member, Recipient Affairs Search Committee
- 1987 - 1992 Member, Transportation Advisory Committee
- 1986 - 1992 Member, Adult Home Advisory Committee
- 1984 - 1987 Member, Community Support Services Training and Oversight Committee

NEW YORK STATE Department of Social Services

- 1991 – 1998 Residential Care Advisory Board

SUFFOLK COUNTY Division of Mental Health

- 2005 – Present Suffolk County Criminal Justice Coordinating Council
  Supportive Housing Subcommittee
  Mental Health Subcommittee
- 2002 – Present Chairperson of Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities Advisory Board
- 1999 – Present AOT Oversight Committee, Suffolk County
- 1998 – Present Member of Suffolk County Community Mental Health, Mental Retardation and Developmental Disabilities Advisory Board
- 1994 – Present Suffolk County Mental Health Sub-Committee Member
- 1990 – 1999 Member of Babylon/Islip Service Area Council, Executive Committee

HONORS

- 2006 Leadership Award: Federation of Organizations
- 1980-1981 Recipient National Institute of Mental Health Intern Traineeship

CERTIFICATES

- M.S.W. Specialization in Alcohol Abuse and Alcoholism, Stony Brook, NY (1982)
- C.P.R.P. Certified Psychiatric Rehabilitation Practitioner, International Association of Psychosocial Rehabilitative Services (2003)

1739

EDUCATION

- M.S.W. State University of New York at Stony Brook, School of Social Welfare.

PROFESSIONAL LICENSE

- L.M.S.W. License Number 029269-1, New York State

AFFILIATION

- 2001 – Present NYS Association Board of Visitors, Legislative Committee
- Alliance for Mentally Ill, Central Suffolk, Parent Advocate
- Society for Human Resource Management
- 1999 – 2002 President, Suffolk County Chapter American Parkinson's Disease Association
- 1998 – 2003 Suffolk County Chapter, American Parkinson's Disease Association, NYS Board of Directors
- 1998 – 2002 Suffolk County Literacy Volunteers of America, Board Member

PROFESSIONAL ACCOMPLISHMENTS

POWER Program - Peer Outreach to the Homeless recovering from mental illness through a mobile outreach unit, hot meals program and food pantry. Developed and implemented program; wrote the original grant for $200,000; secured funding; developed reporting and budget procedures; recruited and trained staff; supervised professional staff; developed community relations procedures.

The Advocate - Created and was founding editor of The Advocate, public relations newsletter for Federation of Organizations.

Transitional Housing Projects - Responsible for developing two Housing Programs located in Queens and Suffolk Counties for people recovering from mental illness and identified as Hard to Serve. Responsible for grant development, design and development of the facilities, program design and community relations. .

- Suffolk County: The Irving Berkowitz Residence – Opened May 2006
- Queens County: The Padavan Residence – Opened April 2012

2013 Intergovernmental Relations
Memorandum of Support

1739

TITLE OF BILL: Approving the appointment of Doris Wagner as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Doris Wagner to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Doris Wagner as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

COUNTY OF SUFFOLK

1739

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Doris Wagner as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

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

Sincerely,

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

Enclosures

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

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Phone (631) 854-0000 Fax (631) 854-0108

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1739

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Doris Wagner as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Doris Wagner to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer	Diane E Weyer	8.12.13
Principal Financial Analyst		
Theresa Lollo	Theresa Lollo	8/29/13
Budget Office		

SCIN FORM 175b (10/95)

1740

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF CHRISTINE EPIFANIA AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Christine Epifania of Southampton, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Christine Epifania of Southampton, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 31-2013

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Christine J. Epifania, MA
Southampton, New York 11968
(631)

Alternatives Counseling Services, Inc.
Southampton/Riverhead, New York

Executive Director 2005-
Alternatives Counseling Services is a community based Drug and Alcohol Treatment, Prevention and Recovery Agency licensed by New York State Department of Alcohol and Substance Abuse Services. Alternatives serves the South and North Forks of Long Island.
Responsible for:

- Overall administration of the agency.
- Coordination of 1.2 million dollar budget including all budgeting and financial transactions of the agency.
- Program development and implementation
- Hiring of all staff
- Development and Implementation of Agency Policy and Procedures
- Board Development
- Technology Development

EXPONENTS, INC.
MANHATTAN, NEW YORK

Director of Programs 1999 – 2002
Exponents Inc. is a community-based agency serving individuals with HIV and substance abuse problems. The agency services individuals who have HIV+/ AIDS, drug problems, homeless, and incarcerated/ex-offenders. 1000+ people are served each year.

- Responsible for administrative and clinical oversight of agency programs including:
- Supervision of Agency Director Level Staff and Programs
- Quality Assurance Systems Development and Monitoring
- Program Evaluation
- Program Development
- Liaison with funding sources both government and private
- Overall administrative and clinical responsibility for OASAS licensed 1035 medically supervised chemically dependency program
- New programs grant development and renewals

Clinical Director 1997 – 1999
Responsible for the development and implementation of the Exponents medically supervised OASAS licensed 1035 (822) chemical dependency program including:

- Development of licensure application
- Program design & development
- Development of policy & procedures
- Development of patient chart, billing, clinical, quality assurance forms and systems
- Hiring, training and clinical supervision of all program staff.
- Overall administrative and clinical responsibility for drug treatment program.

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MONTEFIORE RIKERS ISLAND HEALTH SERVICES
QUEENS, NEW YORK

DIRECTOR OF PROGRAMS, 1995-1997
The Montefiore Rikers Island Health Service provided health care services at Rikers Island, the largest detention center in the world to 20,000+ inmates daily. The medical service was composed of 1200 health care staff.

- Responsible for the design and development of new program initiatives for incarcerated population including grant development and direct supervision of new program initiatives.
- Designed and implemented "Bridge Discharge Planning Program" for 1000 HIV+ inmates per year including computer LAN system connecting 6 consortium agencies.
- Directed new program project implementation
- Developed consortium structure of community based agencies
- Designed, obtained funding and implemented "CARE Mental Health Program for HIV+ Lesbians within Rikers Island.
- Responsible for the management of $500,000 Ryan White Title I funds.
- Designed and implemented CQI Executive and senior staff retreats

Coordinator of HIV Mental Health Services 1992 – 1995
- Responsible for the design and implementation of support group program for HIV+ inmates in ten jails on Rikers Island.
- Developed and implemented training in HIV and chemical dependency issues for mental health staff including social workers, psychologists, chemical dependency counselors, and medical staff.
- Responsible for developing mental health psycho-social initiatives for HIV positive detainees

Mental Health Specialist 1990-1992
- Responsible for the delivery of mental health services to inmate population at Rikers Island including MICA & SPMI population.
- Conducted comprehensive mental health admission assessments
- Individual counseling
- Group therapy
- Developed and implemented HIV specific services for inmates.

UNIVERSITY OF MEDICINE & DENTISTRY OF NEW JERSEY
AIDS EDUCATION & TRAINING CENTER (AETC))
NEWARK, NEW JERSEY

Program Development Specialist 1990-1991
- Responsible for the design and development of curriculum to train health care professionals in the mental health issues throughout the spectrum of HIV infection and illness.
- Technical assistance to requesting providers.

QUEENS OUTREACH PROJECT
QUEENS, NEW YORK

DIRECTOR OF PROGRAM SERVICES 1986 –1989
- Responsible for the management of program services for six NY State licensed adult drug and alcohol outpatient treatment program and one residential treatment program for adolescents.
- Administrative and Clinical oversight of Program Directors and Programs
- Developed Policy & Procedures
- Provided Clinical Supervision

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R&D Center for Life Skills & Human Resource Development
Teachers College, Columbia University
Manhattan, New York

Associate Director 1979 – 1984

- Responsible for management of development project, "Adkins Employability Skills Program"
- Directed national training effort including training of corrections personnel
- Managed $1,000,000 annual budget
- Directed national marketing effort
- Technical assistance and consulting to drug, prison, community college, and adult education programs nationally

Training & Development Specialist 1977 – 1979

- Member of Design and Development team
- Conducted Life Skills Trainer of Trainers Program
- Provided of site technical assistance to community based programs

Wildcat Service Corporation
Manhattan, New York

Counselor 1975 - 1977
Coordinate caseload of 90 former drug users and incarcerated individuals

- Prepared clients for vocational placements
- Supported clients in transition to work

Neighborhood Legal Assistance Foundation
San Francisco, California

ACTION Volunteer - 1973-1974
ACTION was a USA domestic volunteer program; placement was in the federally funded legal services corporation.

- Participated as member of legal team under direction of attorney in resolving domestic relations issues.
- Participated as member of team under direction of attorney resolving women's litigation issues.

Education
Teachers College, Columbia University MA, 1983
Ph.D. Candidate (ABD), Department of Counseling and Organizational Psychology

York College, City University Of New York *BA Degree, Psychology, 1971*

RAPT
350 hours classroom training for CASAC credential completed in 2001.

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Christine J. Epifania, MA
1 ad Southampton, New York 11968
(631)1

Curriculum Vitae

Summary of Experience

Executive Management:
First executive management position held in not for profit sector 1976 and the most current in 2000. The positions were responsible for overall administration of agency/and or programs that included multiple projects and /or sites. Two of the agencies Exponents, Inc., and Queens Outreach were community-based organizations with several sites, serving individuals with chemical dependency problems and/or addressing HIV. A third setting was a university, the R&D Center for Life Skills at Teachers College, Columbia University and fourth a private not for profit NYC hospital, Montefiore Rikers Island Health Service (awarded 130 million dollar contract to provide medical, mental health and chemical dependency services in the largest jail complex in the United States). Management style is collaborative and includes strongly supporting staff to work as members of a team while providing on-going training and opportunity for professional development. Management positions have included working with board of directors and/or executive committees.

Finance & Budget:
All executive management positions include involvement in finance and budgeting. The requirements varied depending on the institution/agency. Central tasks consisted of but not limited to strategic financial planning, program development, yearly budget preparation for programs, monitoring of ongoing expenditures and revisions within the budget year. Grant funded initiatives required preparation of initial budgets, renewals and budget modifications. Directing the OASAS medically supervised chemically dependency program encompassed negotiations with Medicaid and OASAS pertaining to budgets and clinic fee schedules. Working collaborative with finance department was central to these responsibilities.

Clinical:
Advanced degree in Counseling Psychology (ABD), completed APA approved internship at Veterans Administration Hospital, Brooklyn..

- Director (administrative and clinical) OASAS licensed medically supervised 1035 (822) chemical dependency specialty clinic.
- Delivered mental health, chemical dependency and career development services. Modalities include individual, group, couples therapy and classroom sessions.
- Provided clinical supervision for chemical dependency, mental health, peer level and other program staff.
- Conduct training groups, clinical team sessions and case conferences.
- Developed and supervised multidisciplinary group program servicing PWHIV/PWA in jail setting.

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- Designed and implemented prevention approaches for high-risk individuals in citywide CDC funded outreach program.

Evaluation & Quality Improvement:
Program evaluation and quality assurance have increased in importance in the last 5 years.

- Developed outcome monitoring schemes to comply with licensing agency or federal monitoring agency requirements.
- Developed program plan and work flow analysis for database system supporting internal agency clinical and client goals.
- Developed quality assurance systems, implemented systems and conducted accompanying staff training.
- Designed evaluation plans (process and outcome variables) for grants submitted.
- Designed /conducted senior and executive staff quality assurance training sessions.
- Implemented quality assurance council in jail setting for Montefiore Rikers Island Health Service.

Program Design and Development:
Advanced level skills in psychosocial program design and development. Within the context of management, positions designed new programs and redesigned existing programs. Provide program design and development external consulting services to agencies and institutions. Conduct program design and development workshops and lecture on graduate level.

Developed program designs for:

- PWHIV/PWA Leadership Training Project (National Program),
- Transitional Services Model for Rikers Island HIV/AIDS population.
- HIV Mental Health Group Program for Jail Detainees,
- Mental Health Program for HIV Positive Chemically Dependent Lesbians of Color
- OASAS Licensed 1035 Medically Supervised Chemical Dependency Program,
- HIV Peer Partner Notification Program.
- Prevention strategies for high risk/at risk individuals.
- Career development interventions for marginalized populations
- Sexual risk reduction strategies for seropositive drug users

Organizational Development:
Conduct organizational diagnosis and development of action plans to address critical organizational issues. Team building, strategic planning, long and short-range intervention implementation with appropriate staff as an internal and external consultant.

Grant Development and Acquisition:
Preparation of grants applications, program designs, evaluation plan and budget preparation.

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Grant applications funded:

- Mental Health Services for Chemically dependent HIV positive Lesbians of Color (Ryan White Title I Funds)
- Transitional Services for Chemically Dependent HIV Detainees (Ryan White Title I Funds)
- Prevention Services for High Risk Individuals (CDC funded)
- Stabilization Services for Individuals in Recovery from Chemical Dependency (Langeloth Foundation)
- Strategic Planning Grant (SAMHSA)
- Prevention Services for Seropositives (Ryan White Title 1 Funds)

Academic Teaching:

TEACHERS COLLEGE, COLUMBIA UNIVERSITY
Department of Counseling Psychology and Organizational Development:

- Design and Development of Psycho-Social Workshops
- Micro-Counseling Skills
- Life Skills Counseling

Hunter College, City University of New York
Communications Department

- Organizational Communication

Adelphi University
Graduate Program in Health Studies

- Contemporary Health Issues
- Death, Dying & Bereavements
- Cultural Diversity for Health Care Practitioners
- Gay & Lesbian Identity Development
- Women's Health Issues
- Health Issues of Older Adults
- Harm Reduction for Active Drug Users
- Community Health Education: Planning & Implementation

Training:

Developed curriculum and conducted training groups:

- Micro- Counseling Skills
- Death, Dying & Bereavement
- Developing Psycho-Social Workshops
- Counseling Issues Throughout the Spectrum of HIV/AIDS
- Group Skills
- Grant Development and Program Development
- PWA Leadership Training Institute Curriculum Development/Staff Training and Supervision, Trainer of Trainer Program
- Clinical Empathy

2013 Intergovernmental Relations
Memorandum of Support 1740

TITLE OF BILL: Approving the appointment of Christine Epifania as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Christine Epifania to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Christine Epifania as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1740

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Christine Epifania as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Christine Epifania to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer ***Principal Financial Analyst*** Theresa Lallo Budget Office	Diane Weyer Theresa Lallo	8.12.13 8/29/13

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1740

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1740

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Christine Epifania to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

Public Health
Prevent. Promote. Protect.

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

COUNTY OF SUFFOLK

1740

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Christine Epifania as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

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

Sincerely,

FOR

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

Enclosures

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

Public Health
Prevent. Promote. Protect.

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

1741

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF ELAINE ECONOMOPOULOS AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Elaine Economopoulos of Bay Shore, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Elaine Economopoulos of Bay Shore, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 30-2013

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ELAINE ECONOMOPOULOS, C.A.S.A.C., CPP

Bay Shore, New York 11706
631-

DIRECTOR OF DRUG AND ALCOHOL SERVICES – Horizons Counseling and Education Center, Smithtown, New York. (1984 – present) Administrator of State/County funded drug and alcohol program. Duties include developing budgets, policies and procedures while providing direct clinical supervision of counseling staff and Prevention/education staff. Administer Division for Youth Programs such as Smithtown Crisis Intervention Program, Kings Park Outreach Grant, Suffolk County Department of Probation, Alternatives for Youth Program, DDP Program, provide Parent/Teacher training on your development, self-esteem and positive discipline.

MEMBERSHIP and APPOINTMENTS:

2004 – Present: Co-chair of Drug and Alcohol Substance Abuse Services Committee
2004 – Present: Vice President of Quality Consortium
2000 – 2004: Co-president of Quality Consortium
2002 – Present: Appointed to the Suffolk County Community Mental Health; Mental Retardation and Developmental Disabilities; Alcohol and Substance Abuse Services and Planning Advisory Committee
2000 – 2004: Co-president of Quality Consortium
1996 – 2000: President of Suffolk County Quality Consortium
1994 – 2001: Community Representative for Smithtown School District School Improvement Team
1997 – 1998: Parent Representative for Kings Park School District COMPASS Program
1997 – 2000: Member of Hauppauge Drug Abuse Advisory Task Force
1995 - Present Member of the CASC/CAC Recredentialing Committee
1993 – 1996: Co-chair of Suffolk County Quality Consortium of Substance Abuse Providers
1996 – 2000: Member of the Bay Shore Safe and Drug Free Advisory Council
1993 – Present: Chairperson of Smithtown EAP Advisory Committee
1994 – 1997: Chairperson of 1030 licensed agencies Sub-committee
1990 – 1992: Chairperson of Suffolk County Anti Drug and Alcohol Abuse Council
1990 Member of Congressman Robert Mrazek's Task Force on Substance Abuse
1990 Member of Congressman Thomas Downey's Task Force on Substance Abuse
1990 Member of Congressman George Hochbrueckner's Task Force on Substance Abuse

SENIOR COUNSELOR – Horizons Counseling Center (1979-1984)
Supervision of counseling staff while assisting Director in program development and goals. Duties: coordinate, super vise and implement community outreach system. Develop, train and perform drug and alcohol educational presentation, including parenting courses, parent support groups and adolescent peer training programs. Perform individual and group counseling. Supervise all agencies counseling casework. Initiate interagency cooperation to effectively provide appropriate services to clientele.

COMMUNITY COORDINATOR – Town of Islip, Division of Drug and Alcohol Counseling Services, Islip, New York. (1978-1979)

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Initiated community contacts and follow-up of program services. Designed, implemented and facilitated: Teacher and Parent educational programs using Adlerian approach to dealing with children and adolescents; Adolescent "Rap" groups utilizing peer counseling and goal exploration; Community workshops in conjunction with the Drug Abuse Prevention Councils; Hotline volunteer training, crisis intervention and referral procedures. Provided individual counseling in areas of drug abuse, family and marital problems. Supervised Suffolk Community College Student Interns. Trained directors, supervisors, staff and interns to facilitate self-help counseling groups.

COUNSELOR – Coalition of Abused Women, department of Mental Health, Nassau County medical Center, East Meadow, New York. (1979)
Crisis intervention, individual and marital counseling. Client advocate in working with Department of Social Services, Family Court, Child Protective Services and Emergency Housing Shelters.

COORDINATING COUNSELOR – Community College of Vermont, Brattleboro, Vermont. (1974-1975)
Coordinated and supervised counseling efforts in the Southeast site. Elected statewide representative to the Governing Board of the College. Provided personal counseling, academic and financial aid advising.

COUNSELOR – Community College of Vermont, Newport, Vermont. (1973-1974)
Low-income population. Assisted the Associate Degree Contracting Process. Provided personal, academic, vocational and financial aid counseling. Assisted in the development of innovative teaching methods relating to the special needs of the adult learner. Designed and implemented educational and value clarification workshops.

TEACHING EXPERIENCE
Town of Smithtown Horizons counseling and Education Center (1979-present)
Town of Islip Division of Drug and Alcohol counseling Services (1979-1979)
Parents Center, Levittown, New York (1979)
Adlerian Approach to Understanding Your Children.
Dr. Rudolph Dreikurs' "Logical Approach to Dealing with Adolescents."
Vermont Community College (1973-1975)
Leland and Gray Union High School, Townsend, Vermont (1971-1972)
American and World History
Coached Girls' Junior Varsity Basketball
Putney Community Kindergarten, Putney, Vermont (1968)

EDUCATION

W.T.Clarke High School, Westbury, New York (1968)
WINDHAM COLLEGE, Putney, Vermont (B.A. 1972) Major: History. All requirements for Secondary Education Teaching Certificate completed. Studies in London six months (Windham Abroad Program). During the fourth year, an individualized program in Counselor Education included:
Adlerian-Dreikurs' Understanding Your Children; Counseling the Adolescent; Educational Psychotherapy; Resident Advisor Training
ANTIOCH GRADUATE SCHOOL OF EDUCATION, Putney, Vermont. (Special Cross-enrollment) courses included:

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Individual Counseling Techniques; Individual and Group Therapy; Philosophies and Principles of Counseling

FIELD EXPERIENCE-Supervised by Lee Hammond, Director of Guidance

Practicum-Counseling in a High School Setting (one year)

The Role of the Counselor in the School (one year)

UNIVERSITY OF VERMONT, Burlington, Vermont (1972) Courses included:

Counseling Parents, Teachers, and counselors;

College and High School Counseling, sponsored by the College Entrance Examination Board (1973)

ADELPHI UNIVERSITY SCHOOL OF SOCIAL WORK, Garden City, New York (1979)

Personality Develo9pment and Dynamics of Human Behavior

TRAINING AND LICENSES

CREDENTIALED ALCOHOLISM AND SUBSTANCE ABUSE COUNSELOR (1995 – Present)

CREDENTIALED PREVENTION PROFESSIONAL (2003 – Present)

SOUTH OAKS HOSPITAL – attended 150 professional hours

SUFFOLK COALITION – completed over 580 clock hours of continued professional education related to the prevention and treatment of alcohol and substance abuse services

ROSE DEBELLIS MEMORIAL AWARD FOR COMMUNITY SERVICE – presented by the Suffolk Coalition to Prevent Alcohol and Drug Dependencies, Inc (2002)

VOLUNTEER OF THE YEAR AWARD – Bay Shore youth Soccer Club (2000)

ELECTIONS AND APPOINTMENTS

BAY SHORE YOUTH SOCCER CLUB, Executive Board Secretary (1994-1998)

PARENT PTA REPRESENTATIVE, Bay Shore Middle School (1995-1998)

SMITHTOWN ADMINISTRATORS GUILD, Executive Board Treasurer (1994-present)

SUFFOLK COALITION FOR THE PREVENTION OF ALCOHOL AND DRUG DEPENDENCIES, INC, Advisory Board (1997-2001)

STRATEGIC PLANNING COMMITTEE, Co-Chair

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION 1741

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation
Approving the appointment of Elaine Economopoulos as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Elaine Economopoulos to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date*** 8.12.13
Diane E. Weyer	Diane E Weyer	
Principal Financial Analyst		
Theresa Lolla	Theresa Lolla	8/29/13
Budget Office		

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1741

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

To be completed by the Executive Budget Office

1742

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF ELBA GARCIA-MARMO AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Elba Garcia-Marmo of Miller Place, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Elba Garcia-Marmo of Miller Place, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 29-2013

1742

ELBA GARCIA-MARMO

Miller Place, NY 11764
(631) · email

EXPERIENCE

1989-Present EAC Suffolk TASC Hauppauge, N.Y.

(Treatment Alternatives to Safer Communities)

Program Director (April 2001 · Present)

• Direct the daily activities for a NYS funded, not-for-profit Alternative to Incarceration for substance abusing criminal offenders.
• Provide Bilingual services for all Spanish-speaking clients
• Supervise the daily operation of the program and staff which provides case management to approximately 250 substance abusing, criminal offenders.
• Program development; implement policies, procedures and program initiatives.
• Coordinate with, and insure the cooperation of representatives of Suffolk County's Criminal Justice Community as well as representatives of the Substance Abuse Treatment Community.
• Supervise the case management for TASC staff in Suffolk County's Drug Treatment Court .
• Supervise and coordinate Screening, Assessment and Tracking components of program.
• Work in coordination with the Suffolk County District Attorney's office to facilitate Suffolk TASC's Predicate Felony Offender Diversion Initiative.
• Supervise and coordinate sentencing plans for TASC defendants placed in the Suffolk County Stop DWI Alternative Jail.
• Work in coordination with NYS Parole and Suffolk County's Community Mental Hygiene and Substance Abuse Services in relationship to TASC's role in the High Impact Incarceration and Reentry programs.
• Responsible for continued development of resources for Suffolk TASC clients: including treatment providers, sober housing, outreach, vocational and all other ancillary resources available.
• Monitor program budgets; maintain all program statistics and generate all program reports.

Supervisor/Case Manager (November 1994 · April 2001)
• Conducted screening, assessment/eligibility interviews and arrange for client placement in appropriate substance abuse program.
• Provided comprehensive case management for approximately 40 substance abuse clients mandated by the court to drug and alcohol treatment.
• Conducted monthly onsite meetings with treatment providers.
• Prepared summary and status reports for all relevant stakeholders.
• Supervised staff in areas of case management and assessment.
• Assisted the Project Director in program development; implementation of policy, procedure, and program initiatives.
• Assisted the Project Director in maintaining cooperative relationships with representatives of Suffolk County's Criminal Justice and Substance Abuse systems.
• Liaison to the Criminal Justice System.

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Case Manager (October 1989· November 1994)
• Conduct screening, assessment/eligibility interviews and arrange for client placement in appropriate substance abuse program.
• Maintain knowledge of community resources available to client.
• Maintain complete client records on a weekly basis.
• Refer clients to ancillary service.
• Prepare written status reports to the courts and appear before the Court to act as liaison between treatment community and Criminal Justice System.

1989 American Red Cross Community Service Program Hauppauge, N.Y.

Case Manager (June 1989·October 1989)

• Responsible for case management of 60 + clients mandated by the courts to perform community service in lieu of jail.
• Conduct comprehensive initial interview with each candidate.
• Maintain intensive monitoring of CSP clients on a weekly basis.
• Maintain Liaison with appropriate Criminal Justice Systems to facilitate the completion of community service hours.

1986-1989 Suffolk County Probation Department Hauppauge, N.Y.
Probation Officer Assistant (September 1986·March 1989)

• Interviewed clients filing Family Court petitions and assisted in the preparation of petitions.
• Assessed clients referred by Probation intake units.
• Prepare and present progress reports as well as formulate and evaluate statistical data.
• Gather and validate information from courts and Criminal Justice agencies.
• Maintain contacts with community organizations and maintain knowledge of social and economic efforts in the community.

EDUCATION

Dowling College Oakdale, N.Y.

• B.A., Business Administration
• CASAC-T 26941

OTHER RELATED EXPERIENCE

Fluent in Spanish
Member of Suffolk County's Criminal Justice Coordinating Council
Member of National Consortium of T.A.S.C Programs
Member Suffolk County Drug & Alcohol Subcommittee to County Executive
Member of Suffolk County's Criminal Justice Addiction Workgroup
Member of Suffolk County Parole Reentry Task Force
Member of Suffolk County Communities of Solutions

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1742

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Elba Garcia-Marmo as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Elba Garcia-Marmo to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date*** 8.12.13
Diane E. Weyer	Diane E. Weyer	
Principal Financial Analyst		
Theresa Lollo Budget Office	Theresa Lollo	8/29/13

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1742

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1742

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Elba Garcia-Marmo to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

1742

2013 Intergovernmental Relations
Memorandum of Support

TITLE OF BILL: Approving the appointment of Elba Garcia-Marmo as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Elba Garcia-Marmo to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Elba Garcia-Marmo as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

COUNTY OF SUFFOLK

1742

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Elba Garcia-Marmo as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

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

Sincerely,

FOR

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

Enclosures

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

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

1743

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF GREGSON PIGOTT AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Gregson Pigott, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Gregson Pigott of Greenlawn, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 28-2013

1743

Gregson Hugh Pigott, MD, MPH

, P.O. Box , Great River, NY 11739
;(631)

CLINICAL EXPERIENCE/EMPLOYMENT

Suffolk County Department of Health Services — Great River, NY

Director, Office of Minority Health — *June, 2009-present*
Acting Medical Director, John J. Foley Skilled Nursing Facility — *July, 2010 - August, 2010*
Staff Physician, Tri-Community Health Center — *November, 2009 - March, 2010*
Staff Physician, Huntington Methadone Maintenance Treatment Program — *August, 2011- present*
Medical Director, Suffolk County Emergency Medical Services — *July, 2012 - present*
Acting Director, Bureau of Communicable Disease — *July, 2012 – March, 2013*
Medical Director, Public Health Emergency Preparedness — *July, 2012 - present*

Brownsville Community Development Corp./Brownsville Multi-Service Family Health Center — Brooklyn, NY

Physician, Adult Medicine — *August, 2008-May, 2009*
Interim Lead Physician, Adult Medicine — *November, 2008-March, 2009*

- Provided culturally sensitive evidence-based primary care services to an underserved, inner-city population of predominantly African-American and Latino residents of the Brownsville section of Brooklyn.
- Supervised clinical services in the Adult Medicine unit; organized and led meetings of clinical staff and administrative personnel; oversaw the implementation of *Electronic Health Records* for the Adult Medicine unit.

Cambridge Health Alliance, Windsor Street Health Center/The Cambridge Hospital — Cambridge, MA

Physician, Internal Medicine — *March, 1999-August, 2008*

- Provided culturally sensitive evidence-based primary care services to a wide variety of patients – from those holding advanced degrees to those who were illiterate and spoke only Spanish, Haitian Creole, Portuguese, or other languages; patient panel was over 1300, over 40% of whom were Spanish-speaking, many of whom were uninsured.
- Served as attending physician for admitted patients; on call inpatient attending every 8 weekends.

Youville Hospital and Rehabilitation Center — Cambridge, MA

Hospitalist/Attending Physician, Internal Medicine — *August, 1997 – July, 1998*

- Provided inpatient care to patients admitted to the Oncology service, cross-coverage of patients on the Orthopedic, Cardiac, and Pulmonary services.

POSTDOCTORAL TRAINING

The Cambridge Hospital — Cambridge, MA

Internship and Residency, Primary Care Internal Medicine Program — *June, 1994 – June, 1997*

EDUCATION

Harvard School of Public Health — Boston, MA

Masters of Public Health (in Family & Community Health) — *September, 1998 - June, 2000*

1743

- Received training in community health - especially in public health leadership, addressing health disparities, the role of media in public health, and expertise in designing targeted radio public service announcements.

Brown University School of Medicine — Providence, RI
Doctor of Medicine — *September, 1990 – May, 1994*

Brown University — Providence, RI
B.A. – Biology — *September, 1986 – May, 1990*

- Education included one summer and one semester abroad as an international exchange student at *La Universidad de las Américas*, Puebla, Mexico, to gain fluency in the Spanish Language and familiarity with Mexican culture. *July, 1989 – December, 1989*

TEACHING EXPERIENCE

Harvard Medical School — Boston, MA
Faculty Preceptor, Primary Care Clerkship — *January, 2001-December 2004*

- Involved teaching of 3rd-4th year medical students during their longitudinal ambulatory clerkship

The Cambridge Hospital, Internal Medicine Residency — Cambridge, MA
Attending Physician/Preceptor — *July, 2001 – August, 2008*

- Involves precepting of 2nd and 3rd year internal medicine residents

ACADEMIC APPOINTMENTS

Stony Brook University — Stony Brook, NY
Clinical Assistant Professor in Preventive Medicine — *November, 2009 - present*

Harvard Medical School — Boston, MA
Clinical Instructor in Medicine — *July, 1997 – August, 2008*

Harvard Medical School — Boston, MA
Clinical Fellow in Medicine — *June, 1994 – June, 1997*

COMMUNITY SERVICE

City of Cambridge — Cambridge, MA
Lecturer, HIV Awareness Day Event — *February 6, 2007*

Gospel Announcers Guild of the Gospel Music Workshop of America — Indianapolis, IN
Health Correspondent — *June, 1996 – September, 2003*

- Wrote health education articles and public service announcements for the semi-annual newsletters of this national organization of Gospel radio personalities, record label executives, and recording artists.

Cambridge Health Alliance — Cambridge, MA
Organizer, Speaker – Cambridge GospelHealthFest — *March, 2000 – June 17, 2000*

- Organized this unique public health event bringing predominantly African-American church choirs and groups to a large health fair and Gospel music concert.

1743

Men of Color Health Initiative, Cambridge Health Alliance — Cambridge, MA
Physician, Guest Speaker, Consultant — *June, 1995 – August, 2008*

- This organization addresses the unique health issues of men of color in the city of Cambridge.
- Screened participants of Hoops N' Health ™, an annual basketball tournament linked to a health fair; Spoke at several events highlighting cardiovascular disease among African-Americans.

PROFESSIONAL MEMBERSHIPS

American College of Physicians — *1996 - present*

CERTIFICATIONS

Board Certified, American Board of Internal Medicine — *April, 2009 - present*
August, 1998 – December 31, 2008

LICENSURE

Office of the Professions, State of New York, License #245631 — *2007-present*
Board of Registration in Medicine, Commonwealth of Massachusetts, License #154575 — *1997-2008*

OTHER INTERESTS/HOBBIES/AWARDS

Fluent in Spanish

Musician – saxophones, flute, keyboards, vocals

Gospel radio personality, WBRU-FM, Providence, RI, WMBR-FM, Cambridge, MA — *1993 - 2004*

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1743

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation
Approving the appointment of Gregson Pigott as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Gregson Pigott to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer	Diane Weyer	8.12.13
Principal Financial Analyst		
Theresa Lollo Budget Office	Theresa Lollo	8/29/13

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1743

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

To be completed by the Executive Budget Office

1743

COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Gregson Pigott to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

COUNTY OF SUFFOLK

1743

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Gregson Pigott as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

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

Sincerely,

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

Enclosures

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

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

1744

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF KATHLEEN HERZ AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Kathleen Herz of Huntington Station, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Kathleen Herz of Huntington Station, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 26-2013

1744

KATHLEEN A. HERZ, Psy.D., RPT-S

Huntington Station, New York 11746
(631)

LICENSURE/CERTIFICATION

Licensed Psychologist - New York State
Certified School Psychologist – New York State
Certificate of Qualification in Education – New York State
Registered Play Therapist and Supervisor

ACADEMIC HISTORY

Doctorate of Psychology in Clinical Psychology, 1997 (APA accredited)
Nova Southeastern University - School of Psychology, Fort Lauderdale, Florida

Master of Science in Clinical Psychology, 1993
Nova University - School of Psychology, Fort Lauderdale, Florida

Master of Science in Elementary Education, 1991 (Summa cum Laude)
Long Island University at C.W. Post Campus, Brookville, New York

Graduate Study in School Psychology (1989 – 1990)
City University of New York at Queens College, New York

Bachelor of Arts in Psychology, 1984 (Cum Laude)
State University of New York at Stony Brook, New York

CLINICAL EXPERIENCE

11/00 - Present **Clinical Psychologist - Coordinator of Children's Services**
Suffolk County Division of Community Mental Hygiene Services, Hauppauge New York
Oversee the development of the Single Point of Access (SPOA) for seriously emotionally disturbed (SED) children and adolescents. Administer program, supervise staff, coordinate and monitor services. Oversee assessment and evaluation of children referred. Assist in the planning, development, and administration of mental hygiene services/programs to SED children and youth and their families in Suffolk County.

8/98 – 11/00 **Administrator/Coordinator, Home and Community Based Services (HCBS) Waiver**
The Pederson-Krag Center, Huntington, New York
Developed Suffolk County HCBS Waiver for SED children and adolescents. Administered program, coordinated services, and managed budgets. Developed subcontractor provider network. Quality assurance, admissions, programmatic consultation, and personnel selection/management. Trained and supervised staff in child, group, and family interventions, and working with diverse populations and service systems. Comprehensive case coordination, consultation, crisis response, and home-based services. Seminars on play therapy and child psychopathology. Skilled in administration and interpretation of cognitive/personality tests. Extensive knowledge of county mental health programs, and social service and community agencies.

8/98 – 7/00 **Staff Therapist**, *Child and Adolescent Clinic Treatment Services*
The Pederson-Krag Center, Huntington, New York
Individual, play, and family psychotherapy to children and youth. Psychological assessment, diagnostic interviews, multidisciplinary team work, consultation, crisis response, treatment planning and community service linkage. Taught effective parenting skills, relationship enhancement, and communication skills.

9/97 - 8/98 **Postdoctoral Psychology Fellow,** *Clinic Treatment Services*
The Pederson-Krag Center, Huntington, New York
Provided comprehensive outpatient services to children and adults with a broad array of psychiatric disorders, both acute and chronic. Psychological testing; diagnostic assessment; individual, group, family and play therapy; school consultation; crisis intervention; case management; and treatment planning. Participated on

multidisciplinary teams, and in child and family therapy specialization track and case conferences.

9/96 - 8/97 **Psychology Intern**, *Residential Treatment Programs and Child Guidance Center*
The Astor Home for Children, Rhinebeck, New York (APA accredited)
Individual, play, family, and group psychotherapy to children, adolescents, and families within inpatient and outpatient contexts. Conducted formal psychological assessments (cognitive, personality, behavioral, and perceptual-motor functioning) of children with severe emotional, developmental, or learning difficulties. Parent/marital counseling; crisis intervention; diagnostics, and treatment planning; consultation; outreach; case management, and administration. Multidisciplinary team and family work. Conducted seminars on play therapy.

6/93 - 5/96 **Program Therapist**, *General Child and Adolescent Programs*
Nova Southeastern Community Mental Health Center, Fort Lauderdale, Florida
Outpatient assessment and psychotherapy to a culturally diverse population of children and families. Individual, play, and family therapy; crisis intervention; consultation to schools and social service agencies; diagnostic, psychological, and educational evaluation. Seminars on play therapy, educational and multi-cultural assessment.

9/93 - 8/94 **Clinician**, *Pediatric Psychology Program*
Nova Community Mental Health Center, Fort Lauderdale, Florida
Individual, play, and family psychotherapy to an outpatient pediatric population with histories of abuse and/or family violence. Provided evaluations, parent training, case management, consultation to schools, and participated on multidisciplinary treatment teams.

9/92 - 8/93 **Clinician**, *General Child and Adolescent Programs*
Nova Community Mental Health Center, Fort Lauderdale, Florida
Individual, play, and family psychotherapy to a child and adolescent outpatient population. Conducted diagnostic assessments, psychological and educational evaluations, and school consultations

TEACHING EXPERIENCE

1994 – 2007 **Presentations** – Performed numerous presentations at national meetings (APA). University Grand Rounds, and residential and community mental health agencies. (Details available upon request).

8/94 - 12/95 **Teaching Assistantship**, *Center for Psychological Studies, Nova Southeastern University*
Course: *Full Case Write-up (Advanced Full Battery) and Projective Assessment*
Instructed and evaluated doctoral students on administration, scoring, and interpretation of the Rorschach, Thematic Apperception Test, Bender, projective drawings, Wechsler Intelligence Scales, MMPI-2 and clinical interview. Provided feedback on integration of assessment data and psychological report.

9/94 - 7/95 **Peer Supervisor**, *Center for Psychological Studies, Nova Southeastern University*
9/93 – 4/94 Supervised Doctoral Candidates who conducted intake screenings for appropriate clinic placement. Provided training and feedback on basic interviewing skills, assessment, diagnosis, treatment modalities and techniques and other relevant clinical and ethical issues.

6/91 - 8/91 **Preschool Summer Teacher**, *Town of Huntington Parks and Recreation, Huntington, New York*
Instructed children ranging in age from three to five. Designed curriculum emphasizing motor skills, oral communication, social skills, and auditory comprehension.

12/90 - 6/91 **Student Teacher**, *Birchwood Elementary School, South Huntington Union Free School District, New York*
Instructed elementary school children, grades 3 and 6. Educational planning/placement and curriculum design committees. Designed classroom management, anger control program, and sixth grade hands-on chemistry curriculum. Utilized whole language approach.

9/89 - 6/90 **School Psychology Intern**, *Huntington Union Free School District, New York*
Psychological/educational assessments; psychotherapy; treatment recommendations for children experiencing behavioral, emotional, social, special education, and substance abuse related concerns. Screenings of new students age five to 16. Designed anger control, assertiveness training, alternative learning styles, and peer group leadership programs. Participated in educational placement/planning and curriculum development committees. Conducted teacher workshops.

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RESEARCH AND SPECIAL PROJECTS

5/94 - 6/96 **Independent Research,** *Center for Psychological Studies, Nova Southeastern University*
Longitudinal case study of child-centered psychotherapy with a sexually abused, oppositional defiant child. Examined the Nova Assessment of Psychotherapy Scale as a measure of psychotherapy process and outcome. "Behavioral Coding of Child Psychotherapy" was presented at the 1996 APA annual meeting.

5/93 - 4/94 **Directed Research Study,** *Center for Psychological Studies, Nova University*
Investigated the utility of the Learning Potential Assessment Device (LPAD) and Instrumental Enrichment Programs for implementation in educational settings. This case study was entitled the "Assessment and Remediation of a Learning Problem: The Learning Potential Assessment Device."

5/93 - 12/93 **Clinical Psychology Research,** *Southeast Institute for Multicultural Studies, Nova University*
Researched funding sources and developed of grant proposals for the institute, assisted in the design and organization of seminars and workshops, and compiled research on multicultural studies.

1/93 - 7/93 **Clinical Psychology Research,** *Center for Psychological Studies, Nova University*
Provided client-centered and dynamic psychotherapy to preschool children. Conducted classroom observations and administered, scored, and analyzed psychological measures. Trained and supervised in child psychotherapy.

8/91 - 6/93 **Research Assistant to the Dean,** *Office of Grants Development, Nova University*
Investigated funding sources for all academic divisions, researched and wrote grant proposals for the Center for Psychological Studies, compiled statistical information regarding the University, designed and maintained database programs for statistical analysis, graphic output, and cumulative reports

5/90 - 12/90 **Research Assistant to the Dean,** *Graduate School of Education, Long Island University*
Researched the development of critical thinking skills in elementary school children. Organized child abuse identification/reporting seminars. Developed/maintained databases and trained staff on a variety of software.

5/90 - 12/90 **Research Assistant to the Science Chairperson,** *Graduate School of Education, Long Island University*
Designed a science curriculum incorporating Piagetian theory and developmental tasks to foster higher order thinking in elementary school children. Conducted research in the areas of creative thinking and gender differences in elementary school children.

PROFESSIONAL WORKSHOPS AND TRAINING

Available upon request

PROFESSIONAL AFFILIATIONS AND AWARDS

New York State Play Therapy Association
International Play Therapy Association
American Psychological Association

Board of Directors, New York State Play Therapy Association (2001-2005)
Board Member, Suffolk County Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol and Substance Abuse Services Planning and Advisory Board (2002-present)

Annual Child Abuse & Neglect/Family Violence Volunteer and Professional Award (2005)
Gold Circle Doctoral Scholarship Award (4 years)
Graduate Distinguished Student Performance Award

REFERENCES

Available upon request

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1744

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Kathleen Herz as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Kathleen Herz to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer	Diane E Weyer	8.12.13
Principal Financial Analyst		
Theresa Lollo	Theresa Lollo	8/29/13
Budget Office		

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1744

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1744

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Kathleen Herz to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

2013 Intergovernmental Relations
Memorandum of Support

1744

TITLE OF BILL: Approving the appointment of Kathleen Herz as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Kathleen Herz to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Kathleen Herz as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

1745

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF LOU ANN RINDE AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Lou Ann Rinde of Llindenhurst, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Lou Ann Rinde of Lindenhurst, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 26-2013

Lou-Ann Rinde

P.O.B 212

Lindenhurst, NY 11757

(cell)

1745

Objective: To serve on the Division of Community Mental Hygiene Advisory Board

Qualification:

- ✓ Proven track record of advocacy on local, county and state levels
- ✓ Vibrant, engaging, informative speaker
- ✓ Skilled in building positive relationships
- ✓ Convinced that treatment needs to be relevant, effective and accessible in the least restrictive environment
- ✓ Deeply held convictions that decisions be made with and not for recipients
- ✓ Attentive listener, patient, understanding and compassionately empathetic
- ✓ Knowledgeable about services and the Mental Health Care System and how to obtain such
- ✓ Firmly convinced of the expression "Nothing about us without us!"
- ✓ Insightful, creative problem solver
- ✓ Ability to work with a team or independently

Relevant Work History:

Mental Health Association of Suffolk County 2ooo Arctic Ave. Bohemia, NY

013-Present Housing Mediation Specialist/Advocate, Conflict/Resolution Facilitator

- Mediation between/ among tenants in SPA Housing and / with Agencies
- Presenter of Conflict Resolution and Self Advocacy

EGS/LIFE Programs/**C**areers in **H**uman **S**ervices 445 Oak Street Copiague NY

007-present Staff Advocate, Responsibilities to serve on committees, support peers

007-Present Careers in Human Services, Trainer, Job Coach, Support Group facilitator, Team player in:

- Research develop & up dating curriculum for training on topics in work place and recovery action
- Recruitment/interviewing
- Lesson planning and facilitation including interactive and creative exercises
- Assessment of job readiness/skill and recovery strength & support systems
- Supporting consultants by assessing challenges, strategizing accommodations & teaching coping
- Helping consultants to develop communication and advocacy skills while transitioning back to work
- Provide mediation with site supervisor when needed
- Onsite individualized job-coaching when necessary
- Available for additional support as needed
- Regular updates with both consultant & supervisor to monitor/assess determine progress/status

Cont. Presently **C**areers in **H**uman **S**ervices, Trainer, Job Coach, Group facilitator, Team player in:

- Develop concept of community and group support to aid in any challenges that occur on the job
- Consult with providers for assessment as needed
- Help develop job seeking skills including writing resume, cover letter and interviewing

2006-2007 CHS Volunteer: Trainer, Job Coach, Support Group co-facilitator

2005-2006 CHS Consultant to South Oaks: Stigma Busters Co- Facilitator

CHS Consultant to FEGS IPRT: Peer support group facilitator

Relevant Accomplishments and experience

Committees

- **NYSCRI** CFAAC
- **OMH** RAC (2009-present)
- **OMH** Outcomes and Expectations Contributor
- **OMH** Police Academy Training (2011-12)
- **FEGS C**onsumer **A**dvisory **B**oard (Present)
- **Suffolk County** Housing Sub-Com. (2006)

Conference Planning

- Bi-County Empowerment Steering (2008-present)
- Housing and Co-Disorders Conference (2006)

Conference Speaking

- Case Management Conference Speaker: 3 Ring Circus: Skills, Chills and Wills (2011)
- Bi-County Empowerment: Using Alternatives to Enhance Health Ability & Wellness (2011)
- NYAPRS: Whole Self- Whole Health- Whole Lives Presenter (2010)

Facilitation

- Stigma Busters: South Oaks Out-Treatment (reached well over 2,000 people thus far)2005-2013
- Careers in Human Services Support Group
- Wellness Recovery Action Plan WRAP (substitute)

Trainings and Speaking Engagements

- Annual 3 month CHS transitional employment trainer(2006-present)
- MHA Peer Specialist guest trainer:
  Conflict Resolution/Self Advocacy (2011)
  Peer Work (2012),
  The Power of your mind, eye hand coordination and Juggling (2013)
- New York State Clinical Records Initiative presenter
- LIFE Staff Development regular contributor
- FEGS IPRT/PROS Community Speaker

Trainings and Speaking Engagements continued

- FEGS Wellness week presenter: teaching juggling, performing a clown skit: The obstacles of Recovery & the key of Overcoming! Cartoon presentation: A Recovery Journey
- Sayville Projects: My Recovery Journey
- Yearly presentations to providers/recipients about Career in Human Services Opportunities

Advocacy and Outreach

- NYS OMH 5.07 planning contributor
- Olmstead Act Implementation contributor
- Regional Advisory Committee Representative
- Reinvest for recovery NYAPRS Legislative Day
- NYS Campaign for Mental Health Housing Legislative Day
- Medical Advocacy in Hospitals (a case by case consideration)
- Support Phone Line (2008- 2010) People now call me directly
- Substitute for: Saturday Drop In Center, Socialization and Recreation in Adult Homes, WRAP Group

Skills: Computer Intermediate, Office Equipment Literate, Licensed Safe Driver

Professional Development and Education

HIPAA privacy rules

Myths, Tips and Tricks for SSI/SSDI Benefits, PASS

NAMI trainings: In Or Own Voices, Support Group Facilitation

NYAPRS many trainings most resent are:

Avoiding the Super-Consumer Syndrome

Getting Ready for Health Homes

Overview Wellness Recovery Action Planning WRAP

Expanding the Horizon of Recovery through Peer-Run Alternatives to Hospitalization

Suffolk Community College (40 credits w/ transfers towards an Associate's Degree)

2013 Mediation Intensive Training offered by The Center for Understanding in Conflict.

Awards:

FEGS Sidney H. Witty 2008 Award of Excellence

The House Manager's Heart of Gold Award (2006) Peer recognition for leadership presented by:

"The Gang at Walbridge" when I wasn't even employed as the house manager!

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1745

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Lou Ann Rinde as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Lou Ann Rinde to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer	Diane E. Weyer	8.12.13
Principal Financial Analyst		
Theresa Lollo	Theresa Lollo	8/29/13
Budget Office		

SCIN FORM 175b (10/95)

1745

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1745

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Lou Ann Rinde to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

2013 Intergovernmental Relations
Memorandum of Support

1745

TITLE OF BILL: Approving the appointment of Lou Ann Rinde as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Lou Ann Rinde to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Lou Ann Rinde as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

1745

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Lou Ann Rinde as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

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

Sincerely,

FOR

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

Enclosures

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

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

1746

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF ROBERT DETOR AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Robert Detor of Port Washington, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Robert Detor of Port Washington, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV# 24-2013

ROBERT E. DETOR, LCSW

Port Washington, New York 11050

1746

WORK EXPERIENCE

1996 - Present The Long Island Home
d/b/a South Oaks Hospital
d/b/a Broadlawn Manor Nursing Home & Rehabilitation Center
Amityville, New York

Position: President & CEO
2000 – Present
Reports to the Board of Directors

Position: Chief Operating Officer
1996-2000
Reported to the CEO and the Board of Directors.

The Long Island Home is a not-for-profit 501 c(3) entity which has served the community for one hundred and thirty years. It operates of South Oaks Hospital, a provider of behavioral health services and Broadlawn Manor Nursing & Rehabilitation Center, a long term and sub-acute care continuum. South Oaks Hospital is a 195 bed Psychiatric and Chemical Dependency Hospital. South Oaks also offers: Partial Hospital Programs for adults and adolescents; a full range of Outpatient Services, including a Practice Management Program; a Managed Service Organization for Behavioral Health contracting with HMOs, Insurance Providers, Self Insured Companies and Third Party Administrators. Broadlawn Manor is a 320 bed Skilled Nursing Facility with Medical and Social Model Adult Day Care Programs, and Adult/Assistive Living Residential Services.

As Chief Executive Officer lead the institution thru a change of control, which included the defeasance of bond debt and commercial refinancing; numerous successful Federal, State and TJC regulatory reviews; rebasing of Medicaid reimbursement rates; expansion of ambulatory services; acquisition of new certificates of need; and transition to new board structure. Focus has been on the following initiatives: maintaining a superior quality of care; attaining financial stability; development of property; development of new services; MCO contract negotiations; and the planning and negotiations for a broader institutional alignment.

As Chief Operating Officer responsible for the following departments: Planning & Development, Laboratory, Pharmacy, Human Resource Departments and the entire South Oaks Hospital Behavioral Health Services.

August 1994-December 1996 Catholic Charities
Diocese of Rockville Centre
Hicksville, New York

1746

Position: Director of Health Services
Reported to the Executive Director. Catholic Charities is a service agency providing Health, Housing, Educational, Nutritional and Legal Services to over 300,000 people per year. Health Services had a budget in excess of $10 million and includes: Behavioral Health: six psychiatric & chemical dependency outpatient centers, a case management service for 800 persons, community residences, a 16 bed specialized adolescent program and a 30 bed chemical dependency crisis center/detox.

Nursing Services: the development of Health Aids, operation of health and cardiac screening programs.

HIV/AIDS Services: an Article 28 Adult Day Health Care Program, two residences for Persons With Aids and their children and support services.

The Director manages the internal and strategic planning for future designs and relationships with a particular focus on health care financing & managed care and represents the agency in similar areas at a regional and State level.

August 1981-July 1994 North Suffolk Mental Health Center, Inc.
Smithtown, New York

Position: Executive Director
Reported to the Board of Directors. North Suffolk is a private not-for-profit mental health and chemical dependency treatment facility with a budget in excess of $6,000,000. It provides a full range of services to over 1400 clients per week at ten different sites. The services include: family, individual & group therapy; a chemical dependency Outpatient Rehabilitation Program; 25 specialized foster homes and an eight bed group home for seriously emotionally disturbed children; a community health outreach program for high risk mothers; a Home Builders DSS intervention program; a variety of contracted programs with school districts for on-site intervention and counseling programs. The responsibilities of the Executive Director are: to oversee the clinical, financial, personnel and planning functions; to manage the negotiation process with Federal, State, County and private contracts; to supervise 100 professional staff consisting of Physicians, Psychiatric Social Workers, Psychologists and Alcohol Counselors.

February 1977-July 1981 Narcotic and Drug Research, Inc.
New York, New York

Positions:	December 1980	Director of Bureau
	December 1978	Deputy Director of Bureau
	February 1977	Director of Training

This unit functioned as the Bureau of Training and Resource Development for a major New York State agency. Responsibilities included: the development and delivery of a training curriculum within this system, which has over 8,000 employees located in more than 300 community based agencies statewide; management of the preparation, negotiations and administration for a large budget from state and federal sources and the logistical aspects of the statewide system.

1746

March 1976 -February 1977 NELL-JOY INDUSTRIES, INC.
Copiague, New York

Position: Vice President - Operations
Reported to the president. Supervised a staff of 35 sales and administrative personnel.

June 1974-February 1976 REACHOUT, INC.
Syracuse, New York

Position: Executive Director
Reported to the Board of Directors. Supervised a staff of 21 in an adolescent treatment agency which had a client population of 100 outpatient and 30 inpatients.

August 1973-June 1974 SYRACUSE UNIVERSITY
Syracuse, New York

Position: Graduate Assistant
Instructed a course in substance abuse and social work and developed a text that was published by the university and used in the course.

September 1969-October 1973 DIRECTION AND EDUCATION IN NARCOTICS
Syracuse, New York

Positions: **June 1971** Assistant Director
September 1969 Coordinator

Initially reported to the assistant director and then to the director. Responsible for counseling, court liaison work, community outreach, clinical supervision and financial management.

EDUCATION

1973 - 1975 Master of Social Work
Syracuse University
Syracuse, New York

1965 - 1969 Bachelor of Arts
Wadhams Hall College
Ogdensburg, New York

1961 - 1965 Christian Brothers Academy
Syracuse, New York

1746

PROFESSIONAL ACTIVITIES

2001	Board of Trustees, National Association of Psychiatric Health Systems
1997	Suffolk County HIV Commission and the Nassau/Suffolk HIV Health Services Planning Council
1996	Health & Welfare Council of Nassau County's Board of Directors
1995	New York State Office of Mental Health's Managed Care System Development Committee Hands Across Long Island's Board of Directors
1993	United Way of Long Island's Agency Executive Council
1992	Vice President of Suffolk Community Council Club House of Suffolk's Board of Directors
1991	Long Island Association's Tax Policy Committee New York State Office of Mental Health Children's Advisory Committee Chairperson of Suffolk County Service Area Councils for Planning 1990 Treasurer of Suffolk Community Council
1989	President of United Way of Long Island's Agency Executive Council New York State Office of Mental Health's Long Island Regional Planning Advisory Council's Executive Committee
1988	New York State Mental Health Services Council, Re-appointed By Governor of New York
1987	Chairperson of the Huntington Smithtown Service Area Council Chairperson of the OMH Access To Services Committee
1986	Greater New York Council for Mental Health, Mental Retardation, Alcoholism & Substance Abuse Committee Board of Directors of the Suffolk Community Council Chairperson of the New York State Mental Health Services Council's Certificate of Need Committee
1984	New York State Association Voluntary Agencies
1983	New York State Mental Health Services Council, Appointed by Governor of New York

1746

2013 Intergovernmental Relations
Memorandum of Support

TITLE OF BILL: Approving the appointment of Robert Detor as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Robert Detor to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Robert Detor as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

COUNTY OF SUFFOLK

1746

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Robert Detor as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

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

Sincerely,

FOR

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

Enclosures

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

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

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1746

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Robert Detor as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Robert Detor to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer	Diane Weyer	8.12.13
Principal Financial Analyst		
Theresa Lollo	Theresa Lollo	8/29/13
Budget Office		

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1746

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1746

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Robert Detor to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

1747

Intro. Res. No. - 2013 Laid on the Table 9/12/13
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, APPROVING THE APPOINTMENT OF NORMA DOWNEY AS A MEMBER OF THE SUFFOLK COUNTY COMMUNITY MENTAL HEALTH, MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES, AND ALCOHOL & SUBSTANCE ABUSE PLANNING AND ADVISORY BOARD

WHEREAS, Article 41 of New York State Mental Hygiene Law and Section A9-3 of the Administrative Code of Suffolk County call for the appointment of fifteen (15) members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board (Community Services Advisory Board), and

WHEREAS, all terms for previously appointed Community Services Advisory Board members have expired, and

WHEREAS, the County Executive of Suffolk County has nominated Norma Downey of West Islip, NY for appointment as a member of the Community Services Advisory Board, now, therefore be it

1st **RESOLVED**, that pursuant to the nomination of the County Executive of Suffolk County of Norma Downey of West Islip, NY as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board for a term of office beginning upon the date this resolution is adopted, the same hereby is approved; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

HSV# 25-2013

1747

NORMA MORGILLO DOWNEY

West Islip, New York 11795
(631)

PROFESSIONAL BACKGROUND

1991 - 2002: Part-time Geriatric Consultant, Therapist and Community Organizer. Sunrise Psychiatric Clinic, Amityville, New York

1979 - 1991 - Geriatric Coordinator - Long Island Regional Office, New York State Office of Mental Health, Brentwood, New York 11717

FUNCTIONAL COMPONENTS

Geriatric program coordination with three psychiatric centers in the Long Island Region - Central Islip, Kings Park and Pilgrim State Hospitals. These three hospital had an impatient population of over 4,000, 58% of whom were 65 years of age or older. Planning, consultation, and coordination of former mental patients with frail elderly persons in the community. Planning was done in conjunction with the local Health Departments in Nassau and Suffolk Counties, the local Offices of the Aging and Town and community official who wished to develop new community service for the elderly and/or need consultation in dealing with the emotionally disturbed elderly population.

1973 - 1979: Geriatric and Administrative Assistant, Community Mental Health division of the Department of Health Services, Suffolk County, New York.

Formed a bi-county Mental Health Geriatric Committee that I chaired for 18 years when I worked for the county then the state.

PROFESSIONAL MEMBERSHIP

Islip Arts Council - Board Member
Suffolk County Planning and Advisory Board - Community Mental Health, MR, DD, Alcohol and Substance Abuse
Commissioner of Housing, Town of Islip Housing Authority

FORMER PROFESSIONAL MEMBERSHIPS

Member, National Institute on Aging, Advisory Council, Department of Health and Human Services
President, Board of Directors, Elderly Day Services on the Sound.
Suffolk Respite Advisory Board
Long Island Alzheimer's Assistance Center - Advisory Board
National Association of Social Work
Family Service League, Ombudsman Service Program - Professional Advisory Board

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FORMER PROFESSIONAL MEMBERSHIPS (con't)

Suffolk County Department of Aging – Advisory Committee
Family Service League, West Islip Family Center - Advisory Board
Chairperson for 18 years, Geriatric Committee of Nassau and Suffolk Counties
National Advisory Committee, Pre-Retirement Education Planning for Mid-life Women, Administration of Aging grant, Southampton Long Island University
Resource Group (RRG) Division of M/C Affairs, Governor's Office of Employee Relations
South Oaks Hospital, Social Work Advisory Board
Elderly Day Care Center at St James – Board of Directors
Community Care Companions, Stony Brook – Board of Directors
Speaker of the New York State Assembly – Geriatric Advisory Board
Pilgrim Psychiatric Center – President, Board of Visitors, 1976-1979
New York State Quality of Care Commissioners, 1978 -1979
Suffolk County League of Women Voters – Vice President
National White House Conference on Aging, 1980 and 1995
Member, New York State Governor's Conference on Aging, 1979

AWARDS - HONORS - GRANTS

Woman of the Year, 1988 and 1989, Older Women's League of Suffolk County
Distinguished Achievement in Mental Health, Long Island Council of Parents, 1979
Retired Senior Volunteer Program Recognition, 1980
Recipient of Federal and State Grants (1991) to develop an intergenerational day center for the frail elderly, operated as Elderly Services on the Sound, 1991-2004

EDUCATION and LICENSE

Ackerman Institute – Two Year Certificate in Family Therapy
SUNY Stony Brook, Graduate School of Social Welfare – MSW – 1978
Certified Social Worker – New York State License - 1978
Brookdale Center for Aging, Post Master's Program in Gerontological Practice – 1976

PUBLICATIONS

"Grandma Cataldo Will be a Hard Act to Follow", Newsday, March 1980
"Geriatric Services for Long Island", Suffolk Senior Citizen Clipper, fall – 1980
"History of Psychiatric Hospitals on Long Island", Et al., spring – 1980
"Elderly with No Place to Go", Newsday, October 1981
"We can help the Elderly by Learning From Them", Newsday, May 1982
"Report on the White House Conference on Aging", Senior Citizen Clipper, spring 1982
Contributor, "Personalized Care Manual", authored by Clare Nicholson, Ph. D.

1747

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Approving the appointment of Norma Downey as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

3. Purpose or Proposed Legislation
This legislation is needed to appoint Norma Downey to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
Not applicable

9. Timing of Impact

Immediate upon approval of the resolution and execution of an agreement with member.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date*** 8.12.13
Diane E. Weyer	Diane E Weyer	
Principal Financial Analyst		
Theresa Lollo Budget Office	Theresa Lollo	8/29/13

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1747

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 TAX SERVICE, SEPTEMBER 2009.
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3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1747

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

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

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

Date: **August 6, 2013**

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of 15 members to the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board. Since all terms for previously appointed board members have expired the Division is recommending the appointment of Norma Downey to this Board.

I am attaching a resume for this individual as well as the fiscal impact statement.

Thank you for your consideration.

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

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

2013 Intergovernmental Relations
Memorandum of Support

1747

TITLE OF BILL: Approving the appointment of Norma Downey as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appoint Norma Downey to the Suffolk County Mental Health, Mental Retardation & Developmental Disabilities and Alcohol & Substance Abuse Planning and Advisory Board.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This will appoint Norma Downey as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board. Article 41 of New York State Mental Hygiene Law and Section 905B of the Suffolk County Charter call for the appointment of fifteen (15) members and all terms for previously appointed Advisory Board members have expired.

FISCAL IMPLICATIONS: There is no fiscal impact as attendance in these meetings is not compensated.

COUNTY OF SUFFOLK

1747

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

August 9, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to approve the appointment of Norma Downey as a member of the Suffolk County Community Mental Health, Mental Retardation & Developmental Disabilities, and Alcohol & Substance Abuse Planning and Advisory Board.

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

Sincerely,

FOR

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

Enclosures

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

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

1748

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

Laid on the Table 9/12/13

RESOLUTION NO. - 2013, AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE BOARD OF TRUSTEES OF THE FREEHOLDERS AND COMMONALTY OF THE TOWN OF SOUTHAMPTON, AND ACCEPTING FUNDS ASSOCIATED WITH OVERTIME COSTS FOR DREDGING OF COUNTY WATERS WITHIN THE TOWN OF SOUTHAMPTON

WHEREAS, as a result of discussions between the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton and the County of Suffolk, a determination was made that it would be in the best interest of the Freeholders and Commonalty of the Town of Southampton to pay to the County of Suffolk costs associated with overtime for the Suffolk County Dredge Crew in an effort to expedite the dredging schedule so that additional creeks within the Town may be dredged in May of 2013; and

WHEREAS, pursuant to a resolution passed June 17, 2013 by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton, the Board of Trustees has authorized the payment of $14,434.35 for overtime costs incurred in connection with the expedited dredging operations; and

WHEREAS, pursuant to said resolution, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton also authorized the Board of Trustees to enter into an Intermunicipal Agreement with the County to pay the costs associated with overtime for the Suffolk County Dredge Crew to perform dredging within the allotted timeframe imposed by regulatory agencies; and

WHEREAS, as the New York State Department of Environmental Conservation is the SEQRA lead agency for all dredging project, this project is not reviewed by the Suffolk County Council on Environmental Quality; now, therefore be it

1st **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute an Intermunicipal Agreement with the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton for the purpose of transferring funds to the County of Suffolk to pay the overtime costs incurred in connection expediting the dredging program schedule.

2nd **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute any and all contract documents related to this project, on behalf of the County of Suffolk providing for Suffolk County's participation in the above referenced project; and be it further

3rd **RESOLVED**, that the County Comptroller is hereby authorized and directed to accept and place funds from the Town of Southampton for these services in the amount not to exceed $14,434.35, into Fund 001-1490-1120 (Overtime Salaries); and be it further

4th **RESOLVED**, that the Intermunicipal Agreement and all other contract documents, shall be subject to the approval of the County Attorney.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

)8/09/13 Law No. 13- -00
'ayment by Board of Trustees
)f the Freeholders and Commonalty
)f the Town of Southampton to County of Suffolk
'or Costs Associated with Overtime to Complete
)redging Operations in the Town of Southampton

1748

INTERMUNICIPAL AGREEMENT WITH THE BOARD OF TRUSTEES OF THE FREEHOLDERS AND COMMONALTY OF THE TOWN OF SOUTHAMPTON IN CONNECTION WITH PAYMENT FOR COSTS ASSOCIATED WITH OVERTIME TO COMPLETE DREDGING OPERATIONS

This Intermunicipal Agreement ("Agreement") is between the **County of Suffolk ("County")**, a ıunicipal corporation of the State of New York, acting through its duly constituted **Department of Public Vorks ("Department")**, located at 335 Yaphank Avenue, Yaphank, New York 11980-9744; and

;oard of Trustees of the Freeholders and Commonalty of the Town of Southampton ("Trustees"), a ıunicipal corporation of the State of New York, having its principle offices located at 116 Hampton Road, New 'ork 11968.

The parties hereto desire to make available to the County certain Town funds **("Funds")** to be used ›ward the cost of overtime incurred by the County in connection with dredging operations within the ırisdiction of the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton **'Project"**).

'erm of the Agreement: Shall be deemed to have commenced May 1, 2013 and shall continue through ›mpletion of dredging work within the Town of Southampton, but not to go beyond May 31, 2013,

'ost of the Agreement: A total amount not to exceed $14,434.35, through the term, payable by the Board of rustees to the County.

erms and Conditions: Shall be as set forth in Articles I through III, and Exhibit 1, attached hereto and ıcorporated herein.

)8/09/13 Law No. 13- -00
'ayment by Board of Trustees
)f the Freeholders and Commonalty
)f the Town of Southampton to County of Suffolk
'or Costs Associated with Overtime to Complete
)redging Operations in the Town of Southampton

1748

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

)OARD OF TRUSTEES OF THE
FREEHOLDERS AND COMMONALTY
)F THE TOWN OF SOUTHAMPTON

)y:_____

Iame: _____

'itle: _____

ed. Tax ID # _____

)ate: _____

.pproved as to Legality:
)ennis M. Brown, County Attorney

y: _____
Basia Deren Braddish
Assistant County Attorney

)ate: _____

COUNTY OF SUFFOLK

By: _____

Name: Dennis M. Cohen

Title: Chief Deputy County Executive

Date: _____

Approved: Department of Public Works

By: _____
Gilbert Anderson, P.E., Commissioner

Date:_____

Recommended:
Highway Division

By: _____
William Hillman, P.E., Chief Engineer

Date: _____

)8/09/13 Law No. 13- -00
'ayment by Board of Trustees
)f the Freeholders and Commonalty
)f the Town of Southampton to County of Suffolk
'or Costs Associated with Overtime to Complete
)redging Operations in the Town of Southampton

.ist of Articles & Exhibits

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)escription of Project and Services

\rticle II
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2. General Payment Terms
3. Agreement Subject to Appropriation of Funds
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\rticle III
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7. Child Sexual Abuse Reporting Policy
8. Non Responsible Bidder
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\uthorizing Resolutions

08/09/13 Law No. 13- -00
Payment by Board of Trustees
of the Freeholders and Commonalty
of the Town of Southampton to County of Suffolk
For Costs Associated with Overtime to Complete
Dredging Operations in the Town of Southampton

Article I

TERMS AND CONDITIONS

Whereas, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton agrees to pay the overtime costs incurred by the County for the dredge crew assigned to projects within the jurisdiction of Board of Trustees of the Freeholders and Commonalty of the Town, in the amount of $14,434.35; and

Whereas, the overtime was required to assist in expediting the progress of the scheduled dredging work, in order to create additional time within the dredge program schedule so that additional dredging within the jurisdiction of the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton could be performed; and

Whereas, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton will pursue the time extensions from any and all regulatory agencies for the additional locations under consideration, in the event additional dredging can be timely performed; and

Whereas, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton understands that overtime for the dredge crew must be authorized immediately to create sufficient time within the dredge schedule to complete additional locations. The Board of Trustees of the Freeholders and Commonalty of the Town of Southampton agrees to pay incurred overtime costs regardless of the approval of the time extensions from the regulatory agencies; and

the Town of Southampton notwithstanding the dedication of additional time to the dredging projects; and

Whereas, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton agrees to pay the overtime costs actually incurred during the term of this Agreement for dredging work within the Town of Southampton, even if weather related delays prohibit the completion of additional locations; and

Now Therefore, in consideration of the mutual provisions and covenants hereafter set forth, the parties hereto agree as follows:

1. **Recitals:** The parties acknowledge that the foregoing recitals are true and correct and hereby incorporated into this Agreement as if fully set forth herein.

2. **Term:** This Agreement shall be deemed to have commenced on the date set forth on the first page of this Agreement ("Commencement Date"). In no event shall the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton be responsible for dredging overtime expenses incurred by the County after May 31, 2013.

3. **Regulatory Extensions:** The Board of Trustees of the Freeholders and Commonalty of the Town of Southampton obtained any requisite time extensions from any and all regulatory agencies for the additional dredging locations .

4. **Overtime Costs Incurred:** The Board of Trustees of the Freeholders and Commonalty of the Town of Southampton acknowledges that the County dredge crew was authorized to proceed with overtime work as of May 1, 2013 in order to create sufficient time within the dredge windows to pursue additional locations within the Town upon the understanding that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton agreed to pay the overtime costs incurred by the County during the term of this Agreement for dredging work within the Town of Southampton, regardless of the approval of any time extensions from the regulatory agencies.

   a. **Obligation to Pay:** The Board of Trustees of the Freeholders and Commonalty of the Town of Southampton acknowledges that that there were no guarantees that any additional waterways would be dredged by the County beyond those already scheduled to be performed. The Board of Trustees of the Freeholders and Commonalty of the Town of Southampton agrees to pay the overtime costs incurred by the County notwithstanding that additional locations may not be completed. The County acknowledges that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton's obligation to pay overtime costs will terminate upon receipt of payment required by this Agreement and that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton will have no obligation to pay the County for overtime costs incurred during future dredging project absent written authorization from the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton.

5. **Notices**: Unless otherwise expressly provided herein, all notices shall be in writing and shall be deemed sufficiently given if sent by regular first class mail and certified mail, or personally delivered during business hours as follows: 1) to the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton, at the address on page 1 of the Agreement and 2) to the County at the Department, or as to either of the foregoing, to such other address, fax or e-mail as the addressee shall have indicated by prior written notice to the addressor. All notices received by the County relating to a legal claim shall be immediately sent to the Department and also to the County Attorney at 100 Veterans Memorial Highway, P.O. Box 6100, (Sixth Floor), Hauppauge, New York, 11788. The County shall report to the Contractor in writing within ten (10) days of the initiation by or against it of any legal action or proceeding in connection with or relating to the Agreement.

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

7. **Merger; No Oral Changes:** It is expressly agreed that the Agreement represents the entire agreement of the parties and that all previous understandings are herein merged in the Agreement. No modification of the Agreement shall be valid unless in written form and executed by both parties.

8. **Governing Law:** The Agreement shall be governed by and construed in accordance with the laws of the State of New York, without regard to conflict of laws. Venue shall be designated in the Supreme Court, Suffolk County, the United States District Court for the Eastern District of New York, or, if appropriate, a court of inferior jurisdiction in Suffolk County.

9. **No Waiver:** It shall not be construed that any failure or forbearance of the County to enforce any provision of the Agreement in any particular instance or instances is a waiver of that provision. Such provision shall otherwise remain in full force and effect, notwithstanding any such failure or forbearance.

10. No Intended Third Party Beneficiaries: The Agreement is entered into solely for the benefit of the County and the Contractor. No third party shall be deemed a beneficiary of the Agreement and no third party shall have the right to make any claim or assert any right under the Agreement.

11. **Certification as to Relationships:** The Contractor certifies under penalties of perjury that, other than through the funds provided in the Agreement and other valid agreements with the County, there is no known spouse, life partner, business, commercial, economic, or financial relationship with the County or its elected officials. The Contractor also certifies that there is no relationship within the third degree of consanguinity, between the Contractor, any of its partners, members, directors, or shareholders owning five (5%) percent or more of the Contractor, and the County.

End of Text for Article I

Article II

Financial Terms and Conditions and Budget

.. Conflicting Provisions

In the event of any conflict between any provision in this Article II and an Exhibit to this Agreement, the Exhibit shall prevail unless it is expressly stated in the conflicting provision in this Article II that it shall prevail over the Exhibit.

:. General Payment Terms

a. Presentation of Board of Trustees of the Freeholders and Commonalty of the Town of Southampton Payment Voucher

In order for payment to be made by the Town to the County pursuant to this Agreement, the County shall prepare and present a Payment Voucher which shall document the weekly overtime dredging costs incurred by the County.

b. Payment by County

Payment shall be made to the County of Suffolk, promptly, within two weeks of submission of the Payment Voucher.

. Specific Payment Terms and Conditions

a. The Board of Trustees of the Freeholders and Commonalty of the Town of Southampton shall pay the County a weekly amount not to exceed $14,434.35 or the actual costs incurred by the County for the dredging overtime costs, whichever is less.

End of Text for Article II

Article III
Suffolk County Legislative Requirements

. Contractor's/Vendor's Public Disclosure Statement

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

Unless certified by an officer of the Contractor as being exempt from the

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

Required Form:
Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. Living Wage Law

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

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

Required Forms:

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

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

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

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

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

a. The Contractor shall not use County funds to assist, promote, or deter union organizing.

b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.

c. No employer shall use County property to hold a meeting with

employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

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

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

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

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

Lawful Hiring of Employees Law

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

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

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

shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

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

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

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

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

Required Forms:

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

Suffolk County Lawful Hiring of Employees Law Form LHE-2; entitled "Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees"

Suffolk County Lawful Hiring of Employees Law Form LHE-6; entitled "Notice of Non-Applicability For Compliance With Federal Law (8 U.S.C. Section 1324A) With Respect To Lawful Hiring Of Employees."

5. Gratuities

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 664 of the Suffolk County Code.

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

6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

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

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

. Child Sexual Abuse Reporting Policy

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

The Contractor shall comply with Article II of Chapter 880, of the Suffolk County Code, entitled "Child Sexual Abuse Reporting Policy," as now in effect or amended hereafter or of any other Suffolk County Local Law that may become applicable during the term of the Contract with regard to child sexual abuse reporting policy.

. Non Responsible Bidder

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

The Contractor certifies that it has complied with the disclosure requirements under section 189-7 of the Suffolk Code, it is in compliance with all applicable licensing laws, and that it either has not engaged in a prohibited act covered under section 189-5 of the Suffolk County Code or is otherwise exempt from the provisions of Article II of Chapter 189 of the Suffolk County Code under section 189-9.

9. Use of Funds in Prosecution of Civil Actions Prohibited

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

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

10. Youth Sports

It shall be the duty of the Contractor to read, become familiar with, and comply with Article III of Chapter 730 of the Suffolk County Code.

All contract agencies that conduct youth sports programs are required to develop and maintain a written plan or policy addressing incidents of possible or actual concussion or other head injuries among sports program participants. Such plan or policy must be submitted prior to the award of a County contract, grant or funding. Receipt of such plan or policy by the County does not represent approval or endorsement of any such plan or policy, nor shall the County be subject to any liability in connection with any such plan or policy.

11. Work Experience Participation

If the Contractor is a not-for-profit or governmental agency or institution, each of

the Contractor's locations in the County at which the Services are provided shall be a work site for public-assistance clients of Suffolk County pursuant to Chapter 281 of the Suffolk County Code at all times during the Term of the Contract. If no Memorandum of Understanding ("MOU") with the Suffolk County Department of Labor for work experience is in effect at the beginning of the Term of the Contract, the Contractor, if it is a not-for-profit or governmental agency or institution, shall enter into such MOU as soon as possible after the execution of the Contract and failure to enter into or to perform in accordance with such MOU shall be deemed to be a failure to perform in accordance with the Contract, for which the County may withhold payment, terminate the Contract or exercise such other remedies as may be appropriate in the circumstances.

12. Suffolk County Local Laws Website Address

Suffolk County Local Laws, Rules and Regulations can be accessed on the homepage of the Suffolk County Legislature.

End of Text for Article III

08/09/13 Law No. 13- -00
Payment by Board of Trustees
of the Freeholders and Commonalty
of the Town of Southampton to County of Suffolk
For Costs Associated with Overtime to Complete
Dredging Operations in the Town of Southampton

Exhibit 1
COUNTY AND TOWN AUTHORIZING DOCUMENTS

1-A Suffolk County Legislative Resolution No. -2013, "Authorizing an Intermunicipal Agreement with the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton, and Accepting Funds Associated with Overtime Costs for Dredging of County Waters within the Town of Southold"

2-B Board of Trustees of the Freeholders and Commonalty of the Town of Southampton Resolution and Minutes dated June 17, 2013, Authorizing the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton to enter into an Intermunicipal Agreement with the County of Suffolk for reimbursement of overtime costs associated with Dredging within the Town of Southampton

(Continued, June 17, 2013)

June 17, 2013

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE FREEHOLDERS AND COMMONALTY OF THE TOWN OF SOUTHAMPTON, N.Y. WAS HELD AT TOWN HALL ON MONDAY, JUNE 17, 2013, AT 1 P.M.

PRESENT WERE: President, Eric Shultz; Secretary, Frederick Havemeyer; Trustee Jon Semlear, Trustee Edward Warner Jr., and Trustee William Pell IV and Assistant Town Attorney Kara Bak. Diane Fisher recorded the minutes.

A motion was made by Eric Shultz, seconded by Edward Warner Jr. and duly carried to waive the reading of the minutes of the regular meeting of June 3, 2013.

Chris Gobler came forward from S.U.N.Y. at Stonybrook to discuss the public awareness of shellfish spawner sanctuary in western Shinnecock Bay. He will propose a draft letter to the Trustees upon their approval and he requested that a letter to be mailed to the baymen notifying them of the sanctuary locations. Chris Gobler wanted to know when and how the signs would be placed in the Shellfish Spawner Sanctuary area that he had dropped off at our office. Trustee Ed Warner Jr. said three (3) signs would be placed on buoys, two (2) on poles, and one (1) attached to a dock. Chris Gobler discussed the Oyster raft and bag deployment and said it has been very effective as he has been working with Andrew Lynch. Trustee Eric Shultz mentioned they would need to know the areas and the names of the individuals that would be involved, so that the Trustees could write a letter of approval, and suggested a sign stating "Southampton Town Oyster Research Project". Chris Gobler said he has permission to place an oyster sanctuary just west of Dockers from Larry Hoffman and would like to place posts. Trustee Shultz said they would need permission in writing of the location and how many posts. Chris Gobler requested to place shell bags in Mecox Bay, as they placed ten (10) last year, and would add approximately thirty (30) to fifty (50) this year. The bags would sit low in the bottom of the water and the oysters will attach to the bags, which will help the population.

Bruce Horwith came forward, representing the Wickapogue Pond Home Owners Association, to discuss the water lilies in Wickapogue Pond, as they are creating a land mass and the pond is deteriorating. Trustee Havemeyer stated he has been involved with the project about three years, and the pond is closing. The property owners are asking permission to self finance the project themselves. Trustee Havemeyer said they are requesting

to cut some of the phragmites, but he would like them to create a buffer to the water. Mr. Horwith has all permits in place with the NYSDEC and the Incorporated Village of Southampton. The Trustees requested to have a list of property owners that would be involved. The Trustees all agreed this is a worthwhile project. A motion was made by Trustee Fred Havemeyer seconded by Ed Warner Jr. to pass the following resolution: Resolved to support the plans of the Wickapogue Pond Home Owners Association to re-immediate the pond of excessive volumes of water lilies and to further their efforts of phragmites removal around the pond. The motion to approve was duly carried.

Mr. John Lock came forward to discuss Rose Hill Road ramp. He stated the ramp is really not a ramp and is only a slab of asphalt with a slight incline towards the water and does not allow a boat to be launched from this location. It is impossible right now with the sand that has accumulated since the Sandy storm. He would like to know why this ramp cannot be like the other ramps in Southampton Town. Trustee Havemeyer said the location is not Trustees Property, it is owned by the Town of Southampton. The Trustees were told approximately three years ago this location would be transferred to them and this has not followed through. The Trustees will look further into the situation. The Trustees have maintained this location and will have our maintenance crew take some mounds of sand out as soon as possible. Trustee Warner mentioned this is an ongoing situation that the Trustee has no control of because of nature constantly changing.

Susanna Herrmann from En-Consultants came forward to discuss Clerkin and Lylamas LLC, Trustee Havemeyer would like to reset a date for a full board inspection on Wednesday June 19th at 4:00 for Clerkin, Lylamas LLC, Lis and Carlson. Trustee Shultz mentioned a permit was found for Clerkin property just recently in our office for a bulkhead permit that was issued in 1942, that was prior to the Conservation board. Trustee Shultz asked if Marty Shea has been at the location to determine if this was a Trustee jurisdiction and Susanna Herrmann was not sure. Trustees agreed to do a full board inspection on the property Wednesday June 19th.

Trustee Warner brought the discussion of Donald and Catherine Anzalone, 28 South Beach Road, Southampton. Chuck Guillos was present for the discussion. The proposal is to place all new bulkhead of 225' as it had in the past a 75' to 80' and there is also a very steep bluff. Trustee Warner feels this is an upland retaining wall not a bulkhead. Trustee's recommendation is a rock revetment of stone from the toe of the dune and always covered with sand and re-vegetate. The Trustees recommend for them to contact the office of Marty Shea as this would be a two step phase. The application was placed on hold.

(Continued, June 17, 2013)

Trustee Shultz brought up the application of Jon Cohen & Karen Kostroff, 71B Dune Road, East Quogue, Atlantic Ocean, to perform 1,500 c.y. of dune restoration using clean sand. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Havemeyer brought up the application of Maia Wechsler & Edward Hernstadt, 245A Big Fresh Pond Road, Southampton, Big Fresh Pond, to renew Permit #13013 for one year to reconstruct 4' x 4' platform and construct a 4' x 4' steps down to a 4' x 30' catwalk supported by 4" x 4" posts. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Havemeyer brought up the application of Maryann McAlpin-Giraldo & Timothy Raphael, 57 Big Fresh Pond Road, Southampton, Big Fresh Pond, to construct 4' x 25' fixed elevated dock with an access ladder, secured by ten (10) 4" x 4" pilings. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Havemeyer brought up the application of Southampton Colonial Society, Conscience Point Road (park area) Southampton, North Sea Harbor to install 6 x 6 to raise height of existing 226' bulkhead, install filter fabric on inside of raised wall, to construct 18' non-treated wood ties, install 2 x 10 cap length of bulkhead and spread clean fill to proposed grading, Trustees have to apply for a DEC permit for this project and all fees are waived. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Semlear brought up a letter from Farrell Building Company needing a letter of approval for the Suffolk County Water Authority to bring water to Ruggs Path for the six properties that came before us. They need a letter from Trustee Shultz of approval to open the Ruggs Path road, and the Trustees would like the letter to state the entire road must be repaved not just a strip. Jon Semlear made a motion, second by Eric Shultz and was approved and duly carried.

Trustee Pell brought up the application of Robert M. Kaynor, 22 Beach Lane, Quogue, Ogden Pond to construct a 4' x 40' catwalk, 3' x 12' ramp, 6' x 20' float and two (2) 6" piles. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Pell brought up the application of Mary E. & Kenneth McGorry, 350 Dune Road, Westhampton Beach, Moriches Bay to cut 6" below MHW existing nonfunctional 55' bulkhead. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

(Continued, June 17, 2013)

Trustee Pell brought up the application of David Reis, 15 Fiske Avenue, Westhampton Beach, Moriches Bay, to reconstruct off the existing bulkhead a seasonal 4' x 80' fixed dock supported by 4" x 4" posts. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Pell brought up the application of The Susan G. Buhl Revocable Trust, 118 Montauk Highway, Quogue, Pennimans Creek, to construct a 4' x 110' catwalk supported by 4" x 4" posts, 3' x 10' ramp, 6' x 20' float using thru-flow decking and two (2) 6" piles. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Warner brought up the application of Affordable housing Associates, Inc c/o Mary C. Cannuscio, 102 Red Creek Road, Hampton Bays, Peconic Bay to amend Permit #10471 for one year, to remove and replace existing storm damaged 67' bulkhead, using steel sheathing and two (2) 10' returns, relocate and elevate 196' sq. ft. cabana landward of the bulkhead, construct two (2) 4' x 8' steps for pass and repass construct a 5' x 8' landing off of the cabana and 4' x 5' steps down to an octagonal deck. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Warner brought up the application of Article Sixth Trust, 71 Lynn Avenue, Hampton Bays, Shinnecock Bay to remove 259' concrete debris and replace with 259 ' rock revetment consisting of one ton blue stone boulders. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Warner brought up the application of Nika A. & Rodger H. Silverstein, 185 Bay Avenue, Hampton Bays, Shinnecock Bay to reconstruct (in kind/in place) a 150' bulkhead, 4' x 135' catwalk supported by 4" x 4" posts, two (2) 6' x 5' steps for pass and repass, and install two (2) tie off piles. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Warner brought up the application of Richard F. & Joanna B. Godson, 18 Middle Pond Road, Shinnecock Hills, Middle Pond to legalize existing 4' x 7' platform. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Warner brought up the application of Giampaolo Pioli & Claudia Vitelli, 90 Red Creek Road, Hampton Bays, to Amend Permit#10408, to reconstruct (in place) a 50' bulkhead, 20' rock revetment return,

and construct a 4' x 10' catwalk/stairs. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Warner brought up the application of Matthew S. & Susan B. Daimler, 32 Aqua Drive, Southampton, Shinnecock Bay to legalize existing shed, wood deck and stair case, 3' x 13' stairs, 5' x 8' platform, 3' x 18' stairs, 11' x 20' deck and a 13' x 13' deck for shed, a note must be on the survey indicating changes. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Warner brought up the application of The Charlotte W. Coulbourn Revocable Trust, 17 Carmel Road, Hampton Bays, Shinnecock Bay Permit #9980 was issued two years ago and damaged by Hurricane Sandy. Applicant wants to reinforce existing bulkhead by installing new whalers and batter pilings. The motion to approve was duly carried. The project is classified as a Type 2 action under SEQRA and requires no environmental review.

Trustee Shultz brought to the Trustees attention a resolution that was past on June 3, 2013, for Permits #10555 and #10556 that are being re-written for the Town of Southampton by our office and Marty Shea. The following rules needed to be added to the permits. This permit is issued by the Trustees in light of the Town Board's Resolution dated November 27, 2012 and the permit issued by the New York State Department of Environmental Conservation dated March 5, 2013, in which both the State and the Town recognized the easement over the ocean beaches in the Town held since the year 1686 by the Trustees of the Freeholders and Commonalty of the Town of Southampton for the benefit of the Town's residents. The additional beach which will result from this project, although owned by the State, will be subject to the Trustees' easement, and the Trustees will enforce their applicable rules and regulations with respect to such additional beach. Trustee Shultz made a motion to approve, seconded by Trustee Warner, and was duly carried.

Trustee Havemeyer brought up the following proposals for repairs at Agawam: 1.) Keith Grimes submitted to repair the west end of Lake Agawam. The rain garden and spill way, that takes the water out, was completely washed out along with the guard rail and curbing, which collapsed. The damage was all from Hurricane Sandy. There was also a wash out on the east end that came over the dunes and took out the boat ramp and the gravel, we had an approval of $8,200.00 we need additional $1,860.00 total would be $10,130.00. 2.) James C. Grimes submitted for buffer planting that was damaged from the storm, 85% of the shrubs did survive, the cost to clean

and replace and this will cost $5,230.88 Trustee Havemeyer made a motion of approval for both proposals. It was seconded by Trustee Warner and duly carried.

Trustee Pell went to Mecox this past week-end at 6 AM and there were movie trucks and campers blocking the beach access. He called police and contacted Senior Bay Constable Chris Kohnken. Bay Constable Richie Franks found they had permits through Parks and Recreation and were in the wrong location. There was also an open fire on the beach with no grate under the fire in the Trustees jurisdiction. Trustee Pell went again early this morning and both trucks were in the same area. He contacted John Erwin in Parks and Recreation. Trustee Pell suggested having all the permits emailed to Julie Kranz and Senior Bay Constable Chris Kohnken of the events they have or summons will be issued in our jurisdiction. Trustee Pell feels permits should not be issued for any events on the weekends. Trustee Shultz spoke with Town Council Christine Scalera and will get together with the Town Board to further discuss the situation, as the Trustees have the Plover Program we manage and the birds must be protected.

Trustee Pell said our maintenance boats are almost done and we are waiting for the trailer. He would like an approval to purchase the Mercury 60 H.P which is $5,000.00 and propeller $156.65. They are submitting two invoices because they have to try the propeller on the boat to see which one would work. Trustee Pell made a motion to approve the purchase, seconded by Trustee Havemeyer and duly carried.

Trustee Pell brought to discussion the purchase of aluminum sides for the trailer, to make transportation of shells more efficient. Trustee Pell made a motion to approve spending not to exceed $2,500.00 for the work to be done by an outside welding contractor. The motion was seconded by Trustee Havemeyer and duly carried.

Trustee Shultz said it was brought to his attention a piece of property in the County system for nonpayment of taxes at the end of Long Neck Boulevard and Fantasy Drive, Flanders. The laws were just passed through Albany that will allow the Trustees to buy property from the County. Southampton Town is in the process to buy the property with CPF Funds. He has concerns that the Trustees would lose this as a spoil site, as there were complications down in Eastport. The redemption value of the property is $41,000.00 and is almost an acre or so on the beach. Acquiring this property would benefit the people of Flanders. Trustee Warner agreed as the Trustees would always have a dredge spoil site and open space. Trustee Shultz said they would have to ask the Town Board to rescind the resolution that they passed and then the Trustees would contact the County. A motion

was made by Trustee Shultz to alert the Town Board that the Trustees would like to purchase the property located at Fantasy Drive, Flanders. It was seconded by Trustee Havemeyer and duly carried.

Trustee Shultz asked Attorney Joe Lombardo for advice regarding a problem in East Quogue with large barges being spudded off 4' from the dock, not tied, blocking the navigation, and preventing anyone to be able to have access to the Trustees dock. Joe Lombardo will review the Trustee blue book and come back with recommendations.

A motion was made by Eric Shultz, seconded by Frederick Havemeyer and duly carried to pass the following resolution:

The Southampton Town Trustees agree to reimburse Suffolk County for overtime relative to dredging County waters in the Town of Southampton in an amount not to exceed $14,434.35. Trustee Shultz hereby motioned to enter into an IMA with the County of Suffolk for this overtime. The motion was second by Trustee Havemeyer and was duly carried.

Two	(2)	Applications for Amended Permits were approved
Thirteen	(13)	Applications for permits were approved
Seven	(7)	Applications for mooring permits were approved
Two	(2)	Application for temporary moorings permit were approved
One	(1)	Application for pot permits were approved

A motion was made by Eric Shultz, seconded by Frederick Havemeyer, and duly carried to waive the reading of the correspondence.

Edward Rubio, Logistics Manager – 6/3/13 – Letter of permission for fire works on July 6, 2013.

John Tsirogiorgis, Doulas Elliman Real Estate – 6/3/13 – Facsimile regarding 28 Old Canoe Place Road, Hampton Bays.

Donna Meyers, Shore Solutions Inc. – 6/3/13 – Facsimile regarding 71 Lynn Avenue, Hampton Bays.

Michael Cousins, Town Resident – 6/3/13 – Email regarding Bay Ave, Hampton Bays.

Eric Shultz, Trustee President – 6/3/13 – Letter of permission to Cornell Cooperative Extension for an Oyster Reef.

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James L. Walker, Principal Planner – 6/4/13 – Letter regarding 42 Little Neck Road, Southampton.

Anna Throne- Holst, Town Supervisor – 6/4/13 – Letter regarding beach markers.

Megan Ganga, Business Manager- Keith Grimes Inc. – 6/4/13 – Proposal for Lake Agawam repairs.

Susan Burnside, Attorney – 6/4/13 – Letter regarding 850 Millstone Road.

Eric Shultz, Trustee President – 6/5/13 – Letter regarding Old Sag Harbor Road.

Susan Steinke, Secretary – 6/7/13 – Invitation to the Southampton Village 4th of July parade.

James J. Gilmore, Bureau of Marine Resources – 6/7/13 - Recession of Shellfish closures in the Town of Southampton.

Frederick Havemeyer, Town Trustee – 6/7/13 – Letter regarding 3 Edgemere James

James J. Gilmore, Bureau of Marine Resources Drive, - 6/10/13 – Notice of Shellfish closures within the Town of Southampton.

Grace Kelly- McGovern, Department of Health – 6/10/13 – Notice of pesticide application for vector control in the Town of Southampton.

James L. Walker, Principal Planner – 6/10/13 – Letter regarding DeWeil, Remkus, and White subdivision.

Roy Little, CPA – 6/11/13 – Copy of financial position and activity for the Trustees as of 4/30/13.

Richard Franks, Bay Constable – 6/12/13 – Copy of field report for salinity readings of Mecox Bay taken 6/6/13.

Richard Franks, Bay Constable – 6/12/13 – Copy of field report for salinity readings of Mecox Bay taken 5/22/13.

Richard Franks, Bay Constable – 6/12/13 – Copy of field report for salinity readings of Mecox Bay taken 5/30/13.

Mark Ruocco, Bay Constable – 6/12/13 – Copy of field report regarding a complaint at Towd Point beach.

Mark Ruocco, Bay Constable – 6/12/13 – Copy of field report regarding a complaint at Towd Point beach.

Albert Tuzzolu, Bay Constable – 6/12/13 – Copy of field report regarding a complaint at 37B Dune Road.

Richard Franks, Bay Constable – 6/12/13 – Copy of field report regarding a complaint on Shinnecock Bay.

Sundy A. Schermeyer, Town Clerk – 6/13/13 – Town Board Resolution 2013-597, 602 and 620.

Lynn Mahanna, Project Coordinator – 6/13/13 – Request a letter of permission for the water authority to install a water main on Ruggs Path.

(Continued, June 17, 2013)

Eric Shultz, Trustee President – 6/13/13 – Letter of permission to install a water main on Ruggs Path.

Terra Dunlop, Coastal Steward – 6/13/13 – Copy of Incident report from 5/26/13.

Julia Hryvniak, Land Use Ecological Services Inc Associate – 6/13/13 – Facsimile regarding jurisdiction determination for the dug canal at Sandpiper Court.

Donna Meyers, Shore Solutions Inc. – 6/14/13 – Letter regarding 12 Barrow Place, Southampton.

Mike Bontje, B. Laing Associates – 6/14/13 – Email with attached revised drawings for 185 Bay Ave.

Mike Bontje, B. Lang Associates – 6/14/13 – Facsimile regarding 185 Bay Ave.

James J. Gilmore, Bureau of Marine Resources – 6/14/13 - Recession of Shellfish closures in the Town of Southampton.

A motion was made by Eric Shultz, seconded by Frederick Havemeyer, to pay for the following out of the Trustees special account:

1.	Eco-Test Laboratories	Inv. #13-38016 & #13-38017 – Mill Pond Project	$ 1,080.00
2.	Eco-Test Laboratories	Inv. #13-38139 – Mill Pond Project	$ 1,080.00
3.	Grainger	Inv. #9157014193 – Cable Ties (Plover)	$ 68.37
4.	Hampton Graphics	Inv. #42493 – Trustee Decals for Truck 12"x12"	$ 600.00
5.	Hampton Watercraft & Marine	Inv. #526481 – Outboard engine installation P-6	$ 2,456.14
6.	Inter-Science Res. Associates	Inv. #35200 – Mill Pond Project	$ 2,359.04
7.	Inter-Science Res. Associates	Inv. #35201 – Wooley Pond Project	$ 282.00
8.	Lymann Environmental LLC	Inv. #6 – Mill Pond Project	$ 585.00
9.	Peconic Environmental Assoc.	Refund piling fee – Withdrawn App. – Kronenberg	$ 20.00
10.	Port Lumber Corp.	Inv. #2013-0605 – Lumber & hardware – Old Fort Pond dock	$ 690.20
11.	Speonk Lumber Corp.	Inv. #L92915 – Lumber for Remsenburg Dock Project	$ 26.98

The meeting on motion was adjourned.

Respectfully submitted,

Frederick Havemeyer

Frederick Havemeyer, Secretary / Treasurer

(Continued, June 17, 2013)

AMENDED PERMITS ISSUED

AMEND PERMIT NO.10408 is issued to CLAUDIA VITELLI & GIAMPAOLO PIOLI , 90 Red Creek Road, Hampton Bays , NY (SCTM# 900-152-01-37.1) to amend Permit #10408 for one year, to reconstruct (in place) 50' bulkhead, 20' return, and 4'x 10' catwalk with stairs. Emergency Repair

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement and completion of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**
2. **All new bulkheads, retaining walls or reconstruction of existing structures must provide a minimum 10-foot setback for all fertilized vegetation to prevent the lateral movement of silts and fertilizers into the marine environment.**
3. **Filter cloth backing is to be installed on the inside of the new bulkheading to prevent sedimentation through the wall. If vinyl is used filter cloth is not needed.**
4. **To hinder siltation, THE FINAL GRADING OF DISTURBED SOILS BEHIND THE NEW BULKHEAD SHALL BE A MINIMUM OF FOUR INCHES BELOW THE FINISHED HEIGHT OF THE WALL.**
5. **Should it be deemed necessary to add backfill after grading has begun, only clean sand or gravel will be permitted. No organic topsoils are to be placed along the inside of the new bulkhead.**
6. **Homeowner must agree to give and maintain a public passing way, on the upland, not less than five (5) feet in width to enable persons to pass and repass around said bulkhead.**

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. **As per plans submitted piles/posts must not exceed 34" above deck of catwalk.**
2. **Any handrails shall be of minimum specifications to allow for safety standards.**

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Peconic Bay, as per application and survey submitted.

AMEND PERMIT NO. 10471 is issued to En-Consultants , as agent for AFFORDABLE HOUSING ASSOICATES, INC., 102 Red Creek Road, Hampton Bays , NY (SCTM# 900-152-01-33) to amend Permit #10471 for one year, to reconstruct and replace existing storm damaged 67' bulkhead, (using steel sheathing) and two (2) 10' returns. To reconstruct and install two (2) 4'x 8' steps for pass and repass, construct a 5' x 8' landing off of the cabana and 4' x 5' steps down to octagonal deck.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**
2. **All new bulkheads, retaining walls or reconstruction of existing structures must provide a minimum 10-foot setback for all fertilized vegetation to prevent the lateral movement of silts and fertilizers into the marine environment.**
3. **Filter cloth backing is to be installed on the inside of the new bulkheading to prevent sedimentation through the wall. If vinyl is used filter cloth is not needed.**
4. **To hinder siltation, THE FINAL GRADING OF DISTURBED SOILS BEHIND THE NEW BULKHEAD SHALL BE A MINIMUM OF FOUR INCHES BELOW THE FINISHED HEIGHT OF THE WALL.**
5. **Should it be deemed necessary to add backfill after grading has begun, only clean sand or gravel will be permitted. No organic topsoils are to be placed along the inside of the new bulkhead.**
6. **Homeowner must agree to give and maintain a public passing way, on the upland, not less than five (5) feet in width to enable persons to pass and repass around said bulkhead.**

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Peconic Bay, as per application and survey submitted.

(Continued, June 17, 2013)

PERMITS ISSUED

PERMIT NO. 10558 is issued to Shore Solutions Inc, as agent for ARTICLE SIXTH TRUST, 71 Lynn Avenue, Hampton Bays , NY (SCTM# 900-270-04-02) to remove 259' concrete debris and replace with 259 ' rock revetment consisting of one ton blue stone boulders.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**

Project is located on owner's property off Shinnecock Bay, as per application and survey submitted.

PERMIT NO. 10559 is issued to First Coastal Corp. , as agent for JON COHEN & KAREN KOSTROFF, 71 Dune Road # B, East Quogue, NY (SCTM# 900-385-02-20) to perform dune restoration by placing approximately 1,500 cubic yards of clean sand along face of eroded dune, install 90' sand fence using wooden posts only and replant beach grass 12" o.c.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**
2. **Due to the importance of preserving endangered species, dune restoration projects may not be conducted during the Piping Plover breeding season – April 1 thru September 15th**
3. **Sand fencing shall not be installed before March 1st (after the winter storms end) or during Piping Plover season (March 31st – September 15th) without a plover inspection being done first.**
4. **Sand fence must be installed within 10' of toe of dune.**
5. **NO METAL SNOW FENCE STAKES/POSTS.**

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Atlantic Ocean, as per application and survey submitted.

PERMIT NO. 10560 is issued to J. Tortorella Custom Gunite Pools, as agent for MATTHEW S. & SUSAN B. DAIMLER, 32 Aqua Drive, Southampton, NY (SCTM# 900-232-03-30) to legalize existing shed, wood deck and stair case 3' x 13' stairs, 5' x 8' platform, 3' x 18' stairs, 11' x 20' deck and a 13' x 13' deck for shed, a note must be on the survey indicating changes.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1) **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**
2) **Piles/posts must not extend more than 34 inches above floor of catwalk.**
3) **Any handrails shall be of minimum specifications to allow for safety standards.**

If any part of the deck, stairs and platform should exist on a Trustees' right of way known as Shinnecock Beach Road and, in the future, the public demands restoration of this road, the deck, stairs and platform will have to be removed at the property owners expense.

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Shinnecock Bay, as per application and survey submitted.

PERMIT NO. 10561 is issued to RICHARD F. & JOANNE B.GODSON, 18 Middle Pond Road, Southampton, NY (SCTM# 900-234-30-34) to legalize a 4' x 7' platform.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1) **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**
2) **Piles/posts must not extend more than 34 inches above floor of catwalk.**
3) **Any handrails shall be of minimum specifications to allow for safety standards.**

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Middle Pond, as per application and survey submitted.

(Continued, June 17, 2013)

PERMIT NO. 10562 is issued to En-Consultants, as agent for EDWARD HERNSTADT & MAIA WECHSLER, 245A Big Fresh Pond Road, Southampton, NY (SCTM# 900-94-01-19) to renew permit # 10313 for one year, to reconstruct 4' x 4' platform, and construct a 4' x 4' steps down to a 4' x 30' catwalk supported by 4" x 4" posts.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**
2. **Seaward end of fixed dock must not exceed height of 26 inches over the water at average high tide to top of deck.**
3. **Entire dock structure must not extend past 39' from MHW.**
4. **As per plans submitted piles/posts must be flush with deck of catwalk.**
5. **Deck of catwalk must slant down past vegetation so it is no higher than 26"over the water at average high tide to top of deck.**
6. **Limit of two boats may be docked at this structure (jet skis count as boats).**

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Big Fresh Pond, as per application and survey submitted.

PERMIT NO. 10563 is issued to Land Use Ecological Services, Inc, as agent for ROBERT M. KAYNOR, 22 Beach Lane, Quogue , NY (SCTM# 902-14-01-07.01) to construct a 4' x 40' catwalk supported by 4" x 4" posts, 3' x 12' ramp, and a 6' x 20' float secured by two (2) chocked 6" piles.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**
2. **Seaward end of fixed dock must not exceed height of 26 inches over the water at average high tide to top of deck.**
3. **Entire dock structure must not extend past 100' from MHW.**
4. **As per plans submitted piles/posts must be flush with deck of catwalk.**
5. **Deck of catwalk must slant down past vegetation so it is no higher than 26"over the water at average high tide to top of deck.**
6. **Floating dock must be placed parallel to shoreline.**
7. **Limit of two boats may be docked at this structure (jet skis count as boats).**

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Ogden Pond, as per application and survey submitted.

PERMIT NO. 10564 is issued to Land Use Ecological Services, Inc., as agent for KENNETH & MARY E. MCGORRY, 350 Dune Road, Westhampton Beach, NY (SCTM# 905-18-01-09) to cut 6" below MHW existing nonfunctional 55' bulkhead.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Moriches Bay, as per application and survey submitted.

PERMIT NO. 10565 is issued to Suffolk Environmental Consulting, Inc., as agent for TIMOTHY RAPHAEL & MARYANN MCALPIN-GIRALDO, 57 Big Fresh Pond Road, Southampton, NY (SCTM# 900-93-01-06) to construct 4' x 25' fixed elevated dock with an access ladder, supported by 4" x 4" posts.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**

(Continued, June 17, 2013)

2. **Seaward end of fixed dock must not exceed height of 26 inches over the water at average high tide to top of deck.**
3. **Entire dock structure must not extend past 100' from MHW.**
4. **As per plans submitted piles/posts must be flush with deck of catwalk.**
5. **Deck of catwalk must slant down past vegetation so it is no higher than 26"over the water at average high tide to top of deck.**

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Big Fresh Pond, as per application and survey submitted.

PERMIT NO. 10566 is issued to JMO Environmental Consulting, as agent for DAVID REIS, 15 Fiske Avenue, Westhampton Beach , NY (SCTM# 905-09-02-34) to reconstruct from the existing bulkhead a seasonal 4' x 80' fixed dock supported by 4" x 4" posts.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**
2. **Posts must not extend more than 34 inches above floor of catwalk.**
3. **All seasonal dock structures must be removed from water by December 1st each year.**

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Moriches Bay, as per application and survey submitted.

PERMIT NO. 10567 is issued to Wilbert T. & Susan Buhl, as agent for THE SUSAN G. BUHL REVOCABLE TRUST, 118 Montauk Hwy, Quogue, NY (SCTM# 902-06-02-24.9) to construct a 4' x 110' catwalk using open grate decking, 3' x 10' ramp, and a 6' x 20' float, secured by two (2) 8" x 8" piles.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. **The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.**
2. **Seaward end of fixed dock must not exceed height of 26 inches over the water at average high tide to top of deck.**
3. **Entire dock structure must not extend past 60' from MHW.**
4. **As per plans submitted piles/posts must be flush with deck of catwalk.**
5. **Deck of catwalk must slant down past vegetation so it is no higher than 26"over the water at average high tide to top of deck.**
6. **Floating dock must be placed parallel to shoreline.**
7. **Limit of two boats may be docked at this structure (jet skis count as boats).**

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Pennimans Creek, as per application and survey submitted.

PERMIT NO. 10568 is issued to Josh Belury, as agent for SOUTHAMPTON COLONIAL SOCIETY, Conscience Point - Park Area, North Sea , NY (SCTM# 900-60-02-07) to install eighteen (18) 6" x 6" untreated wood ties along top of existing bulkhead to raise height, 226' bulkhead, install filter fabric on inside of raised wall, to construct 18' non-treated wood ties, install 2 x 10 and back fill bulkhead with clean sand or gravel.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off North Sea Harbor, as per application and survey submitted.

PERMIT NO. 10569 is issued to B. Laing Associates, as agent for RODGER H. & NIKA A. SILVERSTEIN, 185 Bay Avenue, Hampton Bays , NY (SCTM# 900-299-100-34.2) to reconstruct (in kind/ in place) a 150' bulkhead using vinyl sheathing, 4' x 135' fixed catwalk, two (2) 6' x 5' steps for pass and repass and two (2) tie

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off piles. A 10' buffer zone must be maintained landward of bulkhead comprised of clean sand gravel or neutral stone.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.
2. All new bulkheads, retaining walls or reconstruction of existing structures must provide a minimum 10-foot setback for all fertilized vegetation to prevent the lateral movement of silts and fertilizers into the marine environment.
3. Filter cloth backing is to be installed on the inside of the new bulkheading to prevent sedimentation through the wall. If vinyl is used filter cloth is not needed.
4. To hinder siltation, THE FINAL GRADING OF DISTURBED SOILS BEHIND THE NEW BULKHEAD SHALL BE A MINIMUM OF FOUR INCHES BELOW THE FINISHED HEIGHT OF THE WALL.
5. Should it be deemed necessary to add backfill after grading has begun, only clean sand or gravel will be permitted. No organic topsoils are to be placed along the inside of the new bulkhead.
6. Homeowner must agree to give and maintain a public passing way, on the upland, not less than five (5) feet in width to enable persons to pass and repass around said bulkhead.
7. Steps must be installed on either side of fixed walkway between MHW and MLW for public pass and repass purposes.
8. Piles/posts must not extend more than 34 inches above floor of catwalk.
9. Any handrails shall be of minimum specifications to allow for safety standards.

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Shinnecock Bay, as per application and survey submitted.

PERMIT NO.10570 is issued to Elizabeth Coulbourn Jamieson, as agent for THE CHARLOTTE W. COULBOURN REVOCABLE TRUST, 17 Carmel Road, Hampton Bays, NY (SCTM# 900-299-01-17) to reinforce existing bulkhead by using whalers and pilings.

THE FOLLOWING SPECIAL CONDITIONS APPLY:

1. The Trustees' office (631-287-5717) shall be notified within 24 hours prior to the commencement of any project subject to an approved permit. Commencement and Completion notice must be mailed to Trustee's office.
2. All new bulkheads, retaining walls or reconstruction of existing structures must provide a minimum 10-foot setback for all fertilized vegetation to prevent the lateral movement of silts and fertilizers into the marine environment.
3. Filter cloth backing is to be installed on the inside of the new bulkheading to prevent sedimentation through the wall. If vinyl is used filter cloth is not needed.
4. To hinder siltation, THE FINAL GRADING OF DISTURBED SOILS BEHIND THE NEW BULKHEAD SHALL BE A MINIMUM OF FOUR INCHES BELOW THE FINISHED HEIGHT OF THE WALL.
5. Should it be deemed necessary to add backfill after grading has begun, only clean sand or gravel will be permitted. No organic topsoils are to be placed along the inside of the new bulkhead.
6. Homeowner must agree to give and maintain a public passing way, on the upland, not less than five (5) feet in width to enable persons to pass and repass around said bulkhead.

NO CHEMICALLY TREATED WOOD OR PRESERVATIVE MAY BE USED ON THIS STRUCTURE.
Project is located on owner's property off Shinnecock Bay, as per application and survey submitted.

TEMPORARY MOORING PERMITS

PERMIT NO. 13-T03 is issued to JAMES C. HALPIN, 708 Dune Road, Westhampton Dunes, NY, to place a 200 lb mushroom anchor mooring and buoy for a 23' Yamaha (Reg. No. NY3533MG) in 917-407-6802 under the direction of Bay Constable Danielle McManus.

(Continued, June 17, 2013)

PERMIT NO. 13-T04 is issued to STEPHEN KORNFELD, 9 Trynz Lane, Hampton Bays, NY, to place a 800 lb mushroom anchor mooring and buoy for a 42' Cigarett (Reg. No. FL8150PK) in 212-980-6563 under the direction of Bay Constable Albert Tuzzolo

MOORING PERMITS

PERMIT NO. 13-105 is issued to TIMOTHY O'BRIEN, 124 Towd Point Road, Southampton, NY 11968 to place a 150 lb mushroom anchor mooring and buoy for a 19' Yamaha (Reg. No. NY5709MJ) in North Sea Harbor, under the direction of Bay Constable Chris Kohnken.

PERMIT NO. 13-107 is issued to HAROLD R. ODELL JR., 1 Hudson Street, Hampton Bays, NY 11946 to place a 100 lb mushroom anchor mooring and buoy for a 19' Lippincott (Reg. No. NY6284GL) in Red Creek Pond, under the direction of Bay Constable Albert Tuzzolo.

PERMIT NO. 13-108 is issued to KELLY P. KING, 8 Fanning Avenue, Hampton Bays, NY 11946 to place a 100 lb mushroom anchor mooring and buoy for a 16' AMF "SUNBIRD" (Reg. No. none) in Shinnecock Bay, under the direction of Bay Constable Albert Tuzzolo.

PERMIT NO. 13-109 is issued to ELIZABETH M. CRAMER-ERNST, 131 Red Creek Road, Hampton Bays, NY 11946 to place a 150 lb mushroom anchor mooring and buoy for a 22' McGregor "STAYCATION" (Reg. No. NY8542PF) in Red Creek Pond, under the direction of Bay Constable Albert Tuzzolo.

PERMIT NO. 13-110 is issued to MATTHEW S. DAIMLER, 32 Aqua Drive, Shinnecock, NY 11968 to place a 100 lb mushroom anchor mooring and buoy for a 16' Hobie Cat "FLYING Q'S" (Reg. No. none) in Shinnecock Bay, under the direction of Bay Constable Richard Franks.

PERMIT NO. 13-111 is issued to RICHARD H. WARDEN, 8 Oak Place, Southampton, NY 11968 to place a 200 lb mushroom anchor mooring and buoy for a 26' O'Day (Reg. No. NY4033GE) in North Sea Harbor, under the direction of Bay Constable Mark Ruocco.

PERMIT NO. 13-112 is issued to JOMARIE R. PICA, 530 Dune Road, Westhampton, NY 11978 to place a 100 lb mushroom anchor mooring and buoy for a 17' Pleasure "BOLT" (Reg. No. NY4844GL) in Moriches Bay, under the direction of Bay Constable Danielle McManus

POT PERMITS

PERMIT NO. PT-276 is issued to ANTHONY F. HAGEN, 320 Main Street, Sag Harbor, NY 11963, to place **6 crab & 2 eel** on Trustees' bottom in Southampton Town Waters for **2013**.

ERIC SHULTZ
PRESIDENT
EAST QUOGUE

FREDERICK HAVEMEYER
SECRETARY/TREASURER
BRIDGEHAMPTON

BOARD OF TRUSTEES
OF THE FREEHOLDERS AND COMMONALTY OF THE
TOWN OF SOUTHAMPTON

JON S. SEMLEAR
SAG HARBOR

WILLIAM PELL IV
WESTHAMPTON

EDWARD J. WARNER JR.
HAMPTON BAYS

116 HAMPTON ROAD
SOUTHAMPTON, NEW YORK 11968
PHONE: 631 287-5717 FAX: 631 287-5723

July 23, 2013

Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, NY 11980

RE: OVERTIME FUNDING FOR DREDGING PROJECTS IN SOUTHAMPTON

William Hillman, P.E., Chief Engineer;

At the regular meeting of the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton held on June 17, 2013, the following resolution was passed: Resolved; the Southampton Town Trustees agrees to reimburse Suffolk County for overtime relative to dredging County waters in the Town of Southampton in an amount not to exceed $14,434.35. Trustee Shultz hereby motioned to enter into an inter-municipal agreement with the County of Suffolk for this overtime. The motion was seconded by Trustee Havemeyer and was duly carried.

Very truly yours,

Eric Shultz
President

RECEIVED
AUG 0 1 2013
WATERWAYS

On the 26 day of July in the year 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Eric Shultz, 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

JULIE A. KRAMER
Notary Public - State of New York
NO. 01KR6118303
Qualified in Suffolk County
My Commission Expires 11/08/16

/df

COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

1748

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

DATE: August 9, 2013

RE: Authorizing an Intermuncipal Agreement with the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton, and Accepting Funds Associated with Overtime Costs for Dredging of County Waters within the Town of Southampton

Attached is a draft resolution and duplicate copy authorizing an Intermunicipal Agreement wherein the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton agreed to pay overtime costs associated with dredging of County waters within the Town of Southampton.

The Board of Trustees authorized the amount of $14,434.35 in overtime costs, payable to the County upon execution of this Intermunicipal Agreement.

As the New York State Department of Environmental Conservation is SEQRA lead agency for all dredging projects, this project is not reviewed by the Suffolk County Council on Environmental Quality.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-IMA(Shamp BofT Pays Dredging OT).doc".

GA/WH/td
attach.
cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
William Hillman, P.E., Chief Engineer
Charles Jaquin, Acting Head of Finance Division

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

1748

TITLE OF BILL: Authorizing an Intermuncipal Agreement with the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton, and Accepting Funds Associated with Overtime Costs for Dredging of County Waters within the Town of Southampton

PURPOSE OR GENERAL IDEA OF BILL: Allows the County to accept reimbursement of overtime costs associated with Dredging of County waters in the Town of Southampton

SUMMARY OF SPECIFIC PROVISIONS: This involves acceptance of funds to be deposited into the Operating Budget

JUSTIFICATION: This will enable the County to accept this reimbursement.

FISCAL IMPLICATIONS: There is no bonding associated with this Bill.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. - 2013, AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE BOARD OF TRUSTEES OF THE FREEHOLDERS AND COMMONALITY OF THE TOWN OF SOUTHAMPTON, AND ACCEPTING FUNDS ASSOCIATED WITH OVERTIME COSTS FOR DREDGING OF COUNTY WATERS WITHIN THE TOWN OF SOUTHAMPTON

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The Department of Public Works provided dredging services in an effort to expedite the dredging schedule within the Town of Southampton. This resolution authorizes an Intermunicipal agreement between Suffolk County and the Board of Trustees of the Freeholders and Commonality of the Town of Southampton to pay the costs associated with overtime for the Suffolk County Dredge Crew to perform dredging.

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

Not applicable

8. Proposed Source of Funding

Revenue to the County.

9. Timing of Impact

Upon Execution of Agreement

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		September 2, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

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

To be completed by the Executive Budget Office

Intro. Res. No. 1749-13 Laid on the Table 9/12/13

Introduced by the Presiding Officer at the Request of the County Executive

RESOLUTION NO. –2013, AMENDING THE 2013 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING FOR A SETTLEMENT FOR A LIABILITY CASE AGAINST THE COUNTY

WHEREAS, the Ways and Means Committee has approved a settlement for a negligence action against the County for the amount of Two Hundred Eighty Five Thousand ($285,000) Dollars; and

WHEREAS, the above settlement is a mandated expense that must be paid by the County; and

WHEREAS, sufficient funds to satisfy lawsuits, orders, judgments and settlements are not available in the 2013 Operating Budget; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of Two Hundred Eighty Five Thousand ($285,000) Dollars in Suffolk County Serial Bonds to cover the cost of the above referenced settlement; now, therefore be it

1st RESOLVED, that the settlement for the total sum of Two Hundred Eighty Five Thousand ($285,000) Dollars be bonded and paid under the authority of the Office of Risk Management, County Department of Law, in conjunction with the County Department of Audit and Control and the County Executive's Budget Office; and be it further

2nd RESOLVED, that the proceeds of Two Hundred Eighty Five Thousand ($285,000) Dollars in Suffolk County Serial Bonds be and are hereby appropriated as follows:

REVENUES:
038-2780 Proceeds: Debt $285,000

APPROPRIATIONS:

Miscellaneous
General Liability Insurance
038-MSC-1914
Mandated

8505 – Settlements $285,000

DATED:

APPROVED BY:

_____
County Executive of the County of Suffolk

Date of Approval:

COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

1749

DENNIS M. BROWN
COUNTY ATTORNEY

DEPARTMENT OF LAW
DIVISION OF RISK MANAGEMENT

TO: Jon Schneider
Deputy County Executive

FROM: Dennis M. Brown
County Attorney

DATE: August 12, 2013

RE: Bond Resolutions

Enclosed you will find a draft of two resolutions for bonding $285,000 and $100,000 for the settlement of two liability cases. The settlements were approved by the Ways and Means committee. Payment must be made within 90 days of receipt closing papers. This memo is to request the processing of the resolution.

Should you require any additional information, please do not hesitate to contact me.

Cc: Tom Vaughn
Lisa Santeramo

LOCATION:
H. LEE DENNISON BLDG. – 7TH FLOOR
VETERANS MEMORIAL HIGHWAY

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

Liability (631) 853-4700
Risk Mgmt. & Liability Fax (631) 853-4956
Workers Compensation Fax (631) 853-4789

1749

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AMENDING THE 2013 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING FOR A SETTLEMENT FOR A LIABILITY CASE AGAINST THE COUNTY

3. Purpose of Proposed Legislation

See above.

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

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

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

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

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

IT IS ANTICIPATED THAT BONDS WILL BE ISSUED SPRING 2014 AND DEBT SERVICE WILL COMMENCE SPRING 2015. THERE IS NO FISCAL IMPACT IN 2013 or 2014.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Colleen Capece Special Project Coordinator	CL Capece	August 29, 2013

SCIN FORM 175b (10/95)

General Obligation Serial Bonds
Level Debt

1749

Term of Bonds	5
Amount to Bond:	$285,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
6/1/2014					
6/1/2015	3.250%	$53,413.44	$9,262.50	$62,675.94	$62,675.94
			$3,763.28	$3,763.28	
6/1/2016	3.250%	$55,149.38	$3,763.28	$58,912.66	$62,675.94
			$2,867.10	$2,867.10	
6/1/2017	3.250%	$56,941.74	$2,867.10	$59,808.84	$62,675.94
			$1,941.80	$1,941.80	
6/1/2018	3.250%	$58,792.34	$1,941.80	$60,734.14	$62,675.94
			$986.43	$986.43	
6/1/2019	3.250%	$60,703.09	$986.43	$61,689.52	$62,675.94
		$285,000.00	$28,379.72	$313,379.72	$313,379.72

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1749

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 NE YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1750

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. - 2013, APPROPRIATING FUNDS FOR THE OFFICE OF THE MEDICAL EXAMINER CONSOLIDATED LABORATORY (CP 1109)

WHEREAS, the Chief Medical Examiner has requested funds for building repairs, upgrades and improvements at the Office of the Medical Examiner Consolidated Laboratory; and,

WHEREAS, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said request; and

WHEREAS, first floor alterations are needed in the Crime Laboratory to ensure safety when handling firearms as well as other miscellaneous alterations; and

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

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of $100,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 ("SEQRA"), classified this action as a Type II action pursuant to the provisions of Title 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (C), (1),(2), as this action concerns the replacement and rehabilitation involving no substantial changes to an existing structure, or reconstruction of a structure or facility in kind; and be it further

2nd **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 amended by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-1109.316	20	Forensic Sciences Medical and Legal	$100,000
(Fund 001- Debt Service)		Investigative Consolidated Laboratory	

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1750

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. - 2013, APPROPRIATING FUNDS FOR THE OFFICE OF THE MEDICAL EXAMINER CONSOLIDATED LABORATORY (CP 1109)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		9/3/2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1750

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$21,711**	**$0.04**	$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$21,711**	**$0.04**	$0.000

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

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1750

Term of Bonds	5
Amount to Bond:	$100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$18,910.92	$2,800.00	$21,710.92	$21,710.92
			$1,135.25	$1,135.25	
11/1/2015	3.000%	$19,440.42	$1,135.25	$20,575.67	$21,710.92
			$863.08	$863.08	
11/1/2016	3.000%	$19,984.76	$863.08	$20,847.84	$21,710.92
			$583.29	$583.29	
11/1/2017	3.000%	$20,544.33	$583.29	$21,127.62	$21,710.92
			$295.67	$295.67	
11/1/2018	3.000%	$21,119.57	$295.67	$21,415.24	$21,710.92
11/1/2019		$100,000.00	$8,554.59	$108,554.59	$108,554.59
11/1/2020					
11/1/2021					
11/1/2022					
11/1/2023					
11/1/2024					
11/1/2025					
11/1/2026					
11/1/2027					
11/1/2028					
11/1/2029					
11/1/2030					
11/1/2031					

1750

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL: To appropriate funds for building repairs and improvements at the Office of the Medical Examiner Consolidated Laboratory.

PURPOSE OR GENERAL IDEA OF BILL: First Floor alterations are needed in the Crime Laboratory to ensure safety when handling firearms as well as other miscellaneous alterations.

SUMMARY OF SPECIFIC PROVISIONS: None.

JUSTIFICATION: Benefits of this project will be to provide sufficient and appropriate space within the Crime Laboratory to alleviate overcrowding in the Firearm Section as well as other miscellaneous alterations. Firearm safety requires that the firearm be pointed in a safe direction during handling. The space is limited and does not allow room to handle firearms safely. The IBIS computer system which is utilized to search for unsolved shootings will be moved to another room to allow additional space for the Forensic Scientists.

FISCAL IMPLICATIONS: Serial Bonds and related Debt Service.

COUNTY OF SUFFOLK

1750

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

OFFICE OF THE MEDICAL EXAMINER

YVONNE I. MILEWSKI, M.D.
Chief Medical Examiner

August 12, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to appropriate funds for building repairs and improvements at the Office of the Medical Examiner Consolidated Laboratory (CP 1109). The purpose of this legislation is to fund first floor alterations in the Crime Laboratory to increase the space for Forensic Scientists who handle firearms to ensure safety during handling as well as other miscellaneous alterations.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions, please contact me at 853-5538. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is "Reso-MED-Building Repairs.doc"

Sincerely,

Yvonne Milewski, MD
Chief Medical Examiner

Enclosures

C: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Linda Russo, Senior Budget Analyst

Sidney B. Weinberg Center for Forensic Sciences
North County Complex, Bldg. 487, 725 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788
(631) 853-5555 Fax (631) 853-4673

1751

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. - 2013, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR TEMPORARY LAB SUPPORT SERVICES FOR THE OFFICE OF THE MEDICAL EXAMINER.

WHEREAS, the Office of the Medical Examiner requested an RFP for "Temporary Lab Support Services "for the Crime Laboratory; and,

WHEREAS, Temporary Lab Support Services are necessary for the Office of the Medical Examiner Crime Laboratory to fulfill DNA Forensic Backlog Reduction and Aid to Crime Laboratory grant requirements; and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and emailed the announcement of the RFP to eight (8) potential vendors and received only one response from On Assignment Staffing Services, Inc. d/b/a Lab Support; and

WHEREAS, an independent evaluation committee reviewed the proposal from On Assignment Staffing Services, Inc., d/b/a Lab Support and found its quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and have recommended that the Office of the Medical Examiner enter into a contractual agreement with On Assignment Staffing Services, Inc., d/b/a Lab Support; and

WHEREAS, Local Law No. 3 – 1996 requires the County Legislature to approve any contract in excess of $20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; and

WHEREAS, there are sufficient grant funds requested in the 2014 Suffolk County Operating Budget to cover the cost of said contract; now, therefore be it

1st **RESOLVED**, that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996 that the Office of the Medical Examiner enter into a contractual agreement with On Assignment Staffing Services, Inc. d/b/a Lab Support for temporary lab support services; and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with On Assignment Staffing Services, Inc. d/b/a Lab Support.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1751

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Requesting Legislative approval of a contract award for Temporary Lab Support Services for the Office of the Medical Examiner.

3. Purpose of Proposed Legislation

This legislation is needed to award a temporary lab services contract and to comply with Local Law No. 3 – 1996 requiring the County Legislature to approve any Contract in excess of $20,000 awarded pursuant to a Request for Proposal (RFP) process in which only one party responds to the County's solicitation of proposals.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Grant funds were awarded and included in the 2014 Suffolk County Operating Budget Request.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
Not Applicable

8. Proposed Source of Funding
2014 grant operating funds.

9. Timing of Impact
2014

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Linda Russo ***Senior Budget Analyst*** Theresa Lollo Budget Office	Linda Russo Theresa Lollo	8/22/13 8/29/13

SCIN FORM 175b (10/95)

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

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1751

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

To be completed by the Executive Budget Office

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

1751

TITLE OF BILL: To request Legislative approval of a contract award for Temporary Lab Services for the Office of the Medical Examiner.

PURPOSE OR GENERAL IDEA OF BILL: this legislation is required to award a Temporary Lab Services contract and to comply with Local Law No. 3 – 1996 requiring the County Legislature to approve any Contract in excess of $20,000 awarded pursuant to a Request for Proposal (RFP) process in which only one party responds to the County's solicitation of proposals.

SUMMARY OF SPECIFIC PROVISIONS: None.

JUSTIFICATION: Benefits of this project will be to provide sufficient temporary lab support services necessary to fulfill the needs of the DNA Forensic Backlog Reduction Program and the Aid to Crime Laboratory awarded to the Office of the Medical Examiner Crime Laboratory.

FISCAL IMPLICATIONS: None.

COUNTY OF SUFFOLK

1751

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

OFFICE OF THE MEDICAL EXAMINER

YVONNE I. MILEWSKI, M.D.
Chief Medical Examiner

August 12, 2013

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution requesting Legislative approval of a contract award for Temporary Lab Services for the Office of the Medical Examiner. This legislation is needed to comply with Local Law No. 3 – 1996 requiring the County Legislature to approve any Contract in excess of $20,0000 awarded pursuant to a Request for Proposal (RFP) process in which only one party responds to the County's solicitation of proposals.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions, please contact me at 853-5538. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is "Reso-MED-Temporary Lab Support.doc"

Sincerely,

Yvonne Milewski, MD
Chief Medical Examiner

Enclosures

C: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Linda Russo, Senior Budget Analyst

Sidney B. Weinberg Center for Forensic Sciences
North County Complex, Bldg. 487, 725 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788
(631) 853-5555 Fax (631) 853-4673

1752

LOT 9/12/13

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

RESOLUTION NO. -2013, ACCEPTING AND APPROPRIATING $183,613 IN 100% FEDERAL FUNDING UNDER THE CONTINUUM OF CARE GRANT RENEWAL PROGRAM FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING A CONTRACT WITH UNITED VETERANS BEACON HOUSE, INC.

WHEREAS, the United States Department of Housing and Urban Development (HUD) has awarded a grant renewal in the amount of $183,613 under the Continuum of Care Grant Program to the Suffolk County Department of Social Services for a homeless assistance initiative, the Beacon House III Project, sponsored by United Veteran Beacon House, Inc.; and

WHEREAS, in accordance with the terms of the grant renewal, the $183,613 is pass-through funding which has been awarded to the Suffolk County Department of Social Services for the specific purpose of funding the Beacon House III Project ; and

WHEREAS, under the Beacon House III Project, United Veteran Beacon House, Inc., will develop approximately eight units of permanent supportive housing in Suffolk County for homeless individuals and families. The clients will receive support services such as ongoing case management, crisis intervention, alcohol/substance abuse treatment, mental health care, medical care and educational/vocational services; and

WHEREAS, there is a critical need in Suffolk County for permanent housing which will provide the ongoing support and the linkages to services needed by this hard-to-serve population; and

WHEREAS, it is in the best interest of Suffolk County to accept this HUD grant which will provide 100% funding for the Beacon House III Project for a period of one year; therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized to accept the following funds:

REVENUES:	$183,613
001-4610 Federal Aid: Administration	$183,613

and be it further

2nd RESOLVED, that total funds in the amount of $183,613 be and are hereby appropriated as follows:

ORGANIZATIONS: $183,613

Suffolk County Department of Social Services
Housing Services
001-DSS-6008

4900 – Contracted Services	$183,613
4980 –HHI1 United Veteran Beacon House, Inc.	$183,613

And be it further

3rd RESOLVED, that the County Executive and the Commissioner of Social Services be and are hereby authorized to execute a contract with United Veteran Beacon House, Inc., for the Beacon House III Project.

DATED: _____

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1752

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING $183,613 IN 100% FEDERAL FUNDING UNDER THE CONTINUUM OF CARE GRANT RENEWAL PROGRAM FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING A CONTRACT WITH UNITED VETERANS BEACON HOUSE, INC.

3. Purpose of Proposed Legislation

The purpose of this resolution is to accept United States Department of Housing and Urban Development (HUD) grant renewal funding in the amount of $183,613 under the Continuum of Care Grant Program to the Suffolk County Department of Social Services for a homeless assistance initiative, the Beacon House III Project, sponsored by United Veteran Beacon House, Inc. The grant renewal is pass-through funding which has been awarded to the Suffolk County Department of Social Services for the specific purpose of funding the Beacon House III Project that will develop approximately eight units of permanent supportive housing in Suffolk County for homeless individuals and families.

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

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

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

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

7. Total Financial Cost of Funding over five Years on Each Affected Political of other Subdivision.

100% funded.

8. Proposed Source of Funding.
Federal Aid

9. Timing of Impact.
Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Ken Knappe Principal Management Analyst		8/16/13

SCIN FORM 175b (10/95)

Suzanne MARTIN
SR Budget Analyst

Suzanne Martin 8/29/13

1752

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

OFFICE OF ASSISTANT SECRETARY
FOR COMMUNITY PLANNING AND DEVELOPMENT

RECEIVED
APR 08 2013
HOUSING DIVISION
SUFFOLK COUNTY SOCIAL SERVICES

March 13, 2013

Ms. Robin Barnett
Division Administrator
Suffolk County Department of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

Dear Ms. Barnett:

Congratulations! I am delighted to inform you that the Fiscal Year (FY) 2012 Continuum of Care (CoC) Program application(s) your organization submitted was (were) selected for funding in the total amount of $183,613. The enclosure lists the name(s) of the individual project(s), the project number(s), and the award amount(s) for each conditionally selected application(s).

The CoC Program is an important part of HUD's mission. CoCs all over the country continue to improve the lives of homeless men, women, and children through their local planning efforts and through the direct housing and service programs funded under the FY 2012 competition. The programs and CoCs funded through the CoC Program continue to demonstrate their value by improving accountability and performance every year. HUD commends your organization for its work and encourages it to continue to strive for excellence in the fight against homelessness.

Congratulations again on your conditional award. Your local HUD field office will be sending a letter to provide your organization with more information about finalizing its award(s). HUD is counting on your organization to use these important resources in a timely and effective manner.

Sincerely,

Mark Johnston

Mark Johnston
Deputy Assistant Secretary
for Special Needs

Enclosure

Enclosure

1752

NY0738L2T031203

NY-603 - REN - Beacon House III

$183,613

Total Awarded: **$183,613**

COUNTY OF SUFFOLK

1752

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF SOCIAL SERVICES

John F. O'Neill
Acting Commissioner

Memorandum

TO: Jon Schneider, Deputy County Executive

FROM: John F. O'Neill, Acting Commissioner
Department of Social Services

DATE: August 13, 2013

SUBJECT: **REQUEST FOR A LEGISLATIVE RESOLUTION** – Pass-through Grant renewal from the United States Department of Housing and Urban Development (HUD)

ACCEPTING AND APPROPRIATING $183,613 IN 100% FEDERAL FUNDING UNDER RENEWAL OF THE CONTINUUM OF CARE GRANT PROGRAM FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING A CONTRACT WITH UNITED VETERANS BEACON HOUSE, INC.

The purpose of this resolution is to accept $183,613 in grant renewal funding from HUD and to authorize a contract which will pass that funding through to the grant's sponsor agency, United Veterans Beacon House, Inc. The purpose of the grant is to fund the development by United Veterans Beacon House of permanent supportive housing in Suffolk County for homeless individuals and families. There is a critical need in this County for this type of housing. A high percentage of individuals who are chronically or repeatedly homeless have multiple barriers to self-sufficiency and it is difficult to find placements for this population which offer the support and services they need. This grant will fund approximately eight units of housing and the accompanying case management and support services for the one year period beginning October 1, 2013 through September 30, 2014.

Attached please find the above referenced resolution, the introduction form (SCIN Form 175a), the fiscal impact statement (SCIN Form 175b), and related backup material. If you have any questions, please contact Ken Knappe at x49939.

Enclosures

cc: Dennis Brown, Chief Deputy County Executive

ec: CE RESO REVIEW Distribution List

BOX 18100 HAUPPAUGE, N.Y. 11788 – 8900 (631) 854-9935

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1752

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY ,REAL PROPERTY, SEPTEMBER 2011.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1753

Intro. Res. No. –2013 Laid on Table 9/12/13

Introduced by Presiding Officer on Request of the County Executive

RESOLUTION NO. –2013, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE ESTABLISHMENT OF SUFFOLK COUNTY SEWER DISTRICT NO. 4 – SMITHTOWN GALLERIA

WHEREAS, the Suffolk County Legislature, duly adopted Introductory Resolution No. 1666-2013, calling a public hearing held at the County Center in the meeting room of the County Legislature in Riverhead, New York, in said County, on the 8th day of October 2013, at 2:30 p.m., Prevailing Time, for the purpose of conducting a public hearing on the establishment of Suffolk County Sewer District No. 4 – Smithtown Galleria to comprise the area hereinafter described in accordance with certain maps, plans and a report filed with the Suffolk County Legislature by the Suffolk County Sewer Agency; and

WHEREAS, notice of said public hearing was duly published in the manner and within the time provided by law and said public hearing was duly held at the time and place aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, the Suffolk County Legislature has duly considered the maps, plans and report, recommendations and other data filed with it by the Suffolk County Sewer Agency;

NOW, THEREFORE, be it and it hereby is

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

Section 1. Upon the evidence presented at the aforesaid public hearing, and after due consideration of the maps and plans, report, recommendations and other data filed with it, Suffolk County Legislature, hereby finds and determines as follows:

a. The district proposed for said Suffolk County Sewer District No. 4 – Smithtown Galleria, consisting of a sewage treatment plant and gravity sewers and other appurtenant facilities are satisfactory, sufficient, adequate and appropriate;

b. That all the property and property owners within the proposed district are benefited thereby;

c. That all the property and property owners benefited are included within the limits of said proposed district; and

d. That the proposed district and the facilities are in the public interest.

Section 2. The establishment of said proposed Suffolk County Sewer District No. 4 – Smithtown Galleria, are approved and Suffolk County Sewer District No. 4 – Smithtown Galleria, as established, shall comprise all that certain plot, piece or parcel of land, with improvements erected thereon situate, lying and being in the Hamlet of Smithtown, Town of Smithtown, County of Suffolk, State of New York as shown on a Map prepared for Suffolk County and on file in the Office of the Commissioner and described as follows:

All that certain plot, piece or parcel of land, situate, lying and being at Smithtown, in the Town of Smithtown, County of Suffolk, and being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Terry Road, said point being 444.89 feet northerly of the intersection of the easterly side of Terry Road with the northerly side of Nesconset-Port Jefferson Highway (NYS Route 347);
THENCE along a curve on the easterly side of Terry Road bearing to the right having a radius of 1885.11 feet a distance of 28.61 feet;
THENCE North 32°12'10" West 228.37 feet;
THENCE North 61°01'53" East 356.33 feet;
THENCE North 28°07'03" West 119.41 feet;
THENCE South 61°52'57" West 355.77 feet to the easterly side of Terry Road;
THENCE along a curve on the easterly side of Terry Road bearing to the right having a radius of 1885.11 feet a distance of 233.75 feet;
THENCE along the easterly side of Terry Road North 18°12'00" West 67.99 feet;
THENCE along a curve on the easterly side of Terry Road bearing to the left having a radius of 1661.77 feet a distance of 199.40 feet;
THENCE North 65°36'33" East 350.41 feet;
THENCE North 27°17'12" West 121.74 feet;
THENCE South 66°36'42" West 350.76 feet to the easterly side of Terry Road;
THENCE along a curve on the easterly side of Terry Road bearing to the left having a radius of 1661.77 feet a distance of 86.22 feet;
THENCE along the easterly side of Terry Road the following three (3) courses:
(1) North 28°02'13" West 42.27 feet;
(2) North 37°07'18" West 618.20 feet;
(3) North 36°57'45" West 26.27 feet to land now or formerly of John Worrell;
THENCE along said land the following three (3) courses:
(1) North 35°24'16" East 284.64 feet;
(2) North 32°35'20" West 146.31 feet
(3) South 60°52'30" West 299.04 feet to a point;
THENCE North 12°07'20" West 151.99 feet;
THENCE North 19°07'30" East 229.63 feet;
THENCE North 86°00'20" East 4.12 feet;
THENCE North 20°11'10" East 150.17 feet to land now or formerly of Frank H. Rowan;
THENCE along said land the following two (2) courses:
(1) South 82°38'20" East 38.40 feet;
(2) South 85°35'50" East 156.20 feet to land now or formerly of Howard Silverman;
THENCE along said land the following three (3) courses:
(1) North 67°41'00" East 91.37 feet;
(2) North 65°36'20" East 115.59 feet;
(3) North 50°25'30" East 85.43 feet;
THENCE South 61°16'40" East 150.00 feet;
THENCE South 64°35'20" West 11.31 feet;
THENCE South 61°16'40" East 83.17 feet;
THENCE South 60°48'30" East 208.66 feet to the westerly side of Fairview Street West;
THENCE along the westerly side of Fairview Street West South 07°35'50" East 15.63 feet;
THENCE South 78°36'10" West 136.30 feet;
THENCE South 17°23'50" East 186.21 feet;
THENCE North 71°56'10" East 17.70 feet;
THENCE South 18°03'50" East 135.00 feet to the northerly side of Fairview Street West;
THENCE along the northerly side of Fairview Street West South 71°56'10" 225.00 feet;
THENCE South 18°03'50" East 50.00 feet;

THENCE along the southerly side of Fairview Street West North 71°56'10" East 25.00 feet;
THENCE along the Map of Town Heights the following four (4) courses:

(1) South 18°03'50" East 135.00 feet;
(2) North 71°56'10" East 75.00 feet;
(3) South 18°03'50" East 65.00 feet;
(4) North 71°56'10" East 387.12 feet;

THENCE North 72°00'08" East 233.28 feet;
THENCE North 71°56'02" East 87.61 feet;
THENCE North 74°40'23" East 156.29 feet;
THENCE North 71°33'46" East 416.43 feet;
THENCE North 71°36'12" East 147.04 feet;
THENCE North 71°33'50" East 105.91 feet to Land of the Town of Smithtown;
THENCE along said land the following two (2) courses:

(1) North 71°48'12" East 356.02 feet;
(2) South 23°12'06" East 1222.24 feet;

THENCE South 54°21'30" West 281.59;
THENCE North 29°20'25" West 240.95 feet;
THENCE South 58°09'10" West 1478.97 feet;
THENCE North 43°43'20" West 70.02 feet;
THENCE South 53°37'30" West 508.83 feet to the point, or place of BEGINNING.

Section 3. Upon this resolution taking effect, the Clerk of the Suffolk County Legislature shall file a notice, pursuant to Section 256 of the New York State County Law in the office of the State Department of Audit and Control in Albany, New York.

Section 4. Pursuant to County Law §§ 256 and 257, this resolution is adopted subject to permissive referendum.

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) as the proposal involves the adoption of regulations, policies, procedures and local legislative decisions in connection with routine or continuing agency administration and management.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

RESOLUTION SUBMITTAL SHEET

Capital Project	NA	Legislative Districts	13th
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

Making Certain Findings and Determinations in Relation to the Establishment of Suffolk County Sewer District No. 4 – Smithtown Galleria

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

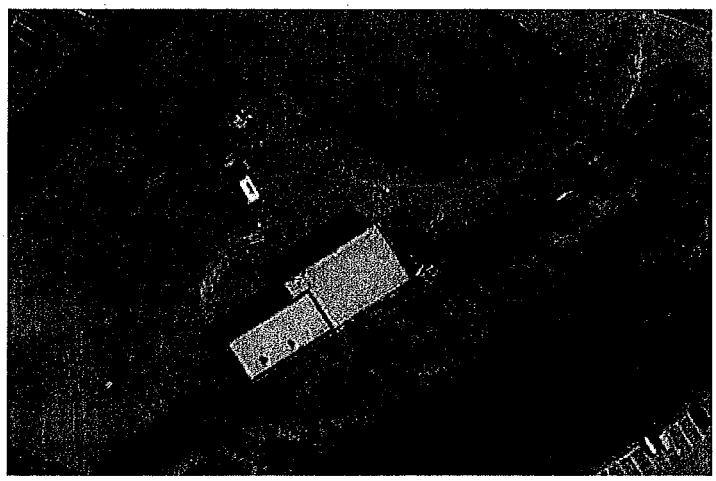
Offset	Leg. District	Comments
NA		

COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS

SUFFOLK COUNTY SEWER AGENCY

Report Recommending
Amendment or Modification to the June 2002
Report, Map, Plan of Service and
Recommendations for the Formation of

SUFFOLK COUNTY
SEWER DISTRICT
NO. 4 – SMITHTOWN GALLERIA



GILBERT ANDERSON, P.E.
COMMISSIONER

July 2013

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO., 2013 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE ESTABLISHMENT OF SUFFOLK COUNTY SEWER DISTRICT NO. 4-SMITHTOWN GALLERIA

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

Library District **Fire District**

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

Impact will be included on future appropriating resolution.

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

N/A

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact

2014- Impact will be included on future appropriating resolution.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		September 2, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

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

To be completed by the Executive Budget Office

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
COUNTY OF SUFFOLK

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

Submitting Department (Dept. Name & Location):	**Department Contact Person (Name & Phone No.):**
Department of Public Works 335 Yaphank Avenue Yaphank, NY	Craig A Platt 852-4187

Suggestion Involves:

Technical Amendment _____

Grant Award _____

New Program _____

Contract x

New X

Rev. _____

Other _____

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

Making Certain Findings and Determinations in Relation to the Establishment of Suffolk County Sewer District No. 4 – Smithtown Galleria

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

NA

PLEASE FILL IN REVERSE SIDE OF FORM

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

COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

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: August 7, 2013

Subject: **RESOLUTION NO. –2013, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE ESTABLISHMENT OF SUFFOLK COUNTY SEWER DISTRICT NO. 4 – SMITHTOWN GALLERIA**

Attached is a draft resolution Reso DPW SA Findings SCSD #4 - Smithtown Galleria and backup Backup Reso SA Findings SD #4 – Smithtown Galleria SCIN 175 for the proposal to establish County Sewer District No. 4 - Smithtown Galleria. The resolution calls for making certain findings and determinations in relation to the establishment of Suffolk County Sewer District no. 4 – Smithtown Galleria

GA:JD:cap

cc: Dennis M Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations
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

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, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE ESTABLISHMENT OF SUFFOLK COUNTY SEWER DISTRICT NO. 4 SMITHTOWN GALLERIA

Purpose or General Idea of Bill:

A Resolution Making Certain Findings and Determinations in Relation to the Establishment of Suffolk County Sewer District No. 4 - Smithtown Galleria

Summary of Specific Provisions:

Establishment of Suffolk County Sewer District No. 4 - Smithtown Galleria

Justification:

Economic and environmental benefit

Fiscal Implications:

None

SCDPW Project: Sewer District Formation **Project No.:** SD No. 4

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

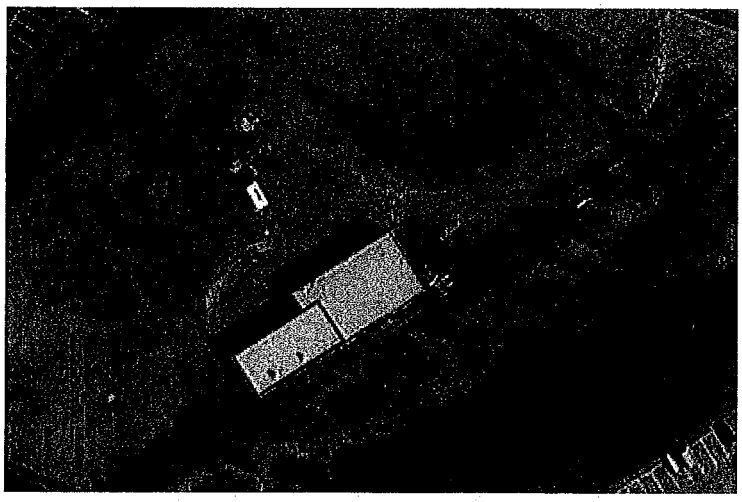
335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4204 FAX (631) 852-4659

COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS

SUFFOLK COUNTY SEWER AGENCY

Report Recommending
Amendment or Modification to the June 2002
Report, Map, Plan of Service and
Recommendations for the Formation of

SUFFOLK COUNTY
SEWER DISTRICT
NO. 4 – SMITHTOWN GALLERIA



GILBERT ANDERSON, P.E.
COMMISSIONER

July 2013

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INTRODUCTION

In accordance with Article 5-A of New York State County Law and by Resolutions No. 494-1965 and No. 518-1965, the Suffolk County Board of Supervisors formed the Suffolk County Sewer Agency in September 1965. The County Legislature, as the successors to the Board of Supervisors, by Resolution No. 407-1970, authorized the Chairman of the Agency to execute agreements with sub-dividers and developers. Thereafter, by Resolution No. 212-1973, the County Legislature again directed the Agency, with the assistance of the Department of Environmental Control acting as its staff, to prepare the necessary maps, plans, specifications and other relevant material for the formation, extension or improvement of County sewer districts.

The Suffolk County Department of Public Works, Suffolk County Sewer Agency and the County of Suffolk entered into a contract with DiCanio Residential Communities, Inc., Smithtown Galleria Corp. and Galleria Environmental Corp. on November 26, 1990 (Exhibit A). This contract contains, among other things, the commitment by the developer to construct wastewater collection, treatment and disposal facilities for a development known as Smithtown Galleria and offer these facilities at no cost to the County, or its nominee. This agreement is recorded against the property and is binding upon all subsequent owners. In the agreement is a provision, which consents to the formation of a County sewer district encompassing the property covered by the agreement.

In accordance with those resolutions and pursuant to Article 5A of the County Law, the Agency caused the Department of Public Works, as the successors to the Department of Environmental Control, to prepare and submit the necessary information and data relating to the formation of Suffolk County Sewer District No 4 – Smithtown Galleria. The report, dated July 2002 (Exhibit B), was submitted to the Legislature, which held a public hearing on the district formation on November 19, 2002. The District was formed in accordance with Resolution No. 1403-2004 (Exhibit C); and the Notification for District Creation (Exhibit D), was submitted to the Office of the NYS Comptroller.[1]

[1] The Legislature first adopted findings with regard to the District on March 11, 2003, by Resolution No. 179-2003, which was amended on May 11, 2004, by Resolution 520-2004.[1] Resolution No. 1403-2004 rescinded Resolution No. 179-2003.

Subsequent to the formation of the district, it was determined that the budget, and fees to be paid under the new district's proposed plan of service as contained in the original 2002 Sewer Agency report, were flawed. Portions of the operational costs, namely the spread costs, had been omitted from the budget. As will be stated below, it is necessary to amend and modify the map and plan of service to amend the projected cost to district members.

The Smithtown Galleria project consists of 187 townhouse units (Windcrest at the Galleria), 42 single family homes (Galleria Heights and Coventry Village at the Galleria), 312 apartment units, a pharmacy (9 Single Family Equivalents (SFE)), a clubhouse (1 SFE) and a day care center (11 SFE), a total of 562 SFE. Additionally, once the District is formed, the two adjacent restaurants, Famous Dave's and Carrabba's (also known as Jado's 2 Restaurants) which will result in an additional 52 SFE, bringing the total SFE to 614. Jado's 2 Restaurants will be connected as out of district connectees, and will increase the flow to the plant by 13,590 gallons per day. A requirement of the approval for connection with the owner of the restaurants is that the District be formed prior to said connection of the restaurants to the STP.

DISTRICT POPULATION

Using 3.5 persons per townhouse unit, single family home and apartment unit larger than 1200 SF and 2.5 persons for each apartment unit less than 1200 SF, it is estimated that the total population of the district is 1917 persons, or 614 single family equivalents (SFE).

GENERAL BOUNDARY DESCRIPTION

The proposed district is situated in the central portion of the Town of Smithtown in the hamlet of Smithtown. Including the sewage treatment plant site, the proposed district will consist of 82.6± acres.

The proposed district, is bounded on the south by Port Jefferson – Nesconset Highway (NYS Route 347), on the east and the north by single family homes, and on the west by Terry Road.

A metes and bounds description that was included in the original public hearing report of 2002 as established by Resolution 1403-2004, is appended hereto as Exhibit E.

WASTEWATER TREATMENT FACILITIES

The wastewater treatment plant was designed and constructed to accommodate 178,000 gallons per day (GPD). Of this capacity, 8,900 GPD is associated with filter backwashing and reduces the usable connected capacity to 169,100 GPD.

The collection system within the district boundary and within public roads will be accepted for dedication. Where necessary, and as provided for by the existing Agency agreement, easements will be granted for any portion of the collection system not within public roads, as determined by the Department. It is not the policy of the Department to assume responsibility of the house connection laterals or collection system on private property.

AMENDMENT AND MODIFICATION OF PLAN

The original plan prepared, based on the 2002 budget, and subject of a public hearing and notice to the State Comptroller resulted in the district being legally formed in 2005. Ownership, however, of the pertinent facilities was never transferred to the County. The original estimated cost per typical property in the original 2002, map and plan did not factor in all spread costs. Inclusion of spread costs increases the annual cost per typical property from $470 (2002 map and plan) to $685 (2013 budget). Since the original map and plan was based on costs for 2002 the map and plan must be amended to include an inflation factor. There will also be a financial contribution from Jado's 2 Restaurants. Exhibits G and H include the budgets for 2002 and in accordance with the above, a budget for 2013 that includes the spread costs, the inflation factor, and the Jado's 2 Restaurants.

CAPITAL COSTS

No capital costs will be incurred in connection with the formation of this proposed sewer district; and, therefore, there will be no bond issue. The financial contributions associated with the connection of the Jado's 2 Restaurants will be for the purpose of securing future capital improvements. It is estimated that the improvements that are listed in an inspection report, attached as Exhibit I will be upgraded/modified/repaired by Smithtown Galleria Associates Limited Partnership, the owner of the STP prior to the

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take-over. In addition, it is possible that after the operation and maintenance responsibilities have been transferred to the County, other items will be identified as needing repair/replacement. The $203,850 in connection fees from the Jado's 2 Restaurants should be applied to these costs. In accordance with established requirements (for a private STP) of the Suffolk County Department of Health Services, funds must be in place to replace the single largest piece of equipment of the plant. The cost of this replacement is estimated to be $70,000. The basis for the availability of these funds is for capital improvements.

PROPOSED FINANCIAL PLAN AND COSTS TO HOMEOWNERS

A. Federal and State Aid

There is no expectation of receipt of Federal or State funds for the formation of this district.

B. Preliminary User Charges

1. Present Charges: Presently, and until the dedication of the proposed district facilities is completed, the allocated operation and maintenance costs will continue to be paid privately to the developer by the present users under the terms of the existing private agreement.
2. District Charges: The Environmental Protection Agency regulations require that any sewer district formed in Suffolk County after December 27, 1977 must charge the users based upon actual use, and not ad valorem. Therefore, the district will be established pursuant to Section 266 of the County Law of the State of New York, and thus require a flat annual sewage charge be paid by all users for the calendar year 2013, or fraction thereof.

C. Annual Operation and Maintenance Costs and Charges

The operation and maintenance budget for 2013, which includes Jado's 2 Restaurants, is $420,590. The proposed district will consist of condominiums, single family homes, residential apartments, retail, and office buildings, which will all share equally on a per unit of flow basis in the annual costs of operation and maintenance. Each residential unit will be billed every three months which, together with the per unit basis, is consistent policy with every other non-ad valorem County sewer district. Commercial units are billed annually. It is estimated that each residential

user will pay $685 per year, while industrial/commercial users will pay a per gallon charge plus any applicable industrial waste fee (See Exhibit K). As per established Departmental policy, out of district connectees will be charged an additional 5% administrative charge on their sewer use bills.

TAXABLE AND NON-TAXABLE REAL PROPERTY IN THE DISTRICT

There are no state lands or non-taxable properties in the district as amended with the exception of the improvements on the sewage treatment plant site, once dedicated to the district.

The district, is within the unincorporated area of the Town of Smithtown and is within School District No. 1. The average assessments in the proposed district, as well as the latest available schedule of taxes levied against properties within the proposed district, are set forth in the following table:

Tax Rate per $1000 AV for 2012-2013

Description	A/V	Extended Taxes	Rate
Smithtown School District	5700	$8,166.89	1432.787
District Court	5700	$17.94	3.148
Suffolk County Police	5700	$1,328.80	233.122
Suffolk County General	5700	$88.51	15.528
Highway I (excluding Villages)	5700	$521.43	91.478
Town (excluding Villages)	5700	$96.06	16.853
Highway II III IV	5700	$130.03	22.812
Town Wide	5700	$486.85	85.412
Out of County Tuition Tax	5700	$12.56	2.204
New York MTA Tax PD	5700	$2.77	0.485
New York MTA Tax	5700	$3.01	0.528
NYS Real Prop Tax PD	5700	$30.03	5.269
NYS Real Property Tax	5700	$131.20	23.017
Nesconset Fire District	5700	$378.81	66.458
Smithtown Library	5700	$285.78	50.137
Street Lighting District	5700	$17.96	3.151
Arterial Highway Lights	5700	$22.13	3.883
Waste Management 1 Fam.	305	$305.00	305
Smithtown Fire District			64.313
Total			2425.585

AVERAGE ASSESSSED HOME TAX 2012-2013

Coventry Village at the Galleria	$6,195 AV	$13,030 Tax
Galleria Heights	$7,825 AV	$16,379 Tax
Windcrest at the Galleria	$5,700 AV	$12,026 Tax

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RECOMMENDATIONS, COMMENTS AND FINDINGS

A. The dedication of the facilities in the proposed district will result in fulfilling the intent of the contracts between the developer, the Suffolk County Sewer Agency, et al.

B. The District responsibilities will include the wastewater treatment facility and site and sewers in the public roadway, and established easements, but as previously stated, not the house connection laterals or collection system on private property.

C. It is recommended that financial contributions of Jado's 2 Restaurants as contract connectees be provided to secure capital improvement.

D. Smithtown Galleria Associates Limited Partnership, the owner of the sewage treatment plant, will transfer the funds in the reserve equipment account, currently in excess of $70,000, to the County at the time the County assumes ownership, as well as any funds in the 2013 capital account that have not been expended.

E. Finally, it is recommended that this report be made the subject of a public hearing to determine whether it is in the public interest to amend the map's new district boundary and plan of service, as proposed, including the increase in projected fees, and if such is not in such public interest, to rescind Legislative Resolution 1403-2004, which formed the District.

Respectfully submitted,

Gilbert Anderson, PE.

Commissioner of the Suffolk County Department of Public Works, Chairman of the Suffolk County Sewer Agency and Administrative Head of All Suffolk County Sewer Districts

Exhibit

A

Contract between DiCanio Residential Communities, Inc., Smithtown Galleria Corp., Galleria Environmental Corp., the Suffolk County Department of Public Works, Suffolk County Sewer Agency and the County of Suffolk dated November 26, 1990.

DEC 7 1990

This AGREEMENT is made this 26 day of NOVEMBER, 1990 by, between and among:

DiCANIO RESIDENTIAL COMMUNITIES, INC., a corporation duly organized under, and existing by virtue of, the laws of the State of New York, with its principal place of business at 712 Smithtown Bypass, Smithtown, New York 11787, and SMITHTOWN GALLERIA CORP., a corporation duly organized under, and existing by virtue of, the laws of the State of New York, with its principal place of business at 712 Smithtown Bypass, Smithtown, New York 11787, GALLERIA ENVIRONMENTAL CORP., a corporation duly organized under, and existing by virtue of, the laws of the State of New York, with its principal place of business at 712 Smithtown Bypass, Smithtown, New York 11787 (Note: DiCANIO RESIDENTIAL COMMUNITIES, INC., SMITHTOWN GALLERIA CORP. and GALLERIA ENVIRONMENTAL CORP. are hereinafter colllectively referred to in the singular as "OWNER", and shall be jointly and severaly liable for each and every obligation of OWNER herein); and

SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS, a Department of the County Government of Suffolk County, New York, having offices at the Yaphank County Center, on Yaphank Avenue, in Yaphank, New York 11980, hereinafter referred to as "DPW", and

SUFFOLK COUNTY SEWER AGENCY, a unit of the County Government of Suffolk County, New York, having offices at the Yaphank County Center, on Yaphank Avenue, in Yaphank, New York 11980, hereinafter referred to as the "AGENCY", and

COUNTY OF SUFFOLK, through the Chairman of the Suffolk County Sewer Agency, acting on behalf of the County, having offices at the Suffolk County Center, Riverhead, New York 11901, hereinafter referred to as the "COUNTY".

W I T N E S S E T H :

WHEREAS, DiCANIO RESIDENTIAL COMMUNITIES, INC. and SMITHTOWN GALLERIA CORP. are the owners of the property located at the northeast corner of Terry Road and Nesconset Highway, in the Town of Smithtown, County of Suffolk and State of New York, more particularly bounded and described as set

see attached

REG.
gm House + Home
lots 16 + 17

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DISTRICT	SECTION	BLOCK	LOT
0800	108 00	0100	020.000
			021.100
			022.100
0800	106 00	0400	050 000
		0400	P.O.060 000
			080 000
			090 000
			010 000
			011 000
			022 000
			023 000
			031.000
			040.000
	106.00	0500	P.O.003.000
			009.000
			P.O.011.000
			011.002
			P.O.013.000
			014.000
			015.001
			016.000
			017.000
			001.000
			003.001
			004.000
			005.000
			006.000
			007.000
			P.O.008.000
			011.000
			013.00
			014.000
			015.002
			017.001
			017.002

forth in "Schedule A" annexed hereto, which property is hereinafter referred to as the "PREMISES", and

WHEREAS, GALLERIA ENVIRONMENTAL CORP. is the owner of the site upon which the sewage treatment plant referred to herein shall be constructed, and

WHEREAS, the PREMISES is not located within the boundary of any Suffolk County sewer district, and

WHEREAS, OWNER has caused to be filed with the AGENCY, the COUNTY, the Suffolk County Department of Health Services and the Township of Smithtown, a certain map entitled "The Galleira", which map is dated February, 1988, was prepared by Nelson and Pope, and shows the location of a planned community consisting of apartments, single-family residence dwellings and commercial establishments, upon eighty-one (81) acres of land located at Smithtown, County of Suffolk and State of New York (the PREMISES), and

WHEREAS, the aforesaid planned community is expected to generate approximately ONE HUNDRED SEVENTY-FIVE THOUSAND GALLONS PER DAY (175,000 GPD) of sewage, and

WHEREAS, OWNER is desirous of constructing a sewage treatment plant upon the PREMISES, together with all equipment, appurtenances and/or facilities used in connection therewith, to serve the sewage collection, treatment and disposal needs of the aforesaid planned community,

NOW THEREFORE, in consideration of the individual and mutual covenants, promises and representations herein contained, the parties hereto do hereby agree as follows:

1. DiCANIO RESIDENTIAL COMMUNITIES, INC. and SMITHTOWN GALLERIA CORP. warrant and represent that they own the PREMISES herein described, and that they shall, at their sole cost, expense and effort, provide a legible photocopy of the recorded deed(s) of ownership to the PREMISES, including the Suffolk County Tax Map Number of same, which shall be annexed hereto and marked "Schedule A".

2. OWNER shall comply with all of the provisions of Suffolk County Local Law Number 24-1986 and any amendment thereof and/or successor law thereto. A copy of said local law is annexed hereto and marked "Schedule B".

3. OWNER shall comply with all of the provisions of the Suffolk County Sanitary Code.

4. OWNER shall, at OWNER's sole cost, expense and effort, design and construct, and maintain on a continuous basis, a sewage treatment plant, together with any and all sewer lines, manholes, pretreatment systems, lateral sewers, pump stations and/or force mains, as well as any and all equipment, appurtenances and/or facilities used in connection therewith, necessary, in the sole discretion of the AGENCY and/or DPW, to serve the sewage collection, treatment and disposal needs of the aforesaid planned community.

5. If, in the sole discretion of DPW and/or the Suffolk County Department of Health Services, pretreatment facilities are required, OWNER shall, at OWNER's sole cost, expense and effort, design and construct such pretreatment facilities. Such pretreatment facilities shall be operated and maintained by, at the option of DPW, either (a) DPW, or (b) personnel provided by OWNER, at OWNER's sole cost, expense and effort, which personnel shall be acceptable to DPW. Should DPW so request, OWNER shall provide, at any time or times during the term of this Agreement or during the term of any renewal or extension hereof, at OWNER's sole cost, expense and effort, a sampling station and equipment to measure the volume and strength of sewage flow from the PREMISES. Such sampling station and equipment shall be subject to approval by DPW as a condition of OWNER's continued use of the PREMISES. DPW reserves the right to inspect the PREMISES in connection with such approval if, in its sole discretion, it deems same to be necessary. Testing of samples shall be performed in accordance with the procedure set forth in Standard Methods for the Examination of Water and Waste Water, published by the American Public Health Association, Inc., current edition. OWNER's design and construction of any pretreatment facilities shall be done in a good workmanlike manner and to the satisfaction and specifications of DPW.

6. OWNER warrants and represents that all sewer lines, manholes, lateral sewers, pump stations and/or force mains, as well as any and all equipment, appurtenances and/or facilities used in connection therewith, located in, under or upon the PREMISES, shall be constructed, and shall be maintained, in accordance with the rules and regulations of DPW. Except as may be otherwise provided in paragraph (5) above, any such maintenance required shall be the responsibility of OWNER, and shall be performed at OWNER's sole cost, expense and effort.

7. Prior to the commencement of construction of any sewer lines, manholes, pretreatment systems, lateral sewers, pump stations and/or force mains, or of any and all

equipment, appurtenances and/or facilities used in connection therewith, all hereinafter referred to as "sewerage facilities", OWNER shall, at OWNER's sole cost, expense and effort, (i) obtain from the AGENCY a Special Permit as provided for in Local Law No. 24-1986 [a copy of which is annexed to this Agreement and marked "Schedule B"] and/or in any amendment thereof and/or successor law thereto, (ii) obtain a construction permit from the Suffolk County Department of Health Services, and (iii) secure any and all other permits which may be lawfully required by, and abide by the rules and regulations of, each and every municipality and/or department and/or agency having jurisdiction in or over the matter.

8. At least fourteen (14) days prior to the commencement of construction of any sewerage facilities, OWNER shall notify DPW, the AGENCY and the COUNTY, in writing, of the proposed date or dates on which construction is scheduled to commence, and shall include with said notice a tentative schedule setting forth all work proposed to be done during the thirty (30) days following the commencement of construction and the exact location thereof. OWNER shall not commence construction of any sewerage facilities until (i) the location and order of progression of the proposed work as set forth in the aforesaid schedule has been approved by DPW, and (ii) arrangements have been made with DPW for inspection by DPW of the said work. OWNER shall notify DPW, in writing and within twenty-four (24) hours, of any addition(s), deletion(s), change(s) or other modification(s) to, from or in the said schedule. The said schedule shall be updated as necessary by OWNER to set forth all work proposed to be done after the thirty (30) days following the commencement of construction. Such updating shall be done with sufficient frequency so that DPW, the AGENCY and the COUNTY shall have a minimum of thirty (30) days advance notice, via the aforesaid schedule, of all work proposed to be done. All such updates of the said schedule shall be subject to the same terms and conditions as the originally-submitted schedule, as set forth above.

9. OWNER shall, at all times, comply with any and all orders, directives and requests of DPW and of each and every municipality, department and/or agency having jurisdiction in or over the work to be performed by OWNER hereunder.

10. (A) OWNER's construction of all sewerage facilities shall be in accordance with the rules and regulations of DPW and shall be subject to the approval of DPW.

(B) OWNER warrants and represents that all sewer lines, manholes, lateral sewers, pump stations and/or

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force mains, as well as any and all equipment, appurtenances and/or facilities used in connection therewith, located in, under or upon the PREMISES, shall be constructed and shall be maintained in accordance with the rules and regulations of DPW. Any such maintenance required shall be the responsibility of OWNER and shall be performed at OWNER's sole cost, expense and effort.

11. Prior to the commencement of construction of any sewerage facilities, OWNER shall, at OWNER's sole cost, expense and effort, submit to DPW an engineering report, plans and specifications of all proposed work, prepared by a professional engineer duly licensed by the State of New York, showing all sewer lines, manholes, pretreatment systems, lateral sewers, pump stations and/or force mains, as well as any and all equipment, appurtenances and/or facilities used in connection therewith, on the PREMISES. Said report, plans and specifications shall include the location of all sewer easements and sites, and shall be subject to review by, and the approval of, DPW prior to the commencement of construction of any sewerage facilities, and no such construction shall commence until the said report, plans and specifications shall have been approved, in writing, by DPW. DPW shall, within a reasonable time, examine the said report, plans and specifications submitted by OWNER, and shall make such inspections and reports as DPW, in its sole discretion, may require. The engineers and inspectors of DPW, as well as all of DPW's staff, shall not replace, nor act as or on behalf of, the engineers, inspectors or staff of OWNER, and nothing contained herein or elsewhere in this Agreement shall be construed to the contrary. At the conclusion of the work hereunder, OWNER shall, at OWNER's sole cost, expense and effort, submit to DPW, in accordance with DPW's specifications, two (2) reproducible transparencies, Mylar or equal, and one (1) microfilm, of "as-built" drawings, prepared by a land surveyor duly licensed by the State of New York, showing the exact location and depth of all sanitary sewerage facilities.

12. Prior to covering, burying or otherwise concealing or obscuring any sewerage facilities, OWNER shall request an inspection by DPW of the construction of same. OWNER shall await such inspection, and shall not cover, bury or otherwise conceal or obscure any sewerage facilities until the same have been both inspected and approved by DPW. In the event that OWNER fails to request an inspection as set forth herein, and/or fails to await such inspection, and causes or permits, whether intentionally or otherwise, any sewerage facilities to be covered, buried or otherwise concealed or obscured before the same have been both inspected and approved by DPW, then OWNER shall, at OWNER's sole cost, expense and effort, excavate, uncover and/or otherwise remove

the same from concealment or obscurity, in order that the same may be inspected, and approved or disapproved, by DPW.

13. Deleted.

14. Prior to the commencement of construction of any sewerage facilities, OWNER shall, at OWNER's sole cost, expense and effort, furnish an irrevocable letter of credit issued by a New York bank, for the repair, restoration and/or maintenance of any facilities (sewerage or otherwise) owned by any political subdivision having jurisdiction over the public land or lands in, through, over, under or upon which OWNER will construct any of the sewerage facilities provided for herein. Said letter of credit shall be in form and wording satisfactory to, and in an amount or amounts requested by, any such political subdivision.

15. (A) (i) Prior to the commencement of construction of Stage 1 of the PLANT, OWNER shall, at OWNER's sole cost, expense and effort, furnish an irrevocable letter of credit issued by a New York bank, in an amount equal to one hundred twenty (120%) percent of the estimated cost of construction of Stage 1, to ensure that, in the event OWNER fails to undertake and/or complete the construction of Stage 1, sufficient financial resources are available to construct, or complete the construction of, Stage 1.

(ii) After the completion of Stage 1 and, at the option of OWNER, the total release of the letter of credit posted therefor, and prior to the commencement of construction of Stage 2 of the PLANT, OWNER shall, at OWNER's sole cost, expense and effort, furnish an second irrevocable letter of credit issued by a New York bank, in an amount equal to one hundred twenty (120%) percent of the estimated cost of construction of Stage 2, to ensure that, in the event OWNER fails to undertake and/or complete the construction of Stage 2, sufficient financial resources are available to construct, or complete the construction of, Stage 2.

(iii) After the completion of Stage 2 and, at the option of OWNER, the total release of the letter of credit posted therefor, and prior to the commencement of construction of Stage 3 of the PLANT, OWNER shall, at OWNER's sole cost, expense and effort, furnish a third irrevocable letter of credit issued by a New York bank, in an amount equal to one hundred twenty (120%) percent of the estimated cost of construction of Stage 3, to ensure that, in the event OWNER fails to undertake and/or complete the construction of Stage 3, sufficient financial resources are available to construct, or complete the construction of, Stage 3.

(iv) Each letter of credit posted hereunder shall be irrevocable, shall be in form and wording satisfactory to DPW, and shall be self-reducing, i.e., as the work progresses on the particular Stage of the construction of the PLANT for which each letter of credit has been posted, the amount of the letter of credit shall be automatically reduced for each dollar advanced by OWNER for the expansion and improvement of the PLANT.

(B) Every letter of credit referred to in paragraph (A) above shall be periodically renewed by OWNER, at OWNER's sole cost, expense and effort, until such time as OWNER has completed the construction of all facilities for which such Letter of Credit has been posted. Said renewal(s) shall be made not less than two (2) months prior to the expiration of the said letter of credit or the expiration of any renewal thereof. OWNER shall provide proof of said renewal or renewals to the AGENCY within fourteen (14) days of each renewal. The failure of OWNER to so renew the said letter of credit, or to so provide proof of same, shall constitute a default under the letter of credit and under this Agreement.

(C) No letter of credit referred to in subparagraph (A) above shall be finally released until 1- all work on the stage of the PLANT for which such letter of credit was posted has been completed to the satisfaction of DPW, 2- such stage is operating to the satisfaction of DPW, and 3- such stage achieves such effluent standards for such period of time as may be required by the NYSDEC.

(D) Prior to the release of the final letter of credit, OWNER shall deliver to DPW the maintenance bond hereinafter referred to in paragraph twenty-four (24) for the due, proper and efficient maintenance and operation of the sewerage facilities provided for herein.

(E) In the event that OWNER constructs the plant in more or less than three (3) stages, the provisions of this paragraph (15) shall be amended to reflect the actual number of stages.

16. During the course of construction of the sewerage facilities provided for herein, the engineers, inspectors and staff of DPW, and the Highway Department of the Town and/or Village in which the PREMISES are situate, shall have the right, at any time, to make inspections of the work.

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17. During the course of construction of the sewerage facilities provided for herein, OWNER shall, at OWNER's sole cost, expense and effort, make any tests of the sewerage facilities as may from time to time be requested by DPW. In the event that DPW issues a stop-work order, OWNER shall immediately cease all work on the item, or items, set forth in the said order and shall not resume such work until the order shall have been vacated, in writing, by DPW.

18. (A) All costs incurred by DPW during the course of construction of the sewerage facilities provided for herein, including, but not limited to, engineering costs, for any examination, inspection, audit, test, report and/or service either called for herein or, in the sole discretion of DPW, required, shall be borne by OWNER. Prior to the commencement of construction of any sewerage facilities, OWNER shall post the sum of FIFTEEN THOUSAND AND NO/100THS ($15,000.00) DOLLARS, or a sum equal to five (5%) percent of OWNER's total costs for the construction of the sewerage facilities provided for herein, whichever is greater, in cash, or by certified check, bank check or teller's check drawn to the order of "Suffolk County Treasurer", which sum shall be applied toward the aforesaid costs of DPW. Thereafter, OWNER shall from time to time post such further and additional sums as shall be requested by DPW, which shall also be applied toward the said costs of DPW. Subject to paragraphs (19) and (20) below, the total amount of all sums so posted by OWNER shall not exceed five (5%) percent of OWNER's total costs for the construction of the sewerage facilities provided for herein. OWNER shall submit proof, satisfactory to DPW, of its said total construction costs.

(B) In addition to the costs set forth in paragraph (18)(A) above, OWNER shall pay for a two-week inspection, by a representative of DPW, of the facilities to be constructed by OWNER pursuant to the terms hereof. OWNER's offer of dedication of said facilities, as set forth herein, shall not be accepted unless and until such two-week inspection has been performed and said inspection indicates to DPW that the facilities are in good working order.

19. For the sums posted by OWNER pursuant to paragraph (18) above, OWNER shall be entitled to have DPW review no more than two (2) submissions of plans and specifications for approval. In the event that additional submissions are made showing any addition(s), deletion(s), change(s) or other modification(s), whether or not requested or required by DPW, OWNER shall pay, upon demand, in the same manner as set forth in paragraph (18) above, an additional sum in the amount of one-half of one (0.5%) percent of OWNER's total costs for the

construction of the sewerage facilities provided for herein for each such additional submission.

20. The percentage limitations set forth in paragraphs (18) and (19) above on the sums to be paid by OWNER do not include any allowance for any expenses incurred by DPW as a result of OWNER's scheduling work to be performed on overtime, weekends or holidays, or other than during the normal working hours of DPW's staff. No such work shall be scheduled by OWNER without DPW's consent. In the event that any such work is scheduled, OWNER shall pay, upon demand, in the same manner as set forth in paragraph (18) above, an additional sum in an amount estimated by DPW, in DPW's sole discretion, to cover DPW's anticipated additional costs as a result thereof. Should DPW's estimate prove to be insufficient to cover its actual additional costs, OWNER shall, upon demand, pay to DPW, in the same manner as set forth in paragraph (18) above, the difference between the estimated and the actual additional costs.

21. Any unused portion of the sum or sums posted by OWNER pursuant to paragraphs (18), (19) and (20) above shall be returned to OWNER.

22. The sum or sums posted by OWNER pursuant to paragraphs (18), (19) and (20) above shall not exceed reasonable levels for the particular activity(ies) described. DPW shall exercise reasonable controls over its costs in this regard. Upon request by OWNER, DPW shall provide OWNER with evidence to account for its said costs.

23. OWNER shall provide, at OWNER's sole cost, expense and effort, an insurance policy or policies in accordance with the requirements set forth in "Schedule C" annexed to this Agreement. At DPW's request, OWNER shall submit said policy or policies, or due evidence thereof, in the form of certificates or binders, to DPW. The failure of OWNER to furnish and maintain insurance, certificates or binders as required herein may be deemed by DPW to be a default hereunder and DPW, in addition to other remedies to which it may be entitled in such cases, may, but shall not be obligated to, purchase such equivalent insurance at the cost and expense of OWNER.

24. Prior to the commencement of operation of any facilities provided for herein, OWNER shall furnish, at OWNER's sole cost, expense and effort, a maintenance bond, to ensure that, in the event OWNER fails to properly maintain any of the facilities provided for herein, sufficient financial resources are available for same. Said maintenance bond

shall be in form and wording satisfactory to, and in an amount determined by, DPW and/or the AGENCY and/or the COUNTY. Said maintenance bond shall be effective for a period of five (5) years, and shall be renewed by OWNER, at OWNER's sole cost, expense and effort, for successive periods of five (5) years, until such time, if ever, as the AGENCY shall have accepted dedication of the facilities provided for herein. OWNER shall, at OWNER's sole cost, expense and effort, provide for covenants, which shall be recorded in the Office of the Clerk of the County of Suffolk and which shall run with each portion of the PREMISES sold or transferred by OWNER, which shall provide that each and every subsequent owner of any portion of the PREMISES sold or transferred by OWNER shall be lawfully obligated to contribute towards the cost of (i) maintaining the facilities provided for herein and (ii) the maintenance bond, and any renewals thereof, provided for herein, in sufficient amounts so that the sums collected at any time from all owners of the PREMISES shall be sufficient to pay the cost of the maintenance and the maintenance bond provided for herein. No S-9 form or other approval shall be issued by the AGENCY in connection with the PREMISES unless and until the AGENCY approves the form and substance of said covenants and OWNER furnishes proof to the AGENCY that same have been recorded in the Office of the Suffolk County Clerk.

25. OWNER shall save, indemnify and hold harmless DPW, the AGENCY and the COUNTY, and any and all of their departments, agencies, bureaus, employees, personnel, agents and representatives, from and against any and all loss or expense, including attorneys fees, by reason of any liability imposed by law upon any of them, except in cases of their negligence, for any damages or claim for damages arising out of, or in consequence of or in connection with, this Agreement, including, but not limited to, bodily injury, including death at any time resulting therefrom, sustained by any person or persons, or on account of damage to property, whether such injury to persons or damage to property is due or claimed to be due to any passive negligence, or any act or omission, intentional or otherwise, of DPW, the AGENCY or the COUNTY, or any combination of them, and/or any of their departments, agencies, bureaus, employees, personnel, agents or representatives. It is further understood and agreed that OWNER shall, at the option of DPW and/or the AGENCY and/or the COUNTY, defend any of the entities indemnified hereunder with appropriate counsel and, further, shall bear all costs and expenses, including the expense of counsel, in the defense of any action or proceeding arising hereunder.

26. OWNER shall, at OWNER's sole cost, expense and effort, repair, replace and/or restore any and all sewer

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lines, manholes, lateral sewers, pump stations and/or force mains, as well as any and all equipment, appurtenances and/or facilities used in connection therewith, and also any DPW facilities, in the event that either or both are damaged or disturbed as the result of any act or omission, intentional or otherwise, by OWNER and/or by OWNER's guests, invitees, etc., and/or by anyone acting for or on behalf of OWNER or at or under OWNER's direction or control.

27. The sewage treatment plant provided for herein, together with any and all sewer lines, manholes, pretreatment systems, lateral sewers, pump stations and/or force mains, as well as any and all equipment, appurtenances and/or facilities used in connection therewith, and the site upon which same are situate, including the collection system for same, are hereby irrevocably offered for dedication to the AGENCY by OWNER, free of charge and without expectation of any reimbursement or compensation. Upon approval of the construction thereof, the AGENCY may, at any time, accept title to same.

28. (A) DPW may, subject to paragraph (28)(B) below, provide routine and/or minor maintenance, and/or major repairs, and/or any other service, to the sewerage facilities provided for herein, and/or to the sewer lines, manholes, pretreatment systems, lateral sewers, pump stations and/or force mains, as well as to any and all equipment, appurtenances and/or facilities used in connection therewith, necessary, in the sole discretion of DPW, for the upkeep of same. OWNER shall pay for any such work done by DPW.

(B) Except in cases of emergency, DPW shall not undertake any of the work set forth in paragraph (28)(A) above unless OWNER fails to perform same after reasonable notice has been given by DPW. DPW shall have sole discretion in deciding what constitutes an "emergency" as that term is used in this paragraph.

29. No properties, parties, persons, corporations or other entities shall be permitted to connect to any sewerage facilities of OWNER, whether or not situate in, under or upon the PREMISES, nor to any sewerage facilities in, under or upon the PREMISES, whether or not owned by OWNER, without the written consent of the AGENCY. The provisions of this paragraph (29) do not pertain to the individual units which comprise the PREMISES herein.

30. (A) Subject to the execution of an agreement with OWNER acceptable to the AGENCY, which shall provide for

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payment of consideration to OWNER for purchase and reservation of capacity in OWNER's sewage treatment plant in an amount acceptable to the AGENCY, and pending the formation of a County sewer district, the AGENCY shall be entitled to arrange for any one or more properties, parties, persons, corporations or other entities to connect to any sewerage facilities of OWNER, whether or not situated in, under or upon the PREMISES, or to any sewerage facilities in, under or upon the PREMISES, whether or not owned by OWNER. The cost of any such connection(s) shall be borne by the property, party, person, corporation or entity connecting. No portion of said cost shall be borne by OWNER. Nothing herein contained shall be construed as a grant of an easement or right of way on, over, under or through any portion of the PREMISES.

(B) OWNER shall be entitled to receive from any connecting entity a fair and reasonable charge for said entity's proportionate share of the operation and maintenance costs of the sewage treatment plant. Said charge shall be subject to the approval of the AGENCY.

31. Deleted.

32. This Agreement shall be recorded in the Office of the Clerk of the County of Suffolk and shall be binding upon the heirs, executors, administrators, successors and/or assigns of the parties hereto, including, but not limited to, subsequent owners of the PREMISES.

33. The parties hereto have duly executed this Agreement in counterparts, any one of which may be considered an original.

34. OWNER hereby irrevocably consents to the formation or extension of any County or Town sewer district to serve the sanitary sewage disposal needs of the PREMISES.

35. This Agreement may not be modified or repealed without the prior written consent of the AGENCY.

36. Reasonable written notice of any default by OWNER hereunder shall be given to OWNER. The failure of OWNER to cure any default hereunder within ten (10) days after notice thereof (or, where such default is not curable within ten (10) days, to commence the cure within ten (10) days and to complete the cure within a reasonable period of time), shall (a) constitute an automatic default under any bond(s) or letter(s) of credit posted hereunder by OWNER, and (b) entitle DPW and/or the AGENCY and/or the COUNTY to pursue all available remedies, hereunder or elsewhere, against OWNER

and OWNER's surety or sureties, unless it is determined, in the sole discretion of DPW, that OWNER has made a bona fide attempt to cure said default.

37. OWNER warrants and represents that neither OWNER nor any official, officer, employee, etc., of OWNER has offered or given any gratuity to any official, employee or agent of Suffolk County, New York State or any political party with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement, or the making of any determinations with respect to the performance of an agreement, and that OWNER has read and is familiar with the provisions of Suffolk County Local Law Number 32-1980, a copy of which is annexed hereto and marked "Schedule D".

38. If any section, subsection, paragraph, clause, phrase or provision of this Agreement shall, by a court of competent jurisdiction, be adjudged or determined to be illegal, unlawful, invalid or unconstitutional, the same shall not affect the validity of this Agreement as a whole, or any part or provision hereof, other than the part so adjudged or determined to be illegal, unlawful, invalid or unconstitutional.

39. OWNER warrants and represents that no Certificate of Occupancy shall be sought for the PREMISES, or for any portion thereof, until such time as the sewage treatment plant is completed and is operating to the satisfaction of DPW.

40. The following schedules annexed hereto are incorporated into and made a part of this Agreement, and their provisions, conditions and requirements, which are to be performed and complied with by OWNER, are to be given the same force and effect as if fully set forth at length herein:

SCHEDULES ANNEXED AND PROVISIONS INCORPORATED

Schedule A - Copy of Deed to PREMISES
Schedule B - Local Law No. 24-1986
Schedule C - Insurance Requirements
Schedule D - Local Law No. 32-1980

41. OWNER warrants and represents that its execution of this Agreement has been authorized by its Board of Directors pursuant to a duly-adopted resolution.

42. Anything hereinbefore to the contrary notwithstanding, DPW and/or the AGENCY and/or the COUNTY shall give OWNER a minimum of ten (10) days notice prior to calling any Letter of Credit, or holding in default any bond, posted hereunder.

43. (A) Deleted.

(B) Subsequent to the issuance by the AGENCY of an S-9 form in connection with the PREMISES, (i) the filing of an insolvency or bankruptcy petition by OWNER, whether voluntary or involuntary, or (ii) the making by OWNER of an assignment for the benefit of creditors, shall be deemed to be an automatic and immediate default hereunder by OWNER.

44. Deleted.

45. (A) If, within three (3) years from the date hereof, OWNER has not (a) procured, from each and every municipality, department and/or agency having jurisdiction in or over the work to be performed by OWNER hereunder, any and all required permits and/or other authorizations for same, and (b) commenced construction upon the work provided for herein, then and in that event the staff of the AGENCY shall, in its sole discretion, determine, in writing, whether to (1) continue this Agreement in full force and effect and permit OWNER to proceed hereunder, (2) cancel this Agreement, or (3) refer the matter to the AGENCY.

(B) In the event that the staff of the AGENCY determines to continue this Agreement in full force and effect and permit OWNER to proceed with construction of the work provided for herein, this Agreement shall be continued for a period of twelve (12) months. In the event that construction has not commenced, as outlined in subparagraph (A) above, within said twelve (12) months, this Agreement shall be cancelled and the provisions of subparagraphs (C)(1), (C)(2) and (C)(3) below shall control.

(C) In the event that the staff of the AGENCY determines to cancel this Agreement:

(1) this Agreement shall be cancelled and shall be null and void, and no party hereto shall have any rights against, or liabilities to, any other party as a result hereof;

(2) any bond or letter of credit furnished or posted by OWNER in connection with the work provided for herein shall be released; and

(3) any sum or sums of money posted by OWNER in connection with the work provided for herein shall be utilized to pay any and all costs or expenses incurred by DPW and/or the AGENCY and/or the COUNTY in connection with this Agreement; after the payment of any and all such costs or expenses, any remaining sum shall be returned to OWNER.

(D) In the event that the staff of the AGENCY determines to refer the matter to the AGENCY, the matter shall be placed on the agenda of the AGENCY's next meeting, at which meeting the AGENCY shall determine whether to (1) continue this Agreement in full force and effect and permit OWNER to proceed hereunder, (2) provide new and/or different terms and/or conditions for this Agreement and allow OWNER to proceed hereunder under such new and/or different terms, or (3) cancel this Agreement.

46. (A) The AGENCY or DPW shall determine, in its sole discretion, the amount and the location of acreage of the PREMISES necessary for the construction and operation, including recharge, of the sewage treatment plant to be constructed by OWNER pursuant to this agreement. OWNER shall allocate the said amount of acreage, in the said location, accordingly.

(B) The AGENCY or DPW shall determine, in its sole discretion, the amount and the location of acreage of the PREMISES necessary to allow for (i) a 100% expansion of the sewage treatment plant, and (ii) a 100% expansion of the recharge area. OWNER shall allocate the said amount of acreage, in the said location, accordingly, and shall, at OWNER's sole cost, expense and effort, irrevocably offer same for dedication to the AGENCY.

(C) OWNER shall have the right to charge all users of the sewage treatment plant for the operation and maintenance of same. Any and all such charges shall be subject to approval by the AGENCY. OWNER's right to collect such charges shall terminate at such time, if ever, as the AGENCY and/or DPW and/or the COUNTY accepts dedication of the plant.

47. This agreement is subject to the approval of each and every governmental entity having jurisdiction in or over the matter. OWNER shall, at OWNER's sole cost, expense and effort, comply with each and every requirement of any such governmental entity.

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THE GALLERIA

As Revised 7-10-90

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement on the date hereinabove set forth:

DiCANIO RESIDENTIAL COMMUNITIES, INC.:
By:

Vincent DiCanio Jr. 10/24/90
Name, Title Date

SMITHTOWN GALLERIA CORP.
By:

Vincent DiCanio Jr. 10/24/90
Name, Title Date

GALLERIA ENVIRONMENTAL CORP.
By:

Vincent DiCanio Jr. 10/24/90
Name, Title Date

SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS, SUFFOLK COUNTY SEWER AGENCY AND COUNTY OF SUFFOLK:
By:

11/20/90
JOSEPH P. HURLEY, P.E. Date
Commissioner of the Suffolk County Department of Public Works and Chairman of the Suffolk County Sewer Agency

RECOMMENDED BY:

Charles J. Bartha 11/20/90
CHARLES J. BARTHA, P.E. Date
Chief Deputy Commissioner
Department of Public Works

APPROVED BY:

ROBERT A. KURTTER Date
Deputy County Executive

APPROVED AS TO FORM - NOT REVIEWED AS TO EXECUTION

E. THOMAS BOYLE
Suffolk County Attorney
By:

Robert G. Bauer 8/28/90
ROBERT G. BAUER, ESQ. Date
Deputy Bureau Chief
Municipal Services

FORM, CONTENT AND PREREQUISITES CHECKED:

8/21/90
JOSEPH J. RISSO, P.E. Date
Secretary
Suffolk County Sewer Agency

THE GALLERIA As Revised 7-10-90

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ACKNOWLEDGMENT

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

On the 26 day of Nov., 1990, before me personally came JOSEPH P. HURLEY, to me known, who, being by me duly sworn, did depose and say that he resides at Smithtown, New York, that he is the Commissioner of the Suffolk County Department of Public Works and the Chairman of the Suffolk County Sewer Agency, the Department and Agency described in, and which executed, the foregoing Agreement, and that he signed his name thereto on their behalf and also on behalf of the County of Suffolk.

Eileen C. Dehler
Notary Public

EILEEN C. DEHLER
Notary Public, State of New York
No. 52-4845921 Suffolk County
Term Expires 2/28/92

THE GALLERIA

As Revised 7-10-90

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CORPORATE ACKNOWLEDGEMENT

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

On the 24th day of October, 1990, before me personally came Vincent DiCanio, to me known, who, being by me duly sworn, did depose and say that he resides at 11 James Neck Road, Nesquegue NY 11780 that he is the President, of DiCANIO RESIDENTIAL COMMUNTIES, INC., the corporation described in, and which executed, the foregoing Agreement, that he knows the seal of said corporation, that the seal affixed to the said Agreement is such corporation's seal, that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Linda C. Patanella
Notary Public

THE GALLERIA As Revised 7-10-90

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CORPORATE ACKNOWLEDGEMENT

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

On the 24th day of October, 1990, before me personally came Vincent De Caro, to me known, who, being by me duly sworn, did depose and say that he resides at 11 Jones Neck Road, Huntington, NY 11743 that he is the President, of SMITHTOWN GALLERIA CORP., the corporation described in, and which executed, the foregoing Agreement, that he knows the seal of said corporation, that the seal affixed to the said Agreement is such corporation's seal, that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Linda C. Patanella
Notary Public

LINDA C. PATANELLA
Notary Public, State of New York
No. 4913978 - Suffolk County
Commission Expires Nov 30 19 91

THE GALLERIA As Revised 7-10-90

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CORPORATE ACKNOWLEDGEMENT

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

On the 24th day of October, 1990, before me personally came Vincent Di Canio, to me known, who, being by me duly sworn, did depose and say that he resides at 11 Jones Neck Road, Nesconset, N.Y. 11780 that he is the President of GALLERIA ENVIRONMENTAL CORP., the corporation described in, and which executed, the foregoing Agreement, that he knows the seal of said corporation, that the seal affixed to the said Agreement is such corporation's seal, that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Linda C. Patanella
Notary Public

LINDA C. PATANELLA
NOTARY PUBLIC STATE OF NEW YORK
NO. 4913978 Suffolk County
Commission Expires Nov. 30 1991

COUNTY CLERK'S OFFICE
STATE OF NEW YORK SS.: Ser. # 38726
COUNTY OF SUFFOLK

I, EDWARD P. ROMAINE, Clerk of the County of Suffolk and the Court of Record thereof, do hereby certify that I have compared the annexed with the original Agreement..... FILED in my office December 19, 1990 and, that the same is a true copy thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said County and Court this July 22, 1991....
Edward P. Romaine.. Clerk.

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Schedule A

Copy of Deed to PREMISES

[illegible] 163-87

[illegible]

328618

THIS INDEXTURE, made the 21st day of July, [illegible] hundred and eighty-six

BETWEEN HERMAN SCHECHTER, presently residing at (no number) Boney Lane, St. James, New York, IRVING SCHECHTER, presently residing at (no number) Boney Lane, St. James, New York, and PETER NOWICK, presently residing at (no number) Morgan Bay Road, Surry, Maine,

party of the first part, and DI CANIO RESIDENTIAL COMMUNITIES, INC., a domestic corporation, with offices located at 283 Commack Road, Commack, New York,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars ($10.00) ——— dollars, and other good and valuable consideration lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, [illegible] described in Schedule A, annexed hereto and made a part hereof.

Premises described herein are not subject to a credit line mortgage.

DIST: 0000

SECTION: 100.00

BLOCK: 01.00

LOT: 020.000 021.000 & 022.000

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8-29-86

DEED

HERMAN SCHECHTER, IRVING SCHECHTER and PETER NOWICK

to

DI CANIO RESIDENTIAL COMMUNITIES, INC.

Schedule A

PARCEL 1

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Smithtown, in the County of Suffolk and State of New York, known and designated as Lot No. 17 on a certain map entitled, "19th Map of the House & Home Company of New York, situated on Terry Road, Town of Smithtown, Suffolk County, N.Y.", belonging to the House & Home Company, surveyed by Israel Hawkins, C.E., which map was filed December 5, 1899 and numbered 275.

Title to the above-described premises is registered pursuant to The Land Title Registration Law of the State of New York under Certificate No. 77923.

PARCEL 2

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point on the northerly side of Nauppauge-Nesconset Road (County Road 85) where same is intersected by the division line between Lots 16 and 17 on "Map No. 19, House and Home Company", filed in the Office of the Clerk of the County of Suffolk on December 5, 1899, as Map No. 375, running thence South 66 degrees 08 minutes 38 seconds West along the northerly side of Nauppauge-Nesconset Road (County Road 85), 142 feet to the westerly line of said Lot 16; thence along same, the following three courses and distances: (1) North 17 degrees 11 minutes

22 seconds West, 425 feet; (2) North 7 degrees 01 minutes 22 seconds West, 275.69 feet; (3) North 5 degrees 03 minutes 35 seconds West, 344.27 feet; thence North 87 degrees 43 minutes 43 seconds East, 192.85 feet to the aforesaid division line between Lots 16 and 17; thence South 14 degrees 37 minutes 00 seconds East along said line, 972.05 feet to the northerly side of Hauppauge-Nesconset Road (County Road 85), the point or place of beginning.

Title to the above-described premises is registered pursuant to The Land Title Registration Law of the State of New York under Certificate No. 77924.

PARCEL 3

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point in the division line between Lots 16 and 17 on "Map No. 19, Rouse and Rome Company", filed in the Office of the Clerk of the County of Suffolk on December 5, 1899, as Map No. 275, distant North 14 degrees 37 minutes 00 seconds West, a distance of 972.78 feet from a point marked by a monument on the northerly side of Hauppauge-Nesconset Road (County Road 85); running thence South 87 degrees 43 minutes 43 seconds West, a distance of 19[illegible].85 feet along lands now or formerly of Herman Schechter to a point in the westerly line of said Lot 16; thence along the said westerly line of said Lot 16, North 25 degrees 03 minutes 35 seconds West, a distance of 300.00 feet to the point marked by a monument; thence North 83 degrees 46 minutes 33 seconds East, a distance of 106.05 feet to a point; thence North 83 degrees 57 minutes 33 seconds East, a distance of 139.41 feet to a monument set in the division line between said Lots 16 and 17; running thence South 14 degrees 37 minutes 00 seconds East along said division line between Lots 16 and 17, a

distance of 300.00 feet to a monument which marks the point or place of beginning.

Title to the above-described premises is registered pursuant to The Land Title Registration Law of the State of New York under Certificate No. 77925.

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AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

In presence of:

[illegible]

[illegible] L.S.
Irving Schechter

Peter Nowick L.S.
Peter Nowick

On the 29th day of August 1986, before me personally came HERMAN SCHECHTER,

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

[signature]

[illegible]
Notary Public, State of New York
No. [illegible], Qual. in Suffolk Co.
Commission Expires March 30, 1987

On the [illegible] day of August, 1986, before me personally came IRVING SCHECHTER,

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

[signature]

[illegible]
Notary Public, State of New York
No. [illegible], Qual. in Suffolk Co.
Commission Expires March 30, 1987

STATE OF MAINE, COUNTY OF Hancock SS:

On the 31st day of July 1986, before me personally came

PETER NOWICK,

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

[signature]

Notary Public
Brace Hayley

MY COMMISSION EXPIRES
NOVEMBER 4, 1989

STATE OF NEW YORK, COUNTY OF SS:

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. ; that he knows to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw [illegible] the same; and that he, said witness, at the same time subscribed h[illegible] name as witness thereto.

11192 Pg 572

Bargain and Sale Deed
WITH COMPANY ABOVE GRANTOR'S [illegible]

NO 163-871

[illegible]N SCHECHTER, IRVING SCHECHTER
[illegible]TER NOWICK,
TO
[illegible]NIO RESIDENTIAL COMMUNITIES, INC.

S 328615
C 181637

TORRENS ONLY

Distributed by
CHICAGO TITLE INSURANCE COMPANY

Dist: 0660
SECTION 100.00
BLOCK 01.00
LOT 020.000,021.000, & 022.000
COUNTY OR TOWN Suffolk

Recorded at Request of
CHICAGO TITLE INSURANCE COMPANY

Return by Mail to

DI CANIO RESIDENTIAL COMMUNITIES, INC.
Attention: Anthony J. Secca, Esq.
183 COMMACK ROAD
COMMACK, NEW YORK
Zip No. 11725

6002

RECEIVED
$ 6660
FINAL ESTATE
SEP 15 1986
TRANSFER TAX
SUFFOLK
COUNTY

10217 R451 333437

[illegible] made the 29th day of December, [illegible] hundred and eighty-[illegible]

[illegible] BIG HILL ENTERPRISES, INC., 25 Montclair Avenue, St. James, New York 11780

party of the first part, and DI CANIO RESIDENTIAL CONDOMINIUMS, INC., 283 Commack Road; Commack, New York 11725

party of the second part. 132,936

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, State of New York.

See description attached.

District
0000

Section
[illegible]

Block
05.00

Lots
[illegible]
[illegible]
011.000
011.002
013.000
014.000
015.002
016.000
017.000

Subject to purchase money mortgage executed and delivered this day in the sum of $5,250,000.00 and intended to be recorded simultaneously with this deed.

This conveyance is made in the regular course of business actually conducted by the party of the first part

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

In presence of:

[illegible]

BIG HILL ENTERPRISES, INC.
[illegible] VP
BY: [illegible] SP

10217 0452

11192 Pg 574

American Title Insurance Company
northeast region

Title No.
Policy No.

SCHEDULE A

ALL that certain lot, piece or parcel of land, situate, lying and being at Smithtown in the Town of Smithtown, County of Suffolk and State of New York, known and designated as part of Lots 4 - 12 inclusive on a certain map entitled, "15th Map of the House & Home Co" and filed in the Office of the Clerk of the County of Suffolk on December 5, 1899 as Map No. 275, which part of Lots when taken together are bounded and described as follows:

BEGINNING at a point the following two (2) courses and distances from the intersection of the Easterly side of Terry Road and the Southerly side of Hillcrest Drive West:
1) Southerly along the Easterly side of Hillcrest Drive West 618.26 feet;
2) North 79 degrees 45 minutes 58 seconds East 200.76 feet to the point or place of beginning and from said point or place of beginning;

RUNNING THENCE along the division line between Lots 3 and 4 on the aforesaid map, North 79 degrees 45 minutes 58 seconds East 1743.27 feet to the land now or formerly of Herman and Irving Schechter;

RUNNING THENCE along said land the following three (3) courses and distances:
1) South 25 degrees 03 minutes 35 seconds East 387.01 feet;
2) South 07 degrees 41 minutes 22 seconds East 275.69 feet;
3) South 17 degrees 11 minutes 22 seconds East 184.26 feet;

RUNNING THENCE along the division line between Lots 12 and 13 on the aforesaid map South 70 degrees 18 minutes 10 seconds West 1439.90 feet;

RUNNING THENCE North 19 degrees 41 minutes 50 seconds West 374.11 feet;

THENCE South 74 degrees 04 minutes 41 seconds West 356.72 feet;

THENCE Northerly along the arc of a curve bearing to the right having a radius of 1685.25 feet a distance of 193.77 feet;

THENCE North 06 degrees 18 minutes 36 seconds West 45.84 feet;

(continued)

[illegible]

A.E.1

11192 Pg 575

[illegible]

American Title Insurance Company
northeast region

Title No.
Policy No.

(continued) SCHEDULE A

THENCE North 75 degrees 56 minutes 11 seconds East 746.22 feet;

THENCE North 14 degrees 03 minutes 49 seconds West 109.81 feet;

THENCE South 76 degrees 47 minutes 35 seconds West 731.73 feet;

THENCE Northerly along the arc fo a curve bearing to the left having a radius of 1861.75 feet a distance of 126.84 feet;

THENCE North 77 degrees 47 minutes 37 seconds East 150.38 feet;

THENCE North 15 degrees 06 minutes 08 seconds West 121.74 feet;

THENCE South 78 degrees 47 minutes 46 seconds West 149.75 feet;

RUNNING THENCE Northerly along the arc of a curve bearing to the left having a radius of 1861.75 a distance of 118.03 feet to the point or place of BEGINNING.

[illegible]

10217 [illegible]

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF SUFFOLK

On the 29 day of Dec 1986, before me personally came Salvatore Cerrone to me known, who, being by me duly sworn, did depose and say that he resides at No. 55 Rose St. Lutheran

that he is the V. President of BIG HILL ENTERPRISES, INC.

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

[signature]

[illegible]
Notary Public, State of New York
No. [illegible]
Qualified in Suffolk County
Commission Expires 2/24/86

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. 163-1352

BIG HILL ENTERPRISES, INC.

TO

DI CANIO RESIDENTIAL COMMUNITIES, INC.

RECORD & RETURN TO
TORRENS

SECTION
BLOCK
LOT
COUNTY OR TOWN

Recorded at Request of
First American Title Insurance Company of New York
RETURN BY MAIL TO

ANTHONY I. SACCA
75 PROSPECT ST.
HUNTINGTON, N.Y.
11743

Distributed by
First American Title Insurance Company of New York

RECEIVED
SUFFOLK
REAL ESTATE
JAN 12 1987
TRANSFER TAX
SUFFOLK
COUNTY

[illegible]

[illegible] 25834

THIS INDENTURE, made the 21st day of January, nineteen hundred and eighty-eight

BETWEEN ACME CONCRETE & SUPPLY CORP., a New York corporation with an office at 1010 Route 112, Suite 330, Port Jefferson Station, New York,

party of the first part, and DICANIO RESIDENTIAL COMMUNITIES, INC., a New York corporation with an office at 283 Commack Road, Commack, New York,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Two Million Eight Hundred Forty Thousand and 00 [illegible] ($2,840,000.00) ---------- dollars,

lawful money of the United States, paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,

lying and being in the [illegible] County of Suffolk and State of New York, known and designated [illegible] Lot No. [illegible] and the Westerly part of Lot No. [illegible] "[illegible] Map of House and Home Company" and filed in the [illegible] County of Suffolk on December 5, 1899 as Map No. [illegible] and [illegible] part of Lots [illegible] and 14 on "Map Of Town [illegible] Clerk of the County of Suffolk on September 6, [illegible] described parcel; said lots, part of lots and described parcel when taken together as one parcel are more particularly bounded and described as follows:

BEGINNING at the [illegible] by the intersection of the Southeasterly side of Hillcrest Drive West with the Northeasterly side of Terry Road;

RUNNING THENCE North [illegible] degrees [illegible] minutes [illegible] seconds East, along the Southeasterly side of Hillcrest Drive West, [illegible] feet;

THENCE North [illegible] degrees [illegible] minutes [illegible] seconds East, still along the Southeasterly side of Hillcrest Drive West, [illegible] feet;

THENCE North [illegible] degrees [illegible] minutes [illegible] seconds East, still along the Southeasterly side of Hillcrest Drive West, [illegible] feet;

THENCE North [illegible] degrees [illegible] minutes [illegible] seconds East, still along the Southeasterly side of Hillcrest Drive West, [illegible] feet;

THENCE North [illegible] degrees [illegible] minutes [illegible] seconds East, still along the Southeasterly side of Hillcrest Drive West, [illegible] feet;

THENCE South [illegible] degrees [illegible] minutes 55 seconds East, [illegible] feet;

THENCE North [illegible] degrees [illegible] minutes 10 seconds East, 17.70 feet;

THENCE South [illegible] degrees [illegible] minutes 50 seconds East, 135 feet to the Northerly side of Fairview Street;

[cont'd]

25834

JAN 29 1988

11192 Pg 578

THENCE South 71 degrees 56 minutes 10 seconds West, along the Northerly side of Fairview Street, 225 feet;

THENCE South 18 degrees 03 minutes 50 seconds East, along the Westerly terminus of Fairview Street, 50 feet;

THENCE North 71 degrees 56 minutes 10 seconds East, along the Southerly side of Fairview Street, 25 feet;

THENCE South 18 degrees 03 minutes 50 seconds East, 135 feet;

THENCE North 71 degrees 56 minutes 10 seconds East, 75 feet;

THENCE South 18 degrees [illegible] minutes 50 seconds East, 65 feet;

THENCE North 71 degrees 56 minutes 10 seconds East, 287.12 feet;

THENCE South 07 degrees [illegible] minutes 50 seconds East, 107.97 feet;

THENCE North 70 degrees [illegible] minutes 50 seconds East 234.60 feet;

THENCE North 07 degrees [illegible] minutes 28 seconds West 100.88 feet;

THENCE North 71 degrees 56 minutes 02 seconds East 87.61 feet;

THENCE North 74 degrees 40 minutes 23 seconds East 106.29 feet;

THENCE North 71 degrees 33 minutes 46 seconds East 416.43 feet;

THENCE North 71 degrees [illegible] minutes 12 seconds East 147.04 feet;

THENCE [illegible] degrees 12 minutes [illegible] seconds East [illegible] feet;

THENCE South 67 degrees [illegible] minutes [illegible] seconds West, along said Lot 4, 1944.58 feet to the Easterly side of Terry Road;

THENCE North 37 degrees [illegible] minutes 18 seconds West, along the Easterly side of Terry Road, 618.[illegible] feet to the corner at the point or place of BEGINNING.

1119

[illegible]

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

ACME CONCRETE & SUPPLY CORP.

By: [signature]

Joseph Muratore, President

[illegible]

STATE OF NEW YORK, COUNTY OF [illegible] SS:

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF [illegible] SS:

On the day of 19 before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF [illegible] SS:

On the 21st day of January 19 [illegible], before me personally came [illegible] to me known, who, being by me duly sworn, did depose and say that he resides at No. [illegible] Commack, New York [illegible]; that he is the President of Acme Concrete & [illegible], the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

[illegible]

[illegible]

STATE OF NEW YORK, COUNTY OF SS:

On the day of 19 , before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. ;

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. [illegible]

ACME CONCRETE & [illegible] CORPORATION

TO

DICANIO RESIDENTIAL COMMUNITIES, INC.

CHICAGO TITLE INSURANCE COMPANY

Distributed by

CHICAGO TITLE INSURANCE COMPANY

SECTION

BLOCK

LOT

COUNTY OR TOWN

Recorded at Request of
CHICAGO TITLE INSURANCE COMPANY

Return by Mail to

DiCanio Residential Communities, Inc.
[illegible] Commack Road
Commack, New York
Zip No. 11725
Attn: Steven J. Goldstein, Esq.

2210

american title insurance company

northeast region

Title No. 163- 1896

Policy No.

AMENDED

SCHEDULE A

11198 Pg 581

ALL that certain plot, piece or pardel of land, situate lying and being in the Town of Smithtown, County of Suffolk and State of New York, known and designated as and by parts of Plots Nos. 4, 6, 8, 9, 10, 11, & 12 on a certain map entitled, "19th Map of the House and Home Company of New York, situated on Terry Road, Town of Smithtown, Suffolk County New York belonging to the House and Home Company, surveyed by Israel G. Hawkins, C.E. and Surveyor, subdivided by Robert Kutz, C.E.", and filed in the Office of the Clerk of the County of Suffolk, on December 5, 1899 as Map No. 275.

EXCEPTING THERE-FROM:

ALL that certain lot, piece or parcel of land, situate, lying, and being at Smithtown in the Town of Smithtown, County of Suffolk and State of New York, known and designated as part of Lots 4-12 inclusive on a certain map entitled, "19th Map of the House & Home Co" and filed in the Office of the Clerk of the County of Suffolk on December 5, 1899 as Map No. 275, which part of Lots when taken together are bounded and described as follows:

BEGINNING at a point the following two (2) courses and distances from the intersection of the easterly side of Terry Road and the southerly side of Hillcrest Drive West:

1) Southerly along the easterly side of Hillcrest Drive West 618.26 feet;

2) North 79 degrees 45 minutes 58 seconds East 200.76 feet to the point or place of beginning and from said point or place of beginning;

RUNNING THENCE along the division line between Lots 3 and 4 on the aforesaid map, North 79 degrees 45 minutes 58 seconds East 1743.27 feet to the land now or formerly of Herman and Irving Schechter;

RUNNING THENCE along said land the following three (3) courses and distances:

1) South 25 degrees 03 minutes 35 seconds East 387.01 feet;
2) South 07 degrees 41 minutes 22 seconds East 275.69 feet;
3) South 17 degrees 11 minutes 22 seconds East 184.26 feet;

For Conveyancing Only
Together with all right, title and interest of, in and to any streets and roads abutting the above described premises.

Our policies of title insurance include such buildings and improvements thereon which by law constitute real property, unless specifically excepted therein.

AMENDED SCHEDULE A cont'd.

11192 pg 582

RUNNING THENCE along the division line between Lots 12 and 13 on the aforesaid map South 70 degrees 18 minutes 10 seconds West 1439.90 feet;

RUNNING THENCE North 19 degrees 41 minutes 50 seconds West 374.11 feet;

THENCE South 74 degrees 04 minutes 01 seconds West 356.72 feet;

THENCE Northerly along the arc of a curve bearing to the right having a radius of 1685.25 feet a distance of 193.77 feet;

THENCE North 06 degrees 10 minutes 36 seconds West 45.84 feet;

THENCE North 75 degrees 56 minutes 11 seconds East 746.22 feet;

THENCE North 14 degrees 03 minutes 49 seconds West 109.81 feet;

THENCE South 76 degrees 47 minutes 35 seconds West 731.73 feet

THENCE Northerly along the arc of a curve bearing to the left having a radius of 1861.75 feet a distance of 126.84 feet;

THENCE North 77 degrees 47 minutes 37 seconds East 150.38 feet;

THENCE North 15 degrees 06 minutes 08 seconds West 121.74 feet

THENCE South 78 degrees 47 minutes 46 seconds West 149.75 feet;

RUNNING THENCE Northerly along the arc of a curve bearing to the left having a radius of 1861.75 a distance of 118.05 feet to the point or place of BEINNING.

"Premises conveyed in Liber 10217 cp 451"

11192 Pg 583

ALSO EXCEPTING THERE-FROM

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Smithtown, County of Suffolk and State of New York, known and designated as and by parts of Plots Nos. 11 & 12 on a certain map entitled, "19th Map of the House and Home Company of New York, situated on Terry Road, Town of Smithtown, Suffolk County, New York belonging to the House and Home Company, surveyed by Israel G. Hawkins, C.E., and Surveyor, subdivided by Robert Kutz, C.E.", and filed in the Office of the Clerk of the County of Suffolk on December 5, 1899, as Map No. 275 more particularly bounded and described as follows:

BEGINNING at a point on the Easterly side of Terry Road, distant 444.19 feet Northerly formed by the intersection of the Northeasterly side of Terry Road with the Northerly side of Nesconset-Port Jefferson Highway (S.R. 347) which point is also the Northerly line of a 10 foot Right of Way known as Di Nicola Lane;

RUNNING THENCE Northerly along the Easterly side of Terry Road along the arc of a curve having a radius of 1885.25 feet a distance of 28.54 feet to a point;

THENCE continuing along the Easterly side of Terry Road North 19 degrees 55 minutes 40 seconds West, 167.29 feet;

THENCE North 73 degrees 12 minutes 57 seconds East 200.31 feet;

THENCE South 19 degrees 55 minutes 40 seconds East 149.35 feet;

THENCE continuing on a Southerly side along the arc of a curve having a radius of 1685.25 feet a distance of 20.93 feet to the Northerly side of aforementioned Right of Way known as Di Nicola Lane;

THENCE South 65 degrees 54 minutes 00 seconds West along said Right of Way 200.00 feet to the Easterly side of Terry Road at the point or place of BEGINNING.

"Premises conveyed in Liber 9840 cp 384"

111 92 Pg 584

ALSO EXCEPTING THERE-FROM

ALL that certain plot, piece or parcel of land, situate, lying and being at Smithtown Branch, in the Town of Smithtown, County of Suffolk and State of New York, being part of Lot 10 as shown on a certain map entitled, "19th Map of the House and Home Company" as filed in the Office of the Clerk of the County of Suffolk on December 5, 1899 as Map No. 275, and being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Terry Road, which point is 1,375.48 feet South of the intersection of the easterly side of Terry Road with the southerly side of Hillcrest Drive West;

RUNNING THENCE along the division line between Lots 9 and 10 on said map North 74 degrees 04 minutes 01 second East 355.41 feet to a point;

RUNNING THENCE through Lot 10 South 15 degrees 55 minutes 59 seconds East 119.41 feet to the division line between Lots 10 and 11;

RUNNING THENCE South 73 degrees 12 minutes 57 seconds West 355.72 feet to the easterly side of Terry Road;

RUNNING THENCE along the easterly side of Terry Road North 19 degrees 55 minutes 40 seconds West 28.92 feet to a point;

RUNNING THENCE on an arc of a curve the radius of which is 1,885.25 feet a distance of 95.88 feet to the point or place of BEGINNING.

Standard N.Y.B.T.U. Form 1002—2004 —Bargain and Sale Deed, with Covenants against Grantor's Acts—Individual or Corporation. (single sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 11th day of January, nineteen hundred and Ninety

BETWEEN VINCENT DI CANIO, residing at 11 James Neck Road, St. James, New York 11780

party of the first part, and SMITHTOWN GALLERIA CORP., a domestic corporation having a place of business at 712 Smithtown By Pass, Smithtown, New York 11784

NO CONSIDERATION

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

Dist 0800

Sec 106.00

Blk 05.00

Lots P/o 008.000 011.000 013.000 014.000 015.002 017.001 017.002

SEE "SCHEDULE A" ATTACHED

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

VINCENT DI CANIO

STATE OF NEW YORK, COUNTY OF Suffolk

On the 11th day of January 1990, before me personally came VINCENT DI CANIO

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STEVEN J. GOLDSTEIN
Notary Public, State of New York
No. 4869356
Qualified in Nassau County
Term Expires August 25, 1990

11/92 Pg 586

STATE OF NEW YORK, COUNTY OF SS:

On the day of 19 , before me personally came
to me known, who, being by me duly sworn, did depose and say that he resides at No.

;

that he is the
of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed h name thereto by like order.

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF SS:

On the day of 19 , before me personally came
the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

;

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed h name as witness thereto.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. 163-1896

VINCENT DI CANIO

TO

SMITHTOWN GALLERIA CORP.

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by

CHICAGO TITLE INSURANCE COMPANY

SECTION 106.00

BLOCK 05.00

LOT 008.000, 011.000, 013.000, 014.000 015.002, 017.001, 017.002

COUNTY OR TOWN

Recorded at Request of
CHICAGO TITLE INSURANCE COMPANY

Return by Mail to

Steven J. Goldstein, Esq.
712 Smithtown By-Pass
Smithtown, New York 11787

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

Form 8007 [illegible] —Bargain and Sale Deed with Covenant against Grantor's Act—Ind. or Corp.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

11116 PG 556 689

THIS INDENTURE, made the 25th day of June nineteen hundred and ninety

BETWEEN DiCANIO RESIDENTIAL COMMUNITIES, INC., and SMITHTOWN GALLERIA CORP., both having an office at 712 Smithtown By-Pass, Smithtown, New York 11787

11192 Pg 587

party of the first part, and GALLERIA ENVIRONMENTAL CORP., having an office at 712 Smithtown By-Pass, Smithtown, New York 11787

689

RECEIVED
$ 3
REAL ESTATE
AUG 7 1990
Duplicate original
TRANSFER TAX
SUFFOLK COUNTY

party of the second part,

WITNESSETH, that the party of the first part, in consideration of NO CONSIDERATION

~~dollars~~

~~[illegible]~~ paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being ~~[illegible]~~ T/O Smithtown County of Suffolk State of NY at the southwesterly corner of the proposed sewage treatment plant site, said point of beginning further described as being the following three (3) courses from the northerly end of the line which connects the northerly side of Nesconset-Port Jefferson Highway (N.Y.S. Route 347) with the easterly side of Terry Road (C.R. 16):

1. Northerly along the easterly side of Terry Road (C.R. 16) 187.53 feet to the northerly side of Dinicola Lane (not open).

2. Along the northerly side of Dinicola Lane (not open) and the southerly side of lands now or formerly of Long Horn Trail, Inc. and Big Hill Enterprises north 53° 37' 30" east, 400.00 feet.

3. Through the land now or formerly of Big Hill Enterprises north 33° 11' 00" west, 133.79 feet to the point or place of beginning.

RUNNING THENCE through the land now or formerly of Big Hill Enterprises the following five (5) courses:

1. North 33° 11' 00" west, 271.14 feet;
2. North 28° 07' 03" west, 16.98 feet;
3. North 58° 09' 10" east, 317.65 feet;
4. South 31° 50' 50" east, 290.00 feet;
5. South 58° 09' 10" west, 312.56 feet to the point or place of BEGINNING.

DISTRICT: 300

SECTION: 0600

BLOCK: 100

LOTS: 0013.002, 014.002, 015.003, 015.004, 017.005, 017.008, 017.009

8-7-90

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

11192 Pg 588

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

DICANIO RESIDENTIAL COMMUNITIES, INC.

BY: _____
STEVEN J. GOLDSTEIN, SECRETARY

SMITHTOWN GALLERIA CORP.

BY: _____
STEVEN J. GOLDSTEIN, SECRETARY

STATE OF NEW YORK

County of Suffolk } ss.:

I, EDWARD P. ROMAINE, Clerk of the County of Suffolk and Clerk of the Supreme Court of the State of New York in and for said County (said Court being a Court of Record) DO HEREBY CERTIFY that I have compared the annexed copy of a Deed recorded on August 7, 1990 @ 2:18 pm in Liber 11116 p 556 and that it is a just and true copy of such original record and of the whole thereof.

11192 Pg 589

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County and Court this 7 day of August 1990

Edward P. Romaine Clerk

Form No. 104

11116 PG 558

STATE OF NEW YORK, COUNTY OF

On the day of 19 before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19 before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

11192 Pg 590

STATE OF NEW YORK, COUNTY OF SUFFOLK

On the 25th day of June 19 90, before me personally came STEVEN J. GOLDSTEIN to me known, who, being by me duly sworn, did depose and say that he resides at No. 32 Elderwood Drive E. St. James, NY 11780 ; that he is the Secretary of DICANIO RESIDENTIAL COMMUNITIES, INC., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

Linda C. Patanella
NOTARY PUBLIC

LINDA C. PATANELLA
Notary Public, State of New York
No. 4913978 - Suffolk County
Commission Expires Nov 30 1991

STATE OF NEW YORK, COUNTY OF SUFFOLK

On the 25th day of June 1990, before me personally came STEVEN J. GOLDSTEIN to me known, who, being by me duly sworn, did depose and say that he resides at No. 32 Elderwood Drive E. St. James, NY 11780 ; that he is the Secretary of SMITHTOWN GALLERIA CORP., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

Linda C. Patanella
NOTARY PUBLIC

LINDA C. PATANELLA
Notary Public, State of New York
No. 4913978 - Suffolk County
Commission Expires

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

DICANIO RESIDENTIAL COMMUNITIES, INC.
&
SMITHTOWN GALLERIA CORP.
TO
GALLERIA ENVIRONMENTAL CORP.

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS
Distributed by
american title insurance company
northeast region
A Member of The Continental Insurance Companies

District	0800
SECTION	106
BLOCK	5
LOT 8	P/O 13.2, 14.2, 15.3, 15.4, 17
COUNTY OR TOWN	17.8, 17.9
SUFFOLK	

Recorded At Request of American Title Insurance Company

RETURN BY MAIL TO:

STEVEN J. GOLDSTEIN, ESQ.
712 Smithtown By-Pass
Smithtown, NY 11787

Zip No.

SAVE THIS SPACE FOR USE OF RECORDING OFFICE

2088

AUG 7 2 18 PM '90
EDWARD ... MAINE
SUFFOLK COUNTY
RECORDED

111 92 Pg 591

See copy of

Suffolk County Local Law no. 24-1986

filed in the

Office of the Suffolk County Clerk

on

November 12th, 1986

Schedule B

Suffolk County Local Law No. 24-1986

11192 pg 592

INSURANCE REQUIREMENTS

OWNER shall save, indemnify and hold harmless the DISTRICT, DPW, the AGENCY and the COUNTY, and any and all of their departments, agencies, bureaus, employees, personnel, agents and representatives, from and against any and all loss or expense, including attorneys fees, by reason of any liability imposed by law upon any of them, except in cases of their negligence, for any damages or claim for damages arising out of, or in consequence of or in connection with, this Agreement and/or OWNER's connection to, and/or use of, the sanitary sewerage facilities of the DISTRICT, including, but not limited to, bodily injury, including death at any time resulting therefrom, sustained by any person or persons, or on account of damage to property, whether such injury to persons or damage to property is due or claimed to be due to any passive negligence, or any act or omission, intentional or otherwise, of the DISTRICT, DPW, the AGENCY or the COUNTY, or any combination of them, and/or any of their departments, agencies, bureaus, employees, personnel, agents or representatives. It is further understood and agreed that OWNER shall, at the option of the DISTRICT and/or DPW and/or the AGENCY and/or the COUNTY, defend any of the entities indemnified hereunder with appropriate counsel and shall further bear all costs and expenses, including the expense of counsel, in the defense of any action or proceeding arising hereunder.

OWNER shall procure and maintain, at OWNER's sole cost, expense and effort, and without expense to the DISTRICT, DPW, the AGENCY or the COUNTY, until final approval by the DISTRICT of the construction covered by this Agreement, insurance for liability for damages imposed by law, of the kinds and in the amounts hereinafter provided, in insurance companies authorized to do business in the State of New York, covering all operations under this Agreement whether performed by OWNER or by a contractor or subcontractor or by any other person or entity. Prior to the commencement of construction of any sewerage facilities, OWNER shall furnish to the DISTRICT a certificate or certificates of insurance, in form satisfactory to the DISTRICT, showing that OWNER has complied with the requirements set forth herein, which certificate or certificates shall provide that the policies of insurance provided for herein shall not be changed or cancelled unless and until thirty (30) days written notice has been given to the DISTRICT.

111 92 Pg 593

OWNERS AND CONTRACTORS PROTECTIVE POLICY

OWNER shall procure and maintain, at OWNER's sole cost, expense and effort, a standard form of an Owners and Contractors Protective Policy, in the name of the County of Suffolk, with the limits of ONE MILLION AND NO/100THS ($1,000,000.00) DOLLARS minimum per occurrence. Said policy shall include a provision specifically including coverage for explosion, collapse and underground property damage (XCU).

Schedule C

Insurance Requirements

Page 2 of 2 Pages

11192 Pg 594

Schedule D

Suffolk County Local Law No. 32-1980

L#01673
Intro. Res. No. 2124-80
Introduced by the Presiding Officer, Legislators O'Neil, Petrizzo, Grant, Rosso, Halpin Devine, Blass, Foley and Prospect at request of the County Executive

RESOLUTION NO. 1118- 1980, ADOPTING LOCAL LAW NO. 32 YEAR 1980, A LOCAL LAW CONCERNING THE OFFERING, GIVING OR RECEIVING OF A GRATUITY TO OR BY AN OFFICIAL OF A POLITICAL PARTY.

11192 Pg 595

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on December 9, 1980, a proposed local law entitled "A LOCAL LAW CONCERNING THE OFFERING, GIVING OR RECEIVING OF A GRATUITY TO OR BY AN OFFICIAL OF A POLITICAL PARTY," and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

LOCAL LAW NO. 32 YEAR 1980, SUFFOLK COUNTY, NEW YORK

LOCAL LAW CONCERNING THE OFFERING, GIVING OR RECEIVING OF A GRATUITY TO OR BY AN OFFICIAL OF A POLITICAL PARTY.

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK AS FOLLOWS:

Section 1. Definitions.

(a) As used herein, the word "agreement" means any written or oral contract, or any implied contract, including, but not limited to, a contract for the sale of goods or services, a construction contract or a lease or contract relating to real or personal property. The term "agreement" shall also include any transaction whereby a person agrees to sell goods or services or both to the County pursuant to a successful bid.

(b) As used herein, the word "gratuity" means any money, benefit, entertainment, gift, or any other consideration whatsoever.

(c) As used herein, the phrase "official of a political party" shall mean a party officer as defined by Section 1-104(5) of the Election Law.

(d) As used herein, the word "person" means any individual, partnership, firm, corporation, or other legal entity, as well as their employees, agents or representatives.

(e) As used herein, the phrase "political party" shall mean a party as defined by Section 1-104(3) of the Election Law.

Section 2. Prohibitions.

(a) It shall be a crime for any person to offer or give any gratuity to an official of any political party, with the purpose or intent of securing or obtaining an agreement with the County of Suffolk, securing favorable treatment with respect to the awarding or amending of such agreement, or the making of any determination with respect to the performance of an agreement.

(b) It shall be a crime for an official of a political party to solicit, receive or accept a gratuity in connection with securing or obtaining an agreement with the County of Suffolk, securing favorable treatment with respect to the awarding or amending of such agreement, or the making of a determination with respect to the performance of such agreement.

Section 3. Mandatory Contract Clause. In all agreements with the County of Suffolk, made after the effective date of this Law, there shall be a written representation by the person entering the agreement with the County that he has not offered or given any gratuity to any official, employee or agent of Suffolk County, New York State, or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement, or the making of any determinations with respect to the performance of an agreement, and that such person has read and is familiar with the provisions of this Local Law.

Section 4. Penalties.

(a) Criminal. A violation of Section 2 of this Local Law shall be a Class A Misdemeanor and shall be punishable by a sentence of not more than one (1) year in prison or a fine of not more than one thousand dollars, or by both such fine and imprisonment.

(b) Civil Remedies. A violation of Section 2 or 3 of this Local Law shall, give the County the option, among other civil remedies, of either terminating the agreement or deducting the value of the gratuity from any amount due or to become due from the County thereunder.

Section 5. Exceptions. This Local Law shall not apply to contributions to political parties, committees or candidates as defined by Section 14-100(19) of the Election Law. Such contributions shall be excluded from and shall not be in violation of this Local Law.

Section 6. Separability. If any part of this Local Law shall be declared unconstitutional by any Court, such declaration shall not affect the constitutionality of any other part.

Section 7. This Law shall take effect immediately.

DATED: December 9, 1980

APPROVED BY:

/s/ Peter F. Cohalan
County Executive of Suffolk County

Exhibit

B

2002 Report for the Formation of SC Sewer District No 4 – Smithtown Galleria

COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS

SUFFOLK COUNTY SEWER AGENCY

Report, Map and Recommendations
for the Proposed Formation of

SUFFOLK COUNTY

SEWER DISTRICT NO. 4 – SMITHTOWN GALLERIA

CHARLES J. BARTHA, P.E.
COMMISSIONER

JUNE 2002

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INDEX OF EXHIBITS

A - Contract between DiCanio Residential Communities, Inc., Smithtown Galleria Corp., Galleria Environmental Corp., the Suffolk County Department of Public Works, Suffolk County Sewer Agency and the County of Suffolk dated November 26, 1990.

B – Estimated Operation and Maintenance Budget

C - Legal Description of Proposed District

D - Map of Proposed District

INTRODUCTION

In accordance with Chapter 254 of the County Law and by Resolutions No. 494-1965 and No. 518-1965, the Suffolk County Board of Supervisors formed the Suffolk County Sewer Agency in September 1965. The County Legislature, as the successors to the Board of Supervisors, by Resolution No. 407-1970, authorized the Chairman of the Agency to execute agreements with subdividers and developers. Thereafter, by Resolution No. 212-1973, the County Legislature again directed the Agency, with the assistance of the Department of Environmental Control acting as its staff, to prepare the necessary maps, plans, specifications and other relevant material for the formation, extension or improvement of County sewer districts.

Therefore, in accordance with those resolutions and pursuant to Article 5A of the County Law, the Agency has caused the Department of Public Works, as the successors to the Department of Environmental Control, to prepare and herewith respectfully submit the necessary information and data relating to the formation of Suffolk County Sewer District No 4 – Smithtown Galleria.

The Suffolk County Department of Public Works, Suffolk County Sewer Agency and the County of Suffolk entered into a contract with DiCanio Residential Communities, Inc., Smithtown Galleria Corp. and Galleria Environmental Corp. on November 26, 1990 (Exhibit A). This contract contains, among other things, the commitment by the developer to

construct wastewater collection, treatment and disposal facilities for a development known as Smithtown Galleria and offer these facilities at no cost to the County, or its nominee. This agreement is recorded against the property and is binding upon all subsequent owners. In the agreement is a provision, which consents to the formation of a County sewer district encompassing the property covered by the agreement.

The Smithtown Galleria project consists of 187 townhouse units (Windcrest at the Galleria), 42 single family homes (Galleria Heights and Coventry Village at the Galleria), 312 apartment units, a CVS pharmacy and a day care center.

DISTRICT POPULATION

Using 3.5 persons per townhouse unit, single family home and apartment unit larger than 1200 SF and 2.5 persons for each apartment unit less than 1200 SF, it is estimated that the total population of the district is 1735 persons, or 551 single family equivalents (SFE).

GENERAL BOUNDARY DESCRIPTION

The proposed district is situated in the central portion of the Town of Smithtown in the hamlet of Smithtown. Including the sewage treatment plant site, the proposed district will consist of approximately 81 acres.

The proposed district is bounded on the south by Port Jefferson – Nesconset Highway (NYS Route 347), on the east and the north by single family homes, and on the west by Terry Road.

A metes and bounds description of the proposed district is included in this report as Exhibit C, and the map of the proposed district is appended hereto as Exhibit D.

WASTEWATER TREATMENT FACILITIES

The wastewater treatment plant was designed and constructed to accommodate 178,000 gpd.

The collection system within the district boundary and within public roads will be accepted for dedication. Where necessary, and as provided for by the existing Agency agreement, easements will be granted for any portion of the collection system not within public roads.

CAPITAL COSTS

No capital costs will be incurred in connection with the formation of this proposed sewer district; and, therefore, there will be no bond issue.

PROPOSED FINANCIAL PLAN AND COSTS TO HOMEOWNERS

A. Federal and State Aid

There is no expectation of receipt of Federal or State funds for the formation of this district.

B. Preliminary User Charges

1. Present Charges: Presently, and until the formation of the district is accomplished, the allocated operation and maintenance costs will continue to be paid to the developer by the present users under the terms of the existing agreement.

2. District Charges: The Environmental Protection Agency regulations require that any sewer district formed in Suffolk County after December 27, 1977 must charge the users based upon actual use, and not ad valorem. Therefore, the district will be formed pursuant to Section 266 of the County Law of the State of New York, and thus make a flat annual sewage charge to the users for the calendar year 2002, or fraction thereof.

C. Annual Operation and Maintenance Costs and Charges

The net operation and maintenance budget for 2002 is $259,470. The proposed district, when fully developed, will consist of condominiums, single family homes, residential apartments, retail and office buildings, which will all share equally on a per unit of flow basis in the annual costs of operation and maintenance. Each residential unit will be billed every three months which, together with the per unit basis, is consistent policy with every other non-ad valorem County sewer district. Commercial units are billed annually. It is estimated that each residential user will pay $470 a year, while industrial/commercial users will pay a per gallon charge plus any appropriate industrial waste fee (See Exhibit B).

TAXABLE AND NON-TAXABLE REAL PROPERTY IN THE DISTRICT

There are no state lands or non-taxable properties in the proposed district with the exception of the improvements on the sewage treatment plant site.

The proposed district is within the unincoporated area of the Town of Smithtown and is within School District No. 1. The average assessments in the proposed district, as well as the latest available schedule of taxes levied against properties within the proposed district, are set forth in the following table:

Tax Rate per $1000 AV for 2002

County	194.172
Town	140.214
Smithtown Fire District	44.639
School District No. 1	816.081
Smithtown Public Library	26.777
Town Lighting	3.952
NYS Real Property Tax Law	9.696
Total	1235.531

AVERAGE ASSESSSED HOME TAX 2002

Coventry Village at the Galleria	$7265 AV	$8976 Tax
Galleria Heights	$9865 AV	$12188 Tax
Windcrest at the Galleria	$7685 AV	$9495 Tax

RECOMMENDATIONS, COMMENTS AND FINDINGS

A. The formed district will result in fulfilling the intent of the contracts between the developer, the Suffolk County Sewer Agency, et al.

B. It is recommended that the formation of the district be accomplished pursuant to the provisions of Article 5A of County Law and that the cost be assessed, levied and collected in accordance with the provisions of Section 266 thereof.

C. It is recommended that the Commissioner of the Suffolk County Department of Public Works be appointed the Administrative Head of Sewer District No. 4 – Smithtown Galleria in compliance with Article VIII, Section 8001, of the Suffolk County Charter.

D. Finally, it is recommended that this report be made the subject of a public hearing on the proposal at the earliest possible date.

Respectfully submitted,

Charles J. Bartha, PE.
Commissioner of the Suffolk County Department of Public Works, Chairman of the Suffolk County Sewer Agency and Administrative Head of All Suffolk County Sewer Districts

Exhibit

C

Suffolk County Legislative Resolution 1403-2004, A Resolution Making Certain Findings and Determinations Upon a Proposal to Form Suffolk County Sewer District No. 4 – Smithtown Galleria in the Town of Smithtown

Intro. Res. No. 2249-2004 **Laid on Table 12/7/2004**
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 1403 -2004, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS UPON A PROPOSAL TO FORM SUFFOLK COUNTY SEWER DISTRICT NO. 4 – SMITHTOWN GALLERIA IN THE TOWN OF SMITHTOWN

WHEREAS, Resolution No. 179-2003 was adopted on March 11, 2003 and signed by the County Executive on March 27, 2003, and amended by Resolution 520-2004 adopted on May 11, 2004 and signed by the County Executive on May 14, 2004; and

WHEREAS, when adopted, Resolution No. 179-2003, as amended by Resolution 520-2004, contained an error in that pursuant to section 256 of the NEW YORK COUNTY LAW, the resolution should have been made subject to a permissive referendum; and

WHEREAS, it is now desired to rescind Resolution 179-2003, as amended by Resolution 520-2004; and

WHEREAS, the County Legislature of the County of Suffolk, New York, duly adopted Resolution No. 212 of 1973, on March 27, 1973, and approved by the County Executive on March 27, 1973, pursuant to Section 253 of the NEW YORK COUNTY LAW, directing the Suffolk County Sewer Agency (the "Sewer Agency") to prepare maps and plans and a report in accordance with such section in relation to the formation of County sewer districts; and

WHEREAS, the Sewer Agency passed Resolution No. 27 of 2002 approving the maps and plans and report prepared by the Sewer Agency staff and authorized further necessary proceedings in connection with the formation of Suffolk County Sewer District No. 4 – Smithtown Galleria (the "District") for the developments known as Smithtown Galleria, Galleria Heights, and miscellaneous lots, located in the hamlet of Smithtown in the Town of Smithtown; and

WHEREAS, the Sewer Agency has duly caused such maps and plans to be prepared and has transmitted them to the County Legislature, together with a report of its proceedings and its recommendations in accordance with Section 254 of the NEW YORK COUNTY LAW; and

WHEREAS, the County Legislature did, pursuant to Section 254 of the NEW YORK COUNTY LAW, duly adopt Resolution No. 949-2002 Calling for a Public Hearing at the County Center in Riverhead/Hauppauge, New York, on November 19, 2002, upon a proposal to form said County sewer district, to comprise the area described and defined in said maps and plans; and

WHEREAS, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the office newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, every entity within the proposed District was notified of the Public Hearing by United States Postal Service regular mail; and

WHEREAS, the Public Hearing was duly held at the time and place aforesaid, at which time all parties therein were duly heard; and

WHEREAS, the County Legislature has duly considered the evidence given at said Public Hearing; and

WHEREAS, this action is related to routine administration and management in accordance with the NEW YORK CODE OF RULES AND REGULATIONS, Volume 6 Sections 617.5(c)(20) and (27), and therefore is determined to be a Type II action requiring no further action; now, therefore, be it

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

Section 1: Resolution No. 179-2003, as amended by Resolution 520-2004, is hereby rescinded.

Section 2: Upon evidence provided at the public hearing and after due consideration of the maps, plans, report and recommendations and data filed with it by the Sewer Agency, that it is in the public interest to form a new sewer district pursuant to Section 271 of the NEW YORK COUNTY LAW substantially in accordance with the maps, plans, report and recommendations of the Sewer Agency, that the facilities within the proposed District are adequate and appropriate, that all of the property owners in the proposed District are benefited by the formation of the proposed District, and that all of the property and property owners benefited by the formation of the proposed District are included within the limits of the proposed District.

(a) (a) The Legislature, being the SEQRA Lead Agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Sections 617.5(c)(20) and (27) of Volume 6 of the NEW YORK CODE OF RULES AND REGULATIONS.

Section 3: The establishment of the proposed sewer district to be designated and known as: "Suffolk County Sewer District No. 4 – Smithtown Galleria", is hereby approved.

Section 4: Suffolk County Sewer District No. 4 – Smithtown Galleria will comprise an area lying within the Town of Smithtown, more particularly bounded and described as follows:

All that certain plot, piece or parcel of land, situate, lying and being at Smithtown, in the Town of Smithtown, County of Suffolk, and being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Terry Road, said point being 444.89 feet northerly of the intersection of the easterly side of Terry Road with the northerly side of Nesconset-Port Jefferson Highway (NYS Route 347);

THENCE along a curve on the easterly side of Terry Road bearing to the right having a radius of 1885.11 feet a distance of 28.61 feet;
THENCE North 32°12'10" West 228.37 feet;
THENCE North 61°01'53" East 356.33 feet;
THENCE North 28°07'03" West 119.41 feet;
THENCE South 61°52'57" West 355.77 feet to the easterly side of Terry Road;
THENCE along a curve on the easterly side of Terry Road bearing to the right having a radius of 1885.11 feet a distance of 233.75 feet;
THENCE along the easterly side of Terry Road North 18°12'00" West 67.99 feet;
THENCE along a curve on the easterly side of Terry Road bearing to the left having a radius of 1661.77 feet a distance of 199.40 feet;
THENCE North 65°36'33" East 350.41 feet;
THENCE North 27°17'12" West 121.74 feet;
THENCE South 66°36'42" West 350.76 feet to the easterly side of Terry Road;
THENCE along a curve on the easterly side of Terry Road bearing to the left having a radius of 1661.77 feet a distance of 86.22 feet;
THENCE along the easterly side of Terry Road the following three (3) courses:
(1) North 28°02'13" West 42.27 feet;
(2) North 37°07'18" West 618.20 feet;
(3) North 36°57'45" West 26.27 feet to land now or formerly of John Worrell;
THENCE along said land the following three (3) courses:
(1) North 35°24'16" East 284.64 feet;
(2) North 32°35'20" West 146.31 feet
(3) South 60°52'30" West 299.04 feet to a point;
THENCE North 12°07'20" West 151.99 feet;
THENCE North 19°07'30" East 229.63 feet;
THENCE North 86°00'20" East 4.12 feet;
THENCE North 20°11'10" East 150.17 feet to land now or formerly of Frank H. Rowan;

THENCE along said land the following two (2) courses:
(1) South 82°38'20" East 38.40 feet;
(2) South 85°35'50" East 156.20 feet to land now or formerly of Howard Silverman;
THENCE along said land the following three (3) courses:
(1) North 67°41'00" East 91.37 feet;
(2) North 65°36'20" East 115.59 feet;
(3) North 50°25'30" East 85.43 feet;
THENCE South 61°16'40" East 150.00 feet;
THENCE South 64°35'20" West 11.31 feet;
THENCE South 61°16'40" East 83.17 feet;
THENCE South 60°48'30" East 208.66 feet to the westerly side of Fairview Street West;
THENCE along the westerly side of Fairview Street West South 07°35'50" East 15.63 feet;
THENCE South 78°36'10" West 136.30 feet;
THENCE South 17°23'50" East 186.21 feet;
THENCE North 71°56'10" East 17.70 feet;
THENCE South 18°03'50" East 135.00 feet to the northerly side of Fairview Street West;
THENCE along the northerly side of Fairview Street West South 71°56'10" 225.00 feet;
THENCE South 18°03'50" East 50.00 feet;
THENCE along the southerly side of Fairview Street West North 71°56'10" East 25.00 feet;
THENCE along the Map of Town Heights the following four (4) courses:
(1) South 18°03'50" East 135.00 feet;
(2) North 71°56'10" East 75.00 feet;
(3) South 18°03'50" East 65.00 feet;
(4) North 71°56'10" East 387.12 feet;
THENCE North 72°00'08" East 233.28 feet;
THENCE North 71°56'02" East 87.61 feet;
THENCE North 74°40'23" East 156.29 feet;
THENCE North 71°33'46" East 416.43 feet;
THENCE North 71°36'12" East 147.04 feet;
THENCE North 71°33'50" East 105.91 feet to Land of the Town of Smithtown;
THENCE along said land the following two (2) courses:
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(2) South 23°12'06" East 1222.24 feet;
THENCE South 54°21'30" West 281.59;
THENCE North 29°20'25" West 240.95 feet;
THENCE South 58°09'10" West 1478.97 feet;
THENCE North 43°43'20" West 70.02 feet;
THENCE South 53°37'30" West 508.83 feet to the point, or place of BEGINNING.

Section 5: The proposed County Sewer District shall be established and formed pursuant to the provisions of Article 5A of the NEW YORK COUNTY LAW after the effective date of this Resolution, along with the filing of a certification of these proceedings of the Legislature to the New York State Department of Audit and Control.

Section 6: 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 notice or determinations in accordance with this resolution.

Section 7: The Commissioner of the Suffolk County Department of Public Works is named the Administrative Head of Suffolk County Sewer District No. 4 – Smithtown Galleria.

Section 8: This resolution, authorizing the formation of Suffolk County Sewer District No. 4 – Smithtown Galleria, shall not take effect until at least forty-five (45) days after its adoption, nor until approved by the affirmative vote of the majority of the qualified electors who are resident within the proposed sewer district voting on a proposition for its approval, if within forty-five (45) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against the passage of this resolution in conformity with the provisions of Section 24 of the NEW YORK MUNICIPAL HOME RULE LAW and Section 257 of the NEW YORK COUNTY LAW, and upon the filing in the office of

the Secretary of State.

DATED: December 21, 2004

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 27, 2004

Exhibit

D

Notification to the Office of the NYS Comptroller regarding the District Creation of Suffolk County Sewer District #4, Smithtown Galleria

ALAN G. HEVESI
COMPTROLLER

110 STATE STREET
ALBANY, NEW YORK 12236

STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

June 30, 2005

Henry L. Barton, Jr.
Clerk of the Suffolk County Legislature
County of Suffolk
William H. Rogers Building
725 Veterans Memorial Highway
Smithtown, New York 11787

Re: County of Suffolk;
Establishment of Suffolk
County Sewer District No. 4

Dear Mr. Barton:

This will acknowledge receipt of the order of the county legislature of the County of Suffolk dated December 21, 2004 establishing the district referenced above. This order was filed in the Office of the State Comptroller on March 14, 2005.

In acknowledging receipt, we express no opinion as to the validity of the proceedings undertaken by the county in connection with the formation of this district.

Very truly yours,

Mitchell S. Morris
Associate Counsel

MSM:EMM:sm
cc: Steve Fountain

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

WILLIAM H. ROGERS BUILDING
725 VETERANS MEMORIAL HIGHWAY
SMITHTOWN, NEW YORK 11787-4311

HENRY L. BARTON, JR.
CLERK OF THE LEGISLATURE
(631) 853-4074

June 17, 2005

RECEIVED
JUN 24 2005
NYS-OSC
LEGAL SERVICES

Office of the NYS Comptroller
Attention: Mitch Morris
110 State Street
14th Floor
Albany, NY 12236

Re: Suffolk County Sewer District #4, Smithtown Galleria (District Creation)

I, Henry L. Barton, Jr., Clerk of the Legislature, Suffolk County, New York, do hereby certify that no petition protesting against the passage of Resolution No. 1403-2004, in conformity with the provisions of Section 24 of the New York Municipal Home Rule Law and Section 257 of New York County Law has been requested nor filed.

Henry L. Barton, Jr.
Clerk of the Legislature
Suffolk County, New York

HLB:db

cc: Ben Wright, Dept. of Public Works

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

E.R.D.

RECEIVED
MAR 14 2005
NYS-OSC
LEGAL SERVICES

WILLIAM H. ROGERS BUILDING
725 VETERANS MEMORIAL HIGHWAY
SMITHTOWN, NEW YORK 11787-4311

HENRY L. BARTON, JR.
CLERK OF THE LEGISLATURE
(631) 853-4074

March 2, 2005

Mitchell S. Morris, Esq., Associate Counsel
Office of the New York State Comptroller
A.E. Smith State Office Building
Legal Service, 6th Floor
Albany, NY 12236

Re: "Suffolk County Sewer District No. 4 – Smithtown Galleria"
Certification to the New York State Comptroller of the Establishment of Suffolk County Sewer District No. 4 – Smithtown Galleria, County of Suffolk, State of New York

Dear Mr. Morris:

Please find enclosed a certified copy of Suffolk County Resolution 1403-2004, making certain findings with respect to the establishment of "Suffolk County Sewer District No. 4 – Smithtown Galleria", duly passed in accordance with Article 5A of the New York County Law. Please be advised that the establishment of this Sewer District did not require any debt, in any form, to be incurred by the County of Suffolk.

Please do not hesitate to contact me if you require any further information.

Very truly yours,

Henry L. Barton, Jr.
Clerk of the Suffolk County Legislature
County of Suffolk, State of New York

HLB:db
Enclosure

LUCIA D. BRAATEN
NOTARY PUBLIC, State of New York
No. 4803364
Qualified in Suffolk County
Commission Expires Dec. 31, 2006

Sworn to before me this 4th day of March, 2005

Intro. Res. No. 2249-2004 Laid on Table 12/7/2004
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 1403 -2004, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS UPON A PROPOSAL TO FORM SUFFOLK COUNTY SEWER DISTRICT NO. 4 – SMITHTOWN GALLERIA IN THE TOWN OF SMITHTOWN

WHEREAS, Resolution No. 179-2003 was adopted on March 11, 2003 and signed by the County Executive on March 27, 2003, and amended by Resolution 520-2004 adopted on May 11, 2004 and signed by the County Executive on May 14, 2004; and

WHEREAS, when adopted, Resolution No. 179-2003, as amended by Resolution 520-2004, contained an error in that pursuant to section 256 of the NEW YORK COUNTY LAW, the resolution should have been made subject to a permissive referendum; and

WHEREAS, it is now desired to rescind Resolution 179-2003, as amended by Resolution 520-2004; and

WHEREAS, the County Legislature of the County of Suffolk, New York, duly adopted Resolution No. 212 of 1973, on March 27, 1973, and approved by the County Executive on March 27, 1973, pursuant to Section 253 of the NEW YORK COUNTY LAW, directing the Suffolk County Sewer Agency (the "Sewer Agency") to prepare maps and plans and a report in accordance with such section in relation to the formation of County sewer districts; and

WHEREAS, the Sewer Agency passed Resolution No. 27 of 2002 approving the maps and plans and report prepared by the Sewer Agency staff and authorized further necessary proceedings in connection with the formation of Suffolk County Sewer District No. 4 – Smithtown Galleria (the "District") for the developments known as Smithtown Galleria, Galleria Heights, and miscellaneous lots, located in the hamlet of Smithtown in the Town of Smithtown; and

WHEREAS, the Sewer Agency has duly caused such maps and plans to be prepared and has transmitted them to the County Legislature, together with a report of its proceedings and its recommendations in accordance with Section 254 of the NEW YORK COUNTY LAW; and

WHEREAS, the County Legislature did, pursuant to Section 254 of the NEW YORK COUNTY LAW, duly adopt Resolution No. 949-2002 Calling for a Public Hearing at the County Center in Riverhead/Hauppauge, New York, on November 19, 2002, upon a proposal to form said County sewer district, to comprise the area described and defined in said maps and plans; and

WHEREAS, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the office newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, every entity within the proposed District was notified of the Public Hearing by United States Postal Service regular mail; and

WHEREAS, the Public Hearing was duly held at the time and place aforesaid, at which time all parties therein were duly heard; and

WHEREAS, the County Legislature has duly considered the evidence given at said Public Hearing; and

WHEREAS, this action is related to routine administration and management in accordance with the NEW YORK CODE OF RULES AND REGULATIONS, Volume 6 Sections 617.5(c)(20) and (27), and therefore is determined to be a Type II action requiring no further action; now, therefore, be it

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

Section 1: Resolution No. 179-2003, as amended by Resolution 520-2004, is hereby rescinded.

Section 2: Upon evidence provided at the public hearing and after due consideration of the maps, plans, report and recommendations and data filed with it by the Sewer Agency, that it is in the public interest to form a new sewer district pursuant to Section 271 of the NEW YORK COUNTY LAW substantially in accordance with the maps, plans, report and recommendations of the Sewer Agency, that the facilities within the proposed District are adequate and appropriate, that all of the property owners in the proposed District are benefited by the formation of the proposed District, and that all of the property and property owners benefited by the formation of the proposed District are included within the limits of the proposed District.

(a) The Legislature, being the SEQRA Lead Agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Sections 617.5(c)(20) and (27) of Volume 6 of the NEW YORK CODE OF RULES AND REGULATIONS.

Section 3: The establishment of the proposed sewer district to be designated and known as: "Suffolk County Sewer District No. 4 – Smithtown Galleria", is hereby approved.

Section 4: Suffolk County Sewer District No. 4 – Smithtown Galleria will comprise an area lying within the Town of Smithtown, more particularly bounded and described as follows:

All that certain plot, piece or parcel of land, situate, lying and being at Smithtown, in the Town of Smithtown, County of Suffolk, and being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Terry Road, said point being 444.89 feet northerly of the intersection of the easterly side of Terry Road with the northerly side of Nesconset-Port Jefferson Highway (NYS Route 347);

THENCE along a curve on the easterly side of Terry Road bearing to the right having a radius of 1885.11 feet a distance of 28.61 feet;
THENCE North 32°12'10" West 228.37 feet;

THENCE North 61°01'53" East 356.33 feet;
THENCE North 28°07'03" West 119.41 feet;
THENCE South 61°52'57" West 355.77 feet to the easterly side of Terry Road;
THENCE along a curve on the easterly side of Terry Road bearing to the right having a radius of 1885.11 feet a distance of 233.75 feet;
THENCE along the easterly side of Terry Road North 18°12'00" West 67.99 feet;
THENCE along a curve on the easterly side of Terry Road bearing to the left having a radius of 1661.77 feet a distance of 199.40 feet;
THENCE North 65°36'33" East 350.41 feet;
THENCE North 27°17'12" West 121.74 feet;
THENCE South 66°36'42" West 350.76 feet to the easterly side of Terry Road;
THENCE along a curve on the easterly side of Terry Road bearing to the left having a radius of 1661.77 feet a distance of 86.22 feet;
THENCE along the easterly side of Terry Road the following three (3) courses:

(1) North 28°02'13" West 42.27 feet;
(2) North 37°07'18" West 618.20 feet;
(3) North 36°57'45" West 26.27 feet to land now or formerly of John Worrell;

THENCE along said land the following three (3) courses:

(1) North 35°24'16" East 284.64 feet;
(2) North 32°35'20" West 146.31 feet
(3) South 60°52'30" West 299.04 feet to a point;

THENCE North 12°07'20" West 151.99 feet;
THENCE North 19°07'30" East 229.63 feet;
THENCE North 86°00'20" East 4.12 feet;
THENCE North 20°11'10" East 150.17 feet to land now or formerly of Frank H. Rowan;
THENCE along said land the following two (2) courses:

(1) South 82°38'20" East 38.40 feet;
(2) South 85°35'50" East 156.20 feet to land now or formerly of Howard Silverman;

THENCE along said land the following three (3) courses:

(1) North 67°41'00" East 91.37 feet;
(2) North 65°36'20" East 115.59 feet;
(3) North 50°25'30" East 85.43 feet;

THENCE South 61°16'40" East 150.00 feet;
THENCE South 64°35'20" West 11.31 feet;
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THENCE South 60°48'30" East 208.66 feet to the westerly side of Fairview Street West;
THENCE along the westerly side of Fairview Street West South 07°35'50" East 15.63 feet;
THENCE South 78°36'10" West 136.30 feet;
THENCE South 17°23'50" East 186.21 feet;
THENCE North 71°56'10" East 17.70 feet;
THENCE South 18°03'50" East 135.00 feet to the northerly side of Fairview Street West;
THENCE along the northerly side of Fairview Street West South 71°56'10" 225.00 feet;
THENCE South 18°03'50" East 50.00 feet;
THENCE along the southerly side of Fairview Street West North 71°56'10" East 25.00 feet;
THENCE along the Map of Town Heights the following four (4) courses:

(1) South 18°03'50" East 135.00 feet;
(2) North 71°56'10" East 75.00 feet;
(3) South 18°03'50" East 65.00 feet;

(4) North 71°56'10" East 387.12 feet;
THENCE North 72°00'08" East 233.28 feet;
THENCE North 71°56'02" East 87.61 feet;
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Section 7: The Commissioner of the Suffolk County Department of Public Works is named the Administrative Head of Suffolk County Sewer District No. 4 – Smithtown Galleria.

Section 8: This resolution, authorizing the formation of Suffolk County Sewer District No. 4 – Smithtown Galleria, shall not take effect until at least forty-five (45) days after its adoption, nor until approved by the affirmative vote of the majority of the qualified electors who are resident within the proposed sewer district voting on a proposition for its approval, if within forty-five (45) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against the passage of this resolution in conformity with the provisions of Section 24 of the NEW YORK MUNICIPAL HOME RULE LAW and Section 257 of the NEW YORK COUNTY LAW, and upon the filing in the office of the Secretary of State.

DATED: DEC 21 2004

APPROVED BY:

Steve Levy

County Executive of Suffolk County

Date: December 27, 2004

SUFFOLK COUNTY
County Legislature
RIVERHEAD, N.Y.

This is to Certify That I, HENRY L. BARTON, JR., Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on DEC 21 2004 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Henry L. Barton, Jr.
Clerk of the County Legislature

Exhibit

E

Current Legal Description of District - (Original Sewer District #4 – Galleria, Metes & Bounds, as described in June 2002 report and established by Suffolk County Legislative Resolution - 1403-2004)

Original Sewer District #4- Galleria - Metes & Bounds
As established by the Suffolk County Legislative Resolution 1403-2004

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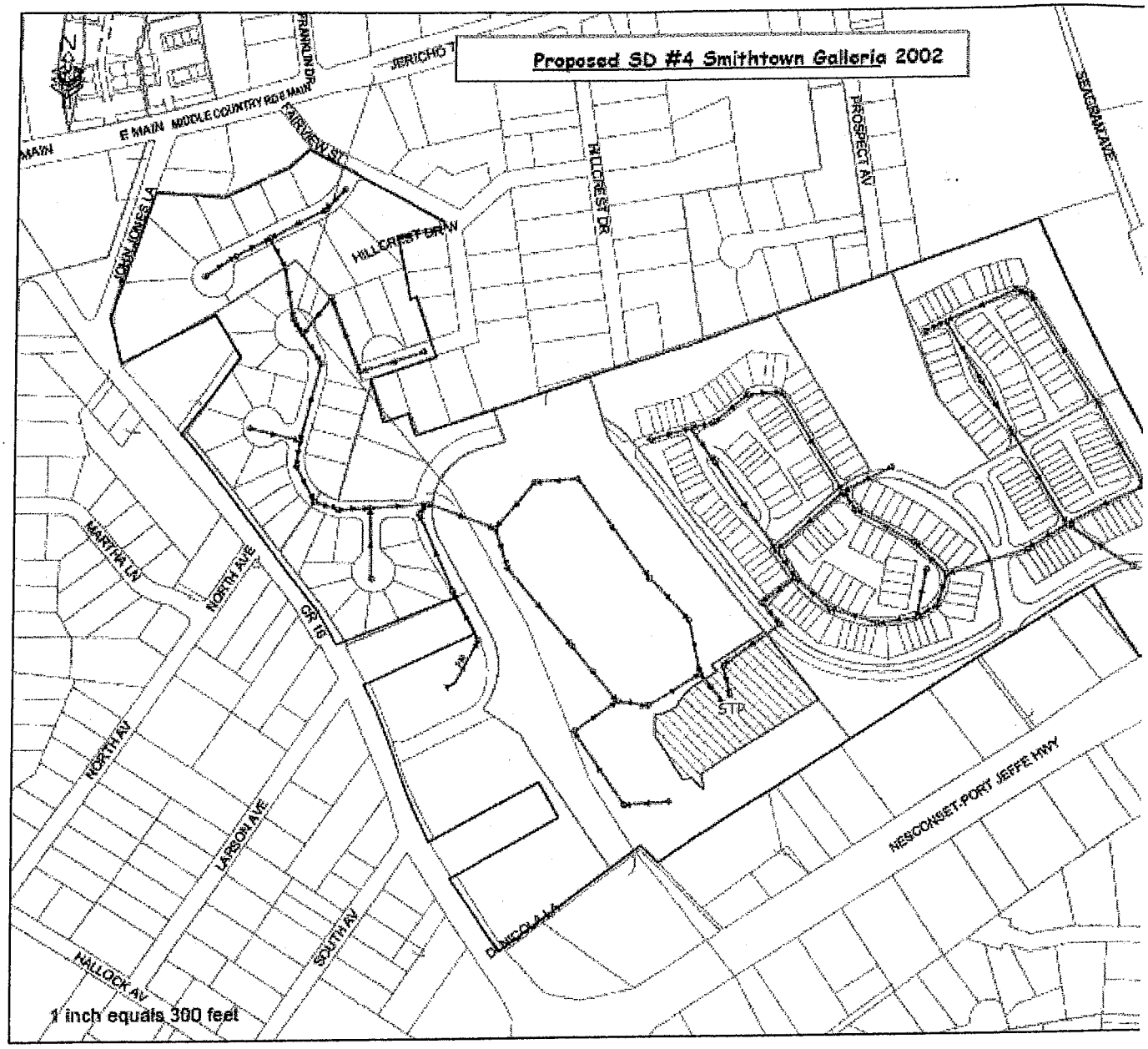
Exhibit

F

Map of District (Original Sewer District #4 – Galleria, as contained in June 2002 report and- established by Suffolk County Legislative Resolution 1403-2004)


Proposed SD #4 Smithtown Galleria 2002
E MAIN
MIDDLE COUNTRY RD E MAIN
FRANKLIN DR
JERICHO T
FAIRVIEW ST
HILLCREST DR
PROSPECT AV
SEACRAM AVE
JOHN JONES LA
HILLCREST DR W
MARTHA LN
NORTH AVE
CR 16
NORTH AV
LARSON AVE
SOUTH AV
HALLOCK AV
DUNCOLA LA
NESCONSET-PORT JEFFE HWY
STP
1 inch equals 300 feet

Exhibit

G

Estimated Operation and Maintenance Budget –
(as included in June 2002 report and considered in public hearing leading to Suffolk County Legislative Resolution - 1403-2004)

2002 BUDGET FOR PROPOSED SCSD NO. 4 – SMITHTOWN GALLERIA

Total Budget for Facility:	$259,470 (1)
Labor:	$113,835
Equipment:	$34,985
Supplies/Materials:	$66,150
Utilities:	$ 44,500

Average Daily Flow: 178,000 GPD (2)

Estimated user fees: (1)/ (2) $1.46 per gallon per day

Estimated residential user fee: $470 per year ($259,470/552 SFE)

SD No. 4 – Smithtown Galleria 2007 costs

Exhibit

H

Estimated Amended Operation and Maintenance Budget
(June 2013)

Exhibit H

2013 BUDGET FOR PROPOSED SCSD NO. 4 – SMITHTOWN GALLERIA

Total Budget for Facility.....	**$ 420,590 [1]**
Labor.....	**$ 49,280 [a]**
Lab & Sludge.....	**$ 46,202 [b]**
O&M.....	**$ 181,000 [b]**
Spread Costs.....	**$ 144,108 [a]**
Average Daily Flow.....	**178,000 GPD [2]**

Estimated user fees: $ 2.36 per gallon per day (1/2)

Estimated residential user fee: $685 per year ($420,590/614 SFE)

([a]) – Based on 2011 Actual Expenses from chargeback calculations.

([b]) – Based on 2011 Actual Expenses for comparable sewer district; including utilities, equipment, and supplies/materials.
SCSD # 12 – Birchwood-Holbrook

Exhibit

I

Wastewater Treatment Plant Inspection Memo (2013)

Memorandum

To: John Donovan

CC: Ben Wright, Janice McGovern

From: Ron Warren

Date: 6/19/2013

Re: Inspection of Galleria STP

On 3/12/13 we performed a walkthrough of the Galleria STP. Plant design flow 120,000 GPD running at 60,000 at this time

1 MPLS 2 influent pumps in operation (3rd pump sitting on top of well?)
   A. Pumps are Peabody barns ,HP 10. Well is 36' deep 8' dim. Pumps seem to be running at a low level keeping the pumps exposed.
   B. Influent lines - one comes in from the west the 2nd from the north
   C. Well needs a cleaning (personal at sight says it get cleaned 3 times a year)

2 Influent screens
   A. North screen I beams need to be cleaned and coated
   B. Safety grating around splitter box needs replacing
   C. Both screen area north and south need to be cleaned up

3 SBR panel ABJ
   A. New panel view installed
   B. Panel need to be cleaned up full of bugs
   C. Program back up and spare parts not on sight

4 SBR's
   A. SBR#1
      A. Mixer not running
      B. DO probe working looks to be out of calibration
      C. Decanter looks good panel shows that PM is needed
   B. SBR#2
      A. Mixer not running
      B. DO probe needs calibration
      C. WAS pump fell off rails

   C. SBR#3
      A. Mixer not running

5 Sludge holding tanks

A. All full
B. Decant pump panels need replacing
C. Temporary decant pumps set up with hoses all over

6 Filters need to be cleaned or replaced

7. Final filters
   A. cell #3 plugged up
   B. Compressor for filter of the two compressors only one working.
      a. Repairs and leaks need to be fixed
      b. 2nd compressor looks to have blow by checked and a oil leak repaired

8 BFP 1" no test paper work

Exhibit

J

Assessment Stabilization Reserve Fund (ASRF)

Exhibit J

Assessment Stabilization Reserve Fund

Resolution No. 110-1998 adopted Local Law No. 35-1999, establishing a "Common Sense Tax Stabilization Plan for Sewers, Environmental Protection, and County Taxpayers." The program provides long-term sewer district tax rate stabilization for both debt service and operation and maintenance costs.

Resolution No. 650-2000 re-imposed an additional one-quarter percent sales tax for the period beginning December 1, 2000, through December 31, 2013. An extension of this program was adopted in 2007 and allocated 25% of the additional sales tax to an Assessment Stabilization Reserve Fund (ASRF) for sewers through 2030.

Two funds exist, the ASRF for the smaller districts (Fund 404) and the Southwest Sewer District (Sewer District 3) (Fund 405).

The intent of the ASRF is to stabilize sewer district tax rates beyond 2030 and to protect taxpayers in sewer districts from significant rate increases in a single budget year. Increases above 3% allow the ASRF to be utilized. **The use of the Assessment Stabilization Reserve Fund therefore, limits the impact of any capacity project to 3%.**

Newly created sewer districts must have their actual costs established over at least a three year prior to being eligible for the current 3% cap afforded through the ASRF.

Exhibit

K

Calculation of Sewer District Usage Charges

Calculation of Sewer District Usage Charges

The methodology for the calculation of sewer usage charges has been in existence since the early 1980's. It has been consistently applied in determining the operating costs of all County sewer districts. It is based on generally accepted accounting principals and reflects an efficient and effective method for cost sharing.

There are two parts to each sewer district's budget. First, there are those operating costs incurred in the operation and maintenance of the sewer districts that are specifically identifiable as being associated with a specific sewer district. These costs appear in that district's annual operating budget and are charged directly to that district when payment is made to the vendors.

Second, there are those costs that are charged back to the sewer districts. They are the costs that are referred to as "soft costs".

All of these costs are incurred by Fund 261- Sanitation Maintenance and Operations, which is responsible for the maintenance and operation of all county sewer districts. These costs must be apportioned to those that have derived benefit from them. If these costs were not charged back to the benefited sewer districts, they would then have to be absorbed by the General Fund and passed along to all of the property tax payers of Suffolk County, including those that are not connected to a sewer district.

There are a variety of levels of costs included in the calculation of sewer usage charges. First, there are the direct costs which are easily identifiable. Labor charges for work done at the district and materials delivered and used at the district. Second, there are costs incurred by the department or services provided by departmental personnel on behalf of the individual districts that although they relate specifically to the district are more cost effectively performed or purchased for the group and then charged back. Then there are the overhead costs. These are services performed by the Department which save the Districts the most money.

Instead of each district having to purchase and maintain their own vehicles or buy or rent specialized equipment needed for maintenance or repair, we allocate a portion of the departmental costs to each district. Professional services performed by the sanitation engineering staff and the cost of payroll, purchasing and accounting services are also allocated to the districts. Although these costs relate directly to the operation and maintenance of the sewer districts, it is not cost effective for each of the districts to have to perform these services individually nor feasible for the County to account for these costs on a district by district basis. Therefore, these costs are apportioned to the districts based upon a percentage of direct labor costs.

The following is a detailed explanation of the categories of expenses included in the calculation of the charge backs costs and the rationale used in the allocation of these costs. All costs included in the calculation of sewer usage charges are directly related to the operation and maintenance of the sewer districts.

Personnel

None of the sewer districts' individual budgets, except for the Southwest, contain a budget line for personnel. All personnel costs are paid out of Fund 261 and are charged back to the districts. County employees who are responsible for the daily operation and maintenance of the sewer treatment plants are not assigned to a specific sewer district. Every plant must be visited every day to perform a variety of basic maintenance work. Other employees working on larger repair and improvement projects may be required to work at a particular plant for a day or a week. In order to account for their time these employees are required to submit a detailed breakdown of the amount of time that they spend at each plant each day along with their timesheet every two weeks. This information is entered into a database and the exact labor cost (straight time and overtime) associated with the specific staff working at that plant is calculated. These labor costs are charged directly to the specific sewer districts where they worked.

At the public information meetings the homeowners were critical of the cost of labor. It was explained that OSHA and Union requirements dictate that more than one person must be present when entering and working at these plants.

To determine the labor costs that could reasonably be expected to be incurred in a newly created sewer district, we use the actual labor costs incurred in a similarly sized sewer district with a similar operating system.

Postage/ Billing

This is an allocation of expenses related to the mailing of sewer bills. Paper, envelopes, supplies, equipment and maintenance agreements on the hardware and software are charged back to the sewer districts based upon the percentage of sewer bills generated and mailed to the sewer users in the district, versus total sewer usage billings.

Sludge Removal

The transfer of sludge from each of the sewer districts to the Bergen Point Scavenger Waste Treatment Plant is performed by County employees. Dump tickets, generated at the plant documenting the number of gallons received from each district are forwarded to DPW-Finance. Billings for the processing of the sludge are calculated by DPW – Finance. Actual gallons processed for each sewer district are charged back at the prevailing rate per 1000 gallons.

Lab

Costs associated with the operation of the Lab are initially paid out of Fund 261. These costs are charged back to the sewer districts based upon the number of tests the Lab conducts for each of the districts.

Objectionable Hazardous Waste

Costs associated with the operation of the Objectionable Hazardous Waste Monitoring Program are initially paid out of Fund 261, however, they are not included in the allocation of costs through the charge back system. The costs incurred by this federally mandated program are billed to commercial properties exclusively and are based upon a billing rate which is calculated separately.

Administrative Overhead

After all of the direct operating costs detailed above are deducted from the total Fund 261 expenses, the balance remaining is the total indirect expenses. They are the "soft costs".

These indirect costs are allocated to all of the sewer districts based upon the percentage of direct labor charged to the district versus total direct labor.

Labor – Sanitation Engineering

All personnel costs specifically identifiable to a sewer district (based upon Personnel narrative above) are deducted from Fund 261 and charged directly to that sewer district. All personnel costs identifiable to a specific function or program that is allocable based upon a separate allocation method are deducted. The resulting difference is the total labor costs paid out of Fund 261 which is not specifically identifiable to a specific sewer district. This includes holidays, sick time, vacations and worker's compensation paid to field staff working at the sewer treatment plants, time in training and any other time not specifically identifiable to a specific sewer district, in addition to administrative salaries and office support staff.

Fringe Benefits

This category includes all payments from Fund 261 for Social Security and contributions to the NYS Retirement System, Employee Medical Health Plan and Employee Benefit Fund. This is the total fringe benefit expense for both direct and indirect labor.

Administrative Operating Expenses

Operating expenses incurred by Fund 261 that are not specifically identifiable to a specific sewer district, but benefit all districts, are allocated to all sewer districts. These include costs such as service charges on beepers and Nextel phones, the rental and the cleaning of uniforms, the purchase of tools and miscellaneous supplies used by employees working in the field, and Administrative Office operating costs such as photocopy rental fees, memberships, subscriptions, and research and law books.

Interfund Transfers

Costs incurred by the County in the operation of Fleet Services and the Self Insurance program are apportioned to all County departments. The portion that is charged to Fund 261 is an operating expense of the Fund that is distributed to the districts.

- Fund 16 – Fleet Services

  Costs relating to the operation and maintenance of the vehicles assigned to every County department are tracked by Fleet Services based upon Fund and fleet numbers. This includes the cost of gasoline, parts for repairs and maintenance and labor costs, calculated based upon the rate of pay earned by the mechanic working on the vehicle. The cost of operating Fund 261's fleet is charged back to the sewer districts based upon their percentage of total labor costs.

- Fund 38 – Self Insurance

  The County is self insured. All costs incurred by Insurance and Risk Management are distributed among all County departments based upon the number of employees on staff. Self Insurance costs charged to Fund 261 are charged back to the sewer districts based upon their percentage of total labor costs.

The following are costs incurred by the Department that are apportioned as follows:

- Fund 259 – Bldg/ San Admin

  Operating expenses of the Commissioner's Office, Personnel, Finance and DPW Purchasing are charged back to all of the Divisions of the Department. The portion of this cost that is allocated to Fund 261 is apportioned among all of the sewer districts based upon their percentage of total labor costs.

- Fund 525 – Capital

  Capital project number 8164 was created for the purchase of heavy equipment for sanitation. Each year funds from the operating budget are transferred to this capital project, creating a reserve to be used for the purchase of heavy equipment when needed. Funding the project in this way avoids large increases in costs in years when such purchases are made and avoids incurring finance charges, thereby saving the rate payers money. This cost is apportioned among all of the sewer districts based upon their percentage of total labor costs.

Intro. Res. No. 1754-13 Laid on the Table 9/12/13

Introduced by the Presiding Officer at the Request of the County Executive

RESOLUTION NO. –2013, AMENDING THE 2013 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING FOR A SETTLEMENT FOR A MEDICAL MALPRACTICE CASE AGAINST THE COUNTY

WHEREAS, the Ways and Means Committee has approved a settlement in a medical malpractice matter for the amount of One Hundred Thousand ($100,000) Dollars; and

WHEREAS, the above settlement is a mandated expense that must be paid by the County; and

WHEREAS, sufficient funds to satisfy lawsuits, orders, judgments and settlements are not available in the 2013 Operating Budget; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of One Hundred Thousand ($100,000) Dollars in Suffolk County Serial Bonds to cover the cost of the above referenced settlement; now, therefore be it

1st RESOLVED, that the settlement for the sum of One Hundred Thousand ($100,000) Dollars be bonded and paid under the authority of the Office of Risk Management, County Department of Law, in conjunction with the County Department of Audit and Control and the County Executive's Budget Office; and be it further

2nd RESOLVED, that the proceeds of One Hundred Thousand ($100,000) Dollars in Suffolk County Serial Bonds be and are hereby appropriated as follows:

REVENUES:		
038-2780 Proceeds: Debt		$100,000
APPROPRIATIONS:	Miscellaneous Medical Malpractice Insurance 038-MSC-9090 Mandated	
4880 – Settlements		$100,000

DATED:

APPROVED BY:

_____

County Executive of the County of Suffolk

Date of Approval:

COUNTY OF SUFFOLK

1754

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DENNIS M. BROWN
COUNTY ATTORNEY

DEPARTMENT OF LAW
DIVISION OF RISK MANAGEMENT

TO: Jon Schneider
Deputy County Executive

FROM: Dennis M. Brown
County Attorney

DATE: August 12, 2013

RE: Bond Resolutions

Enclosed you will find a draft of two resolutions for bonding $285,000 and $100,000 for the settlement of two liability cases. The settlements were approved by the Ways and Means committee. Payment must be made within 90 days of receipt closing papers. This memo is to request the processing of the resolution.

Should you require any additional information, please do not hesitate to contact me.

Cc: Tom Vaughn
Lisa Santeramo

LOCATION:
H. LEE DENNISON BLDG. – 7TH FLOOR
VETERANS MEMORIAL HIGHWAY

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

Liability (631) 853-4700
Risk Mgmt. & Liability Fax (631) 853-4956
Workers Compensation Fax (631) 853-4789

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1754

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AMENDING THE 2013 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING FOR A SETTLEMENT FOR A MEDICAL MALPRACTICE AGAINST THE COUNTY

3. Purpose of Proposed Legislation

See above.

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

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

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

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

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

IT IS ANTICIPATED THAT BONDS WILL BE ISSUED SPRING 2014 AND DEBT SERVICE WILL COMMENCE SPRING 2015. THERE IS NO FISCAL IMPACT IN 2013 or 2014.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Colleen Capece Special Projects Coordinator	C. Capece	August 29, 2013

SCIN FORM 175b (10/95)

Suffolk County

General Obligation Serial Bonds
Level Debt

1754

Term of Bonds	5
Amount to Bond:	$100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
6/1/2014					
6/1/2015	3.250%	$18,741.56	$3,250.00	$21,991.56	$21,991.56
			$1,320.45	$1,320.45	
6/1/2016	3.250%	$19,350.66	$1,320.45	$20,671.11	$21,991.56
			$1,006.00	$1,006.00	
6/1/2017	3.250%	$19,979.56	$1,006.00	$20,985.56	$21,991.56
			$681.33	$681.33	
6/1/2018	3.250%	$20,628.89	$681.33	$21,310.23	$21,991.56
			$346.11	$346.11	
6/1/2019	3.250%	$21,299.33	$346.11	$21,645.45	$21,991.56
		$100,000.00	$9,957.80	$109,957.80	$109,957.80

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1754

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 NE YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1755

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. –2013, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AND LIGHTING AT COUNTY PARKS (CP 7079)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for improvements and lighting at county parks; and

WHEREAS, there are sufficient funds within the 2013 Capital Budget and Program to cover the cost of said site improvements under Capital Program Number 7079; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $300,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), the Legislature has determined that this project constitutes a Type II action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617.5 (C) (1), (2), (18), (20), (21) and (27) and Chapter 279 of the Suffolk County Code, since they involve maintenance or repair involving no substantial changes in an existing structure or facility; replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes; and in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action; since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty two (32), is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution 461-2006; and be it further

3rd RESOLVED, that the 2013 Capital Budget and Program be and they are hereby amended as follows:

Project No. 7079
Project Title: Improvements and Lighting to County Parks

	Total Estimated Cost	Current 2013 Capital Program and Budget	Revised 2013 Capital Program and Budget
1. Planning	$ 90,000	$ 25,000 B	$ 50,000 B
3. Construction	$ 900,000	$ 275,000 B	$ 250,000 B
4. Site Improvements	$ 685,000		
TOTAL	$1,675,000	$ 300,000	$ 300,000

and be it further

4th RESOLVED, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-7079.111 (Fund 001 Debt Service)	60	Planning for Improvements and Lighting County Parks	$50,000
525-CAP-7079.312 (Fund 001 Debt Service)	60	Improvements and Lighting at County Parks -- Site Improvements	$250,000

DATED:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1755

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. –2013, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AND LIGHTING AT COUNTY PARKS (CP 7079)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		9/3/2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1755

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$26,048**	**$0.05**	$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$26,048**	**$0.05**	$0.000

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

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1755

Term of Bonds	15
Amount to Bond:	$300,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$15,547.52	$10,500.00	$26,047.52	$26,047.52
			$4,977.92	$4,977.92	
11/1/2015	3.000%	$16,091.68	$4,977.92	$21,069.60	$26,047.52
			$4,696.31	$4,696.31	
11/1/2016	3.000%	$16,654.89	$4,696.31	$21,351.21	$26,047.52
			$4,404.85	$4,404.85	
11/1/2017	3.000%	$17,237.81	$4,404.85	$21,642.67	$26,047.52
			$4,103.19	$4,103.19	
11/1/2018	3.000%	$17,841.14	$4,103.19	$21,944.33	$26,047.52
			$3,790.97	$3,790.97	
11/1/2019	3.000%	$18,465.58	$3,790.97	$22,256.55	$26,047.52
			$3,467.82	$3,467.82	
11/1/2020	3.000%	$19,111.87	$3,467.82	$22,579.70	$26,047.52
			$3,133.37	$3,133.37	
11/1/2021	3.000%	$19,780.79	$3,133.37	$22,914.15	$26,047.52
			$2,787.20	$2,787.20	
11/1/2022	3.000%	$20,473.12	$2,787.20	$23,260.32	$26,047.52
			$2,428.92	$2,428.92	
11/1/2023	3.000%	$21,189.67	$2,428.92	$23,618.60	$26,047.52
			$2,058.10	$2,058.10	
11/1/2024	3.000%	$21,931.31	$2,058.10	$23,989.42	$26,047.52
			$1,674.31	$1,674.31	
11/1/2025	3.000%	$22,698.91	$1,674.31	$24,373.22	$26,047.52
			$1,277.07	$1,277.07	
11/1/2026	3.250%	$23,493.37	$1,277.07	$24,770.45	$26,047.52
			$865.94	$865.94	
11/1/2027	3.250%	$24,315.64	$865.94	$25,181.58	$26,047.52
			$440.42	$440.42	
11/1/2028	3.375%	$25,166.69	$440.42	$25,607.10	$26,047.52
11/1/2029		$300,000.00	$90,712.81	$390,712.81	$390,712.81
11/1/2030					
11/1/2031					

COUNTY OF SUFFOLK

1755

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

GREG DAWSON
COMMISSIONER

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL: Approving and appropriating funds in connection with Improvements and Lighting in County Parks (CP 7079).

PURPOSE OR GENERAL IDEA OF BILL: To approve and appropriate funds adopted in the 2013 Capital Budget to allow for improvements to County parklands that are not covered by other capital funding sources.

SUMMARY OF SPECIFIC PROVISIONS: This resolution appropriates the funds adopted in the 2013 Capital Budget in connection with Improvements and Lighting in County Parks (CP 7079).

JUSTIFICATION: The Department is often faced with situations where improvements would improve attendance or make a location more "user friendly" for the patrons, but the improvement is costly to implement and cannot be paid for within the guidelines of other capital programs.

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

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

1755

COUNTY OF SUFFOLK

STEVE BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

GREG DAWSON
COMMISSIONER

TO: **JON SCHNEIDER, Deputy County Executive**

FROM: **GREG DAWSON, Commissioner**

CC: **DENNIS M. COHEN, Chief Deputy County Executive**
LISA SANTERAMO, Asst. Deputy County Executive
TOM VAUGHN, Director of Intragovernmental Relations

DATE: **AUGUST 22, 2013**

RE: **INTRODUCTORY RESOLUTION APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AND LIGHTING AT COUNTY PARKS (CP 7079)**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS- Appropriating Funds for CP 7079 Improvements and Lighting at County Parks.doc".

The site improvement funds to be appropriated under this resolution will be used for various capital improvements at parks that are not covered under other capital programs.

Should you require anything further, please contact my office at 4-4984.

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

1756

Intro Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SCSD NO. 11 – SELDEN WITH WINCORAM COMMONS, LLC (BR-1647)

WHEREAS, Wincoram Commons, LLC is a proposed Apartment subdivision and retail space, outside the boundary of Suffolk County Sewer District No. 11 – Selden; and

WHEREAS, Wincoram Commons, LLC has petitioned and requested the Administrative Head of the District for permission to discharge Forty-Five Thousand gallons per day (45,000 GPD) of wastewater, and

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

WHEREAS, the connection is subject to the approval of 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 26-2013) with a connection fee of $30.00 per gallon per day of sewage capacity; for a connection fee of $1,350,000.00, for the said Forty-Five Thousand gallons per day (45,000) GPD of capacity; to the district; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 11 – Selden and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; now therefore be it

1st 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

2nd 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. 11 – Selden 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.

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1756

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2013, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SCSD NO. 11–SELDEN WITH WINCORAM COMMONS, LLC (BR-1647)

3. Purpose of Proposed Legislation

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 11-Selden with Wincoram Commons,, LLC (BR-1647), a firm seeking permission to discharge 45,00 GPD.

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): Sewer District**

Library District **Fire District**

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

The connection fee of $30.00 per gallon per day (45,000 GPD) of $1,350,000 will be paid to the District.

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		September 2, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1756

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

To be completed by the Executive Budget Office

1756

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

MEMORANDUM

To: Jon Schneider, Deputy County Executive

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

Date: August 22, 2013

Subject: RESOLUTION NO. -2013, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SCSD NO. 11 – SELDEN WITH WINCORAM COMMONS, LLC (BR-1647)

Attached is a draft resolution filed as **Reso-DPW-SA 26-2013 Wincoram Commons, LLC (BR-1647)** and appropriate forms with the backup filed as **Backup-DPW-SA 26-2013 Wincoram Commons, LLC (BR-1647) SCIN 175A**. This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 11 – Selden with Wincoram Commons, LLC (BR-1647).

Project Facts:

Type/units:	Proposed Apartment/Retail Subdivision	SCTM #:	0200-47600-0200-029.004 & 0200-47600-0200-029.005
Area:	4.1± Acres	SEQRA:	Complete
Flow:	45,000 GPD	Groundwater Zone:	III
SCSD:	No. 11 – Selden	Legislative District:	4th

GA:JD:cap

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations
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

1756

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 26 - 2013
AUTHORIZING THE CONNECTION OF WINCORAM COMMONS, LLC (BR-1647) TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN

WHEREAS, application has been made for Wincoram Commons, LLC which is a proposed 176 apartment subdivision and 13,300 Sq. Ft. of retail space, located in Coram, New York, situated on property identified on the Suffolk County Tax Map as District 0200, Section 476.00, Block 02.00, Lots 029.004 & 029.005, and

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 11 – Selden (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, Wincoram Commons, LLC received Agency approval (SA 20-2013) to connect to the Wastewater Treatment Plant at Bretton Woods, and due to extenuating circumstances is exploring an alternative connection, and

WHEREAS, Wincoram Commons, LLC has applied to this Agency for permission to connect Wincoram Commons, LLC to the sanitary sewerage facilities of the District, and

WHEREAS, it is anticipated that Wincoram Commons, LLC will generate a wastewater flow of Forty-Five Thousand gallons per day (45,000 GPD), and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage which is expected to emanate from Wincoram Commons, LLC, and

WHEREAS, the connection of Wincoram Commons to Suffolk County Sewer District No. 11 - Selden will be financially beneficial for the sewer district and environmentally beneficial to Suffolk County, and

WHEREAS, this Agency has determined that the Forty Five Thousand gallons per day (45,000 GPD) of sanitary sewage generated by the said project may be treated at either the facilities of the District, or the Wastewater Treatment Plant at Bretton Woods, and

WHEREAS, pursuant to Title 6 NYCRR Part 617.5(c) (11) and (20), this project involves the extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list; and routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. No further action under SEQRA should be taken by the Sewer Agency, and

NOW, THEREFORE, IT IS

n56

1st RESOLVED, that the SEQRA requirements for this project have been met, and the Town of Brookhaven has issued a Negative Declaration after establishing the action as Type I, and requires no further action, now, therefore, be it further

2nd RESOLVED, that the said application be approved subject to the execution of an agreement between the developer, the Suffolk County Department of Public Works, the Suffolk County Department of Health Services, the County of Suffolk and this Agency, on such terms as the Chairman of this Agency shall determine, including, but not limited to, the following:

1. The developer shall, at its sole cost, expense and effort, construct a complete sewage collection system, Pump Station and Forcemain for the project in accordance with Agency standards and shall offer to dedicate the said facility to the Agency at no charge;

2. No Certificate of Occupancy shall be issued for any of the units in the project until the Pump Station and Forcemain have been completed, and operating to the satisfaction of this Agency's staff;

3. The developer shall post a Letter of Credit, in form, wording and amount as determined by this Agency's staff, as security for the performance of all of the developer's obligations under the said agreement;

And be it further

3rd 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 the developer of Wincoram Commons if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein, 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 (August 19, 2013)

1757

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. - 2013, AMENDING RESOLUTION NO.147-1999 IN CONNECTION WITH THE RENOVATION TO THE PHYSICAL PLANT BUILDING/WAREHOUSE (CP 2165)

WHEREAS, Resolution 147-1999, as amended by Resolution 589-2011, appropriated $250,000 in Suffolk County Serial Bonds and $250,000 in matching State Aid; and

WHEREAS, the County has borrowed $70,206 for this project but the remaining $179,794 bond authorization to borrow has expired; and

WHEREAS, it is in the County's interest to authorize the expired portion via a new bond resolution and amend Resolution 147-1999, as previously amended, so the project can be completed and matching State Aid is received; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of Suffolk County Serial Bonds in an amount that includes the remaining unexpended $179,794 appropriation authorized by Resolution 147-1999, as amended; now, therefore be it

1st **RESOLVED**, that the 5th Whereas clause of Resolution No. 147-1999 is hereby amended as follows:

WHEREAS, the County Legislature, by Resolution 146-1999 [of even date herewith] and by a bond resolution adopted on September 12th, 2013 (IR-) has in the aggregate authorized the issuance of $250,000 in Suffolk County Serial Bonds; and

2nd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

[ ] Brackets denote deletion

____ Underlining denotes addition

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1757

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2013, AMENDING RESOLUTION NO.147-1999 IN CONNECTION WITH THE RENOVATION TO THE PHYSICAL PLANT BUILDING/WAREHOUSE (CP 2165)

3. Purpose of Proposed Legislation

See above.

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

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

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

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

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

IT IS ANTICIPATED THAT BONDS WILL BE ISSUED SPRING 2014 AND DEBT SERVICE WILL COMMENCE SPRING 2015. THERE IS NO FISCAL IMPACT IN 2013 or 2014.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		August 30, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1757

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 NE YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County

1757

General Obligation Serial Bonds
Level Debt

Term of Bonds	20
Amount to Bond:	$179,794

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
6/1/2014					
6/1/2015	3.250%	$6,510.83	$5,875.41	$12,386.24	$12,386.24
			$2,831.32	$2,831.32	
6/1/2016	3.250%	$6,723.59	$2,831.32	$9,554.91	$12,386.24
			$2,721.46	$2,721.46	
6/1/2017	3.250%	$6,943.31	$2,721.46	$9,664.77	$12,386.24
			$2,608.02	$2,608.02	
6/1/2018	3.250%	$7,170.20	$2,608.02	$9,778.22	$12,386.24
			$2,490.86	$2,490.86	
6/1/2019	3.250%	$7,404.52	$2,490.86	$9,895.38	$12,386.24
			$2,369.88	$2,369.88	
6/1/2020	3.250%	$7,646.49	$2,369.88	$10,016.36	$12,386.24
			$2,244.94	$2,244.94	
6/1/2021	3.250%	$7,896.36	$2,244.94	$10,141.30	$12,386.24
			$2,115.92	$2,115.92	
6/1/2022	3.250%	$8,154.40	$2,115.92	$10,270.32	$12,386.24
			$1,982.68	$1,982.68	
6/1/2023	3.250%	$8,420.88	$1,982.68	$10,403.56	$12,386.24
			$1,845.09	$1,845.09	
6/1/2024	3.250%	$8,696.06	$1,845.09	$10,541.15	$12,386.24
			$1,703.00	$1,703.00	
6/1/2025	3.250%	$8,980.24	$1,703.00	$10,683.24	$12,386.24
			$1,556.27	$1,556.27	
6/1/2026	3.250%	$9,273.70	$1,556.27	$10,829.97	$12,386.24
			$1,404.74	$1,404.74	
6/1/2027	3.250%	$9,576.75	$1,404.74	$10,981.49	$12,386.24
			$1,248.27	$1,248.27	
6/1/2028	3.500%	$9,889.70	$1,248.27	$11,137.97	$12,386.24
			$1,086.68	$1,086.68	
6/1/2029	3.500%	$10,212.88	$1,086.68	$11,299.56	$12,386.24
			$919.81	$919.81	
6/1/2030	3.500%	$10,546.63	$919.81	$11,466.43	$12,386.24
			$747.48	$747.48	
6/1/2031	4.000%	$10,891.27	$747.48	$11,638.76	$12,386.24
			$569.53	$569.53	
6/1/2032	4.000%	$11,247.19	$569.53	$11,816.71	$12,386.24
			$385.75	$385.75	
5/31/2033	4.000%	$11,614.73	$385.75	$12,000.48	$12,386.24
			$195.98	$195.98	
6/1/2034	4.000%	$11,994.28	$195.98	$12,190.26	$12,386.24
		$179,794.00	$67,930.74	$247,724.74	$247,724.74

1758

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. - 2013, AMENDING RESOLUTION NO.909-2002 IN CONNECTION WITH THE RENOVATION TO THE PHYSICAL PLANT BUILDING/WAREHOUSE (CP 2165)

WHEREAS, Resolution 909-2002, appropriated $343,500 in Suffolk County Serial Bonds and $343,500 in matching State Aid; and

WHEREAS, the County has borrowed $16,000 for this project but the remaining $327,500 bond authorization to borrow has expired; and

WHEREAS, it is in the County's interest to authorize the expired portion via a new bond resolution and amend Resolution 909-2002, as previously amended, so the project can be completed and matching State Aid is received; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of Suffolk County Serial Bonds in an amount that includes the remaining unexpended $327,500 appropriation authorized by Resolution 909-2002; now, therefore be it

1st **RESOLVED**, that the 6th Whereas clause of Resolution No. 909-2002 is hereby amended as follows:

WHEREAS, the County Legislature, by Resolution 908-2002 [of even date herewith] and by a bond resolution adopted on September 12th, 2013 (IR-) has in the aggregate authorized the issuance of $343,500 in Suffolk County Serial Bonds; and

2nd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

[ ] Brackets denote deletion

____ Underlining denotes addition

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1758

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2013, AMENDING RESOLUTION NO.909-2002 IN CONNECTION WITH THE RENOVATION TO THE PHYSICAL PLANT BUILDING/WAREHOUSE (CP 2165

3. Purpose of Proposed Legislation

See above.

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

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

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

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

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

IT IS ANTICIPATED THAT BONDS WILL BE ISSUED SPRING 2014 AND DEBT SERVICE WILL COMMENCE SPRING 2015. THERE IS NO FISCAL IMPACT IN 2013 or 2014.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		August 30, 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1758

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 NE YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County

General Obligation Serial Bonds
Level Debt

1758

Term of Bonds	20
Amount to Bond:	$327,500

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
6/1/2014					
6/1/2015	3.250%	$11,859.66	$10,702.23	$22,561.89	$22,561.89
			$5,157.34	$5,157.34	
6/1/2016	3.250%	$12,247.22	$5,157.34	$17,404.55	$22,561.89
			$4,957.23	$4,957.23	
6/1/2017	3.250%	$12,647.44	$4,957.23	$17,604.66	$22,561.89
			$4,750.58	$4,750.58	
6/1/2018	3.250%	$13,060.74	$4,750.58	$17,811.31	$22,561.89
			$4,537.17	$4,537.17	
6/1/2019	3.250%	$13,487.54	$4,537.17	$18,024.72	$22,561.89
			$4,316.80	$4,316.80	
6/1/2020	3.250%	$13,928.30	$4,316.80	$18,245.09	$22,561.89
			$4,089.22	$4,089.22	
6/1/2021	3.250%	$14,383.45	$4,089.22	$18,472.67	$22,561.89
			$3,854.20	$3,854.20	
6/1/2022	3.250%	$14,853.48	$3,854.20	$18,707.69	$22,561.89
			$3,611.51	$3,611.51	
6/1/2023	3.250%	$15,338.87	$3,611.51	$18,950.38	$22,561.89
			$3,360.88	$3,360.88	
6/1/2024	3.250%	$15,840.13	$3,360.88	$19,201.01	$22,561.89
			$3,102.07	$3,102.07	
6/1/2025	3.250%	$16,357.76	$3,102.07	$19,459.83	$22,561.89
			$2,834.79	$2,834.79	
6/1/2026	3.250%	$16,892.31	$2,834.79	$19,727.10	$22,561.89
			$2,558.78	$2,558.78	
6/1/2027	3.250%	$17,444.32	$2,558.78	$20,003.11	$22,561.89
			$2,273.76	$2,273.76	
6/1/2028	3.500%	$18,014.38	$2,273.76	$20,288.14	$22,561.89
			$1,979.41	$1,979.41	
6/1/2029	3.500%	$18,603.06	$1,979.41	$20,582.48	$22,561.89
			$1,675.45	$1,675.45	
6/1/2030	3.500%	$19,210.99	$1,675.45	$20,886.44	$22,561.89
			$1,361.56	$1,361.56	
6/1/2031	4.000%	$19,838.77	$1,361.56	$21,200.33	$22,561.89
			$1,037.41	$1,037.41	
6/1/2032	4.000%	$20,487.08	$1,037.41	$21,524.48	$22,561.89
			$702.66	$702.66	
5/31/2033	4.000%	$21,156.57	$702.66	$21,859.23	$22,561.89
			$356.98	$356.98	
6/1/2034	4.000%	$21,847.93	$356.98	$22,204.91	$22,561.89
		$327,500.00	$123,737.81	$451,237.81	$451,237.81

1759

Intro. Res. No. - 2013 Laid on the Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. - 2013, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CP 5014)

WHEREAS, due to the severe 2012/2013 winter, the Commissioner of Public Works has requested additional funds for strengthening and Improving County Roads; and

WHEREAS, sufficient funds are not included in the 2013 Capital Budget and Program to cover the cost of said request for construction and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,100,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5(C) (1) and (4), of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes maintenance or repair involving no substantial changes in an existing structure or facility as well as repaving of existing highways not involving the addition of new travel lanes; since this law is a Type II action, the Legislature has not further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-five (45) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

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

Project No.: 5526
Project Title: Reconstruction of CR 48, Middle Road

	Total Est'd Cost	Current 2013 Capital Budget & Program	Revised 2013 Capital Budget & Program
2. Land Acquisition	$920,000	$1,000,000B	$600,000B
TOTAL	$12,870,000	$1,400,000	$1,000,000

Project No.: 5561
Project Title: Reconstruction of CR 59, Long Lane

	Total Est'd Cost	Current 2013 Capital Budget & Program	Revised 2013 Capital Budget & Program
3. Construction	$2,000,000	$2,700,000B	$2,000,000B
TOTAL	$2,000,000	$2,700,000	$2,000,000

Project No.: 5014
Project Title: Strengthening & Improving County Roads

	Total Est'd Cost	Current 2013 Capital Budget & Program	Revised 2013 Capital Budget & Program
3. Construction	$59,520,000	$4,300,000B	$5,400,000B
TOTAL	$59,520,000	$4,300,000	$5,400,000

5th **RESOLVED**, that the proceeds of $1,100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5014.354 (Fund 001 Debt Service)	50	Strengthening and Improving County Roads	$1,100,000

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1759

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2013, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CP 5014)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		9/4/2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1759

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER $1000
TOTAL	**$95,508**	**$0.18**	$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	**$95,508**	**$0.18**	$0.000

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

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1759

Term of Bonds	15
Amount to Bond:	$1,100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	$57,007.58	$38,500.00	$95,507.58	$95,507.58
			$18,252.37	$18,252.37	
11/1/2015	3.000%	$59,002.84	$18,252.37	$77,255.21	$95,507.58
			$17,219.82	$17,219.82	
11/1/2016	3.000%	$61,067.94	$17,219.82	$78,287.76	$95,507.58
			$16,151.13	$16,151.13	
11/1/2017	3.000%	$63,205.32	$16,151.13	$79,356.45	$95,507.58
			$15,045.04	$15,045.04	
11/1/2018	3.000%	$65,417.51	$15,045.04	$80,462.54	$95,507.58
			$13,900.23	$13,900.23	
11/1/2019	3.000%	$67,707.12	$13,900.23	$81,607.35	$95,507.58
			$12,715.35	$12,715.35	
11/1/2020	3.000%	$70,076.87	$12,715.35	$82,792.22	$95,507.58
			$11,489.01	$11,489.01	
11/1/2021	3.000%	$72,529.56	$11,489.01	$84,018.57	$95,507.58
			$10,219.74	$10,219.74	
11/1/2022	3.000%	$75,068.09	$10,219.74	$85,287.83	$95,507.58
			$8,906.05	$8,906.05	
11/1/2023	3.000%	$77,695.47	$8,906.05	$86,601.53	$95,507.58
			$7,546.38	$7,546.38	
11/1/2024	3.000%	$80,414.82	$7,546.38	$87,961.20	$95,507.58
			$6,139.12	$6,139.12	
11/1/2025	3.000%	$83,229.34	$6,139.12	$89,368.46	$95,507.58
			$4,682.61	$4,682.61	
11/1/2026	3.250%	$86,142.36	$4,682.61	$90,824.97	$95,507.58
			$3,175.12	$3,175.12	
11/1/2027	3.250%	$89,157.34	$3,175.12	$92,332.46	$95,507.58
			$1,614.86	$1,614.86	
11/1/2028	3.375%	$92,277.85	$1,614.86	$93,892.71	$95,507.58
11/1/2029		$1,100,000.00	$332,613.64	$1,432,613.64	$1,432,613.64
11/1/2030					
11/1/2031					

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C.P. 5014 STRENGTHENING and IMPROVING COUNTY ROADS 2013				
CR#	Road / Limits		Town	Leg Dist
2	**Straight Path**			
	Booker Ave to Nicolls Rd		Babylon	15
3	**Pinelawn Rd**			
	LIE to NYS RT 110		Huntington	17
4	**Town Line Rd (System Rd)**			
	From Dovecote Lane to CR 11 Pulaski Rd		Hunt/Smithtown	13,18
9	**Cuba Hill Rd**			
	Portion of, CR 10 Elwood Rd to CR 11 (LIRR)		Huntington	16
11	**Pulaski Rd**			
	Portion of, from NYS RT 110 to Cuba Hill Rd		Huntington	16,17
	Portion of, from Cuba Hill Rd to Stony Hollow Rd		Huntington	16
12	**Oak Street**			
	NYS RT 110 to CR 47 Great Neck Rd-Portion of		Babylon	15
16	**HorseBlock Rd**			
	LIRR Tressel to LIE		Brookhaven	7
17	**Carleton Ave**			
	Smith Street to vic of CR 100 Suffolk Ave		Islip	9
28	**New Highway**			
	Sunrise Hwy to and Albany Ave		Babylon	15
35	**Park Ave**			
	Intersection with CR 66		Huntington	16
47	**Great Neck Rd**			
	Montauk Hwy to CR 12 Oak Street		Babylon	15
51	**Riverhead - Moriches Rd**			
	Sunrise South Svc Rd to vic of CR 55		Brookhaven	1
57	**Howells Rd**			
	Under Sunrise Hwy		Islip	11
63	**Lake Ave**			
	vic of CR 51 to vic of Traffic Circle- Shdl restoration		Southampton	2
67	**Long Island Motor Parkway**			
	NYS RT 231- 1000 ft each side		Huntington	16
	CR 17 to Veterans Memorial Hwy-Portion of		Islip	9,12
	Bedford Av to Parkway Gardens-High Friction Asph		Islip	12
80	**Montauk Hwy**			
	James Hawkins Rd to Louis Ave		Brookhaven	3
	CR 46 to vic of CR 36 (E)- a portion of		Brookhaven	3
86	**Broadway - Greenlawn Rd**			
	Old Field Rd to CenterShore Rd- High Friction		Huntington	18
97	**Nicolls Rd**			
	S/B from South SUNY Entrance to Nesconsett Hwy		Brookhaven	5
111	**Capt Daniel Roe Hwy**			
	Halsey Manor Rd to Nicole Ct S/B		Brookhaven	1

IT MAY BE NECESSARY TO ADD AND / OR SUBSTITUTE OTHER ROADS AND / OR REVISE LIMITS OF WORK DUE TO SEASONAL LIMITATIONS, CHANGES IN PRIORTIES, OR OTHER REQUIREMENTS AS DETERMINED BY THIS DEPARTMENT

1759

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

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E. Commissioner Vincent Falkowski for

DATE: August 5, 2013

RE: Amending the 2013 Capital Program and Budget and Appropriating Funds in Connection with Strengthening and Improving County Roads (CP 5014)

Attached is a draft resolution appropriating the sum of $1,100,000 for construction services in connection with the above referenced project. There are insufficient funds included in the 2013 Capital Budget and Program for this project and, as such, an offset must be provided.

It is our intent to utilize the remaining funds from CP 5526 – Land Acquisition for the Reconstruction of CR 48, Middle Road from Ruch Lane to Chapel Lane ($400,000) - a revised estimate for right-of-way land acquisitions has indicated a reduced cost and CP 5561 – Reconstruction of CR 59, Long Lane ($700,000) – a revised construction estimate has indicated a reduced cost.

The volatile winter season of 2012/2013 inundated Long Island with rain, damaging winds, snow and ice. The damage inflicted on Suffolk County roadways by the volatile winter season of 2012/2013, coupled with normal wear and tear, has caused extensive damage to the road system. Limited resources and non-highway responsibilities do not permit the Department of Public Works Highway Maintenance crew to keep pace with deterioration of the road system.

The services provided by this Capital Project includes excavation and replacement of existing deteriorated pavement, patching and other items of work required prior to the placement of new concrete or asphalt pavement, such as drainage, concrete curb and the installation of pavement markings consisting of thermoplastic striping and plowable all-weather reflective markers.

We will utilize this funding to supplement the $4,300,000 included in the 2013 Capital Program (adopted via Resolution 459-2013), to attempt to meet this year's goal to improve roadways on the attached list. ***It may be necessary to add and/or substitute other roads and/or revise limits of work due to seasonal limitations, changes in priorities or other requirements to be determined by this Department.***

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

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5014(S&I Addntl).doc".

GA/WH/td
attach.
cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
William Hillman, P.E., Chief Engineer
Charles Jaquin, Acting Head of Finance Division

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

1759

TITLE OF BILL: Amending the 2013 Capital Budget and Program and Appropriating Funds in Connection with Strengthening and Improving County Roads (CP 5014)

PURPOSE OR GENERAL IDEA OF BILL: This funding will provide for additional funding for the repair and/or resurfacing of roadways as well as related appurtenances such as drainage and curb at localized locations. This will improve both the surface and structural conditions of the road and significantly extend the life of various roadways. Preventive maintenance is necessary to provide safe highways and mitigate future costly reconstruction projects.

SUMMARY OF SPECIFIC PROVISIONS: revised estimates for land acquisition for CP 5526 (CR48) and CP 5561 (CR59) has indicated that $1,100,000 is available for use as offsets for this request.

JUSTIFICATION: These funds enable Suffolk County Department of Public Works to issue work orders for preventive maintenance.

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

Introductory Resolution No. 1760-13 Laid on Table 9/12/13

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 1790 Route 25 LLC (SCTM NO. 0200-350.00-02.00-013.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 350.00 Block 02.00 Lot 013.000 and acquired by Tax Deed on July 5, 2001 from Joseph Sawicki, Jr., the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on July 12, 2001 in Liber 12129 at CP 300 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Brookhaven under SCTM # District 0200 Section 350.00 Block 02.00 Lot 013.000,

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

WHEREAS, 1790 Route 25 LLC, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1,501.00. 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 30' x 60' x 51' x 61' (landlocked) has been appraised at $980.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $1,501.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said 1790 Route 25 LLC, 1775 Route 25, Ridge, New York 11961.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

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

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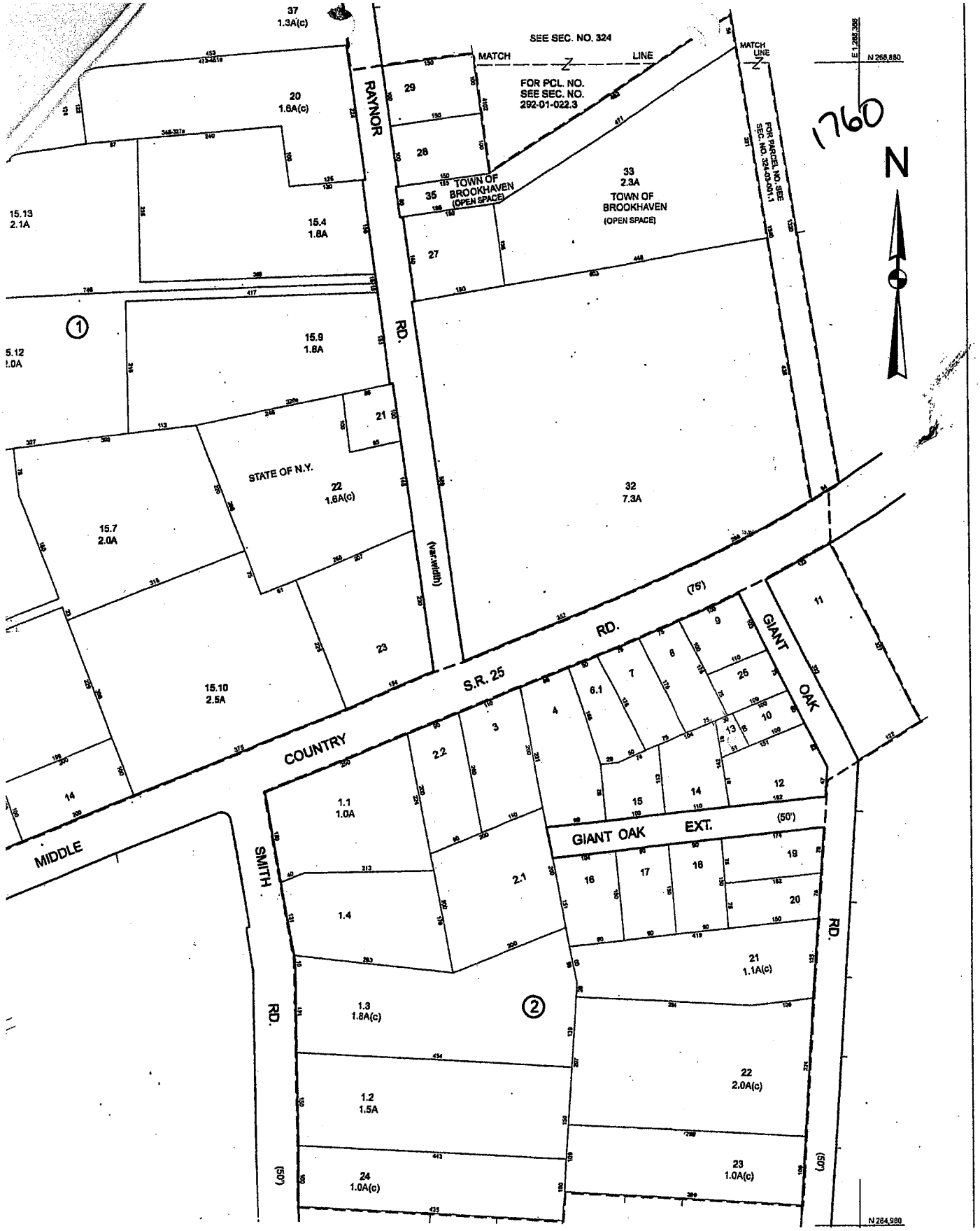
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-350.00-02.00-013.000

ADJOINING OWNER	BID	BID	BID
1790 Route 25 LLC 1775 Route 25 Ridge, New York 11961 0200-350.00-02.00-008.000	$1,501.00		
Ann Marie White P.O. Box 204 Ridge, New York 11961 0200-350.00-02.00-010.000	$0		
Patrick Spero 6 Giant Oak Road Ridge, New York 11961 0200-350.00-02.00-012.000	$0		
Zepmeisel Family Irrevocable Trust 5 Giant Oak Road Ridge, New York 11961 0200-350.00-02.00-014.000	$0		
County of Suffolk 330 Center Drive Riverhead, New York 11901 0200-350.00-02.00-025.000	$0		

SIZE OF PARCEL: 30'x60'x51'x61'
APPRAISED VALUE: $980.00
COMMENT: Direct Sale to Adjacent Owner

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



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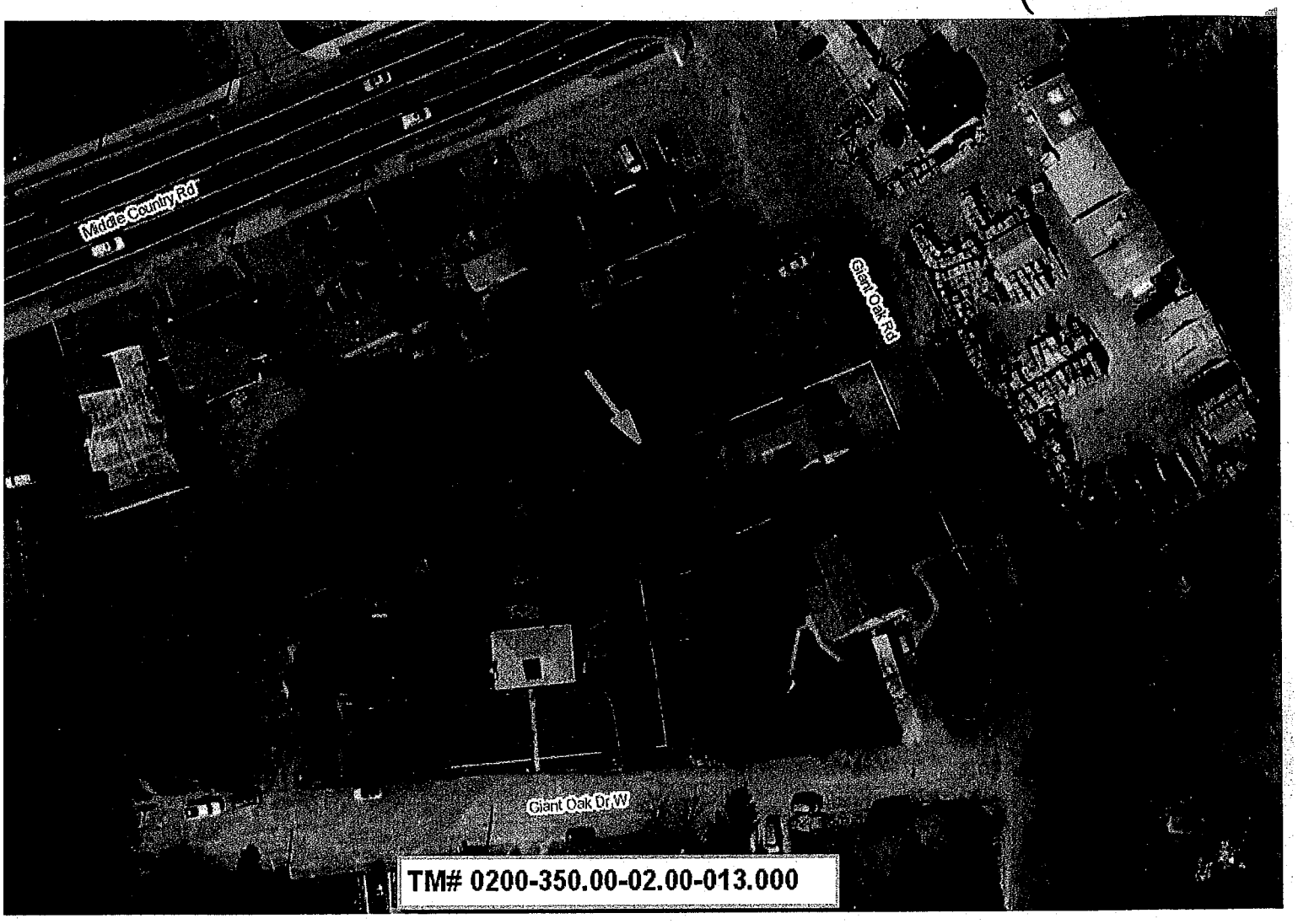
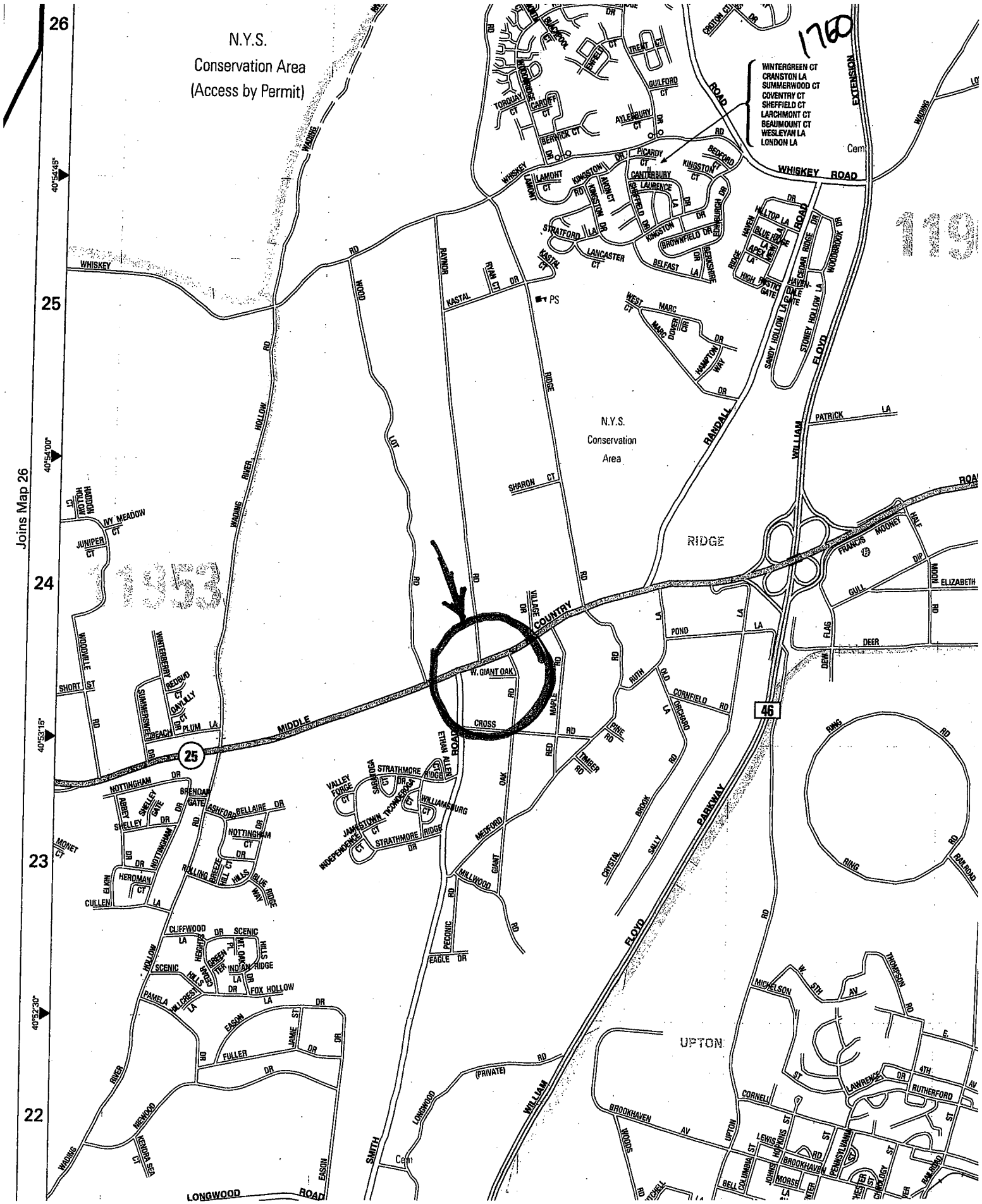
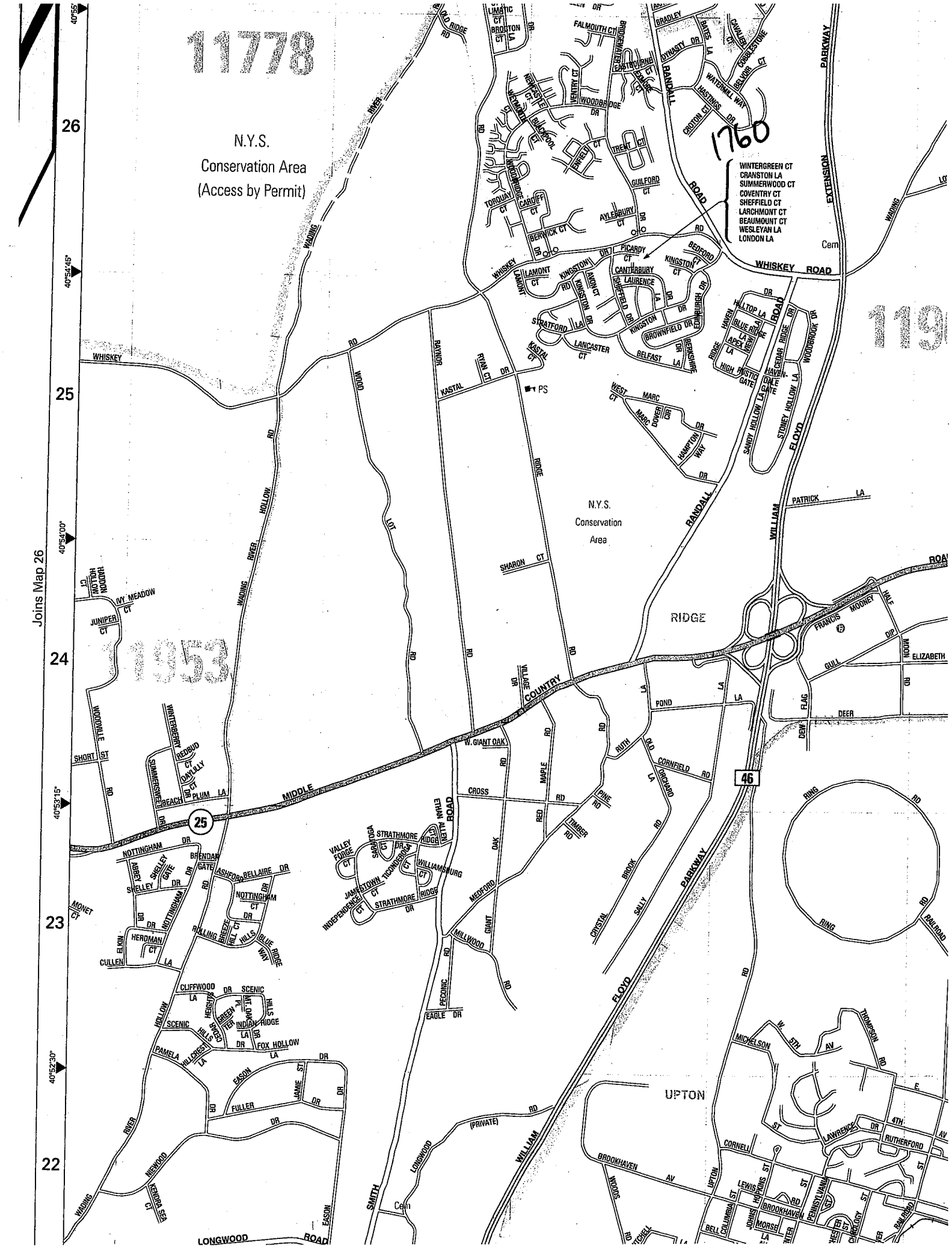
TM # 0200-350.00-02.00-013.000

1760


Middle Country Rd
Giant Oak Rd
Giant Oak Dr W
TM# 0200-350.00-02.00-013.000



Tm # 0200-350.00-02.00-013.000



11778
N.Y.S.
Conservation Area
(Access by Permit)
1760
WINTERGREEN CT
CRANSTON LA
SUMMERWOOD CT
COVENTRY CT
SHEFFIELD CT
LARCHMONT CT
BEAUMOUNT CT
WESLEYAN LA
LONDON LA
Cem
WHISKEY ROAD
RANDALL ROAD
EXTENSION PARKWAY
WADING RIVER
WHISKEY RD
WOOD LOT RD
RAYNOR RIDGE RD
KASTAL DR
PS
N.Y.S.
Conservation
Area
RIDGE
WILLIAM FLOYD PARKWAY
PATRICK LA
SHARON CT
MIDDLE COUNTRY ROAD
25
46
W. GIANT OAK
CROSS RD
MAPLE RD
RED RD
PINE RD
TIMBER RD
OLD ORCHARD LA
CORNFIELD RD
POND LA
RUTH LA
CRYSTAL BROOK RD
SALLY
MEDFORD RD
GIANT OAK RD
MILLWOOD RD
PECONIC RD
EAGLE DR
ETHAN ALLEN ROAD
STRATHMORE RIDGE
WILLIAMSBURG
VALLEY FORGE CT
JAMESTOWN CT
INDEPENDENCE CT
SARATOGA CT
TICONDEROGA CT
NOTTINGHAM DR
BRENDAN GATE
ASHFORD
BELLAIRE DR
NOTTINGHAM CT
ROLLING HILLS
BREEZE HILL CT
BLUE RIDGE WAY
HEROMAN CT
CULLEN LA
ELKIN
MONET CT
SHELLEY DR
ABBEY
SHELLEY GATE
CLIFFWOOD LA
SCENIC HILLS
HEIGHTS
GREEN TER
MT. OAK PL
INDIAN RIDGE
FOX HOLLOW LA
PAMELA
HILLCREST LA
EASON DR
FULLER DR
JAMIE ST
NIEWOOD
KENDRA SEA CT
LONGWOOD ROAD
SMITH
LONGWOOD
(PRIVATE) RD
WILLIAM
UPTON
BROOKHAVEN AV
CORNELL
MICHELSON
W. 5TH AV
THOMPSON RD
E. 4TH AV
LAWRENCE DR
RUTHERFORD
LEWIS
HOPKINS ST
BROOKHAVEN
PENNSYLVANIA ST
COLUMBIA ST
JOHNS
MORSE
WOODS RD
RING RD
RAILROAD
FRANCIS MOONEY
HALF MOON RD
ELIZABETH
GULL DIP
DEER
FLAG
DEW
WOODVILLE RD
SHORT ST
WINTERBERRY
REDBUD CT
DAYLILLY CT
SUMMERSWEET DR
BEACH PLUM LA
HADDON HOLLOW CT
IVY MEADOW CT
JUNIPER CT
WADING RIVER HOLLOW RD
40°55'
40°54'45"
40°54'00"
40°53'15"
40°52'30"
26
25
24
23
22
Joins Map 26

1760

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

   2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976
   1790 Route 25 LLC
   (SCTM NO. 0200-350.00-02.00-013.000)

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

Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	RJ Bhatt	7/25/13
NEIL TOOMB	Neil Toomb	8/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1760

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1760

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

July 25, 2013

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

Re: Tax Map Number: 0200-350.00-02.00-013.000

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. 1761-13 Laid on Table 9/12/13

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 BRIAN J. DeCANIO AND MONICA DeCANIO, HIS WIFE (SCTM NO. 0500-482.00-04.00-027.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 482.00 Block 04.00 Lot 027.000 and acquired by Tax Deed on April 29, 1988 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on May 2, 1988 in Liber 10593 at CP 113 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Islip under SCTM # District 0500 Section 482.00 Block 04.00 Lot 027.000,

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

WHEREAS, Brian J. DeCanio and Monica DeCanio, His Wife, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 150' x 35' x 167' x 39' (under water land) has been appraised at $390.00, 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 $500.00 , pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Brian J. DeCanio and Monica DeCanio, His Wife, 169 Secatogue Lane West, West Islip, New York 11795.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

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

1761

SUMMARY STATEMENT

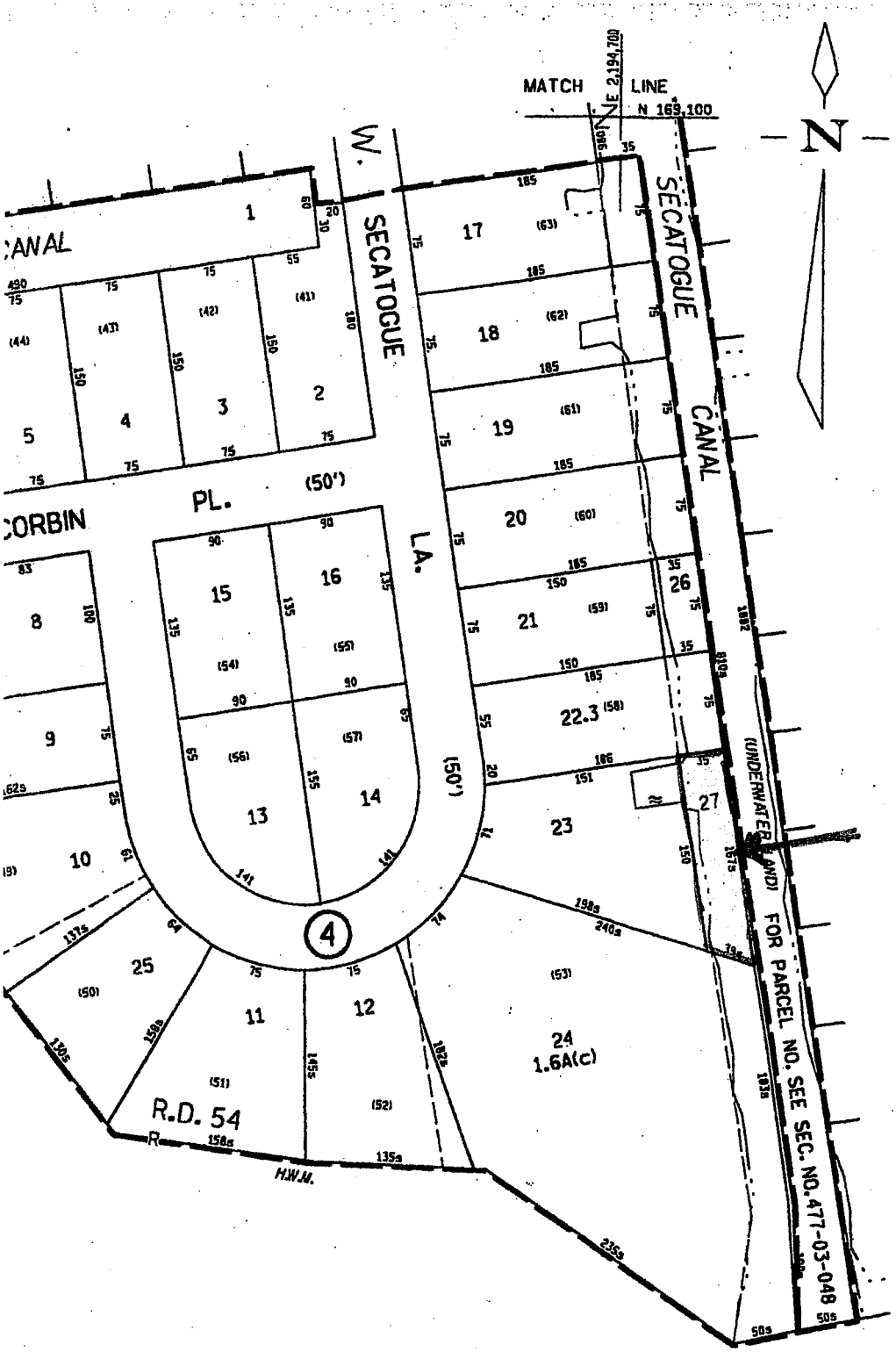
DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0500-482.00-04.00-027.000

ADJOINING OWNER	BID	BID	BID
Brian & Monica DeCanio 169 Secatogue Lane West West Islip, New York 11795 0500-482.00-04.00-023.000	$500.00		
Peter & Maryanne Kiley 171 Secatogue Lane West West Islip, New York 11795 0500-482.00-04.00-022.003	$0		
Robert & Deborah Longo 163 Secatogue Lane West West Islip, New York 11795 0500-482.00-04.00-024.000	$0		

SIZE OF PARCEL: 150' x 35' x 167' x 39'
APPRAISED VALUE: $390.00
COMMENT: Direct Sale to Adjacent Owner

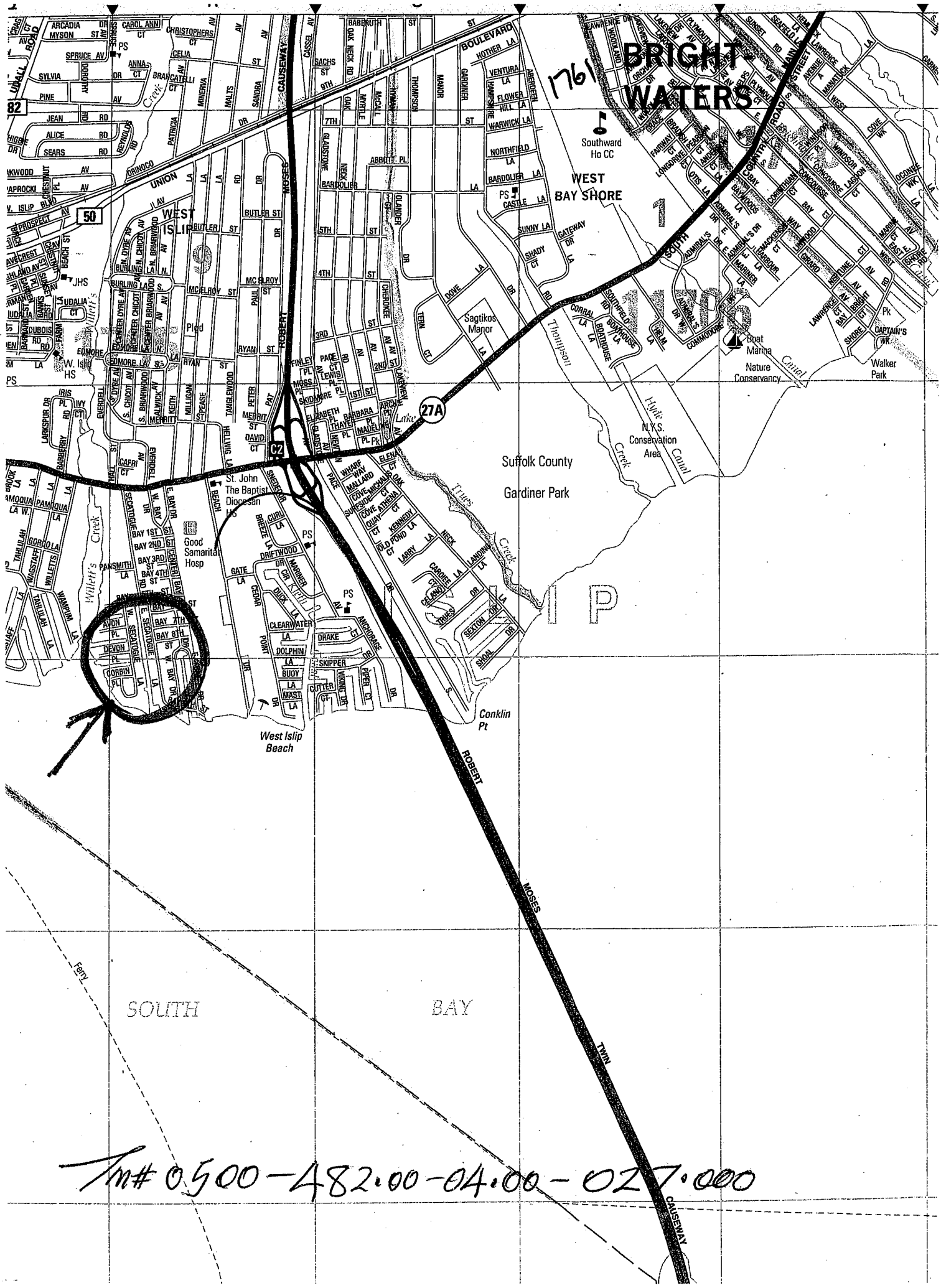
Wayne R. Thompson
Property Manager
(631) 853-5971

1761



TM# 0500-482.00-04.00-027.000

1761


1761
BRIGHT WATERS
WEST BAY SHORE
WEST ISLIP
Southward Ho CC
Sagtikos Manor
Boat Marina
Nature Conservancy
Walker Park
N.Y.S. Conservation Area
Suffolk County
Gardiner Park
St. John The Baptist Diocesan Hs
Good Samaritan Hosp
West Islip Beach
Conklin Pt
SOUTH
BAY
Tm# 0500-482.00-04.00-027.000

1761

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

   2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976
   BRIAN J. DeCANIO AND MONICA DeCANIO, HIS WIFE
   (SCTM NO. 0500-482.00-04.00-027.000)

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

Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	RJ Bhatt	7/25/13
NEIL TOOMB	Neil Toomb	9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1761

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

(76)

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

July 25, 2013

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

Re: Tax Map Number: 0500-482.00-04.00-027.000

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)

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

1762

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2013, AMENDING RESOLUTION NO. 606-2013, AUTHORIZING APPRAISAL FOR THE ACQUISITION OF DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM AS AMENDED BY LOCAL LAW 24-2007 – GUS WADE FARM PROPERTY - TOWN OF BABYLON

WHEREAS, Resolution No. 606-2013 authorized the appraisal for the acquisition of development rights for the Gus Wade Farm Property, Town of Babylon; and

WHEREAS, Exhibit "A" of this resolution, when adopted, had some technical errors in the Suffolk County Tax Map numbers, acreage and ownership of the 27 parcels listed that was proposed for acquisition of development rights for farmland protection; and

WHEREAS, the County Executive desires the replacement of the existing, Exhibit "A" with the following updated "Exhibit "A" to Resolution No. 606-2013; now, therefore, be it

RESOLVED, that the Clerk of the Legislature shall make the following technical corrections by omitting the existing Exhibit "A" and replacing it with the following Exhibit "A (Updated 8/2/2013)", to read as follows:

[OMIT]:

[EXHIBIT A

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER:
No. 1	0100-013.00-02.00-039.001	0.4	Gustave Wade
No. 2	0100-013.00-02.00-039.002	0.6	Gustave J. & Carol Wade
No. 3	0100-013.00-02.00-039.003	0.3	Gustave Wade
No. 4	0100-013.00-02.00-039.004	0.3	Gustave J. & Carol Wade
No. 5	0100-013.00-02.00-039.005	0.3	Gustave Wade
No. 6	0100-013.00-02.00-039.006	0.3	Gustave J. & Carol Wade
No. 7	0100-013.00-02.00-039.007	0.3	Gustave Wade
No. 8	0100-013.00-02.00-039.008	0.3	Gustave J. & Carol Wade
No. 9	0100-013.00-02.00-039.009	0.3	Gustave Wade
No. 10	0100-013.00-02.00-039.010	0.3	Gustave J. & Carol Wade
No. 11	0100-013.00-02.00-039.011	0.3	Gustave Wade
No. 12	0100-013.00-02.00-039.012	0.2	Gustave J. & Carol Wade
No. 13	0100-013.00-02.00-039.013	0.3	Carol Wade
No. 14	0100-013.00-02.00-039.014	0.3	Gustave Wade
No. 15	0100-013.00-02.00-039.015	0.3	Gustave Wade
No. 16	0100-013.00-02.00-039.016	0.3	Gustave J. & Carol Wade
No. 17	0100-013.00-02.00-039.017	0.3	Gustave Wade
No. 18	0100-013.00-02.00-039.018	0.3	Gustave J. & Carol Wade
No. 19	0100-013.00-02.00-039.019	0.2	Gustave J. & Carol Wade
No. 20	0100-011.00-01.00-060.001	0.7	Gustave Wade
No. 21	0100-011.00-01.00-060.002	0.4	Gustave J. & Carol Wade
No. 22	0100-011.00-01.00-060.003	0.5	Gustave Wade
No. 23	0100-011.00-01.00-060.004	0.8	Gustave J. & Carol Wade
No. 24	0100-011.00-01.00-060.005	0.8	Gustave Wade
No. 25	0100-011.00-01.00-060.006	2.7	Gustave J. & Carole Wade
No. 26	0100-011.00-01.00-060.007	0.4	Gustave Wade
No. 27	0100-013.00-02.00-039.051	2.7	Colonial Springs Farm LLC

TOTAL ACRES: 14.9]

ADD:

EXHIBIT A (Updated 8/2/2013)

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER:
No. 1	0100 01300 0200 039001	0.44	Gustave J. Wade Family 2012 Irrevocable Trust
No. 2	0100 01300 0200 039002	0.62	Gustave J. & Carol Wade
No. 3	0100 01300 0200 039003	0.33	Gustave J. Wade Family 2012 Irrevocable Trust
No. 4	0100 01300 0200 039004	0.33	Gustave J. & Carol Wade
No. 5	0100 01300 0200 039005	0.33	Gustave J. Wade Family 2012 Irrevocable Trust
No. 6	0100 01300 0200 039006	0.33	Gustave J. & Carol Wade
No. 7	0100 01300 0200 039007	0.33	Gustave J. Wade Family 2012 Irrevocable Trust
No. 8	0100 01300 0200 039008	0.39	Gustave J. & Carol Wade
No. 9	0100 01300 0200 039009	0.32	Gustave J. Wade Family 2012 Irrevocable Trust
No. 10	0100 01300 0200 039010	0.30	Gustave J. & Carol Wade
No. 11	0100 01300 0200 039011	0.30	Gustave J. Wade Family 2012 Irrevocable Trust
No. 12	0100 01300 0200 039012	0.30	Gustave J. & Carol Wade
No. 13	0100 01300 0200 039013	0.45	Carol Wade
No. 14	0100 01300 0200 039014	0.31	Gustave J. Wade Family 2012 Irrevocable Trust
No. 15	0100 01300 0200 039015	0.29	Gustave J. Wade Family 2012 Irrevocable Trust
No. 16	0100 01300 0200 039016	0.29	Gustave J. & Carol Wade
No. 17	0100 01300 0200 039017	0.29	Gustave J. Wade Family 2012 Irrevocable Trust
No. 18	0100 01300 0200 039018	0.33	Gustave J. & Carol Wade
No. 19	0100 01300 0200 039019	0.39	Gustave J. & Carol Wade
No. 20	0100 01100 0100 006001	0.67	Gustave J. Wade Family 2012 Irrevocable Trust
No. 21	0100 01100 0100 006002	0.44	Gustave J. & Carol Wade
No. 22	0100 01100 0100 006003	0.46	Gustave J. Wade Family 2012 Irrevocable Trust
No. 23	0100 01100 0100 006004	0.84	Gustave J. & Carol Wade
No. 24	0100 01100 0100 006005	0.77	Gustave J. Wade Family 2012 Irrevocable Trust
No. 25	0100 01100 0100 006006	2.75	Gustave J. & Carol Wade
No. 26	0100 01100 0100 006007	0.38	Gustave J. Wade Family 2012 Irrevocable Trust
No. 27	0100 01300 0200 039051 p/o	2.89	Colonial Springs Farm LLC

TOTAL ACRES: 15.87

;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 Sections 617.5(c) (20) (21) and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2)of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as 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 on non-applicability or non-significance in accordance with this resolution.

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

2013 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

1762

TITLE OF BILL (I.R.) :

AMENDING RESOLUTION NO. 606-2013, AUTHORIZING APPRAISAL FOR THE ACQUISITION OF DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM AS AMENDED BY LOCAL LAW 24-2007 – GUS WADE FARM PROPERTY - TOWN OF BABYLON

PURPOSE OR GENERAL IDEA OF BILL (I.R.):

To request a technical correction to Resolution No. 606-2013. Information within Exhibit "A", including tax map numbers, ownership and acreage, needs to be corrected/updated.

SUMMARY OF SPECIFIC PROVISIONS:

Information within Exhibit "A", including tax map numbers, ownership and acreage, needs to be corrected/updated by replacing Exhibit "A" with Exhibit "A(Updated 8/2/2013)".

JUSTIFICATION:

Errors found in Exhibit "A" need to be corrected/updated.

FISCAL IMPLICATIONS:

None

1762

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AMENDING RESOLUTION NO. 606-2013, AUTHORIZING APPRAISAL FOR THE ACQUISITION OF DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM AS AMENDED BY LOCAL LAW 24-2007 – GUS WADE FARM PROPERTY - TOWN OF BABYLON

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Lauretta R. Fischer, Principal Environmental Analyst		August 7, 2013

SCIN FORM 175b (10/95)

NEIL TOOMB 9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1762

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1762

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

August 12, 2013

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

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution for a technical correction to amend Resolution No. 606-2013, Authorizing Appraisal for the Acquisition of Development Rights under the Suffolk County Drinking Water Protection Program as amended by Local Law No. 24-2007 – Gus Wade Farm Property - Town of Babylon. We are requesting that corrections be made in Exhibit "A", including tax map numbers, ownership and acreage. We ask that Exhibit "A" be replaced with Exhibit "A (Updated 8/2/2013)."

Please contact me if you require any additional information.

Sincerely,

Sarah Lansdale, A.I.C.P.
Director of Planning

cc: Dennis Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive & Commissioner of Dept. of Economic Development & Planning
Tom Vaughn, Director, Intergovernmental Relations
Lisa Santeramo, Assistant Deputy County Executive
Lauretta Fischer, Principal Environmental Analyst, Div. of Planning and Environment
Andrew Amakawa, Research Technician, Div. of Planning and Environment
Katie Magee, Planner, Div. of Planning and Environment
Jill Rosen-Nikoloff, Director, Div. of Real Property Acquisition and Management
Janet Longo, Acquisition Supervisor, Div. of Real Property Acquisition and Management
Robert Braun, Department of Law
CE Reso Review (e-mail copy only)

Introductory Resolution No. 1763-13 Laid on Table 9/12/13

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 JOSEPH ZACHARY GAZZA (SCTM NO. 0900-325.00-01.00-010.000)

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 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 325.00 Block 01.00 Lot 010.000 and acquired by Tax Deed on November 13, 2000 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 21, 2000 in Liber 12085 at CP 885 and described as follows, known and designated as Lots 22 to 24 inclusive in Block 17 on a certain map entitled "Map of Pine Grove, Section 1", and filed in the Office of the Clerk of the County of Suffolk on June 15, 1906 as Map No. 381.

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, Joseph Zachary Gazza, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,100.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 60' x 100' (paper street) has been appraised at $2,100.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $2,100.00, pursuant to said purchase offer; and

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

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

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

1763

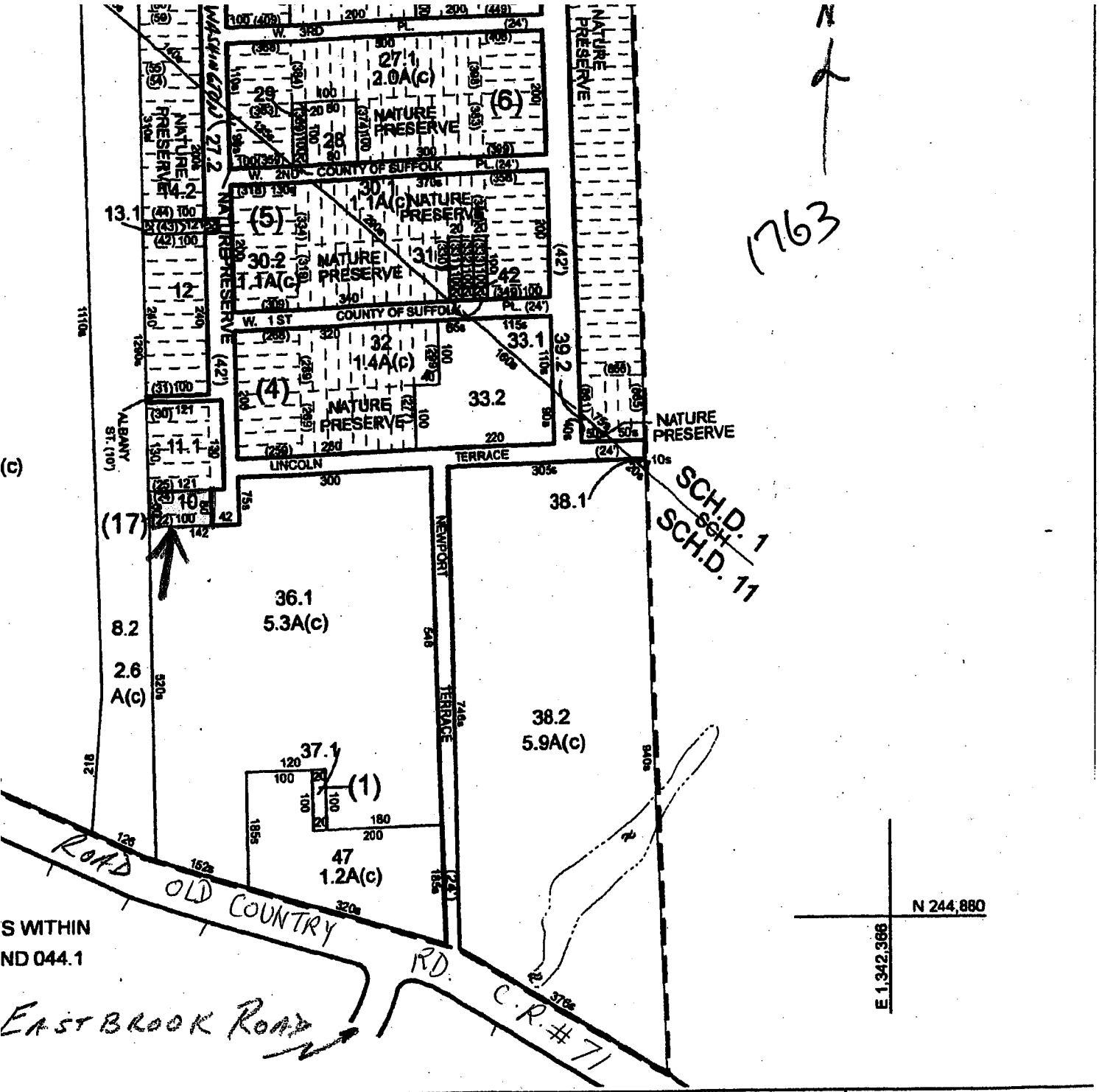
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0900-325.00-01.00-010.000

ADJOINING OWNER	BID	BID	BID
Joseph Z. Gazza 11992 SE Tiffany Way Tequesta, FL 33469 0900-325.00-01.00-011.000	$2,100.00		
Joseph Gazza & Others P.O. Box 969 Quogue, NY 11959 0900-325.00-01.00-008.002	$0		
Matalda Gallo 22 Rockway Avenue Garden City, NY 11530 0900-325.00-01.00-036.001	$0		

SIZE OF PARCEL: 60' x 100'
APPRAISED VALUE: $2,100.00
COMMENT: Direct Sale to Adjacent Owner

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



S WITHIN
ND 044.1

OLK ©
ice Agency
11901

400

KEY MAP

DIST. 0200

300 325 326 348 350

TOWN OF	SOUTHAMPTON
VILLAGE OF	
DISTRICT NO.	0900

SECTION NO

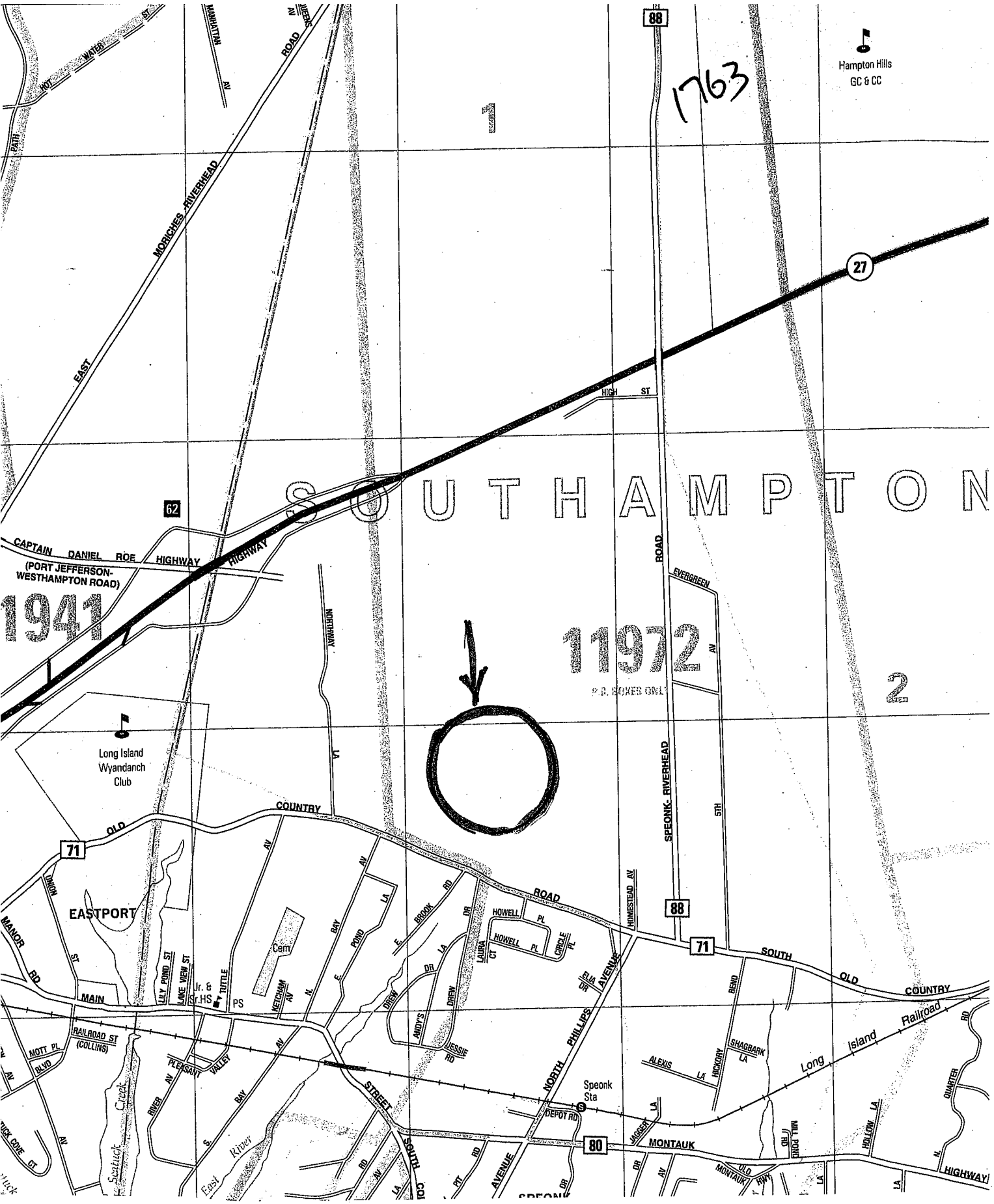
325

PROPERTY MAP

CONVERSION DATE: Mar 15, 2011

TM # 0900-325.00-01.00-010.000

1763



Tm # 0900-325.00-01.00-010.000

1763

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

   2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 JOSEPH ZACHARY GAZZA (SCTM NO. 0900-325.00-01.00-010.000)

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

Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	RJ Bhatt	8/6/13
NEILTOOMB	Neil Toomb	9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1763

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1763

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

August 6, 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: 0900-325.00-01.00-010.000

Dear Mr. Schneider:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

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

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

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

Introductory Resolution No. 1764-13 Laid on Table 9/12/13

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 JAMES D. CLARK (SCTM NO. 0100-160.00-01.00-019.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 160.00 Block 01.00 Lot 019.000 and acquired by Tax Deed on October 27, 2000 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 2, 2000 in Liber 12082 at CP 202 and described as follows, known and designated as Lots 35 to 45 inclusive in Block 29 on a certain map entitled "Map of Belmont Terrace", and filed in the Office of the Clerk of the County of Suffolk on November 11, 1906 as Map No. 183,

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

WHEREAS, James D. Clark, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,700.00. 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 240' x 100' x variable (paper street) has been appraised at $2,700.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $2,700.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said James D. Clark, 1448 5th Avenue, West Babylon, New York 11704.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

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

1764

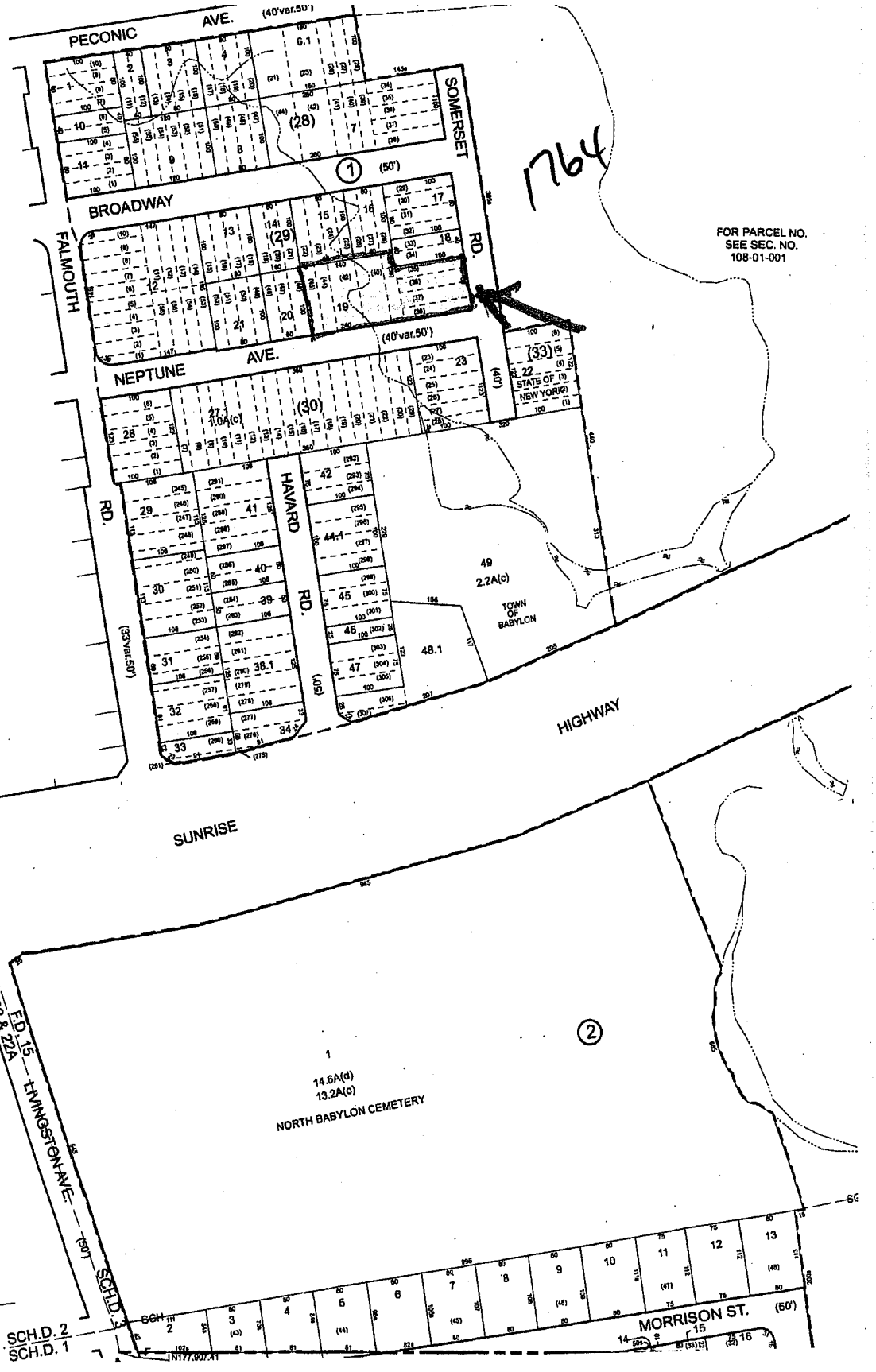
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0100-160.00-01.00-019.000

ADJOINING OWNER	BID	BID	BID
James D. Clark 1448 5th Avenue West Babylon, New York 11704 0100-160.00-01.00-015.000 & 020.000	$2,700.00		
Herbert M. Garyn & Herbert Kurz 3 Danton Court Kandall Park, New Jersey 08824 0100-160.00-01.00-016.000	$0		
Suffolk County Parks P.O. Box 144 West Sayville, New York 11796 0100-160.00-01.00-017.000 & 018.000	$0		

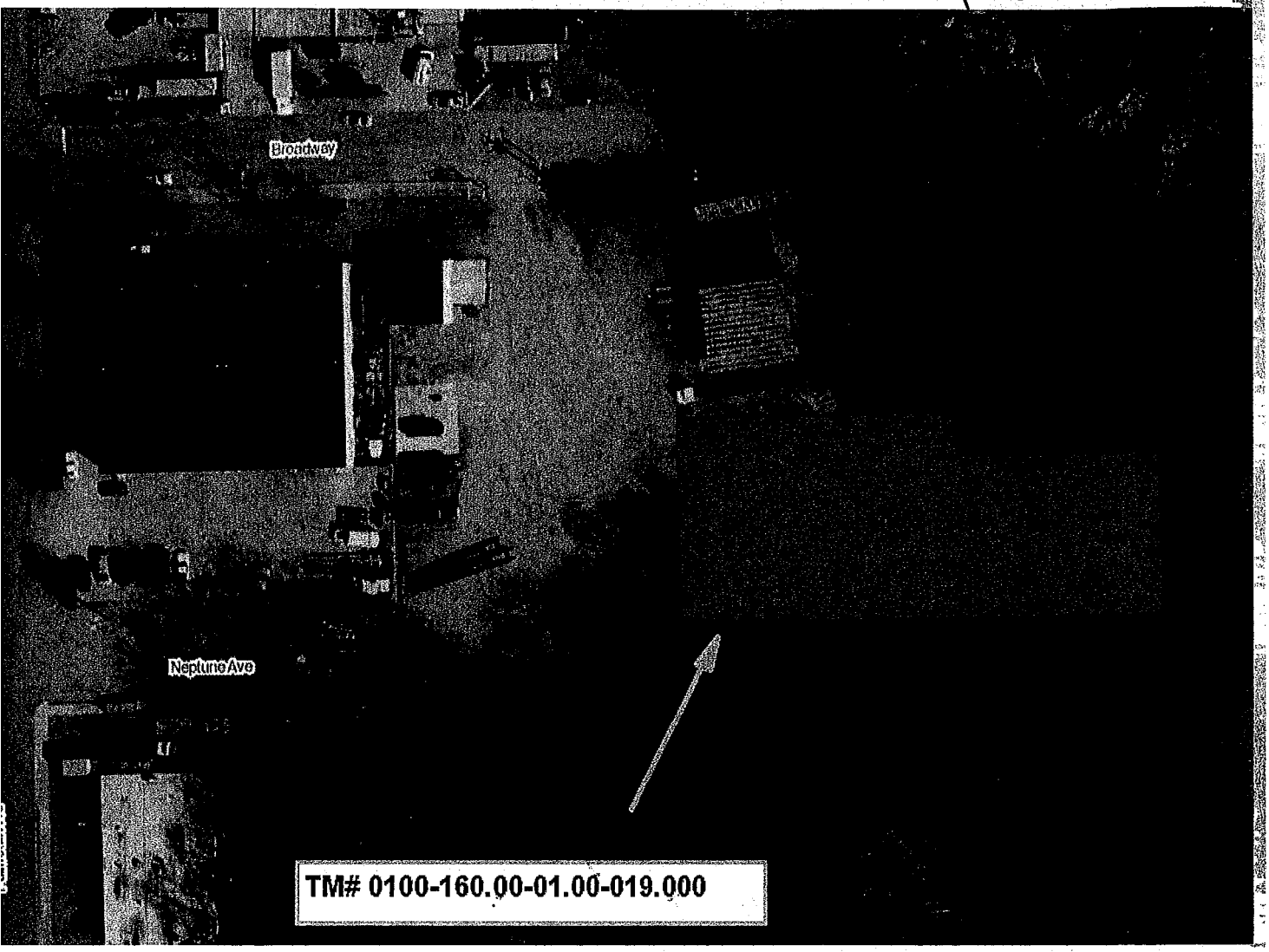
SIZE OF PARCEL: 240' x 100' x variable
APPRAISED VALUE: $2,700.00
COMMENT: Direct Sale to Adjacent Owner

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



Tm # 0100-160.00-01.00-019.000

1764



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Suffolk Co.

1764

Joins Map 10

M N O P

73°21'00" 73°20'15" 73°19'30"

40°42'45" 40°42'00"

LINDENHURST

BABYLON

Lindenhurst Sr.HS

W. Babylon Sr.HS

Babylon HS

Cemetery

Shopping Center

Bergen Point County GC

Long Island YC

Santapogue Pt

Fleet Pt

Green Park

Venetian Shores Beach

Indian Island County Park

Village Hall

Historical Preservation

Tm# 0100-160.00-01.00-019.000

1764

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
   JAMES D. CLARK
   (SCTM NO. 0100-160.00-01.00-019.000)

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

Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	RJ Bhatt	8/6/13
NEIL TOOMB	Neil Toomb	9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1764

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1764

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

August 6, 2013

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

Re: Tax Map Number: 0100-160.00-01.00-019.000

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)

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

Introductory Resolution No. 1765-13 Laid on Table 9/12/13

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 DONALD P. BARTUNEK (SCTM NO. 0200-447.00-02.00-024.002)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 447.00 Block 02.00 Lot 024.002 and acquired by Tax Deed on August 4, 2006 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006 in Liber 12465 at CP 374 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Brookhaven under SCTM # District 0200 Section 447.00 Block 02.00 Lot 024.002,

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, Donald P. Bartunek, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1,600.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 75' x 85' (landlocked) has been appraised at $1,600.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $1,600.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and 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 Donald P. Bartunek, 59 March Court, Selden, New York 11784.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

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

1765

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-447.00-02.00-024.002

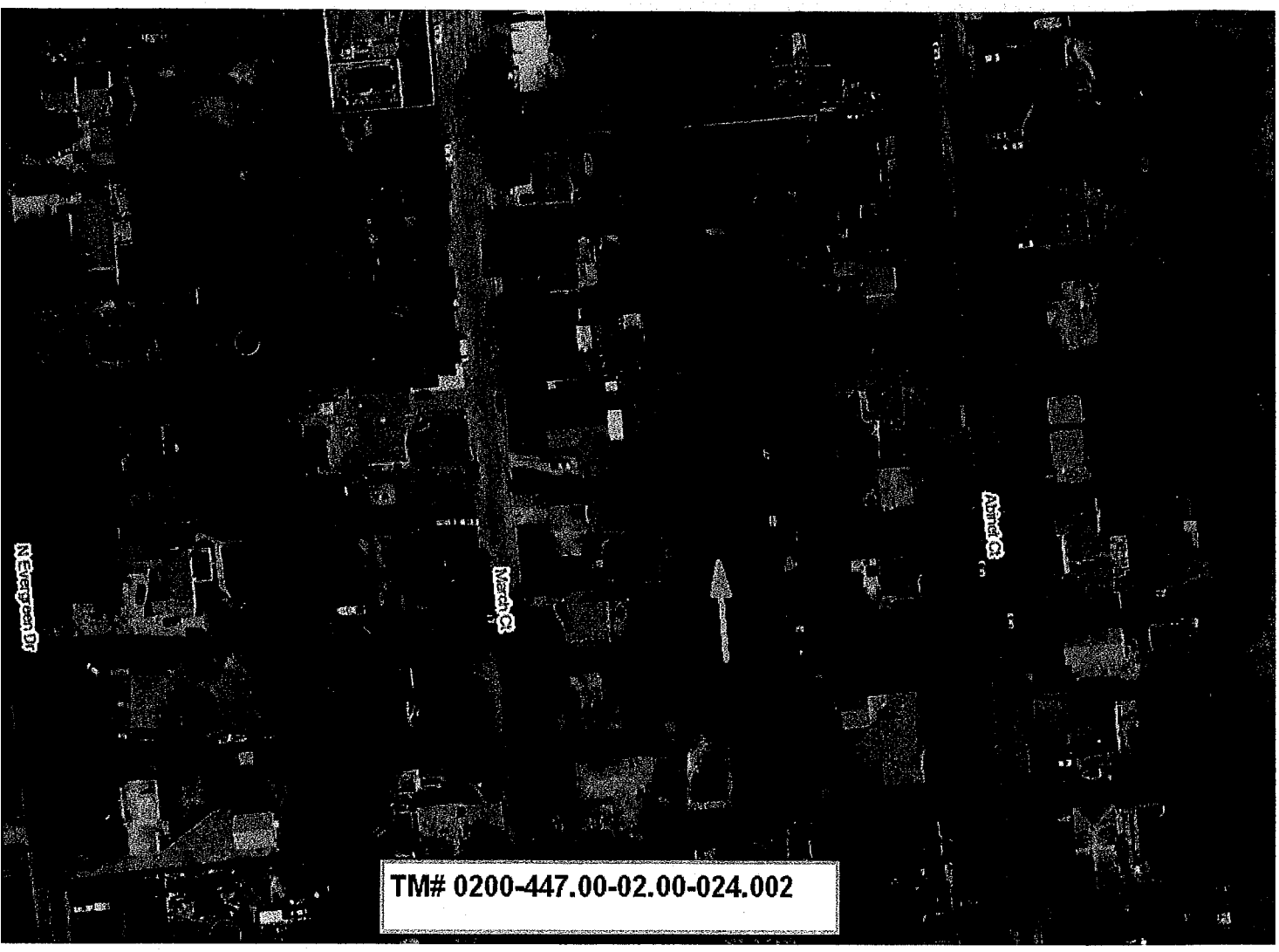
ADJOINING OWNER	BID	BID	BID
Donald P. Bartunek 59 March Court Selden, New York 11784 0200-447.00-02.00-019.000	$1,600.00		
James & Diane Sarlo 61 March Court Selden, New York 11784 0200-447.00-02.00-024.001	$0		
Steven Hatzisarris & Patricia Scherer 57 March Court Selden, New York 11784 0200-447.00-02.00-024.003	$0		
Dawn Rosario 64 Adinet Court Selden, New York 11784 0200-447.00-02.00-032.000	$0		
Michael & Jacquelin E. Arcuri 62 Abinet Court Selden, New York 11784 0200-447.00-02.00-033.000	$0		

SIZE OF PARCEL: 75' x 85'
APPRAISED VALUE: $1,600.00
COMMENT: Direct Sale to Adjacent Owner

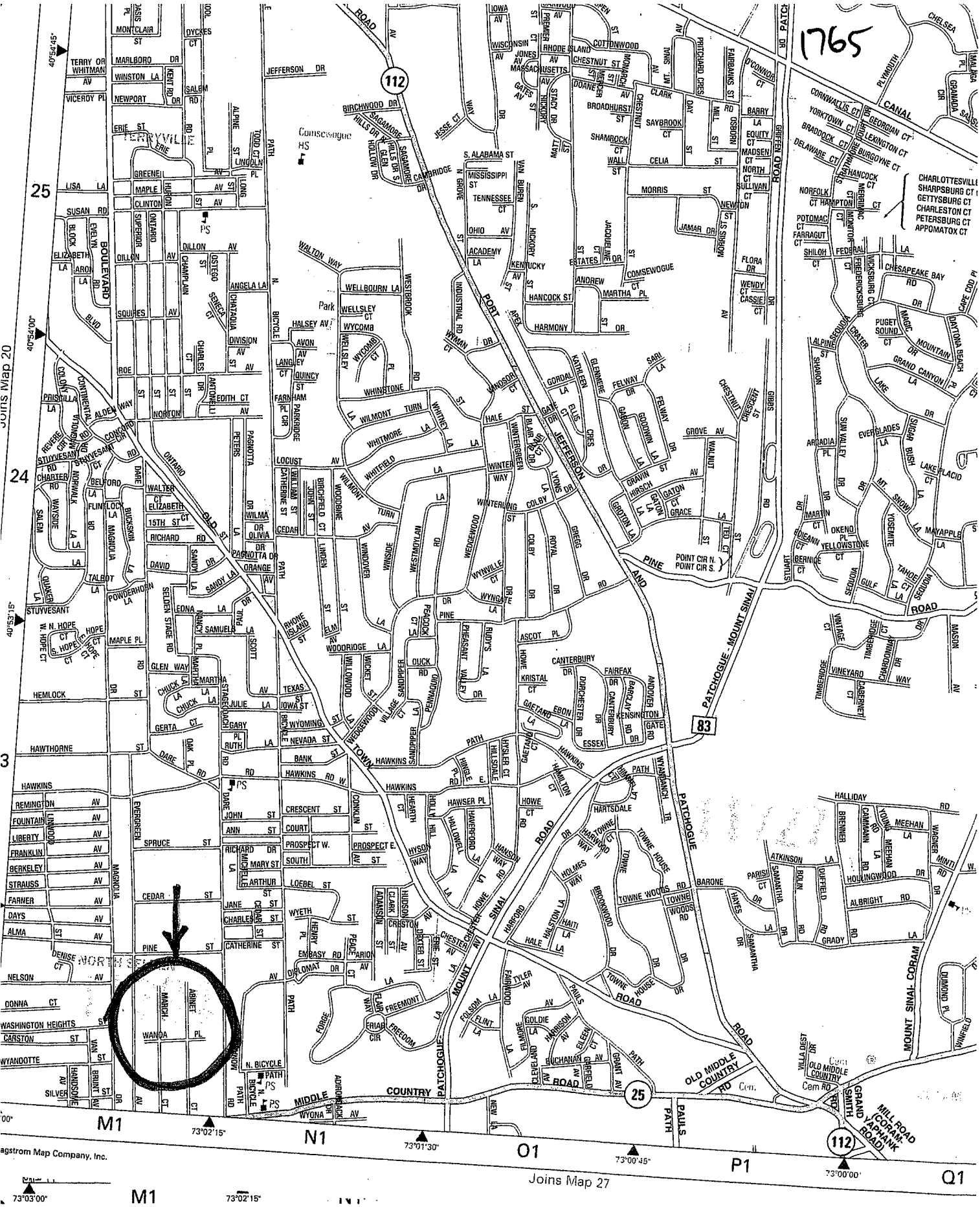
Wayne R. Thompson
Property Manager
(631) 853-5971

Tm # 0200-447.00-02.00-024.002

1765



1765



TM# 0200-447.00-02.00-024.002

1765

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

   2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 DONALD P. BARTUNEK (SCTM NO. 0200-447.00-02.00-024.002)

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

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

   X County _____Town _____Economic Impact

   _____Village _____School District Other (Specify):

   _____Library District _____Fire District

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

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

   Unknown

8. Proposed Source of Funding

   None

9. Timing of Impact

   2013

10. Name & Title of Preparer Signature of Preparer Date

    R.J. Bhatt R.J. Bhatt 8/6/13
    Land Management Specialist
    NEIL TOOMB Neil Toomb 9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1765

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1765

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

August 6, 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: 0200-447.00-02.00-024.002

Dear Mr. Schneider:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

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

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

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

Introductory Resolution No. 1766-13 Laid on Table 9/12/13

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 CLA FAMILY HOLDINGS SIX, LLC (SCTM NO. 0100-039.00-03.00-036.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 039.00 Block 03.00 Lot 036.00 and acquired by Tax Deed on September 23, 2009 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009 in Liber 12601 at CP 256 and described as follows, known and designated as Lot 40 in Block 102 on a certain map entitled "Map of Harlem Park, Section 1", and filed in the Office of the Clerk of the County of Suffolk on October 7, 1907 as Map No. 288,

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, CLA Family Holdings Six, LLC, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 25' x 100' has been appraised at $1,200.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $1,500.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and 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 CLA Family Holdings Six, LLC, 51 Admirals Drive East, Bay Shore, New York 11706.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

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

1766

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0100-039.00-03.00-036.000

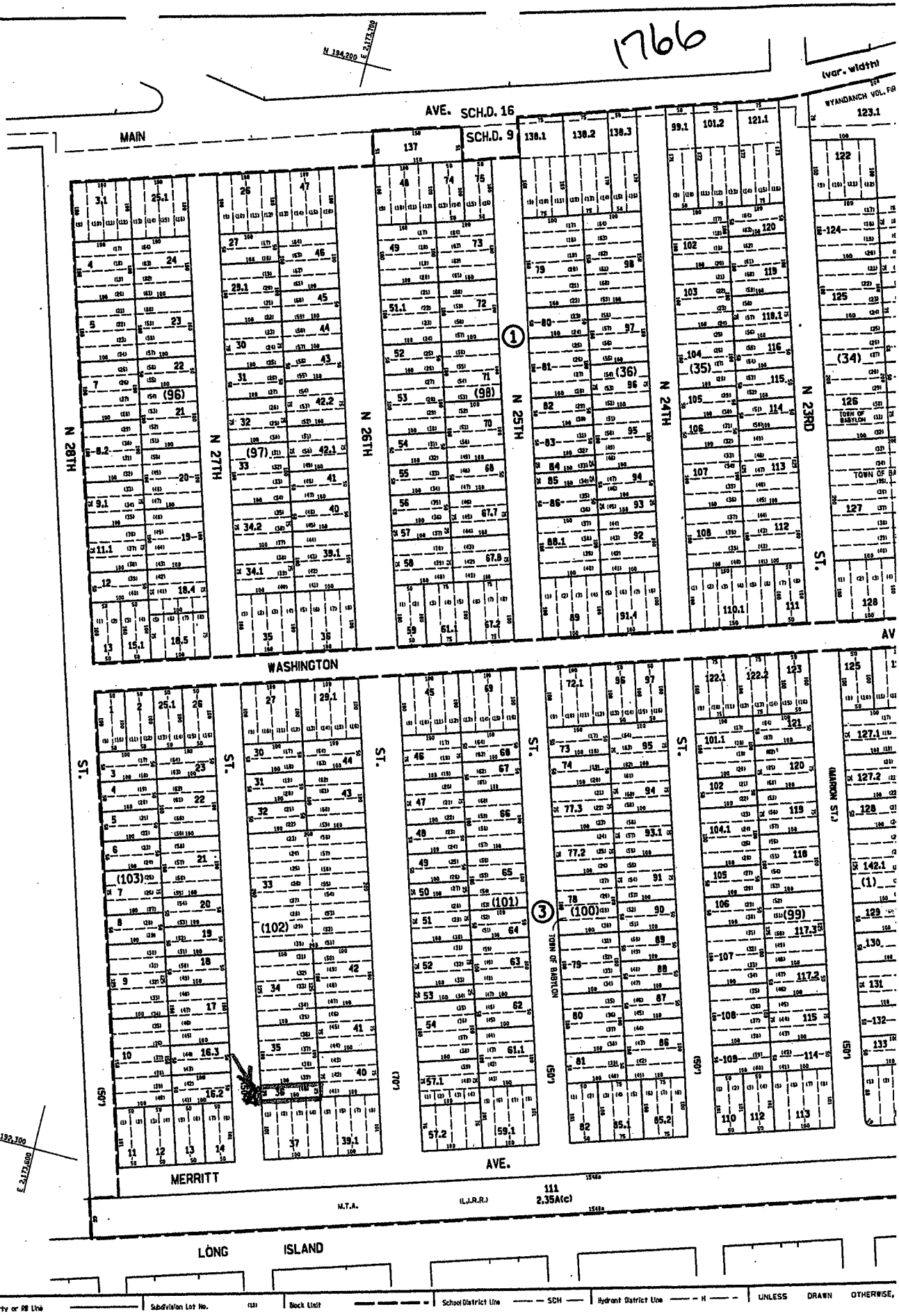
ADJOINING OWNER	BID	BID	BID
CLA Family Holdings Six, LLC 51 Admirals Drive East Bay Shore, New York 11706 0100-039.00-03.00-037.000	$1,500.00		
Reynaldo Leon 135 North 27th Street Wheatly Heights, New York 11798 0100-039.00-03.00-035.000	$0		
Luis A. Castillo & Aracelis Mosquea 134 North 26th Street Wyandanch, New York 11798 0100-039.00-03.00-040.000	$0		

SIZE OF PARCEL: 25' x 100'
APPRAISED VALUE: $1,200.00
COMMENT: Direct Sale to Adjacent Owner

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

Revisions
04-09-97
05-13-97
06-19-97
07-22-97
11-12-97
02-20-98
11-05-98
08-05-99
02-01-00
04-06-00
04-12-01
01-15-02
03-26-02
07-26-02
01-16-03
02-14-03
09-02-03
09-16-03
09-19-03
12-10-03
10-25-04
11-19-04
12-21-04
03-15-05
08-16-05
09-26-05
11-28-05
12-02-05
03-21-06
07-03-06
03-19-07
08-22-07
01-30-08
07-03-08

1766

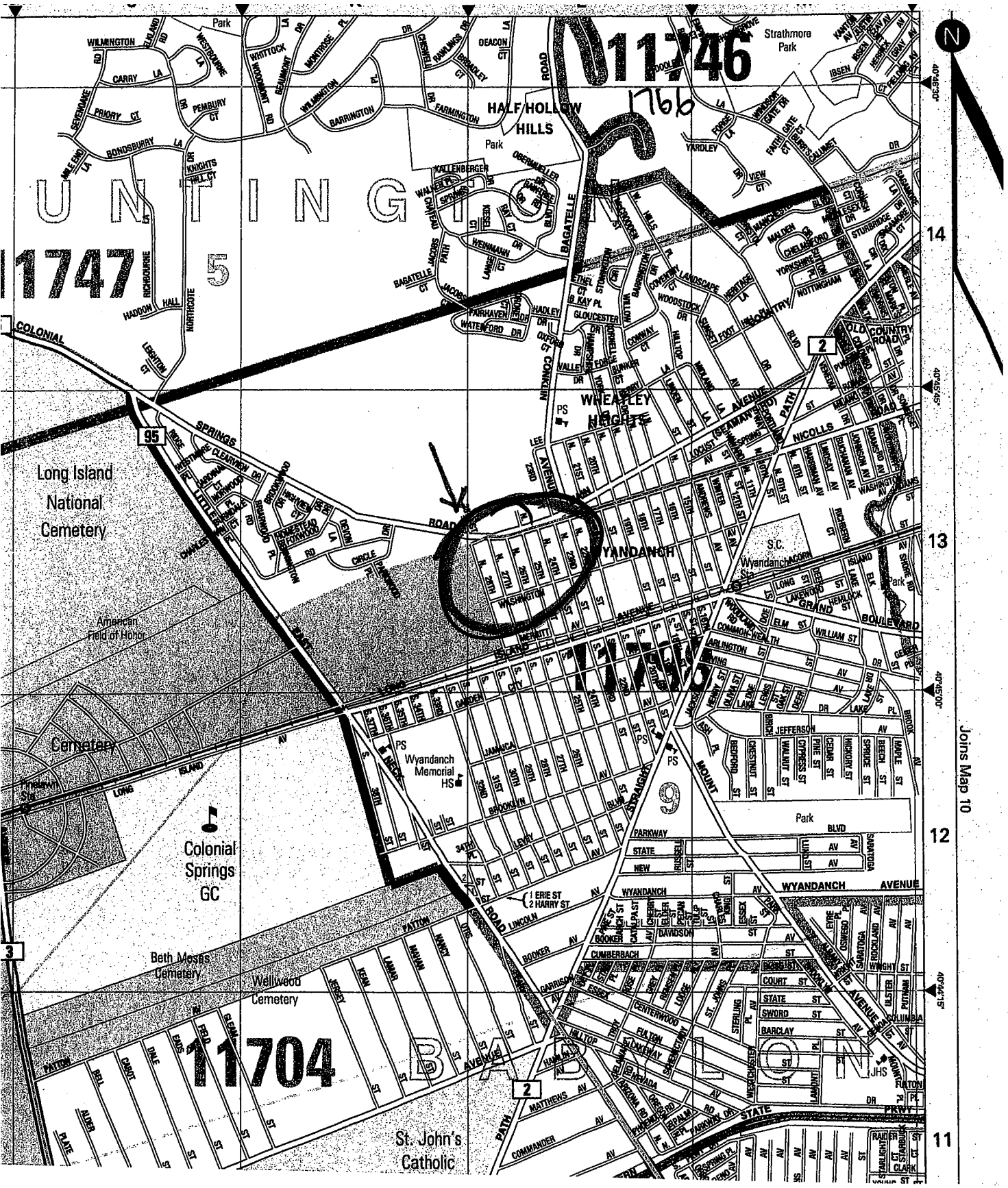


L. Property or RR Line | Subdivision Lot No. (13) | Block Limit | School District Line — SCH — | Hydrant District Line — H — | UNLESS DRAWN OTHERWISE,

Tm# 0100-039.00-03.00-036.000

1766

N 27th St
N 28th St
Merrill Ave
Long Island Ave
S 28th St
TM# 0100-039.00-03.00-036.000



Tm # 0100-039.00-03.00-036.000

1766

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

2013, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 CLA FAMILY HOLDINGS SIX, LLC (SCTM NO. 0100-039.00-03.00-036.000)

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

RJ Bhatt 8/6/13
Neil Toomb 9/5/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1766

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1766

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
ty County Executive and Commissioner

Division of Real Property
Acquisition and Management

August 6, 2013

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

Re: Tax Map Number: 0100-039.00-03.00-036.000

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)

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

Introductory Resolution No. 1767-13 Laid on Table 9/12/13

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 # 0200-166.00-05.00-025.000)

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 166.00, Block 05.00 Lot 025.000 and acquired by Tax Deed on August 14, 2006 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006 in Liber 12465 at Page 374 and described as follows, known and designated as Lot 599 on a certain map entitled "Map of Highland Park, Plate 33", and filed in the Office of the Clerk of the County of Suffolk on October 30, 1905 as Map No. 287; 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 25' x 100' described in Exhibit "A" annexed hereto; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has approved the proposed transfer and use of said parcel, now therefore be it; and

1st **RESOLVED**, that the Director of Real Estate, and/or her designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of $845.42 ($845.42 which is the amount of the County's investment) plus the pro rata share of the current tax adjustment due at closing; and be it further

2nd **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 Highway & Drainage 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 Highway & Drainage purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for Highway & Drainage purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed tendered 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

4th **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a) (1).

DATED: _____

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

Exhibit "A"

1767

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 2013-523
MEETING OF May 21, 2013

AUTHORIZATION TO ACQUIRE A VACANT PARCEL OF SUFFOLK COUNTY OWNED LAND FOR HIGHWAY AND DRAINAGE PURPOSES PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW – IMPERIAL DRIVE, MILLER PLACE (SCTM No. 0200-166.00-05.00-025.000)

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 Imperial Drive, Miller Place, further identified as SCTM No. 0200-166.00-05.00-025.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for highway and drainage purposes for a total consideration not to exceed $845.42 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

1167

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 drainage purposes further identified as SCTM No. 0200-166.00-05.00-025.000 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 $845.42 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

1767

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.: 0200-166.00-05.00-025.000

Section 72-h, Gen'l Municipal Law

County Investment $ 845.42

PURPOSE:

A. Affordable Housing _____

B. Town Parks _____

C. Road/Highway __X__

D. Drainage/Recharge Basin __X__

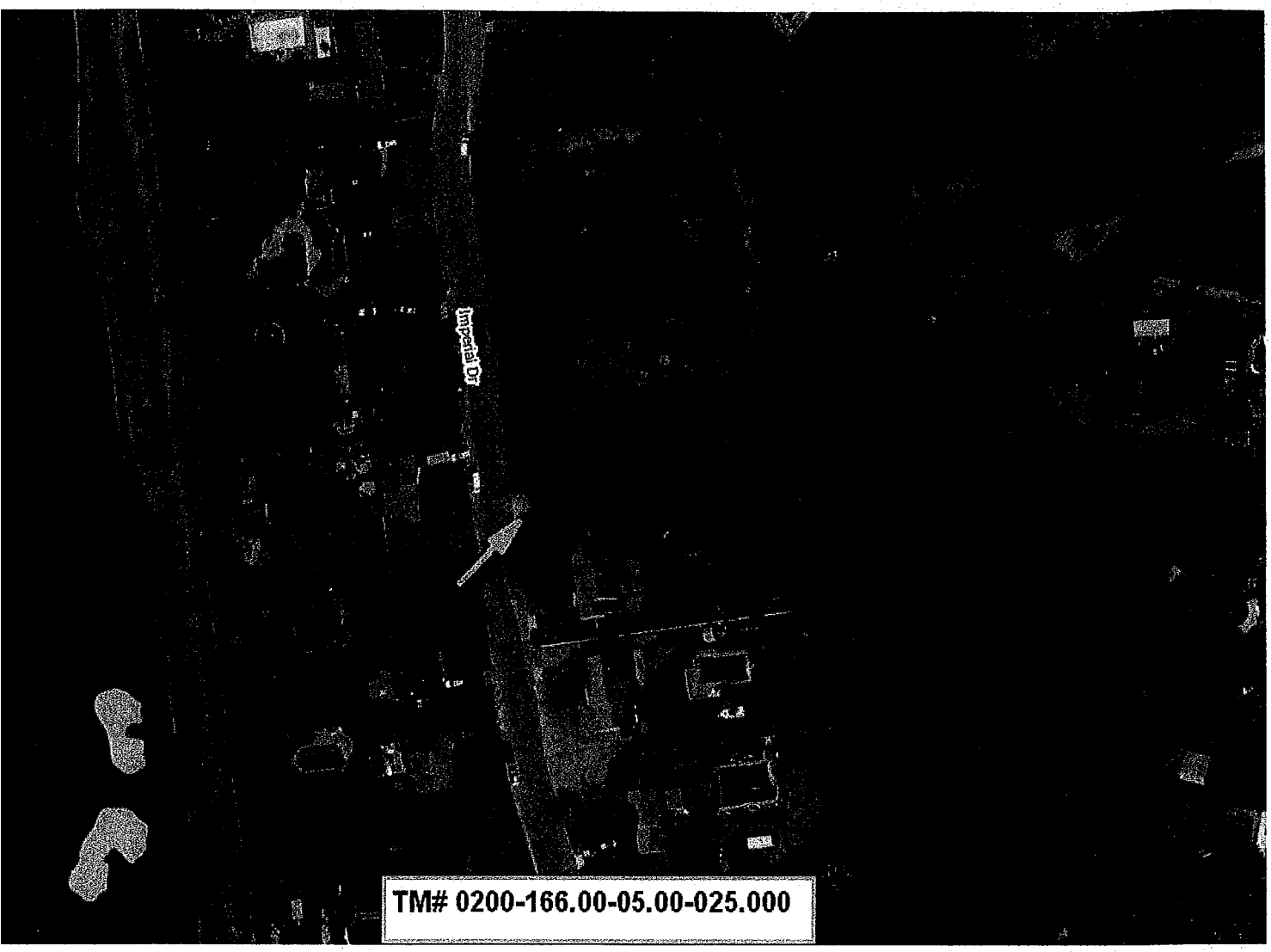
E. Other _____.

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

WRT: slb

Tm # 0200-166.00-05.00-025.000

1767



Tm # 0200-166.00-05.00-025.000

1767

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(TOWN OF BROOKHAVEN)
(SCTM # 0200-166.00-05.00-025.000)

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Brookhaven for Highway and Drainage purposes

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

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

__X__County ____Town ____Economic Impact

____Village ____School District ____Other (Specify):

____Library District ____Fire District

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2013

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

R.J. Bhatt — R.J. Bhatt — 8/6/13
Land Management Specialist

NEIL TOOMB — Neil Toomb — 8/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1767

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

To be completed by the Executive Budget Office

1767

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 HIGHWAY AND DRAINAGE PURPOSE
(0200-166.00-05.00-025.000)

PURPOSE OR GENERAL IDEA OF BILL:

Sale to Town of Brookhaven of 25' x 100' vacant land approximately 0.05 acre for use in Highway and Drainage Purpose.

SUMMARY OF SPECIFIC PROVISIONS:

JUSTIFICATION:

Attached Town Board resolution to transfer to the Town of Brookhaven.

FISCAL IMPLICATIONS:

County Investment repaid.

COUNTY OF SUFFOLK

1167

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
puty County Executive and Commissioner

Division of Real Property
Acquisition and Management

August 6, 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.: 0200-166.00-05.00-025.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to a Municipality, State, or Federal Government.

Dear Mr. Schneider:

Enclosed herewith 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
Department of Economic Development
and Planning

WRT:slb

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

opy 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)

IR 1768-13 LOT 9/12/13

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. 0200-987.00-01.00-046.003)

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 987.00 Block 01.00 Lot 046.003 and acquired by Tax Deed on September 15, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003 in Liber 12274 at Page 112 and described as follows, known and designated as part of Lot 39 on a certain map entitled "Map of Great South Beach, Section 10", and filed in the Office of the Clerk of the County of Suffolk on July 16, 1878 as Map No. 310; 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 72' x 241' x 70' x 224' (with a preliminary value range of $5,000.00 to $20,000.00) 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

1st **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 $1,483.54; ($1,483.54 which is the amount of the County's investment) plus the pro rata share of taxes, and be it further

2nd **RESOLVED**, that the County of Suffolk hereby transfer the above described property subject to it being sterilized for Open Space/Park 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

3rd **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/Park and Workforce Housing Development Rights shall be severed herewith (0.30) Three Tenths credit Workforce Housing Development Right 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

4th **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

5th **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 municipal 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

6th **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

7th **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:

Exhibit "A"

1768

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 2012-1014
MEETING OF December 18, 2012

AUTHORIZATION TO ACQUIRE A VACANT PARCEL OF SUFFOLK COUNTY OWNED LAND FOR PARK PURPOSES PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW – ATLANTIC OCEAN WALK, DAVIS PARK (SCTM NO. 0200-987.00-01.00-046.003)

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 Atlantic Ocean Walk, Davis Park, further identified as SCTM No. 0200-987.00-01.00-046.003 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for park purposes for a total consideration not to exceed $1,483.54 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 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

1768

RESOLUTION SUBMISSION

MEETING OF: December 18, 2012 RESOLUTION NO. 2012-1014

MOVED BY COUNCILMEMBER: Timothy Mazzei

REVISION

SHORT TITLE: AUTHORIZATION TO ACQUIRE A VACANT PARCEL OF SUFFOLK COUNTY OWNED LAND FOR PARK PURPOSES PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW – ATLANTIC OCEAN WALK, DAVIS PARK (SCTM NO. 0200-987.00-01.00-046.003)

DEPARTMENT: Law Department

REASON: To acquire a vacant parcel of Suffolk County owned property for park purposes.

PUBLIC HEARING REQUIRED: No
DEPARTMENT OF FINANCE APPROVAL: YES NO
DOLLARS INVOLVED: $1,483.54 plus pro rated taxes and closing costs (H 1420 3080 2012)
SEQRA REQUIRED:
DETERMINATION MADE: POSITIVE NEGATIVE
FEIS/FINDINGS FILED:
EXECUTION OF DOCUMENT REQUIRED: Yes
AE:dlm

Present	Absent		Motion	Aye	No	Abstain	Not Voting
		Councilmember Fiore-Rosenfeld		✓			
		Councilmember Bonner		✓			
		Councilmember Walsh		✓			
		Councilmember Kepert		✓			
		Councilmember Mazzei	1	✓			
		Councilmember Panico	2	✓			
		Supervisor Romaine		✓			

1768

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.: 0200-987.00-01.00-046.003

Section 72-h, Gen'l Municipal Law

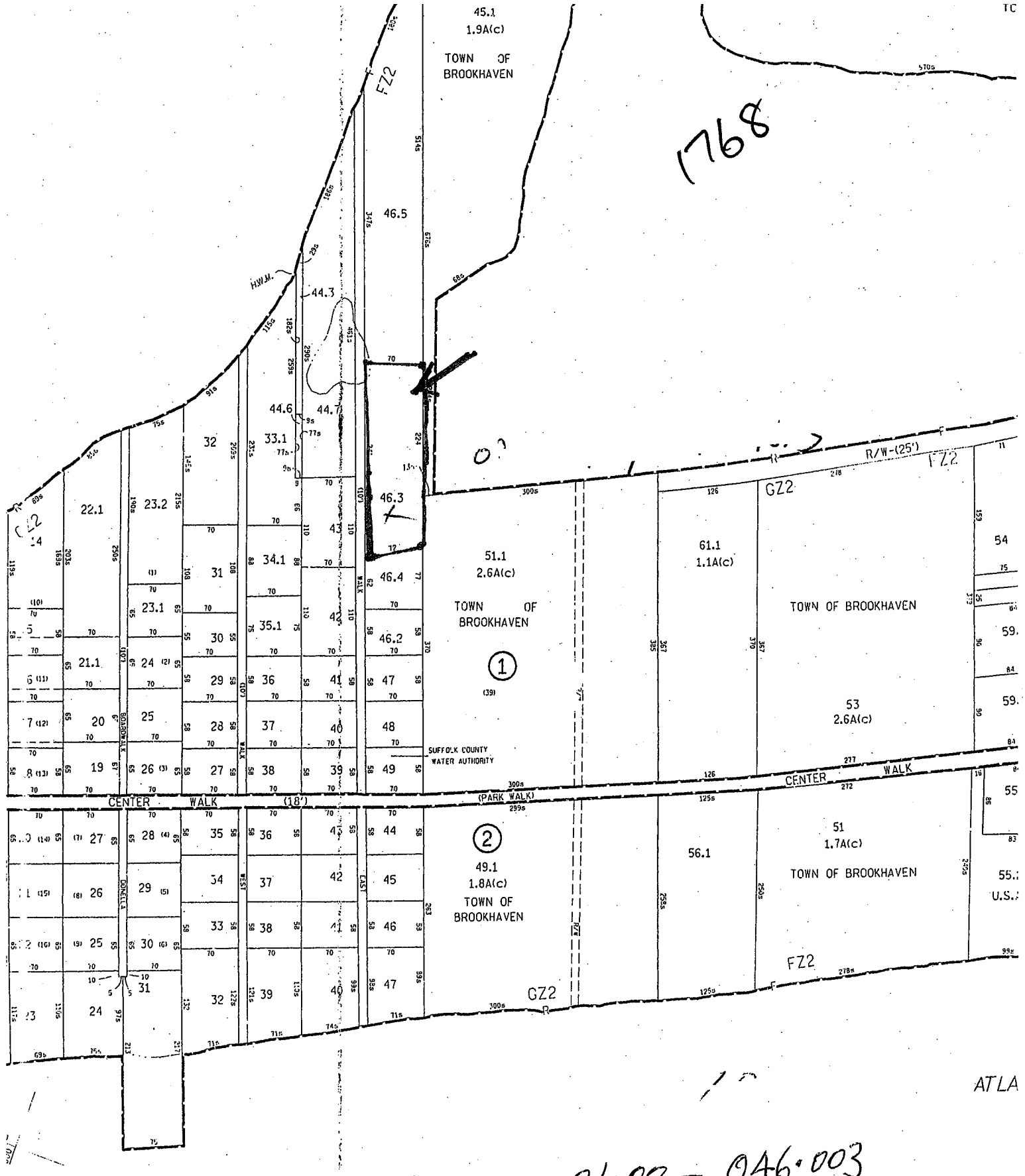
	Amount
County Investment	$ 1,483.54

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

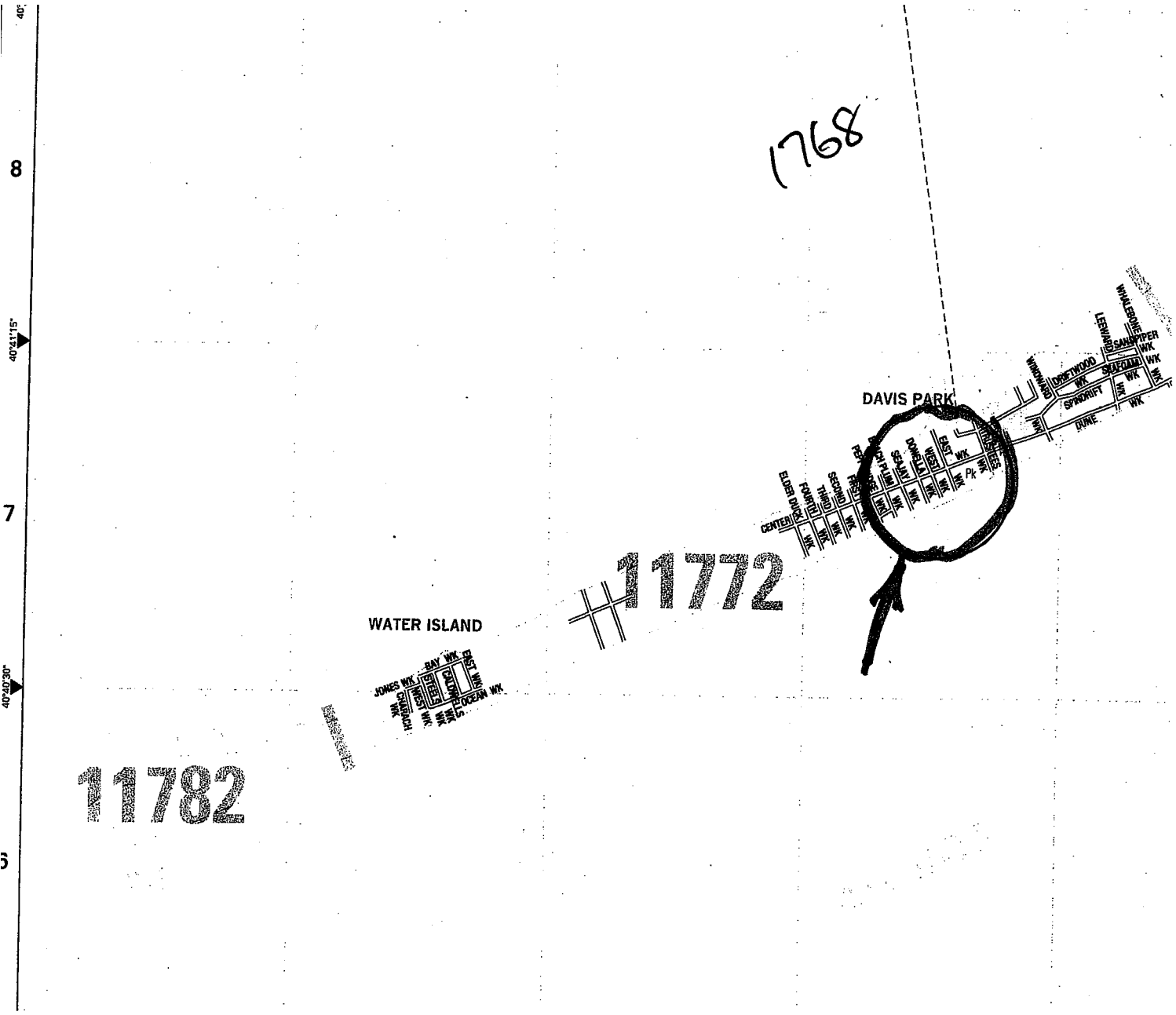
WRT:slb



TM # 0200-987.00-01.00-046.003

1768

Unnamed Street
Wind Ward
Trustees Walk
East Walk
West Walk
Oceanic Walk
Seaby Walk
TM# 0200-987.00-01.00-046.003



Tm#0200-987.00-01.00-046.003

1768

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ 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
(TOWN OF BROOKHAVEN)
(SCTM NO. 0200-987.00-01.00-046.003)

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 __X__ No ____

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

__X__ County ____Town ____Economic Impact

____Village ____School District ____Other (Specify):

____Library District ____Fire District

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2013

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

R.J. Bhatt — RJ Bhatt — 8/6/13
Land Management Specialist

NEIL TOOMB — Neil Toomb — 9/3/13

1768

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

To be completed by the Executive Budget Office

1768

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. 0200-987.00-01.00-046.003)

PURPOSE OR GENERAL IDEA OF BILL:

Sale to Town of Brookhaven, 72' x 241' x 70' x 224' vacant land approximately 0.37 acre for Park 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 Park purpose.

FISCAL IMPLICATIONS:

County investment repaid.

COUNTY OF SUFFOLK

1768

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
uty County Executive and Commissioner

Division of Real Property
Acquisition and Management

August 6, 2013

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.: 0200-987.00-01.00-046.003
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)

Intro. Res. No. 1769-13 Laid on Table: 9/12/13
Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO -2013, ACCEPTING AND APPROPRIATING 100% REIMBURSABLE GRANT FUNDS FROM THE NEW YORK STATE OFFICE FOR AGING

WHEREAS, the New York State Office for Aging has made available to the Suffolk County Office for the Aging additional funding of $20,731 for the AAA Transportation Program; and

WHEREAS, the grant period runs from April 1, 2013 through March 31, 2014; and

WHEREAS, the funding will be used to enhance transportation services to elderly residents of Suffolk County; and

WHEREAS, the State grant funds are not included in the 2013 Adopted Suffolk County Budget; and

WHEREAS, it is in the best interest of the County to accept these funds; now, therefore be it

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

REVENUES:

001-3772-Programs for the Aging **$20,731**

2nd RESOLVED, that the total funds in the amount of $20,731 be and they are hereby appropriated as follows:

ORGANIZATIONS:

County Executive
Human Services: Office for the Aging
001-EXE-6806

Contracted Expenses	**$20,731**
4980-Contracted Agencies	$20,731

DATED:

APROVED BY:

_____
County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1769

1. Type of Legislation Resolution X Local Law _____ Charter Law _____		
Title of Proposed Legislation RESOLUTION NO. -2013, ACCEPTING AND APPROPRIATING 100% REIMBURSABLE GRANT FUNDS FROM THE NEW YORK STATE OFFICE FOR AGING		
3. Purpose of Proposed Legislation SEE #2 ABOVE.		
4. Will the Proposed Legislation Have a Fiscal Impact? **YES** ___ **NO X**		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category) County Town Economic Impact Village School District Other (Specify): Library District Fire District		
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding AAA TRANSPORTATION PROGRAM FUNDING FROM THE NEW YORK STATE OFFICE FOR THE AGING		
9. Timing of Impact UPON ADOPTION OF THE RESOLUTION		
10. Typed Name & Title of Preparer JACQUELINE MALL, BUDGET TECHNICIAN	11. Signature of Preparer	Date 8/13/13

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1769

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

To be completed by the Executive Budget Office

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1769

1. Type of Legislation

Resolution __X__ **Local Law** _____ **Charter Law**

2. Title of Legislation

Resolution Accepting and Appropriating additional grant funds for the AAA Transportation Program.

3. Purpose of Proposed Legislation

SEE #2 ABOVE.

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

5. If the answer to Item 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.

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

8. Proposed Source of Funding.

AAA Transportation Program funding from The New York State Office for the Aging

9. Timing of Impact.

Immediate

10. Type Name & Title of Preparer	**11. Signature of Preparer**	**12. Date**
HOLLY RHODES-TEAGUE DIRECTOR	Holly Rhodes-Teague	8/8/13

SCIN FORM 175b (11/97)

New York State Office for the Aging

1769

NOTIFICATION OF GRANT AWARD
AAA TRANSPORTATION PROGRAM

Name and Address of Area Agency:	Name and Address of Sponsoring Agency/Payee:
Suffolk County Office for the Aging P.O.Box 6100- H.Lee Dennison Bldg-3rd Fl 100 Veterans Memorial Highway Hauppauge, NY 11788-0099	Suffolk County

Program Year - Beginning: 4/1/2013 Ending: 3/31/2014

Fiscal Year from which funds are awarded: 2013 This award is **New**

Section I - Grantee Budget	Amount
Personnel	$0.00
Fringe Benefits	0.00
Equipment	0.00
Travel	0.00
Maint. & Operations	0.00
Other Expenses	0.00
Subcontracts	59,427.00
Approved Costs	$59,427.00
Less:	
Anticipated Income	0.00
Net Cost	$59,427.00

Section II - Grantee Budget - State Funds:

State Share (see remark 1)	$59,427.00
Other Resources	0.00
Total	$59,427.00

Section III - State Funds Ceiling:

State Funds Ceiling (see remark 1)	$80,158.00

Remarks: In addition to the conditions contained in the Four Year Plan, Annual Implementation Plan and Application for Funding, the conditions checked below apply to this award:

(XX) 1. State reimbursement is limited to the **lower** of the "State Share" in Section II or the "State Funds Ceiling" in Section III of this award notice.

(XX) 2. Receipt of state funds (either through advance or reimbursement) does not constitute earning of these funds. The State share of the project cost is earned only when allowable costs have been incurred and paid.

(XX) 3. The funds herein awarded are to be expended in accordance with Article II of the New York Elder Law and any applicable State Regulations.

(XX) 4. AAA Transportation funds may not be used for Administration.

(XX) 5. AAA Transportation funds may not be used to purchase vehicles.

( ) 6. Other:

Name and Title of Authorizing Official:	Signature:	Date: 07/19/13
Greg Olsen Acting Director		

1769

2013 INTERGOVERNMENTAL RELATIONS

MEMORANDUM OF SUPPORT

TITLE OF BILL: Accepting and Appropriating 100% Federal grant funds from the New York State Office for the Aging for AAA Transportation.

PURPOSE OR GENERAL IDEA OF BILL: To appropriate additional funds for AAA Transportation.

SUMMARY OF SPECIFIC PROVISIONS: This would additional funding to nutrition contractors for transportation expenses.

JUSTIFICATION: This funding will assist contractors with high transportation costs.

FISCAL IMPLICATIONS: None. 100% State funded.

COUNTY OF SUFFOLK

1769

Steven Bellone
COUNTY EXECUTIVE

OFFICE FOR THE AGING
Holly S. Rhodes-Teague
DIRECTOR

MEMORANDUM

To: Jon Schneider
Deputy County Executive

From: Holly Rhodes-Teague
Director

Re: **Resolution to appropriate additional funds for AAA Transportation**

Date: August 8, 2013

As per ADH 02-13, I am enclosing Draft Resolution, Request for the Introduction of Suffolk County Legislation (Scin Form 175a), Fiscal Impact Statement (Scin Form 175b) and Notification of Grant Award Letter to appropriate additional funds for the Title VII Long Term Care Ombudsman Program.

These funds will be utilized to enhance transportation services for frail elderly residents of Suffolk County.

The period of award is April 1, 2013 through March 31, 2014. Please note that this request is **100% State Funded**.

If you require any further information, please contact Joanne Kandell, Principal Accountant, at 853-8212.

Holly Rhodes-Teague
Holly Rhodes-Teague

HRT:JK
Enclosures
cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations
Joanne Kandell, Principal Accountant
Maureen Porta, Senior Citizen Program Admin. II
Jacqueline Mall, Budget Office

H. LEE DENNISON BUILDING ♦ 100 VETERANS MEMORIAL HIGHWAY ♦ P.O. BOX 6100 ♦ HAUPPAUGE, N. Y. 11788-0099
♦ PHONE (631) 853-8200 ♦ FAX (631) 853-8225

Introductory Resolution No. 1770-13 Laid on Table 9/12/13

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 WIENERT
(SCTM NO. 0404-012.00-01.00-010.000)

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 Village of Northport, Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0404, Section 012.00, Block 01.00, Lot 010.000, and acquired by tax deed on September 21, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2009, in Liber 12600, at Page 861, and otherwise known and designated by the Village of Northport, Town of Huntington, as District 0404, Section 012.00, Block 01.00, 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 September 21, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2009 in Liber 12600 at Page 861.

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 WIENERT has made application of said above described parcel and JOHN WIENERT has paid the application fee and has paid $1,586.49, 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; now, therefore be it

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

2nd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN WIENERT, 520 Tanacrest Circle NW, Sandy Springs, GA 30328, 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: _____

1770

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

July 30, 2013

Tax Map No.: 0404-012.00-01.00-010.000
Name of Last Legal Fee Owner: JOHN WIENERT

TREASURER'S COMPUTATION	$1,586.49
Taxes.....2012/2013	PAID
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$1,586.49
Monies Received	$1,586.49
RESOLUTION AMOUNT	$1,586.49

APPROVED:

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

L Brown 7-30-2013
Accounting
LS:lag

CERTIFICATION BY COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0404	012.00	01.00	010.000

1770

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

Year	Village	Town	Combined
2007	0.00	303.79	303.79
2010	40.44	229.36	269.80
2011	38.76	212.58	251.34
2012	0.00	216.88	216.88

TOTAL: 1041.81

B. INTEREST DUE		190.52
C. TOTAL		1232.33
D. 5% LINE C		61.62
E. FEE		
F. MISC	2013 Town Taxes	$244.04
G. MISC	2013 Village Taxes	$48.51
H. TOTAL DUE		$1,586.49

<.01>

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 02-Jul-13

Diane M. Stuke
Deputy County Treasurer

** Interest and penalty computed to and including 12/29/13

TS

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1770

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
JOHN WIENERT
0404-012.00-01.00-010.000

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 — Lori Sklar — 7/30/13
NEIL TOOMB — Neil Toomb — 8/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1770

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

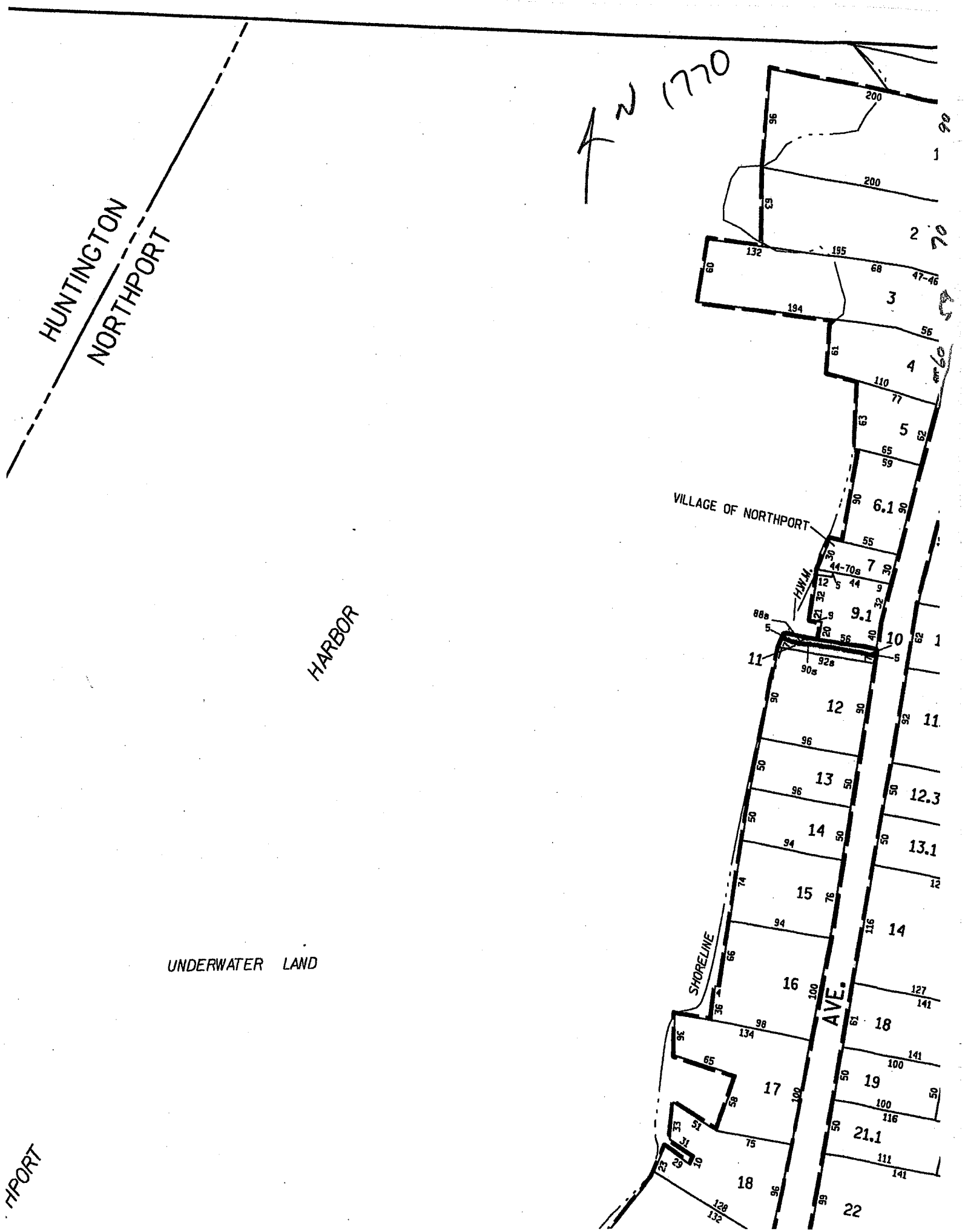
	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER $100	2013 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

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

To be completed by the Executive Budget Office


HUNTINGTON
NORTHPORT
HARBOR
UNDERWATER LAND
VILLAGE OF NORTHPORT
H.W.M.
SHORELINE
AVE.
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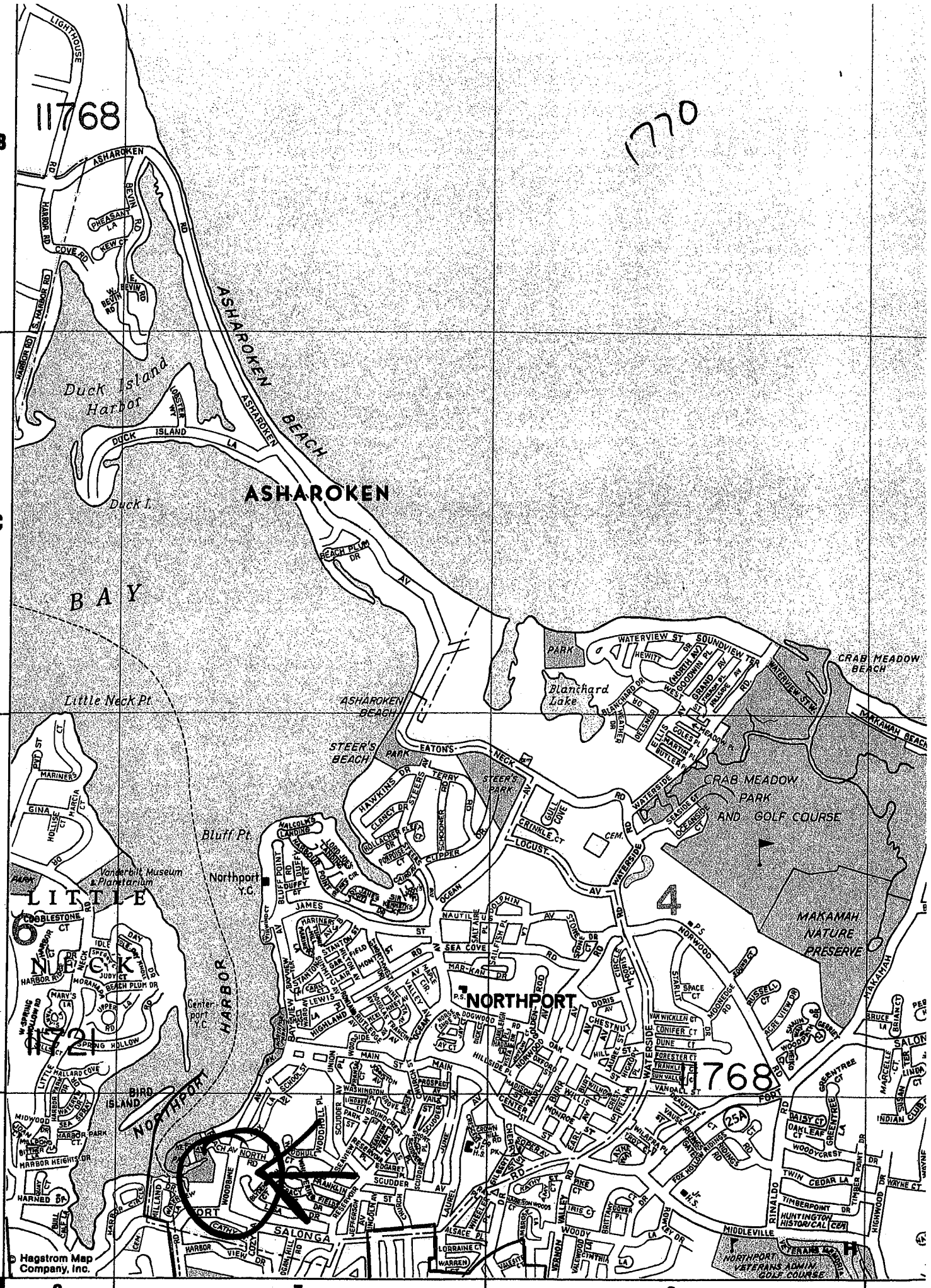
13.1

FOR ADJOINING AREA SEE MAP NO.1



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

August 9, 2013

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

Re: Tax Map No. 0404-012.00-01.00-010.000
JOHN WIENERT

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:LS:lag

Attachment

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

Introductory Resolution No. 1771-13 Laid on Table 9/12/13

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
THOMAS MCEVILLY
(SCTM NO. 0209-022.00-05.00-052.000)

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 Village of Mastic Beach, 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 0209, Section 022.00, Block 05.00, Lot 052.000, and acquired by tax deed on August 27, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 28, 2013, in Liber 12703, at Page 480, and otherwise known and designated by the Village of Mastic Beach, Town of Brookhaven, as Lots 210, 211, 212, 213 and 214, on a certain map entitled "Map of Mastic Beach", filed in the Office of the Clerk of Suffolk County on June 3, 1926 as Map No. 1004; 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, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 28, 2013 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, THOMAS MCEVILLY has made application of said above described parcel and THOMAS MCEVILLY has paid the application fee and has paid $3,604.82, 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; now, therefore be it

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

2nd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to THOMAS MCEVILLY, 71 Alder Drive, Mastic Beach, NY 11951, 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: _____

1771

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

August 01, 2013

Tax Map No.: 0209-022.00-05.00-052.000
Name of Last Legal Fee Owner: THOMAS MCEVILLY

TREASURER'S COMPUTATION	$3,604.82
Taxes.....2012/2013	~~OPEN~~ included in comp
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$3,604.82
Monies Received	$3,604.82
RESOLUTION AMOUNT	$3,604.82

APPROVED:

A Brownell

Accounting
PB:lag

PREPARED BY:

Peter Belyea
Redemption Unit
(631)853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
)209	022.00	05.00	052.000

1771

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

Year	Village	Town	Combined
2009/10	0.00	872.38	872.38
2010/11	0.00	927.35	927.35
2011/12	0.00	717.75	717.75
2012/13	29.71	0.00	29.71

TOTAL: 2547.19

B. INTEREST DUE 185.45
C. TOTAL 2732.64
D. 5% LINE C 136.63
E. FEE
F. MISC **2013 TOWN PROPERTY TAXES** $735.55
G. MISC

H. TOTAL DUE $3,604.82

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. 29-May-13

Diane M. Stuke
Deputy County Treasurer

** Interest and penalty computed to and including 11/25/13

DZ

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1771

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
THOMAS MCEVILLY
0209-022.00-05.00-052.000

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

Peter Belyea — 8-1-13

NEIL TOOMB — Neil Toomb — 8/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1771

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

To be completed by the Executive Budget Office

School District Line	SCH	Hydrant District Line	H
Fire District Line	F	Refuse District Line	R
Water District Line	W	Historical District Line	HST
Light District Line	L	Ambulance District Line	A
Park District Line	P	Wastewater District Line	I
Sewer District Line	S		

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

SCHOOL	32	SEWER	
FIRE	ES2	HYDRANT	
LIGHT	LX1	WATER	
PARK		REFUSE	GS1
AMBULANCE		WASTEWATER	

NOTICE

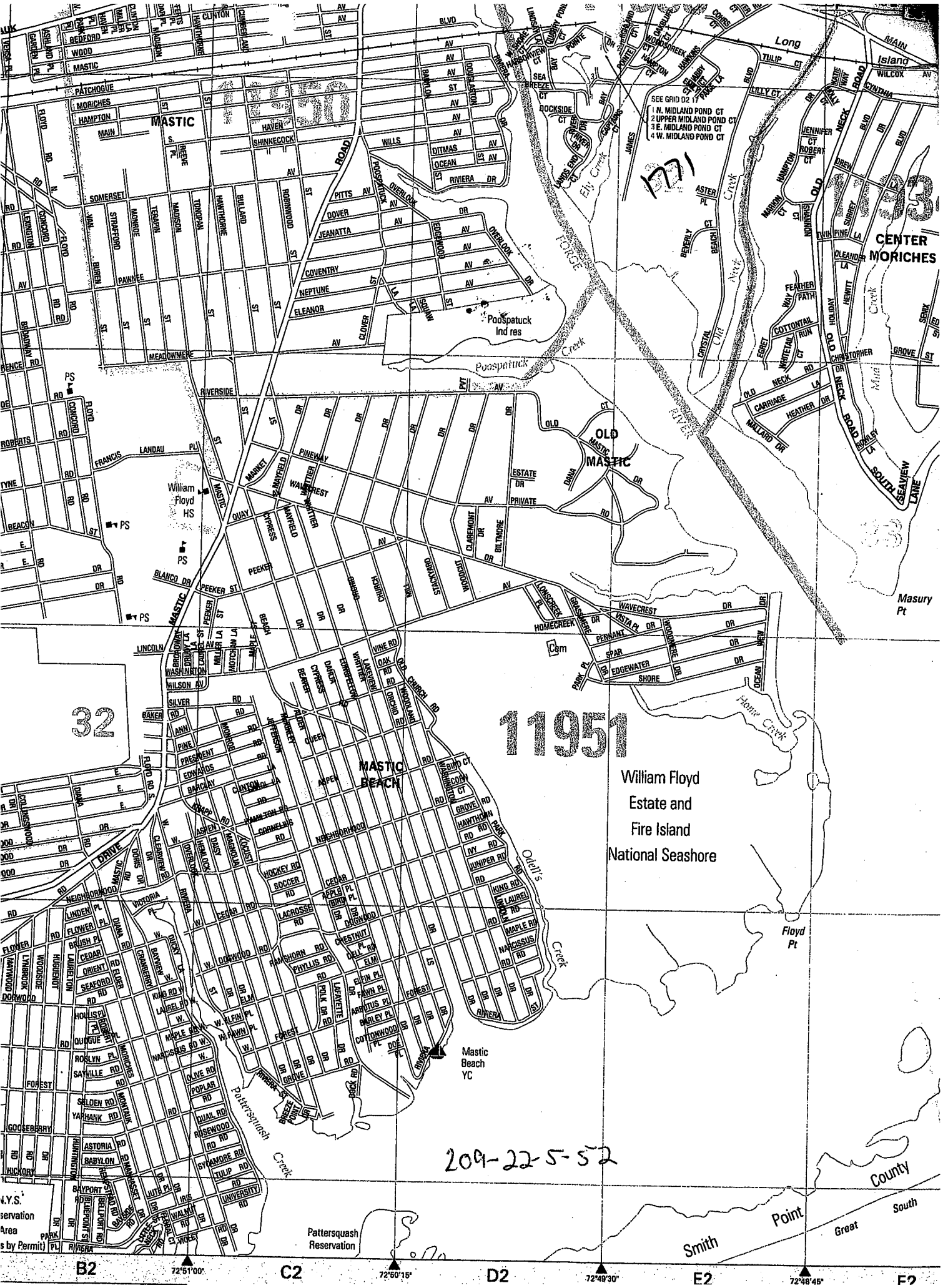
MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFF[illegible] COUNTY TAX MAP IS PROHIBITED WIT[illegible]ITTEN PERMISSION OF THE REA[illegible]RTY TAX SERVICE AGENCY.

COUNTY OF S[illegible]

Real Property Tax

County Center Riverh[illegible]

SCALE IN FE[illegible]



11950
11951
11933
32
MASTIC
OLD MASTIC
MASTIC BEACH
CENTER MORICHES
William Floyd HS
Poospatuck Ind res
Poospatuck Creek
Ely Creek
Old Neck Creek
Mud Creek
Home Creek
Odell's Creek
Pattersquash Creek
Masury Pt
Floyd Pt
Mastic Beach YC
Pattersquash Reservation
Smith Point County
Great South
William Floyd Estate and Fire Island National Seashore
SEE GRID D2 17
1 N. MIDLAND POND CT
2 UPPER MIDLAND POND CT
3 E. MIDLAND POND CT
4 W. MIDLAND POND CT
1771
209-22-5-52
B2
C2
D2
E2
72°51'00"
72°50'15"
72°49'30"
72°48'45"

COUNTY OF SUFFOLK

1771

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

August 9, 2013

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

Re: Tax Map No. 0209-022.00-05.00-052.000
THOMAS MCEVILLY

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:LS:lag

Attachment

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

Introductory Resolution No. 1772-13 Laid on Table 9/12/13

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
GERARD DUNN AND WILLIAM J. DUNN AS ADMINISTRATORS CTA AND AS DEVISEES UNDER LAST WILL AND TESTAMENT OF WILLIAM J. DUNN (SCTM NO. 0400-101.00-01.00-061.000)

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 Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 101.00, Block 01.00, Lot 061.000, and acquired by tax deed on May 29, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 30, 2010, in Liber 12629, at Page 469, and otherwise known and designated by the Town of Huntington, as Lots 90 to 94 Inclusive, on a certain map entitled "Map of Homecrest, Section 3", filed in the Office of the Clerk of Suffolk County on May 11, 1921 as Map No. 594; 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 May 29, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 30, 2010 in Liber 12629 at Page 469.

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, GERARD DUNN AND WILLIAM J. DUNN AS ADMINISTRATORS CTA AND AS DEVISEES UNDER LAST WILL AND TESTAMENT OF WILLIAM J. DUNN have made application of said above described parcel and GERARD DUNN AND WILLIAM J. DUNN AS ADMINISTRATORS CTA AND AS DEVISEES UNDER LAST WILL AND TESTAMENT OF WILLIAM J. DUNN have paid the application fee and will be paying $79,031.42, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2012; now, therefore be it

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

2nd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to GERARD DUNN AND WILLIAM J. DUNN AS ADMINISTRATORS CTA AND AS DEVISEES UNDER LAST WILL AND TESTAMENT OF WILLIAM J. DUNN, 44 Cornehlsen Drive, Huntington Station, NY 11746, 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: _____

1772

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

July 31, 2013

Tax Map No.: 0400-101.00-01.00-061.000
Name of Last Legal Fee Owner: GERARD DUNN AND WILLIAM J. DUNN AS ADMINISTRATORS CTA AND AS DEVISEES UNDER LAST WILL AND TESTAMENT OF WILLIAM J. DUNN

TREASURER'S COMPUTATION	$71,610.78
Taxes.....2012/2013	$7,420.64
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$79,031.42
Monies to be Received	$79,031.42
RESOLUTION AMOUNT	$79,031.42

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

APPROVED:

Annette Brownell 8.1.2013
Accounting
LS:lag

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0400	101.00	01.00	061.000

M72

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	434.80
2006/07	12408.29
2007/08	11570.33
2008/09	10961.74
2009/10	8469.51
2010/11	6989.76
2011/12	7216.39

2012/13 PROPERTY TAXES $7,420.64 NOT INCLUDED IN COMPUTATION

TOTAL:	58050.82
B. INTEREST DUE	10149.92
C. TOTAL	68200.74
D. 5% LINE C	3410.04
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE	$71,610.78

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. 10-May-13

Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to and including 11/06/13

dz

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1772

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
GERARD DUNN AND WILLIAM J. DUNN AS ADMINISTRATORS CTA AND AS DEVISEES UNDER LAST WILL AND TESTAMENT OF WILLIAM J. DUNN
0400-101.00-01.00-061.000

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

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

Lori Sklar — Lori Sklar — 8/1/13
NEIL TOOMB — Neil Toomb — 9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1772

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

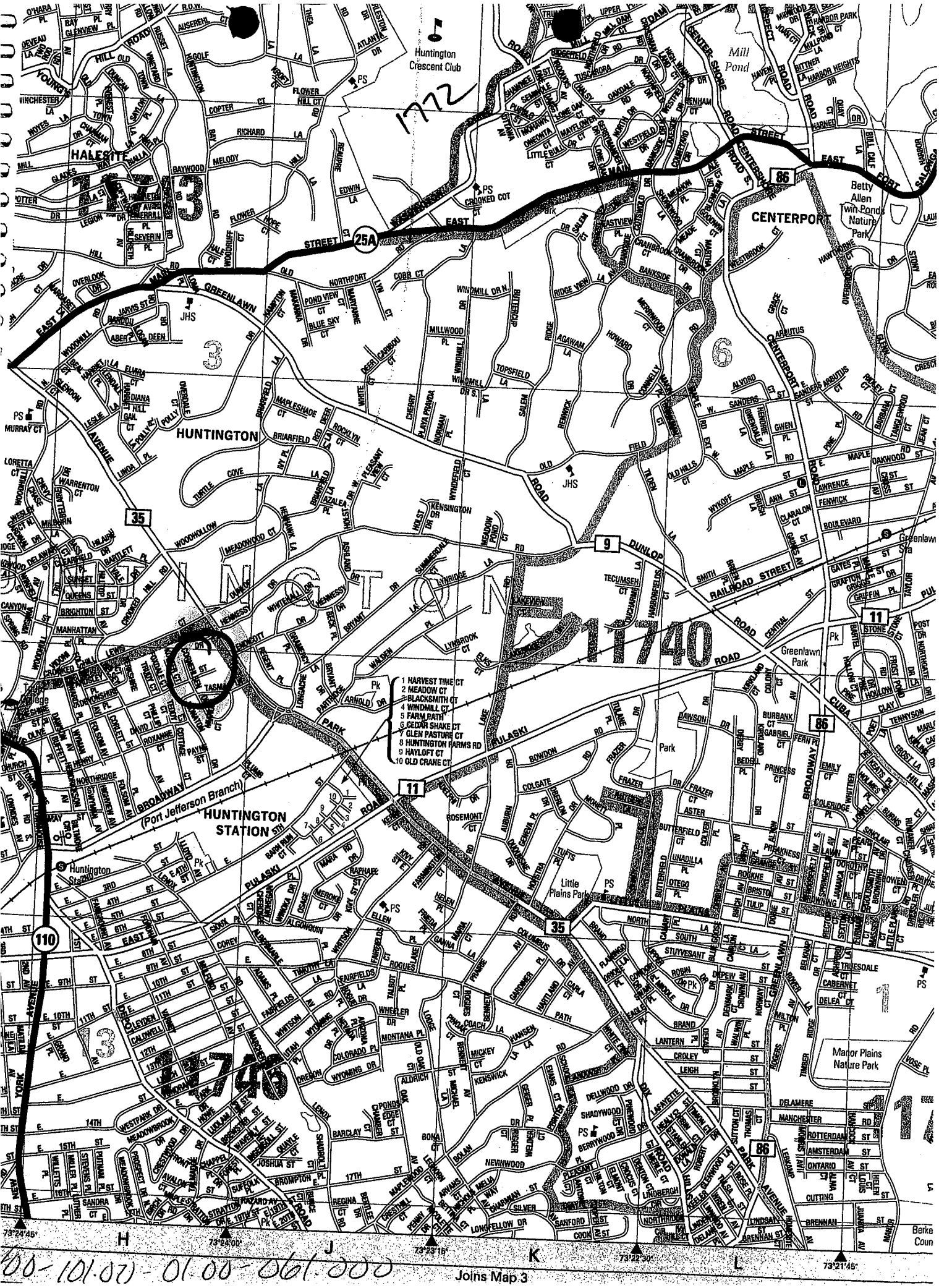
NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE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

To be completed by the Executive Budget Office

LEGEND									
Property or RW Line		Subdivision Lot No.	(12)	Block Limit		School District Line	SCH	Hydrant District Line	H
Denotes Common Owner	Z	Subdivision Block/Bldg. No.	(21)	Block No.	2	Fire District Line	F	Refuse District Line	R
Subdivision Lot Line		Deed Dimension	62	County Line		Water District Line	W	Historical District Line	HST
Stream / Shore		Scaled Dimension	62a	Town Line		Light District Line	L	Ambulance District Line	A
Parcel No.	23	Deed Area	12.1 A(d) or 12.1A	Village Line		Park District Line	P	Wastewater District Line	WW
		Calculated Area	12.1 A(c)			Sewer District Line	S		

UNLESS DRAWN OTHERWISE, ARE WITHIN THE FOLL

SCHOOL	3,6,7	SEW
FIRE	14,16	HYD
LIGHT	20	WAT
PARK		REF
AMBULANCE		WAS


Huntington Crescent Club
Mill Pond
HALESITE
CENTERPORT
Betty Allen Twin Ponds Nature Park
HUNTINGTON
HUNTINGTON STATION
Greenlawn Park
Little Plains Park
Manor Plains Nature Park
Huntington Sta
1 HARVEST TIME CT
2 MEADOW CT
3 BLACKSMITH CT
4 WINDMILL CT
5 FARM PATH
6 CEDAR SHAKE CT
7 GLEN PASTURE CT
8 HUNTINGTON FARMS RD
9 HAYLOFT CT
10 OLD CRANE CT
1740
1772
73°24'45"
73°24'00"
73°23'15"
73°22'30"
73°21'45"
H
J
K
L
00-101.02-01.00-061.000
Joins Map 3

COUNTY OF SUFFOLK

1772

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

August 9, 2013

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

Re: Tax Map No. 0400-101.00-01.00-061.000
GERARD DUNN AND WILLIAM J. DUNN AS ADMINISTRATORS CTA AND AS DEVISEES UNDER LAST WILL AND TESTAMENT OF WILLIAM J. DUNN

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:LS:lag

Attachment

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

Introductory Resolution No. 1773-13 Laid on Table 9/12/13

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
STEPHANIE HOWARD
(SCTM NO. 0100-083.00-04.00-003.000)

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 083.00, Block 04.00, Lot 003.000, and acquired by tax deed on September 01, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 01, 2010, in Liber 12636, at Page 227, and otherwise known and designated by the Town of Babylon, as Lots 1227, 1228 and 1229, Inclusive, on a certain map entitled "Map of Parkway Heights", filed in the Office of the Clerk of Suffolk County on August 30, 1927 as Map No. 845; 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 01, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 01, 2010 in Liber 12636 at Page 227.

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, STEPHANIE HOWARD has made application of said above described parcel and STEPHANIE HOWARD has paid the application fee and will be paying $48,329.54, 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; now, therefore be it

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

2nd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to STEPHANIE HOWARD, 261 Parkway Blvd., Wyandanch, NY 11798, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1773

August 06, 2013

Tax Map No.: 0100-083.00-04.00-003.000
Name of Last Legal Fee Owner: STEPHANIE HOWARD

TREASURER'S COMPUTATION	$48,329.54
Taxes.....2012/2013	OPEN
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$48,329.54
Monies to be Received	$48,329.54
RESOLUTION AMOUNT	$48,329.54

APPROVED:

PREPARED BY:

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

D Brownell
Accounting
LS:lag

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0100	083.00	04.00	003.000

1773

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/2006	$ 2,317.00
2006/2007	$ 6,336.19
2007/2008	$ 6,122.60
2008/2009	$ 5,912.53
2009/2010	$ 4,787.31
2010/2011	$ 4,834.83
2011/2012	$ 4,607.42
2012/2013	$ 4,759.53
TOTAL:	$ 39,677.41
B. INTEREST DUE	$ 6,350.73
C. TOTAL	$ 46,028.14
D. 5% LINE C	$ 2,301.41
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$ 48,329.54

2.017

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-Aug-13

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 01/28/14

mas

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1173

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
STEPHANIE HOWARD
0100-083.00-04.00-003.000

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

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

Lori Sklar — Lori Sklar — 8/7/13
NEIL TOOMB — Neil Toomb — 9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1773

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

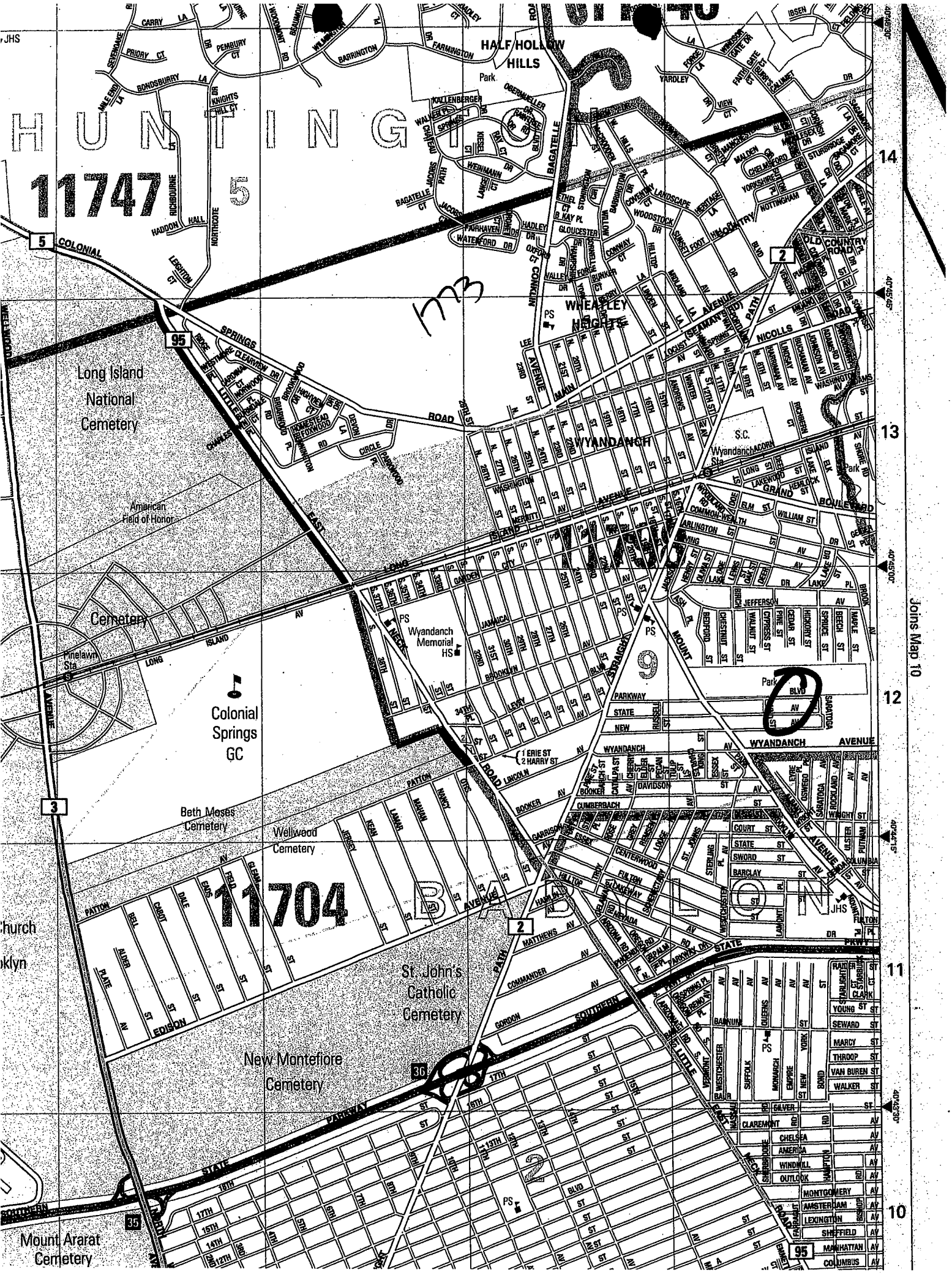
	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER $100	2013 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

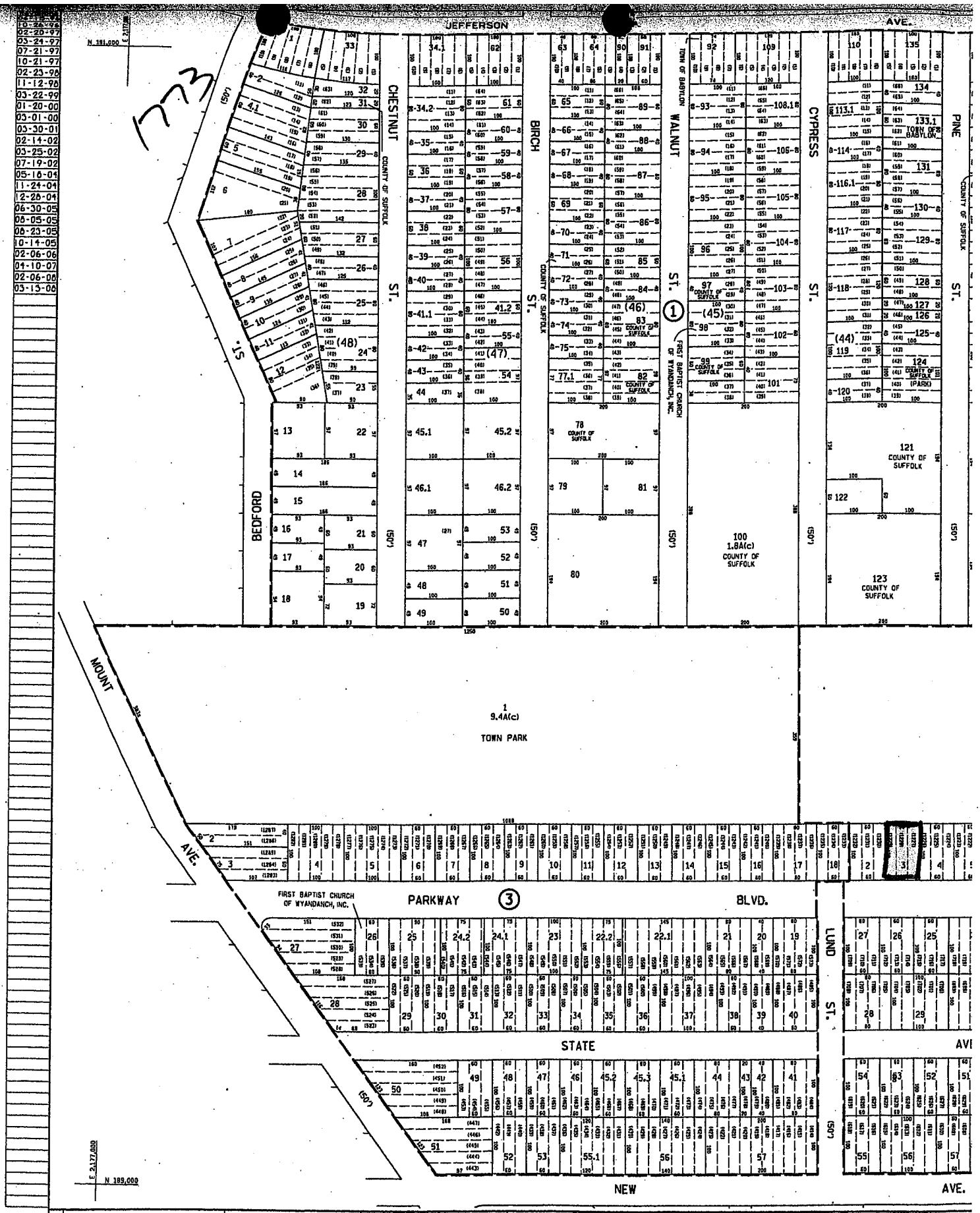
COMBINED

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

To be completed by the Executive Budget Office


HUNTINGTON
11747
HALF HOLLOW HILLS
Park
WHEATLEY HEIGHTS
WYANDANCH
Wyandanch Sta
Long Island National Cemetery
American Field of Honor
Cemetery
Pinelawn Sta
Colonial Springs GC
Wyandanch Memorial HS
Beth Moses Cemetery
Wellwood Cemetery
11704
BABYLON
St. John's Catholic Cemetery
New Montefiore Cemetery
Mount Ararat Cemetery
Joins Map 10



LEGEND							
Property or RR Line	Subdivision Lot No. (12)	Block Limit	School District Line — SCH —	Hydrant District Line — H —	UNLESS DRAWN OTHERWISE, ALL ARE WITHIN THE FOLLOWING	
Denotes Common Owner — Z —	Subdivision Block/Bldg. No. (21)	Block No. ②	Fire District Line — F —	Refuse District Line — R —	SCHOOL 9	SEWER
Subdivision Lot Line	Deed Dimension	County Line	Water District Line — W —	Historical District Line — HST —	FIRE 13	HYDRANT
Stream / Shore	Scaled Dimension	Town Line	Light District Line — L —	Ambulance District Line — A —	LIGHT 55	WATER
Parcel No. 23	Deed Area 12.1 A(d) or 12.1A	Village Line	Park District Line — P —	Wastewater District Line — WW —	PARK	REFUSE
	Calculated Area 12.1 A(c)		Sewer District Line — S —		AMBULANCE	WASTEWATE

COUNTY OF SUFFOLK

1773

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

August 9, 2013

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

Re: Tax Map No. 0100-083.00-04.00-003.000
STEPHANIE HOWARD

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:LS:lag

Attachment

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

Introductory Resolution No. 1774-13 Laid on Table 9/12/13

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
JACK KWONG MOY AND JENNIE YUNG MOY, HIS WIFE
(SCTM NO. 0500-348.00-02.00-022.000)

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 Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 348.00, Block 02.00, Lot 022.000, and acquired by tax deed on October 31, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 02, 2012, in Liber 12710, at Page 130, and otherwise known and designated by the Town of Islip, as District 0500, Section 348.00, 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 31, 2012, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 02, 2012 in Liber 12710 at Page 130.

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

WHEREAS, JACK KWONG MOY AND JENNIE YUNG MOY, HIS WIFE have made application of said above described parcel and JACK KWONG MOY AND JENNIE YUNG MOY, HIS WIFE have paid the application fee and have paid $44,188.48, 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; now, therefore be it

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

2nd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to JACK KWONG MOY AND JENNIE YUNG MOY, HIS WIFE, 9 Laurel Avenue, East Islip, NY 11730, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1774

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

July 16, 2013

Tax Map No.: 0500-348.00-02.00-022.000
Name of Last Legal Fee Owner: JACK KWONG MOY AND JENNIE YUNG MOY, HIS WIFE

TREASURER'S COMPUTATION	$44,188.48
Taxes.....2012/2013	OPEN
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$44,188.48
Monies Received	$44,188.48
RESOLUTION AMOUNT	$44,188.48

APPROVED:

PREPARED BY:

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

7-16-2013

Accounting
LS:lag

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0500	348.00	02.00	022.000

1774

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08	12870.48
2008/09	13909.36
2009/10	12862.19

2010/11, 2011/12, AND 2012/13 PROPERTY TAXES PAID BY OWNER

TOTAL: 39642.03

B. INTEREST DUE	2442.23
C. TOTAL	42084.26
D. 5% LINE C	2104.21
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$44,188.48

(+.01)

CERTIFICATION BY COUNTY TREASURER

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

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

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 11/11/13

dz

n74

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
JACK KWONG MOY AND JENNIE YUNG MOY, HIS WIFE
0500-348.00-02.00-022.000

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

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

Lori Sklar — Lori Sklar — 7/16/13
NEIL TOOMB — Neil Toomb — 9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1774

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

To be completed by the Executive Budget Office

Revisions
04-02-96
10-26-00

1774

HAWTHORNE AVE. (var.width)

HARWOOD AVE. (60')

LAUREL AVE.

WOODLAND ST. (60')

UNION BLVD. C.R. 50 (60')

LAUREL AVE. (50')

S.R. 27A

SOUTH COUNTRY RD. (MONTAUK HWY.)

R.D. 60 R R.D. 62

ALAN ST. (50')

N 188,300

E 2,227,700

N 186,400

E 2,227,700

SEE SEC. NO. 348.01 "PATTHEY GARDENS"

43 2.1A(c) "369 PROF. CONDO." (COMMON AREA) (FOR UNITS SEE SEC. NO. 348.01)

44 "369 PROF. CONDO PHASE 3" (COMMON AREA) (FOR UNITS SEE SEC. NO. 348.01)

13.2 EAST ISLIP PUBLIC LIBRARY

14 1.0A(c) UNION FREE SCHOOL DISTRICT NO. 3

18 5.1A(c)

12 1.2A(c)

FOR PARCEL NO. SEE SEC. NO. 374-01-027

MATCH Z LINE

LEGEND

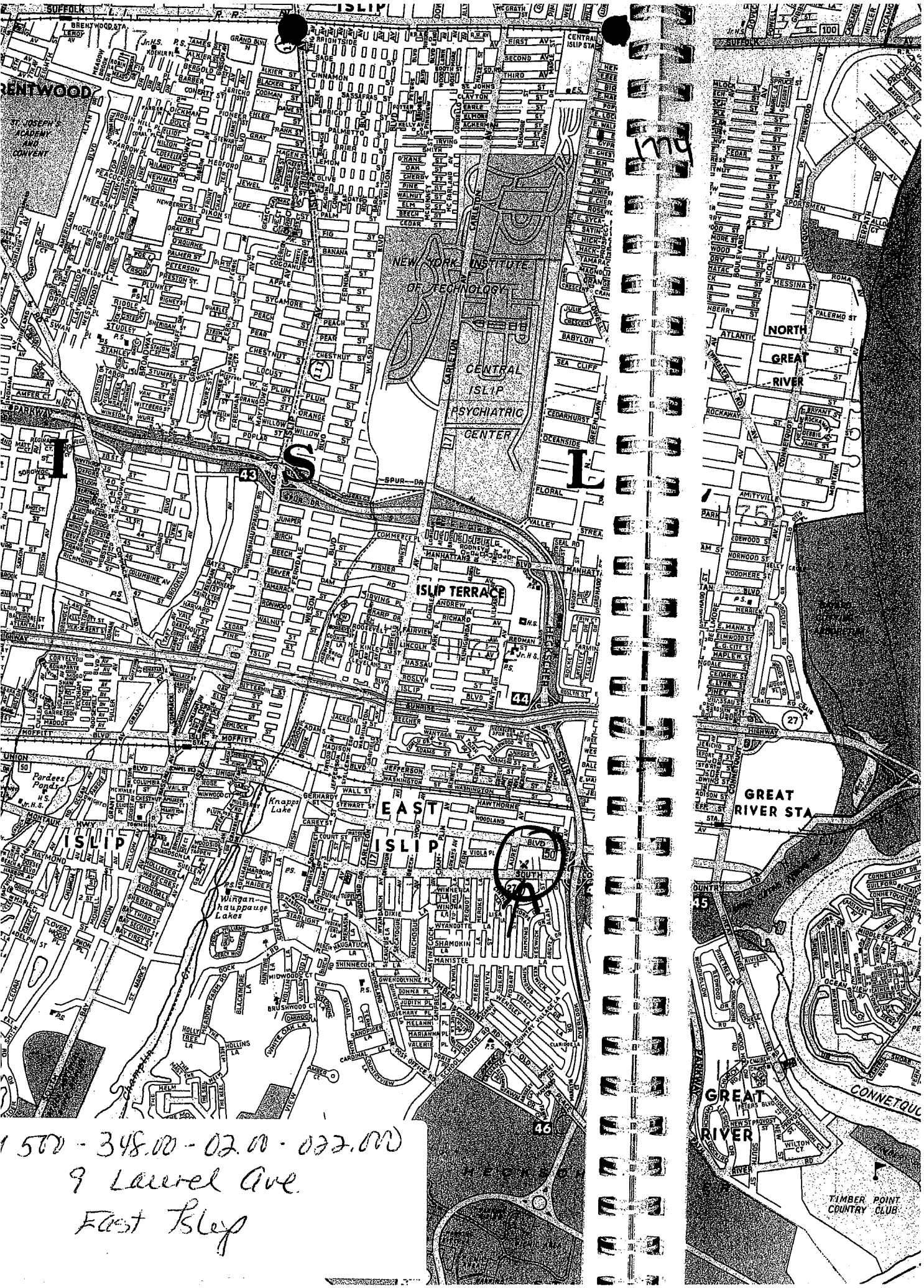
Property or RR Line		Subdivision Lot No.	(12)
Denotes Common Owner	Z	Subdivision Block/Bldg. No.	(21)
Subdivision Lot Line		Deed Dimension	62
Stream / Shore		Scaled Dimension	62a
Parcel No.	23	Deed Area	12.1 A(c) or 12.1 A

Block
Block
County
Town

OTHERWISE, ALL THE FOLLOWING
SEWER
HYDRANT
WATER
REFUSE
WASTEWATER

TM 500 - 348.00 - 02.00 - 022.000
9 Laurel Ave.
East Islip

Revisions
04-02-96



1500 - 348.00 - 02.00 - 037.00
9 Laurel Ave
East Islip

COUNTY OF SUFFOLK

1774

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

August 9, 2013

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

Re: Tax Map No. 0500-348.00-02.00-022.000
JACK KWONG MOY AND JENNIE YUNG MOY, HIS WIFE

Dear Mr. Schneider:

Enclosed herewith for your approval is an original of the proposed resolution with documentation pursuant to:

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

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

Very truly yours,

Wayne R. Thompson
Real Property Management Supervisor

WRT:LS:lag

Attachment

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

Introductory Resolution No. 1775-13 Laid on Table 9/12/13

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
GARY BRESNICK AND GAIL F. KEARNEY
(SCTM NO. 0100-109.00-01.00-140.000)

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 109.00, Block 01.00, Lot 140.000, and acquired by tax deed on June 13, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 14, 2013, in Liber 12733, at Page 319, and otherwise known and designated by the Town of Babylon, as Lot No. 168, on a certain map entitled "Map of Green Turf Estates", filed in the Office of the Clerk of Suffolk County on January 14, 1953 as Map No. 2011; 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 13, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 14, 2013 in Liber 12733 at Page 319.

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, GARY BRESNICK AND GAIL F. KEARNEY have made application of said above described parcel and GARY BRESNICK AND GAIL F. KEARNEY have paid the application fee and will be paying $42,552.82, 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; now, therefore be it

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

2nd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to GARY BRESNICK, 19 Leeds Lane, North Babylon, New York 11703 and GAIL F. KEARNEY, 9659 Channelside Way, Fort Myers, Florida 33919, 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: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1775

July 16, 2013

Tax Map No.: 0100-109.00-01.00-140.000
Name of Last Legal Fee Owner: GARY BRESNICK AND GAIL F. KEARNEY

TREASURER'S COMPUTATION	$42,552.82
Taxes.....2012/2013	OPEN
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$42,552.82
Monies to be Received	$42,552.82
RESOLUTION AMOUNT	$42,552.82

APPROVED:

A Brownell 7.17.2013
Accounting
LS:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0100	109.00	01.00	140.000

1775

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2009	$3,122.61
2010	$14,638.56
2012	$12,459.07

TOTAL: $30,220.24

B. INTEREST DUE	$932.65
C. TOTAL	$31,152.89
D. 5% LINE C	$1,557.64
E. FEE	
F. MISC 2013 Town Taxes	$9,842.29
G. MISC	
H. TOTAL DUE	$42,552.82

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. 10-Jul-13

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 01/06/14

TS

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1775

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
GARY BRESNICK AND GAIL F. KEARNEY
0100-109.00-01.00-140.000

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

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

Lori Sklar — Lori Sklar — 7/18/13
NEIL TOOMB — Neil Toomb — 9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1775

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

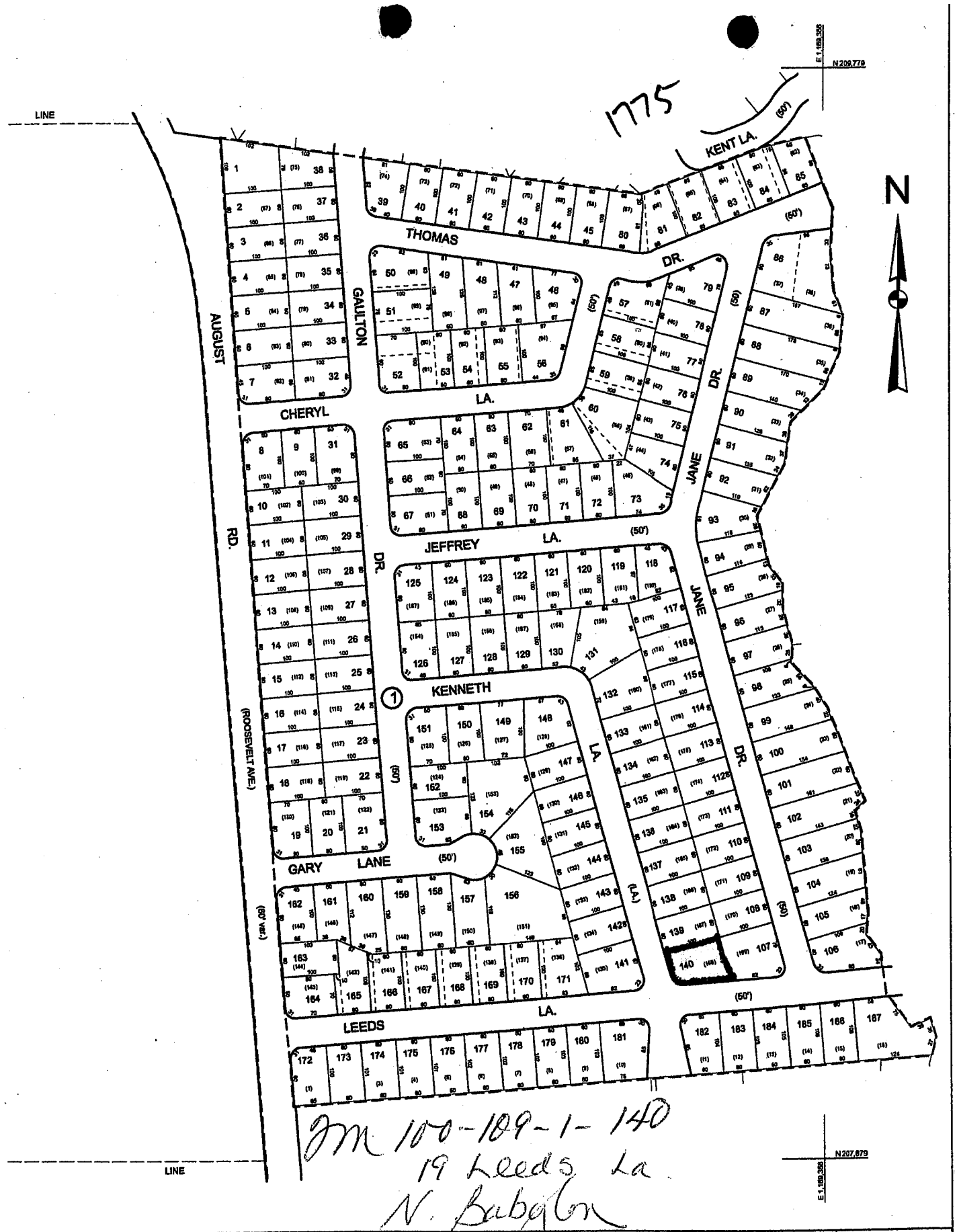
	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER $100	2013 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

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

To be completed by the Executive Budget Office



Tm 100-109-1-140
19 Leeds La
N. Babylon

NOTICE

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

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

KEY MAP: 110, 111, 109, 113, 108, 114, 107, 106, 145

TOWN OF BABYLON
VILLAGE OF
DISTRICT NO 0180

SECTION NO
109
PROPERTY MAP

100 - 109 - 1 - 140
19 Leeds La.
N. Babylon
DEER PARK
Long Island Railroad
Belmont Lake State
Picnic Area
Parking Field
L.I.S.P.C. (Hdqtrs)
NORTH BABYLON
WEST BABYLON
Elda Lake
North Babylon
Strathmore Park
Deer Park HS
Wyandanch Sta
WYANDANCH AVENUE
SOUTHERN STATE ROAD
SOUTHERN PKWY
SYLVAN ROAD
AUGUST ROAD
DEER PARK AVENUE
COMMACK ROAD
NICOLLS (DEP. CHIEF RAYMOND DOWNEY MEM RD)
RAILROAD AV
GRAND BOULEVARD
HALE OLD ROAD
STRAIGHT PATH
COUNTRY PARK ROAD
LONG ISLAND

COUNTY OF SUFFOLK

1775

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

August 9, 2013

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

Re: Tax Map No. 0100-109.00-01.00-140.000
GARY BRESNICK AND GAIL F. KEARNEY

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:LS:lag

Attachment

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

Introductory Resolution No. 1776-13 Laid on Table 9/12/13

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 JOAN SCALES
(SCTM NO. 0902-003.00-04.00-069.001)

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 Incorporated Village of Quogue, 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 0902, Section 003.00, Block 04.00, Lot 069.001, and acquired by tax deed on June 04, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 05, 2013, in Liber 12731, at Page 981, and otherwise known and designated by the Incorporated Village of Quogue, Town of Southampton, as District 0902, Section 003.00, Block 04.00, Lot 069.001; 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 04, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 05, 2013 in Liber 12731 at Page 981.

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 JOAN SCALES has made application of said above described parcel and ESTATE OF JOAN SCALES has paid the application fee and will be paying $19,036.09, 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; now, therefore be it

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

2nd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to ESTATE OF JOAN SCALES, 8725 Del Rey Court, Apt. 5E, Tampa FL, 33617, 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: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1776

August 12, 2013

Tax Map No.: 0902-003.00-04.00-069.001
Name of Last Legal Fee Owner: ESTATE OF JOAN SCALES

TREASURER'S COMPUTATION	$19,036.09
Taxes.....2012/2013	OPEN
License/Storage Fee	OPEN
Repairs	OPEN
Miscellaneous Expenses	OPEN
TOTAL	$19,036.09
Monies to be Received	$19,036.09
RESOLUTION AMOUNT	$19,036.09

PREPARED BY:

Peter Belyea
Redemption Unit
(631)853-5932

APPROVED:

Pat Morea
Accounting
PB:lag

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0902	003.00	04.00	069.001

1776

ITEM #10010500

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

Year	Village	Town	Combined
2009	1470.09	2280.69	3750.78
2010	1447.12	2317.17	3764.29
2011	1429.01	1968.33	3397.34
2012	1208.35	1831.88	3040.23
2013	1129.93	1439.70	2569.63
2014	991.17	0.00	991.17

TOTAL: 17513.44

B. INTEREST DUE 616.17
C. TOTAL 18129.61
D. 5% LINE C 906.48
E. FEE
F. MISC
G. MISC

H. TOTAL DUE $19,036.09 OK PM 8-12-13

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 12-Aug-13

Diane M. Stuke
Deputy County Treasurer

** Interest and penalty computed to and including 02/08/14

TS

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1776

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
ESTATE OF JOAN SCALES
0902-003.00-04.00-069.001

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2013

10.

Typed Name & Title of Preparer	Signature of Preparer	Date
Peter Belyea		8/12/13
NEIL TOOMB	Neil Toomb	9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1776

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

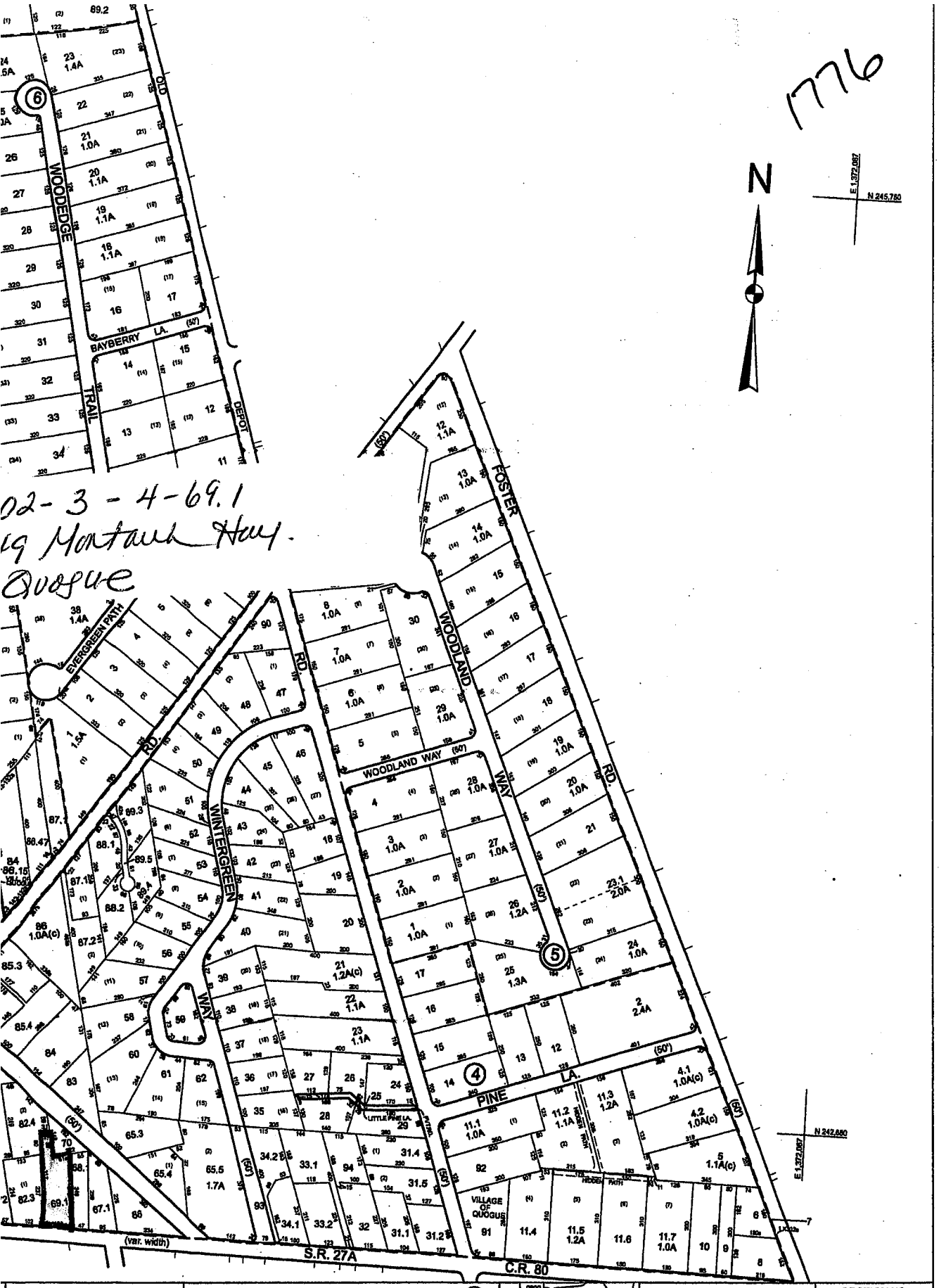
	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER $100	2013 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

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

To be completed by the Executive Budget Office

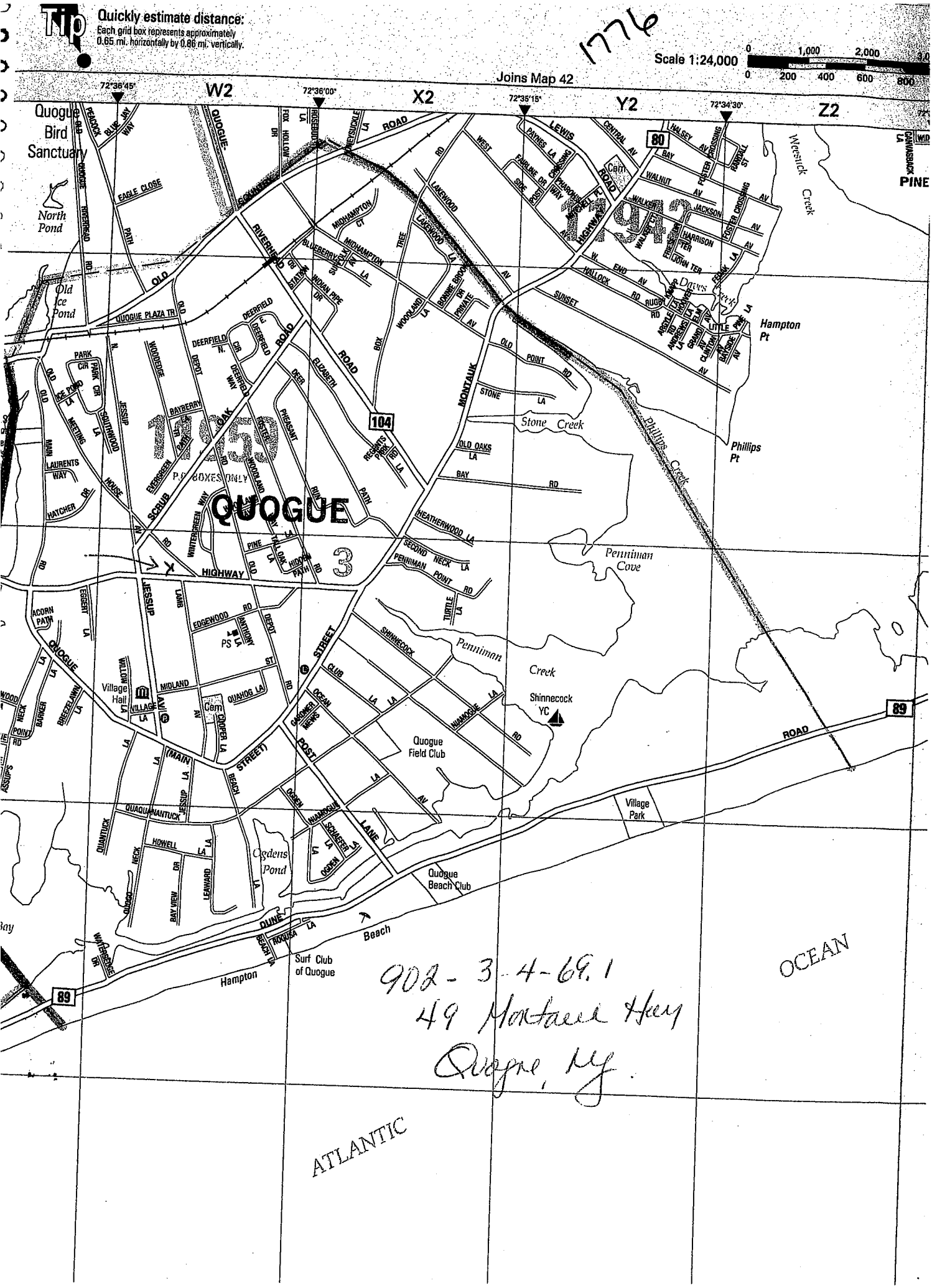
1776

02-3-4-69.1
49 Montauk Hwy.
Quogue



NOTICE	COUNTY OF SUFFOLK © Real Property Tax Service Agency	KEY MAP	TOWN OF SOUTHAMPTON	SECTION NO
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 Center Riverhead, N Y 11901 SCALE IN FEET: 200 0 200 400		VILLAGE OF QUOGUE	3
			DISTRICT NO 0002	PROPERTY MAP

CONVERSION DATE: May 20, 2011


Tip
Quickly estimate distance:
Each grid box represents approximately 0.65 mi. horizontally by 0.86 mi. vertically.
1776
Scale 1:24,000
0 1,000 2,000 3,0
0 200 400 600 800
Joins Map 42
72°36'45"
W2
72°36'00"
X2
72°35'15"
Y2
72°34'30"
Z2
Quogue Bird Sanctuary
North Pond
Old Ice Pond
Weesuck Creek
Daves Creek
Hampton Pt
Phillips Pt
Phillips Creek
Stone Creek
Penniman Cove
Penniman Creek
Shinnecock YC
Quogue Field Club
Village Park
Quogue Beach Club
Ogdens Pond
Surf Club of Quogue
Hampton Beach
QUOGUE
P.O. BOXES ONLY
Village Hall
PS
Cem
OCEAN
ATLANTIC
902-3-4-69.1
49 Montauk Hwy
Quogue, Ny.

COUNTY OF SUFFOLK

1776

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

August 12, 2013

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

Re: Tax Map No. 0902-003.00-04.00-069.001
ESTATE OF JOAN SCALES

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:PB:lag

Attachment

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

1777

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer Lindsay on request of the County Executive

RESOLUTION NO. - 2013, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS

WHEREAS, the Suffolk County Department of Economic Development and Planning has submitted an application for a HOME Investment Partnership Program Grant for Federal Fiscal Year 2012 under Title II of the National Affordable Housing Act of 1990 (P.L. 101-625); and

WHEREAS, the County has been awarded a HOME Investment Partnership Program FY 2013 grant in the amount of $1,178,462; and

WHEREAS, $117,846 of said funds are to be used for operational costs; and

WHEREAS, these funds have been included in the 2013 Adopted Operating Budget; now, therefore, be it

1st RESOLVED, that the Suffolk County Legislature hereby authorizes the County Executive or his designee to accept the HOME Investment Partnerships grant and to contract with HUD, cooperating municipalities, non-profit and for-profit organizations for the expenditure of these funds; and be it further

2nd RESOLVED, that $117,846.00 of these funds be used to reimburse budgeted county expenses and that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate the following funds:

REVENUES	AMOUNT
353-4911 Federal Aid: Community Development	$1,178,462

ORGANIZATIONS

ECONOMIC DEVELOPMENT
HOME INVESTMENT PARTNERSHIPS
353-CDV-8062

Contracted Services	$1,060,616.00
4980-Contracted Agencies	$1,060,616.00

Intro Res. No. - 2013

INTERFUND TRANSFER
TRANSFER TO FUND 351
IFT-9600

353-IFT-E351	Transfer to Fund 351 Comm Dev Admin	$117,846.00.

and be it further

3RD RESOLVED, that the reporting category for the County Integrated Financial Management System (IFMS) is CD12; and be it further

4th RESOLVED, that this Legislature being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action, pursuant to 6 NYCRR.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

DATED:

1777

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS

3. Purpose of Proposed Legislation

TO ACCEPT AND APPROPRIATE A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM, IN THE AMOUNT OF $1,178,462, AND TO AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS WITH MUNICIPALITIES, NON-PROFIT AND FOR PROFIT ORGANIZATIONS FOR AFFORDABLE HOUSING

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

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

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

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

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

8. Proposed Source of Funding

9. Timing of Impact

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Jill Rosen-Nikoloff Director of Real Estate		8/19/13

SCIN FORM 175b (10/95)

NEIL TOOMB 9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1777

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 TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

2013 INTRAGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

1777

TITLE OF BILL:
ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS.

PURPOSE OR GENERAL IDEA OF BILL:
TO ACCEPT AND APPROPRIATE A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM, IN THE AMOUNT OF $1,178,462, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS.

SUMMARY OF SPECIFIC PROVISIONS:
TO ACCEPT AND APPROPRIATE A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM, IN THE AMOUNT OF $1,178,462, AND TO AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS WITH MUNICIPALITIES, NON-PROFIT AND FOR PROFIT ORGANIZATIONS FOR AFFORDABLE HOUSING.

JUSTIFICATION:
ADMINISTRATION BY THE COUNTY OF HUD FUNDS, THROUGH ITS COMMUNITY DEVELOPMENT OFFICE, FOR PURPOSES OF PROVIDING FEDERAL FUNDS TO MUNICIPAL, NON-PROFIT AND FOR PROFIT ENTITIES TO CONSTRUCT AND REHABILITATE AFFORDABLE HOUSING AND PAYMENT OF BUDGETED COUNTY EXPENSES ASSOCIATED WITH SUCH PROGRAM.

FISCAL IMPLICATIONS:
N/A

COUNTY OF SUFFOLK

1777

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
puty County Executive and Commissioner

Division of Real Property
Acquisition and Management

August 19, 2013

Jon Schneider, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Community Development Resolutions

Dear Mr. Schneider:

Attached are the following Resolutions, together with the back-up documentation, requested to be Laid on the Table at the September 12, 2013 meeting for consideration and vote at the October 8, 2013 meeting:

1. Resolution Accepting And Appropriating A 100% Reimbursed Grant From The U.S. Department Of Housing And Urban Development For The Home Investment Partnerships Program And Authorizing The County Executive To Execute Agreements.

2. Resolution Accepting And Appropriating A 100% Reimbursed Grant From The U.S. Department Of Housing And Urban Development For The Community Development Block Grant Program And Authorizing The County Executive To Execute Agreements.

3. Resolution Accepting And Appropriating A 100% Reimbursed Grant From The U.S. Department Of Housing And Urban Development For the Emergency Solutions Grants Program And Authorizing The County Executive To Execute Agreements.

Thank you.

Very truly yours,

Jill Rosen-Nikoloff
Director of Real Estate

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
CE Reso Review (e-copy)

1778

Intro Res. No. - 2013 Laid on Table on 9/12/13

Introduced by Presiding Officer Lindsay on request of County Executive

RESOLUTION NO. - 2013 ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS

WHEREAS, the County Legislature by Resolution No. 598-1999 authorized the County Executive to enter into cooperation agreements with towns and villages to apply for Federal Aid for Community Development; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has submitted an application for a Community Development Entitlement Block Grant for Federal Fiscal Year 2013 under the Housing and Community Development Acts of 1974 (P.L. 93-383) as amended; and

WHEREAS, the Suffolk County Consortium has been awarded a FY 2013 entitlement Community Development Block Grant in the amount of $3,032,794; and

WHEREAS, $293,279.00 of said funds are to be used for operational costs; and

WHEREAS, these funds have already been included in the 2013 Adopted Operating Budget to offset operational costs; and

WHEREAS, the programs developed under the grant have been approved by the Consortium municipalities and coordination of these programs is essential to the success and continuation of the program; now, therefore, be it

1st RESOLVED, that the Suffolk County Legislature hereby authorizes the County Executive, or his designee, to accept the Community Development Block Grant and to contract with HUD and the cooperating municipalities for the expenditure of these funds; and be it further

2nd RESOLVED, that $293,279.00 of these funds be used to reimburse budgeted county expenses and that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate the following funds.

REVENUES:

352-4920 Federal Aid	Community Development	$3,032,794

ORGANIZATIONS:

ECONOMIC DEVELOPMENT
GRANTS TO COOPERATING MUNICIPALITIES
352-CDV-9284

352-CDV-9284-4980-Contracted Services	$2,739,515.00
4980-TOWN OF BROOKHAVEN JON1	$1,693,385.00
4980-TOWN OF EAST HAMPTON J001	104,404.00
4980-TOWN OF RIVERHEAD JOP1	143,261.00
4980-TOWN OF SHELTER ISLAND JOQ1	13,570.00
4980-TOWN OF SMITHTOWN JOR1	243,667.00
4980 TOWN OF SOUTHAMPTON JOS1	154,463.00
4980-TOWN OF SOUTHOLD JOT1	98,385.00
4980-VILLAGE OF BELLPORT JOU1	12,860.00
4980-VILLAGE OF LAKE GROVE JOV1	39,290.00
4980-VILLAGE OF PATCHOGUE JOW1	170,510.00
4980-VILLAGE OF PORT JEFFERSON JOX1	16,430.00
4980-VILLAGE OF SAG HARBOR JOY1	11,430.00
4980-VILLAGE OF SOUTHAMPTON JOZ1	17,860.00
4980-VILLAGE OF WESTHAMPTON BEACH JPA1	10,000.00
4980-LONG ISLAND HOUSING SERVICESJPH1	10,000.00

INTERFUND TRANSFER
TRANSFER TO FUND 351
IFT-9600

352-IFT-E351Transfer to Fund 351 Community Development Administration	$293,279.00

and be it further

3rd RESOLVED, that the reporting category for the County Integrated Financial Management System (IFMS) is CD11; and be it further

4th RESOLVED, that this Legislature being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action, pursuant to 6 NYCRR.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

DATED:

1778

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS

3. Purpose of Proposed Legislation

TO ACCEPT AND APPROPRIATE A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, IN THE AMOUNT OF $3,032,794, AND TO AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS WITH CONSORTIUM MEMBERS FOR UTILIZATION OF FUNDS.

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** ____ **No** X

5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)

County	**Town**	**Economic Impact**
Village	**School District**	**Other (Specify):**
Library District	**Fire District**	

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

8. Proposed Source of Funding

9. Timing of Impact

NONE

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Jill Rosen-Nikoloff Director of Real Estate		8/19/13

SCIN FORM 175b (10/95)

NEIL TOOMB 8/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1778

GENERAL FUND

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER $100	2013 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER $100	2013 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER $100	2013 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
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3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1778

2013 INTRAGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL:
ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS.

PURPOSE OR GENERAL IDEA OF BILL:
TO ACCEPT AND APPROPRIATE A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, IN THE AMOUNT OF $3,032,794, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS.

SUMMARY OF SPECIFIC PROVISIONS:
TO ACCEPT AND APPROPRIATE A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, IN THE AMOUNT OF $3,032,794, AND TO AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS WITH CONSORTIUM MEMBERS FOR UTILIZATION OF FUNDS.

JUSTIFICATION:
ADMINISTRATION BY THE COUNTY OF HUD FUNDS, THROUGH ITS COMMUNITY DEVELOPMENT OFFICE, FOR PURPOSES OF DISTRIBUTING FEDERAL FUNDS TO THE COUNTY'S CONSORTIUM MEMBERS FOR COMMUNITY DEVELOPMENT AND REVITALIZATION ACTIVITES AND PAYMENT OF BUDGET COUNTY EXPENSES ASSOCIATED WITH SUCH PROGRAM.

FISCAL IMPLICATIONS:
N/A

COUNTY OF SUFFOLK

1778

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

August 19, 2013

Jon Schneider, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Community Development Resolutions

Dear Mr. Schneider:

Attached are the following Resolutions, together with the back-up documentation, requested to be Laid on the Table at the September 12, 2013 meeting for consideration and vote at the October 8, 2013 meeting:

1. Resolution Accepting And Appropriating A 100% Reimbursed Grant From The U.S. Department Of Housing And Urban Development For The Home Investment Partnerships Program And Authorizing The County Executive To Execute Agreements.

2. Resolution Accepting And Appropriating A 100% Reimbursed Grant From The U.S. Department Of Housing And Urban Development For The Community Development Block Grant Program And Authorizing The County Executive To Execute Agreements.

3. Resolution Accepting And Appropriating A 100% Reimbursed Grant From The U.S. Department Of Housing And Urban Development For the Emergency Solutions Grants Program And Authorizing The County Executive To Execute Agreements.

Thank you.

Very truly yours,

Jill Rosen-Nikoloff
Director of Real Estate

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
CE Reso Review (e-copy)

1779

Intro Res. No. - 2013 Laid on Table on 9/12/13

Introduced by Presiding Officer Lindsay on request of County Executive

RESOLUTION NO. -2013, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANTS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS

WHEREAS, the Suffolk County Department of Economic Development and Planning has been awarded an Emergency Solutions Grant for fiscal year 2013 under The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 in the amount of $208,804; and

WHEREAS, $15,660 of said funds are to be used for operational costs; and

WHEREAS, these funds have been included in the 2013 Adopted Operating Budget, now, therefore, be it

1st RESOLVED, that the Suffolk County Legislature hereby authorizes the County Executive or his designee to accept the Emergency Solutions Grant and to contract with the cooperating non-profit organizations for the expenditure of these funds; and, be it further

2nd RESOLVED, that $15,660 of these funds be used to reimburse budgeted county expenses and that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate the following funds.

REVENUES	AMOUNT
354-4915 Federal Aid: Community Development	$208,804.00

ORGANIZATIONS

ECONOMIC DEVELOPMENT
EMERGENCY SHELTER GRANTS PROGRAM
354-CDV-8785

Contracted Services	$193,144.00
4980-Contracted Agencies	$193,144.00

INTERFUND TRANSFER
TRANSFER TO FUND 351
IFT-9600

355-IFT-E351 Transfer to Fund 351 Comm Dev Admin	$15,660.00

and be it further

3rd **RESOLVED**, that the reporting category for the County Integrated Financial Management System (IFMS) is CD10.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

DATED:

1779

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS

3. Purpose of Proposed Legislation

TO ACCEPT AND APPROPRIATE A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT PROGRAM, IN THE AMOUNT OF $208,804, AND TO AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS WITH NON-PROFIT ENTITIES FOR HOMELESS PREVENTION AND RAPID RE-HOUSING.

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

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

8. Proposed Source of Funding

9. Timing of Impact

None

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Jill Rosen-Nikoloff Director of Real Estate		8/19/13

SCIN FORM 175b (10/95)

NEIL TOOMB 9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1779

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 TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1779

2013 INTRAGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL:
ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANTS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS.

PURPOSE OR GENERAL IDEA OF BILL:
TO ACCEPT AND APPROPRIATE A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT PROGRAM, IN THE AMOUNT OF $208,804, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS.

SUMMARY OF SPECIFIC PROVISIONS:
TO ACCEPT AND APPROPRIATE A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT PROGRAM, IN THE AMOUNT OF $208,804, AND TO AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS WITH NON-PROFIT ENTITIES FOR HOMELESS PREVENTION AND RAPID RE-HOUSING.

JUSTIFICATION:
ADMINISTRATION BY THE COUNTY OF HUD FUNDS, THROUGH ITS COMMUNITY DEVELOPMENT OFFICE, FOR PURPOSES OF HOMELESS PREVENTION AND RAPID RE-HOUSING AND PAYMENT OF BUDGETED COUNTY EXPENSES ASSOCIATED WITH SUCH PROGRAM.

FISCAL IMPLICATIONS:
N/A

COUNTY OF SUFFOLK

1779

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

August 19, 2013

Jon Schneider, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Community Development Resolutions

Dear Mr. Schneider:

Attached are the following Resolutions, together with the back-up documentation, requested to be Laid on the Table at the September 12, 2013 meeting for consideration and vote at the October 8, 2013 meeting:

1. Resolution Accepting And Appropriating A 100% Reimbursed Grant From The U.S. Department Of Housing And Urban Development For The Home Investment Partnerships Program And Authorizing The County Executive To Execute Agreements.

2. Resolution Accepting And Appropriating A 100% Reimbursed Grant From The U.S. Department Of Housing And Urban Development For The Community Development Block Grant Program And Authorizing The County Executive To Execute Agreements.

3. Resolution Accepting And Appropriating A 100% Reimbursed Grant From The U.S. Department Of Housing And Urban Development For the Emergency Solutions Grants Program And Authorizing The County Executive To Execute Agreements.

Thank you.

Very truly yours,

Jill Rosen-Nikoloff
Director of Real Estate

Attachment

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
CE Reso Review (e-copy)

Introductory Resolution No. 1780-13 Laid on Table 9/12/13

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 LEISURE VILLAGE ASSOCIATION, INC. (SCTM NO. 0200-192.00-07.00-034.000)

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 192.00 Block 07.00 Lot 034.000 and acquired by Tax Deed on September 15, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003 in Liber 12274 at CP 112 and described as follows, known and designated as Parcel B on a certain map entitled "Map of Leisure Village, Section 11", and filed in the Office of the Clerk of the County of Suffolk on April 7, 1972 as Map No. 13,

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, LEISURE VILLAGE ASSOCIATION, INC., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 116' x 158' x variable [green belt/common area] has been appraised at $1,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $1,000.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

1st **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1); and be it further,

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further,

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said LEISURE VILLAGE ASSOCIATION, INC., 402 Bridgewater Drive, Ridge, New York 11961.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

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

1780

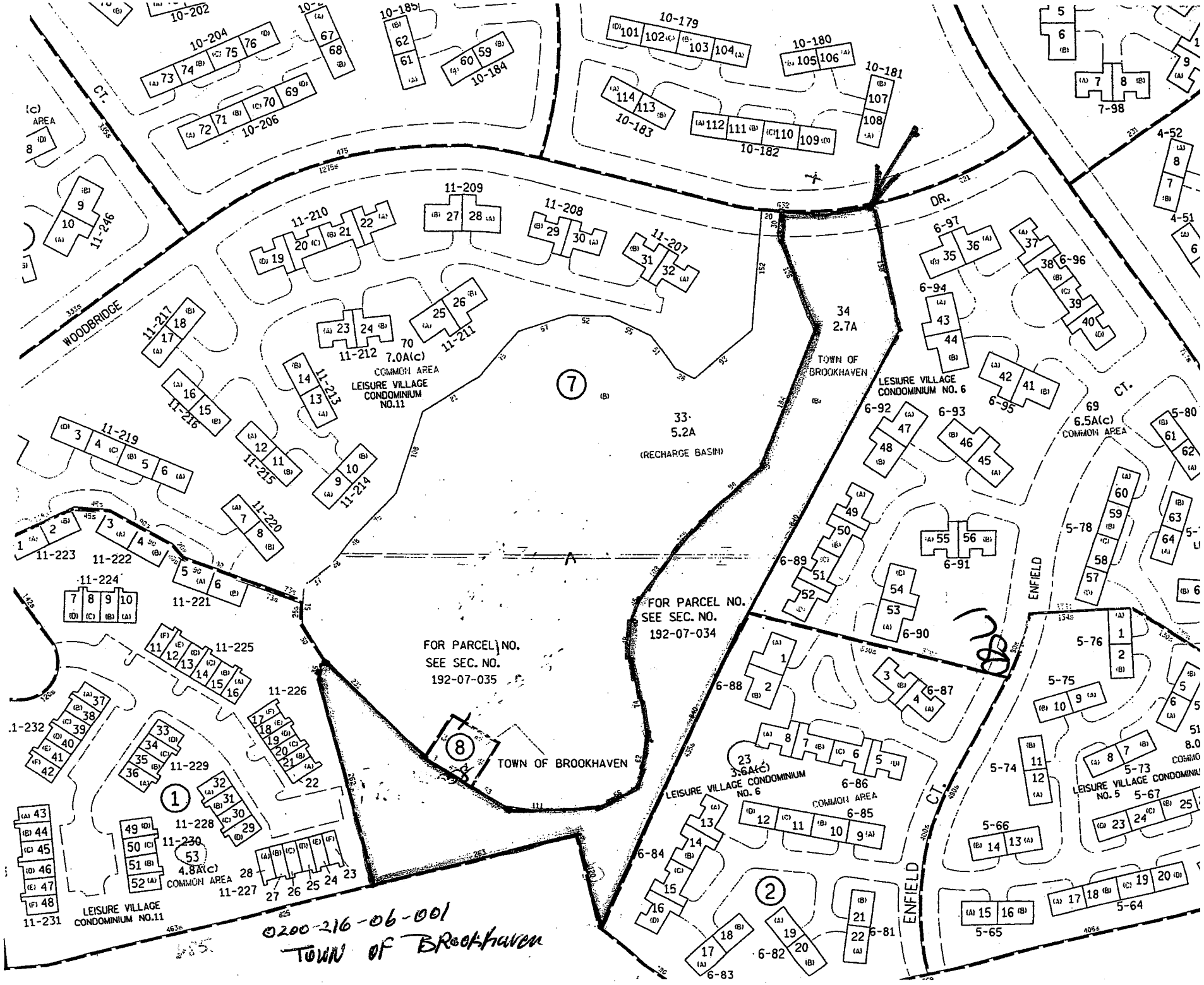
DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-192.00-07.00-034.000

ADJOINING OWNER	BID	BID	BID
Leisure Village Association, Inc. 402 Bridgewater Drive Ridge, New York 11961 0200-192.00-07.00-033.000	$1,000.00		
Town of Brookhaven One Independence Hill Farmingville, New York 11738 0200-216.00-06.00-001.000	$0		

SIZE OF PARCEL: 116' x 158' x variable
APPRAISED VALUE: $1,000.00
COMMENT: Direct Sale to Adjacent Owner

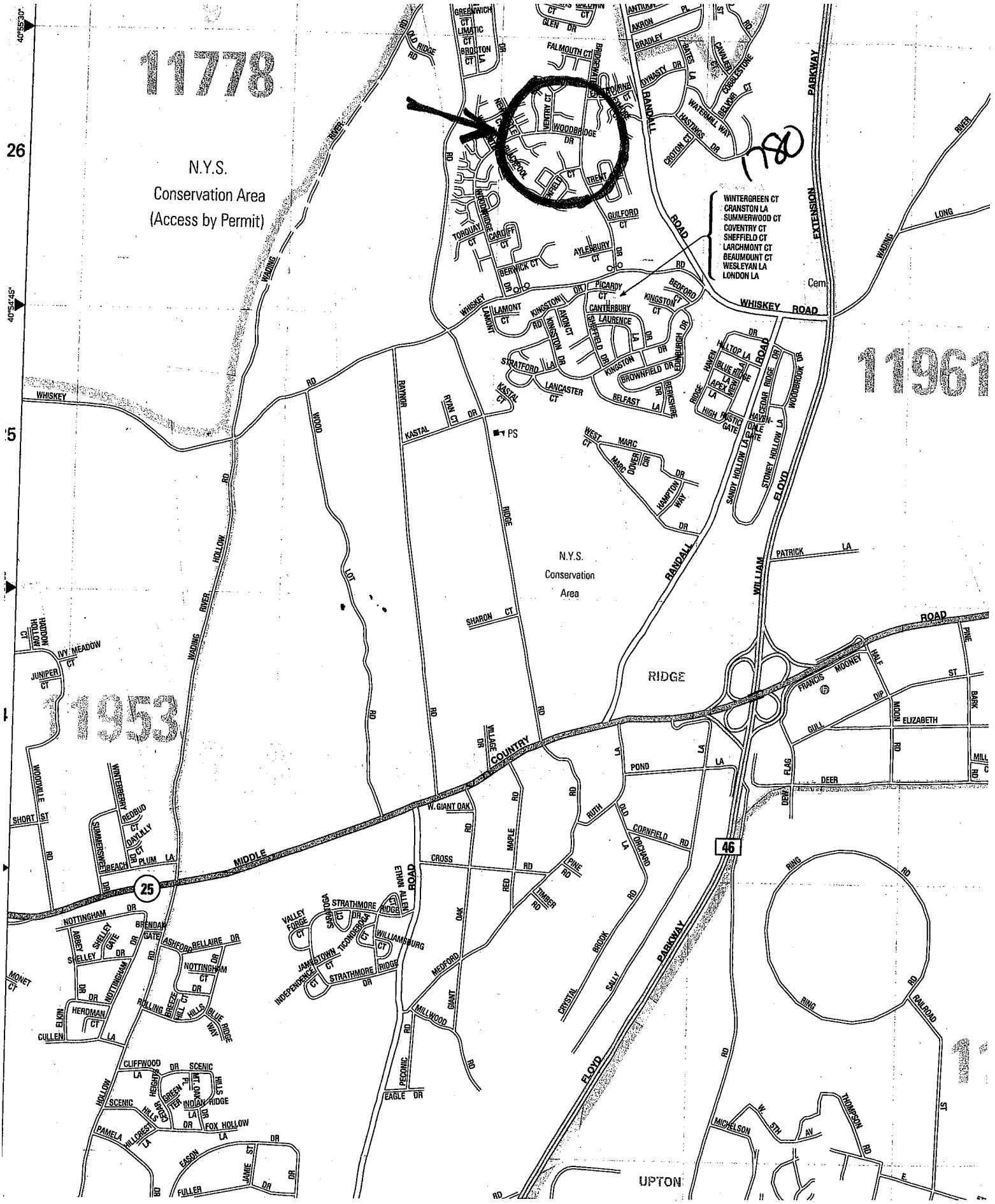
Wayne R. Thompson
Property Manager
(631) 853-5971

TM # 0200-192.00-07.00-034.000



1780

TM# 0200-192.00-07.00-034.000



TM # 0200-192.00-07.00-034.000

1780

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
   LEISURE VILLAGE ASSOCIATION, INC.
   (SCTM NO. 0200-192.00-07.00-034.000)

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

Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	RJ Bhatt	8/8/13
NEIL TOOMB	Neil Toomb	9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1780

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 TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1780

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

August 8, 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: 0200-192.00-07.00-034.000

Dear Mr. Schneider:

Enclosed herewith is the original copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Wayne R. Thompson

Wayne R. Thompson
Real Property Manager
Division of Real Property Acquisition and Management

JRN:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Dennis M. Cohen, Chief Deputy County Executive (1 hard copy)
Lisa Santeramo, Assistant Deputy County Executive (1 hard copy)
Tom Vaughn, Director of Intragovernmental Relations (1 hard copy)
CE Reso Review, (electronic copy)

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

Introductory Resolution No. 1781-13 Laid on Table 9/12/13

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 DAWN M. OLAVE (SCTM NO. 0100-162.00-02.00-031.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 162.00 Block 02.00 Lot 031.000 and acquired by Tax Deed on July 9, 2008 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2008 in Liber 12557 at CP 861 and described as follows, known and designated as part of Lot Number 276 and part of Lot Number 277 on a certain map entitled "Map of Liberty Farms", and filed in the Office of the Clerk of the County of Suffolk on April 9, 1925 as Map No. 210,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Dawn M. Olave, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,400.00. 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 90' x 78' x 92' x 97' (paper street) has been appraised at $2,300.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $2,400.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

1st **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1); and be it further,

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further,

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and 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 Dawn M. Olave, 145 Independence Avenue, Babylon, New York 11702.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

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

1781

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0100-162.00-02.00-031.000

ADJOINING OWNER	BID	BID	BID
Dawn M. Olave 145 Independence Avenue Babylon, New York 11702 0100-162.00-02.00-030.000	$2,400.00		
David & Diane Hauser 73 Wilson Street North Babylon, New York 11703 0100-162.00-02.00-032.000	$0		

SIZE OF PARCEL: 90' x 78' x 92' x 97'
APPRAISED VALUE: $2,300.00
COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971

1781

NYS Route 231

Deer Park Ave (Babylon-Northport Expressway)

TM# 0100-162.00-02.00-031.000

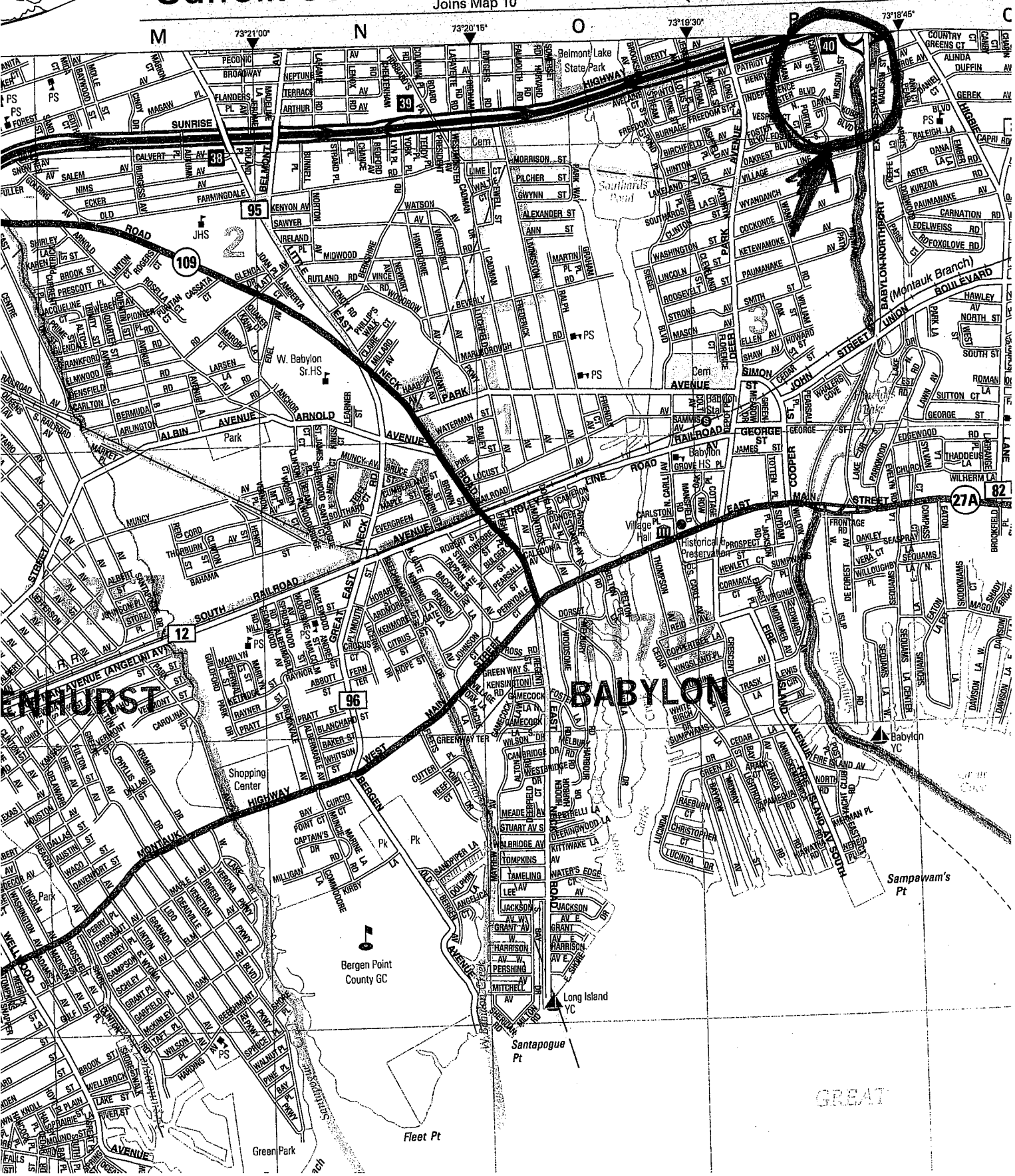
1781

Common St
State Hwy 231
State Hwy 231
Madison St
Monroe Ave
Wilson St
TM# 0100-162.00-02.00-031.000

1781

Suffolk Co.

Joins Map 10



Tm # 0100-162.00-02.00-031.000

1781

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
   DAWN M. OLAVE
   (SCTM NO. 0100-162.00-02.00-031.000)

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

Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	RJ Bhatt	8/8/13
NEIL TOOMB	Neil Toomb	9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1781

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 TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1781

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

August 8, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0100-162.00-02.00-031.000

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)

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

Introductory Resolution No. 1782-13 Laid on Table 9/12/13

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 ROBERT SLOMKOWSKI AND ROSETTA SLOMKOWSKI, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP (SCTM NO. 0100-155.00-02.00-115.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 155.00 Block 02.00 Lot 115.000 and acquired by Tax Deed on September 1, 1994 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 7, 1994 in Liber 11692 at CP 919 and described as follows, known and designated as part of Lot 55 in Block 47 on a certain map entitled "Map of the City of Breslau, Sheet 8", and filed in the Office of the Clerk of the County of Suffolk on November 20, 1879 as Map No. 155, also known by the same lot and block on a certain map entitled, "Map of Property at Wellwood, Sheet 8", filed in the office of the Clerk of the county of Suffolk on March 30, 1989 as Map No. 428,

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, ROBERT SLOMKOWSKI AND ROSETTA SLOMKOWSKI, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $50.00. 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 1' x 105' x 5' x 107' has been appraised at $45.00, 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 $50.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

1st **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the

adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1); and be it further,

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further,

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and 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 ROBERT SLOMKOWSKI AND ROSETTA SLOMKOWSKI, 1036 North Ontario Avenue, Lindenhurst, New York 11757.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0100-155.00-02.00-115.000

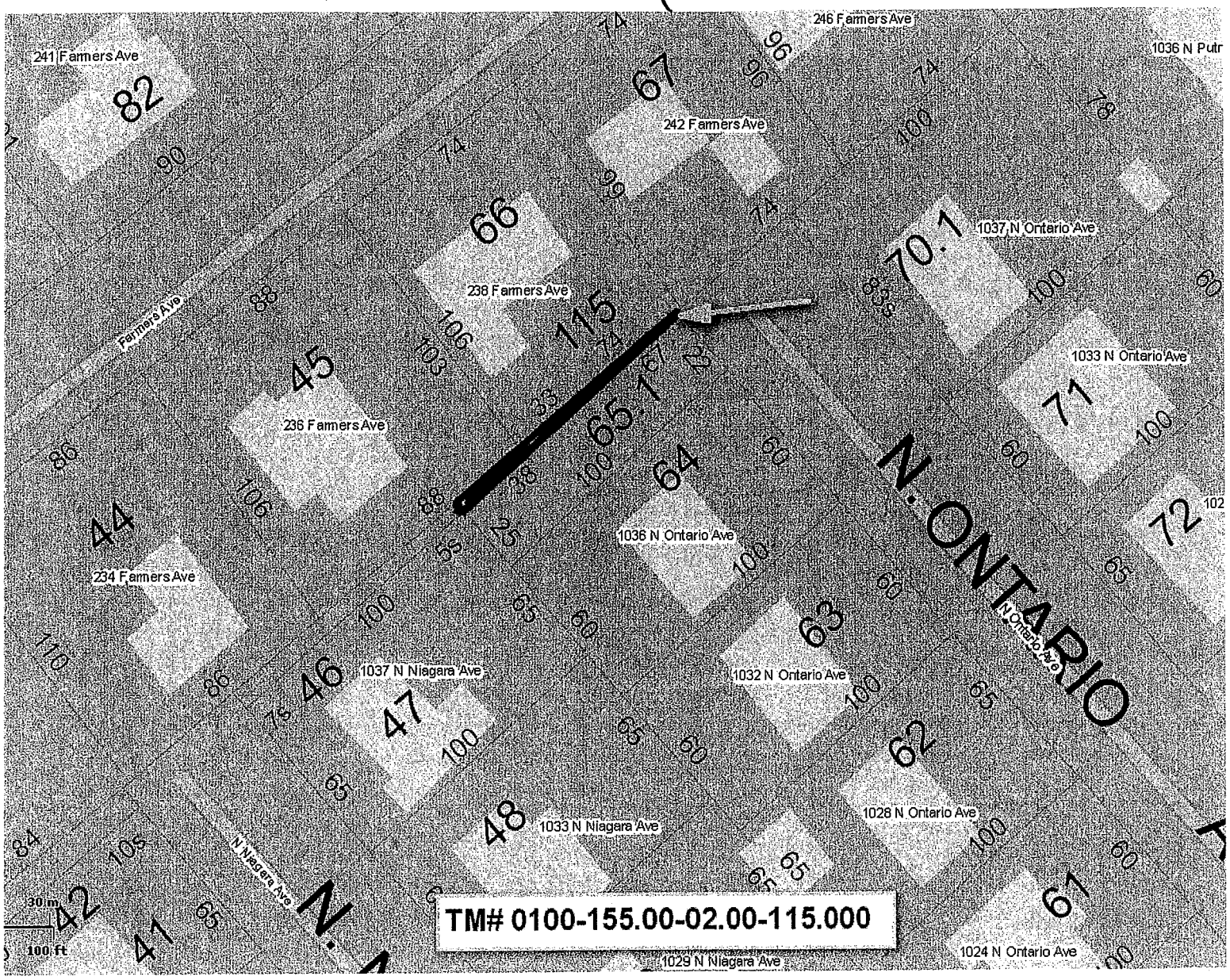
1788

ADJOINING OWNER	BID	BID	BID
Robert Slomkowski 1036 North Ontario Avenue Lindenhurst, New York 11757 0100-155.00-02.00-065.001	$50.00		
Robert & Julie Javurek 238 Farmers Avenue North Babylon, New York 11757 0100-155.00-02.00-066.000	$0		
Marianne Giorgio 236 farmers Avenue North Babylon, New York 11757 0100-155.00-02.00-045.000	$0		
County of Suffolk 330 Center Drive Riverhead, New York 11901 0100-155.00-02.00-046.000	$0		

SIZE OF PARCEL: 1' x 105' x 5' x 107'
APPRAISED VALUE: $45.00
COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971

1782


246 Farmers Ave
241 Farmers Ave
1036 N Putr
242 Farmers Ave
1037 N Ontario Ave
238 Farmers Ave
Farmers Ave
1033 N Ontario Ave
236 Farmers Ave
1036 N Ontario Ave
234 Farmers Ave
N. ONTARIO
N Ontario Ave
1037 N Niagara Ave
1032 N Ontario Ave
1028 N Ontario Ave
1033 N Niagara Ave
N Niagara Ave
30 m
100 ft
TM# 0100-155.00-02.00-115.000
1029 N Niagara Ave
1024 N Ontario Ave

1782

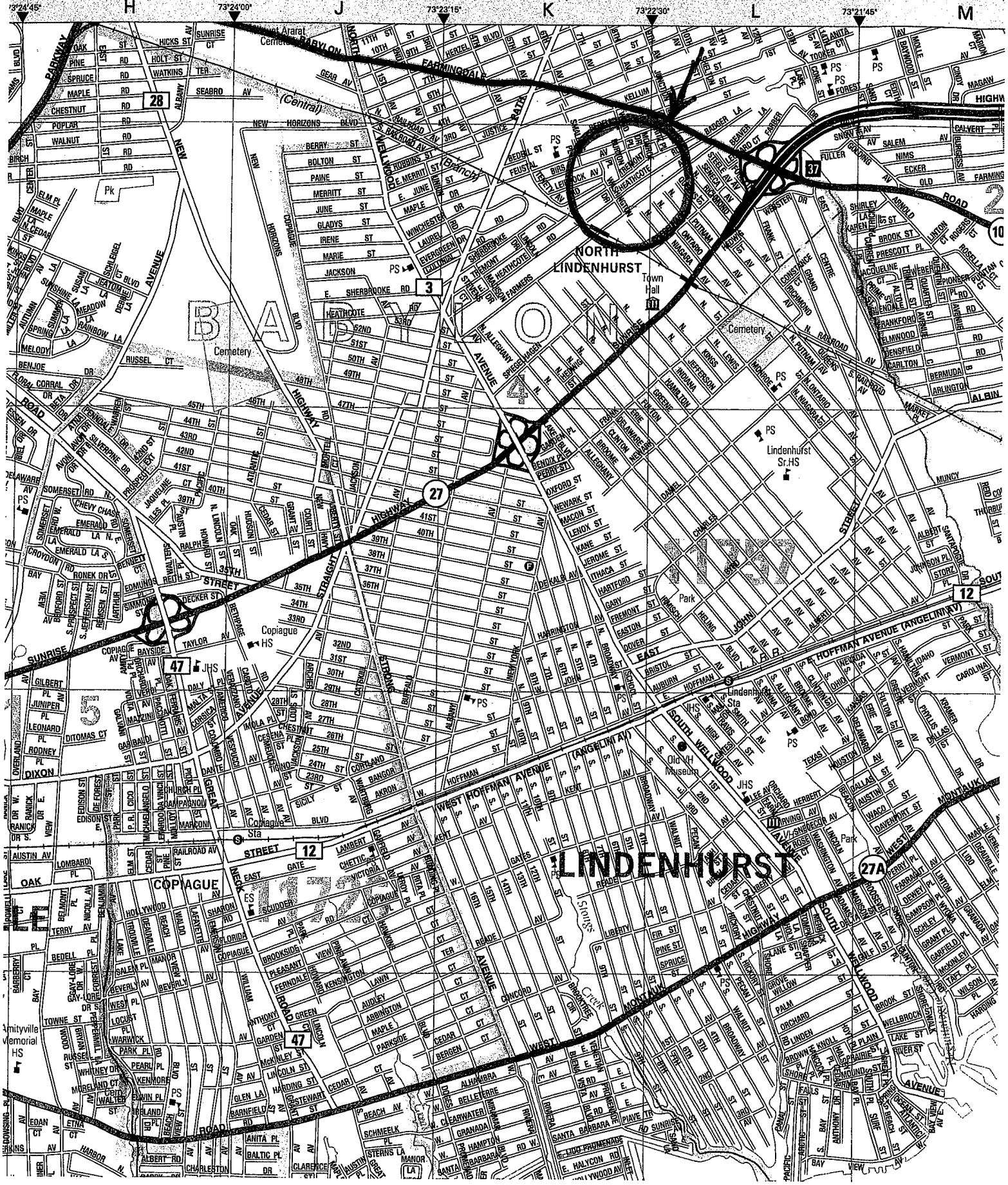
0.65 mi. horizontally by 0.86 mi. vertically.

Joins Map 4

1782

Scale 1:24,000

0 200 400 600 800 1,000 1,200 1,4



TM # 0100-155.00-02.00-115.000

1782

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
   ROBERT SLOMKOWSKI AND ROSETTA SLOMKOWSKI, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
   (SCTM NO. 0100-155.00-02.00-115.000)

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

Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	RJ Bhatt	8/8/13
NEIL TOOMB	Neil Toomb	9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1782

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 TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

782

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

August 8, 2013

Jon Schneider
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0100-155.00-02.00-115.000

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)

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

Introductory Resolution No. 1783-13 Laid on Table 9/12/13

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 JOSEPH ZACHARY GAZZA (SCTM NO. 0900-145.00-03.00-037.000)

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 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 03.00 Lot 037.000 and acquired by Tax Deed on November 13, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 24, 2003 in Liber 12285 at CP 585 and described as follows, known and designated as Lot 33 in Block 2 on a certain map entitled "Map of Riverhead Estates, Section C", and filed in the Office of the Clerk of the County of Suffolk on July 8, 1914 as Map No. 574,

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, Joseph Zachary Gazza, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 20' x 100' has been appraised at $1,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $1,000.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

1st **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1); and be it further,

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further,

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Joseph Zachary Gazza, 11992 SE Tiffany Way, Tequesta, FL 33469.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

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

1783

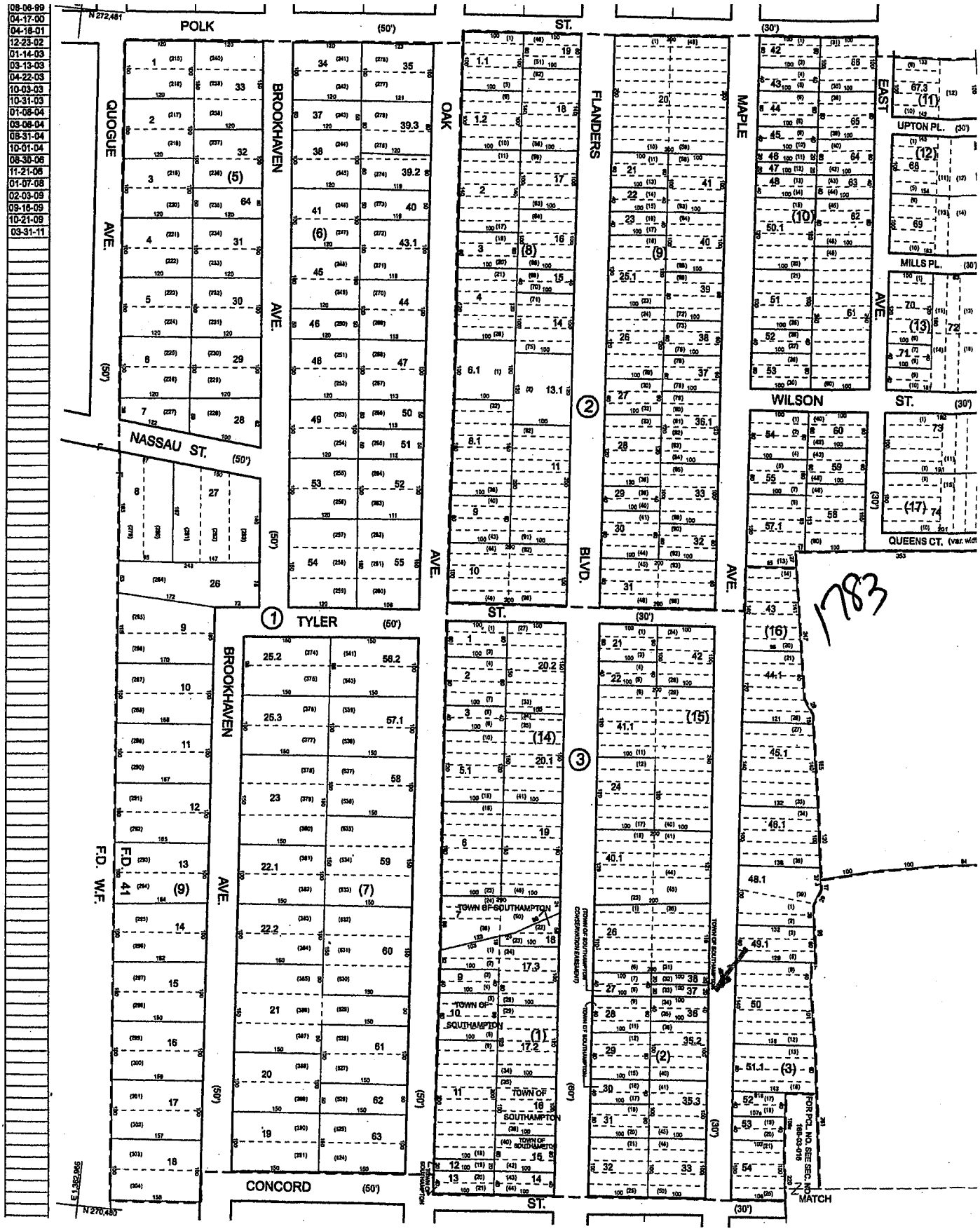
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0900-145.00-03.00-037.000

ADJOINING OWNER	BID	BID	BID
Joseph Zachary Gazza 11992 SE Tiffany Way Tequesta, FL 33469 0900-145.00-03.00-027.000	$1,000.00		
George Acunto 215 Maple Avenue Riverhead, New York 11901 0900-145.00-03.00-036.000	$0		
Town of Southampton 116 Hampton Road Southampton, New York 11968 0900-145.00-03.00-038.000	$0		

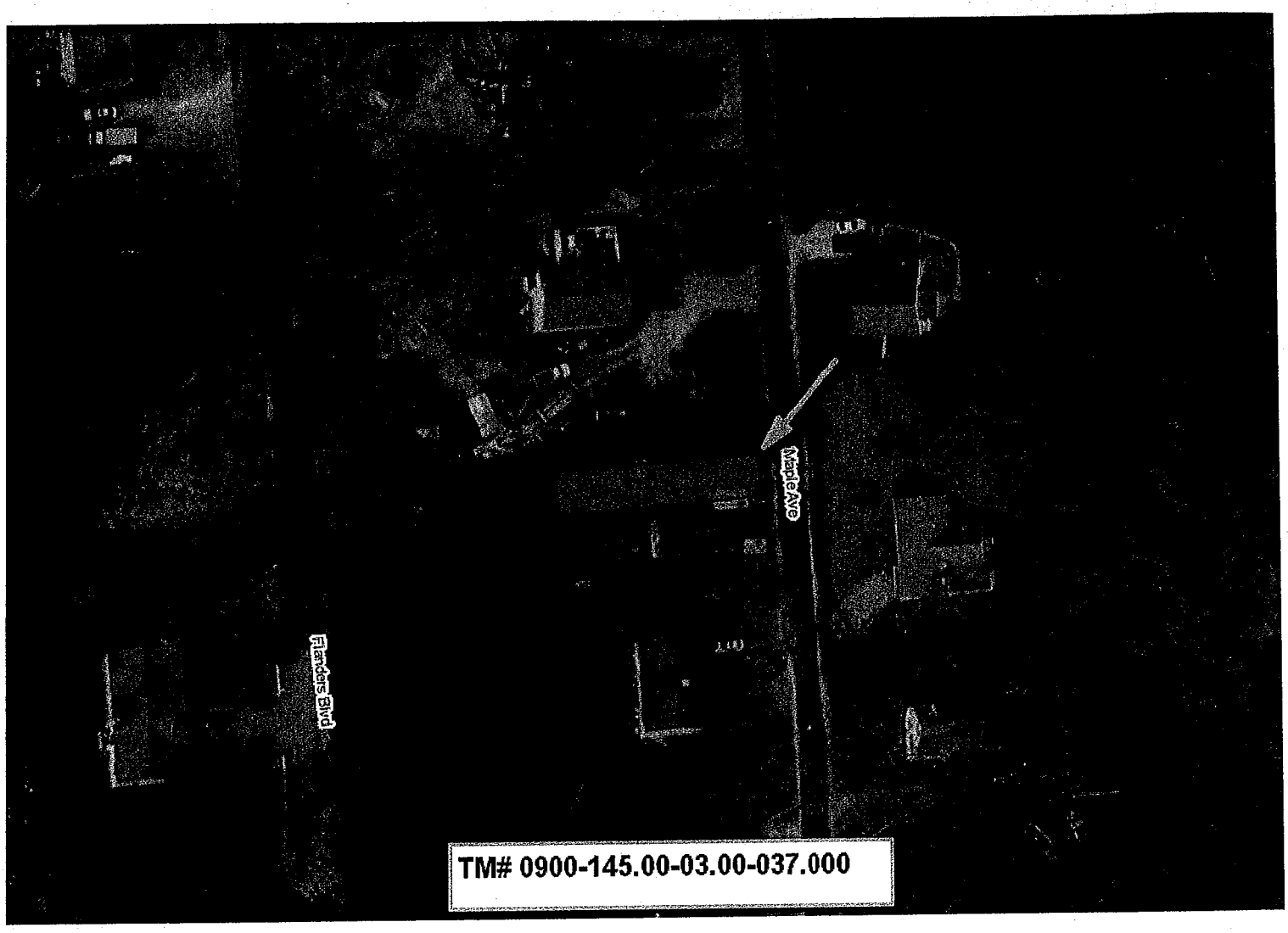
SIZE OF PARCEL: 20' x 100'
APPRAISED VALUE: $1,000.00
COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971

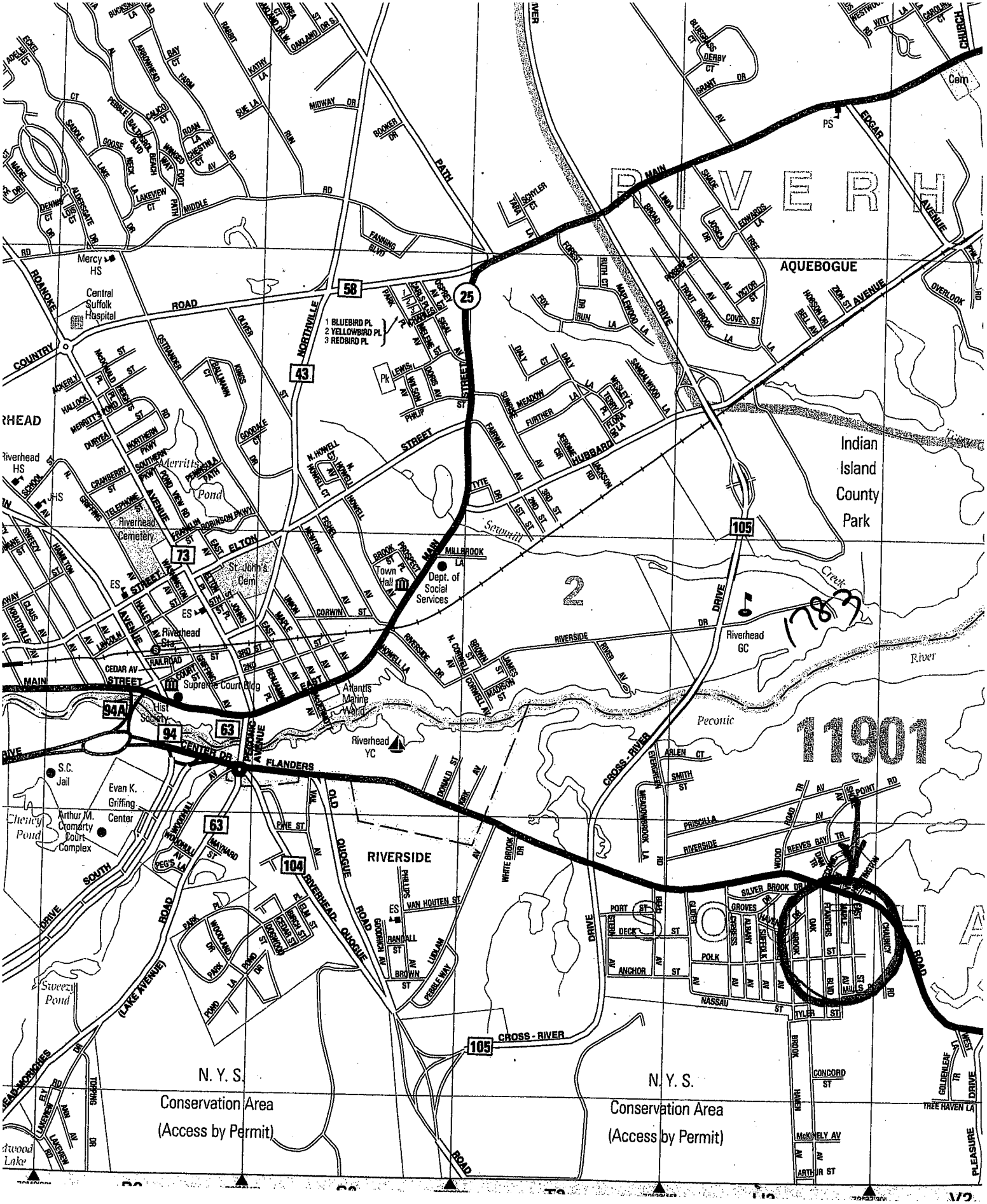


1783

Tm # 0900-145.00-03.00-037.000



1783



TM # 0900-145.00-03.00-037.000

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1783

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
JOSEPH ZACHARY GAZZA
(SCTM NO. 0900-145.00-03.00-037.000)

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 | RJ Bhatt | 6/8/13
Land Management Specialist | Neil Toomb | 9/3/13
NEIL TOOMB

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1783

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

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1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1783

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

August 8, 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: 0900-145.00-03.00-037.000

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)

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

1784

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2013, AUTHORIZING EXECUTION OF AN INTER-MUNICIPAL AGREEMENT PURSUANT TO §103 WITH THE TOWN OF ISLIP

WHEREAS, sub-division (6) of section 103 of Article 5-A of the General Municipal Law provides, in part, that "[s]urplus and second-hand supplies, material or equipment may be purchased without competitive bidding from the federal government, the state of New York or from any other political subdivision, district or public benefit corporation...;" and

WHEREAS, the Town of Islip, which is a town located in central Suffolk County, desires to sell surplus telephone equipment as declared by the Town of Islip pursuant to its Resolution #11 dated March 5, 2013 to Suffolk County, through its Department of Information Technology ("Department") for $3,000.00, in the interest of realizing cost savings to the County; now therefore be it

1st **RESOLVED**, the County Executive is hereby authorized, empowered, and directed to enter into an inter-municipal agreement, in a form acceptable to the Department of Law, pursuant to §103 of the General Municipal Law with the Town of Islip to purchase surplus telephone equipment for $3,000.00; and be it further

2nd **RESOLVED**, that such agreement shall provide that Suffolk County shall be solely responsible for all costs and expenses associated with the purchase of such property from the Town of Islip.

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 N.Y.C.R.R.) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of nonapplicability or non-significance in accordance with this law.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1784

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Resolution no. –2013, appropriating approval of inter-municipal agreement with the town of Islip for used Norstar telephone equipment.

3. Purpose of Proposed Legislation

Appropriation approval for an inter-municipal agreement for the purpose of purchasing from the Town of Islip at the cost of $3000.00, the purchase of used Norstar Telephone equipment to be used as replacement parts for the County's telephone network, in order to contribute to the decrease of the cost of purchasing the equipment from independent telephone equipment vendors.

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	X	Town	X	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:

County will pay $3000.00 for the used telephone equipment from the Town of Islip.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

none

8. Proposed Source of Funding

Operating budget

9. Timing of Impact

Current fiscal year

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Donald C. Rodgers **CIO/Commissioner** **Dept of IT**	Donald C. Rodgers	08/01/2013

SCIN FORM 175b (10/95)

NEIL TOOMEY Neil Toomey 5/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1784

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 TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1784

STEVEN 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

INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF ISLIP FOR THE PURCHASE OF USED TELEPHONE EQUIPMENT

MEMORANDUM OF SUPPORT

RESOLUTION NO. –2013: Inter-Municipal agreement between the County and the Town of Islip for the purchase of used Norstar telephone equipment from the Town of Islip.

PURPOSE OF AGREEMENT: Appropriation approval for an inter-municipal agreement for the purpose of purchasing from the Town of Islip at the cost of $3000.00 used Norstar telephone equipment to be used as replacement parts for the County's telephone network. The purpose of the agreement is to decrease the cost of purchasing telephone equipment from independent telephone equipment vendors.

SUMMARY OF AGREEMENT: The inter-municipal agreement between Suffolk County and the Town of Islip provides that the County agrees to purchase used Norstar telephone equipment from the Town of Islip for the cost of $3000.00.

JUSTIFICATION: The Town of Islip recently purchased a new phone system and had no further use of their Norstar telephone equipment. The Department of Information Technology was contacted by the Town of Islip to inquire if the Department was interested in purchasing this telephone equipment that is used at all County locations with telephone service. The Department reviewed the list of equipment offered for sale and determined that the cost of purchasing this same telephone equipment from an outside telephone equipment vendor would be in excess of $20,000.00. The Department negotiated with the Town of Islip and agreed to a purchase price of $3,000.00 for the equipment.

FISCAL IMPLICATIONS: $3,000.00 from operating budget.

As Revised 6/21/13
Town of Islip

REF. NO.:

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT (the "Agreement") made by and between the **County of Suffolk ("County")**, a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901 acting through its duly constituted **Department of Information Technology** ("**Department**") located at Building 50, North County Complex, Hauppauge, New York 11788, and the **Town of Islip ("Town"),** a municipal corporation of the State of New York located at 401 Main Street, Islip, New York 11751.

The parties hereto desire to enter into an intermunicipal agreement for the purchase of surplus telephone equipment to the County for the use of at County locations that have telephone service. The purpose of this agreement is to benefit County residents by decreasing the cost of doing business in the County.

TERM OF AGREEMENT: Shall be as set forth in Exhibit A attached.

TERMS AND CONDITIONS: Shall be set forth in Exhibits A, B, and C attached.

TOTAL COST OF AGREEMENT: $3,000.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the latest date written below.

TOWN OF ISLIP

By: _____
Name: Thomas Croci
Title: Town Supervisor
Date: _____

Approved as to Legality:
Dennis M. Brown
Suffolk County Attorney

By: _____
Name: Marisa G. Marlene Schifano
Title: Assistant County Attorney
Date: _____

COUNTY OF SUFFOLK

By: _____
Name: Dennis M. Cohen
Title: Chief Deputy County Executive
Date: _____

Approved:
Department of Information and Technology

By: _____
Name: Donald C. Rodgers
Title: Commissioner
Date: _____

Department of Information Technology
By: _____
Name: Patrick W. Connolly
Title: Director of Communications
Date: _____

DRAFT

EXHIBIT A

WHEREAS, the Town is the owner of surplus telephone equipment ("equipment") that it no longer requires and desires to sell; and

WHEREAS, the County wishes to purchase such equipment that is below fair market value that will be used in the daily course of official County business in order to realize such cost savings that will reduce the overall cost of doing business for the County; and

WHEREAS, it is in the interests of the taxpayers of the COUNTY in the undertaking of important governmental services and functions relating to municipal contracts; and

WHEREAS, pursuant to Resolution #11 dated March [illegible], 2013, the Town is authorized to enter into this Agreement that it declared as surplus equipment (See Exhibit "C");

WHEREAS, the COUNTY and the TOWN desire to enter into this Agreement, in accordance with Section 103 of the General Municipal Law.

NOW, THEREFORE, in consideration of the individual and mutual covenants, promises and representations herein contained, the parties hereto agree as follows:

1. **Transfer of Equipment**

   The Department agrees to arrange for the pick-up of the equipment as set forth in Exhibit A, paragraph 3, section b from the Town that is ready for transfer upon the immediate execution of this agreement and receipt of payment by the Town.

2. **Condition of Surplus Equipment**

   The County agrees that the telephone equipment was inspected and is being sold in "as is" condition.

3. **Specific Payment Terms and Conditions**

a) The charges payable to Contractor under this Agreement are exclusive of federal, state and local taxes, the County being a municipality exempt from payment of such taxes.

b) Upon execution of this agreement, the Department agrees to issue immediate payment for the total cost of the agreement as set forth on the cover page for the following equipment:

PHONE BRAND	MODEL NUMBER	QUANTITY
Norstar/Meridian	M7310 (TAN)	16
Norstar/Meridian	M7310 (BLACK)	34
Norstar/Meridian	M7324 (TAN)	15
Norstar/Meridian	M7324 (BLACK)	7
Norstar/Meridian	M7208 (BLACK)	21

DRAFT

Nortel networks	T7316E (CHARCOAL)	81
Nortel networks	T7208 (CHARCOAL)	68
Nortel networks	M5216 W/M522	1
	TOTAL HANDSETS	**243**
Northern telecom	48 BTN EXP MO[illegible]E (TAN)	1
Nortel networks	M0X16 (STAT[illegible] MODULE)	8
Nortel networks	M12X0 (LIN[illegible]NK MODULE	9
Northern telecom	CALL[illegible] ID INTERFA[illegible] M8	1
Northern telecom	MIC[illegible]VRAM CARTRI[illegible] W[illegible]EMORY CARD	1
Meridian	[illegible]X24-DS W/DR5	1
Norstar	[illegible] MODU[illegible]/NVRAM CA[illegible]RID	3
Meridian	ICS [illegible]LE / SOFTWARE CARTR[illegible]E	1
	[illegible]AL EQU[illegible]ENT	**25**
	[illegible]TAL C[illegible]	**$3,000.00**

4. Insurance

a. The Town [illegible] [illegible]tinuous[illegible] [illegible]tain, during the Term of the Agreement, [illegible]nce in [illegible]unts and types as follows:

i.) **C[illegible]merc[illegible] General Liability** insurance, including contractual liability cov[illegible]ge, in [illegible] amount not less than Two Million Dollars ($2,000,000.00) per o[illegible]rrence for bodily injury and Two Million Dollars ($2,000,000.00) per oc[illegible]rrence for property damage. The County shall be named an additi[illegible]l insured.

ii.) **A[illegible]nobile Liability** insurance (if any non-owned or owned vehicles are [illegible]d by the Town in the performance of the Agreement) in an amount not less than Five Hundred Thousand Dollars ($500,000.00) per person, per accident, for bodily injury and not less than One Hundred Thousand Dollars ($100,000.00) for property damage per occurrence.

iii.) **Workers' Compensation** and **Employer's Liability** insurance in compliance with all applicable New York State laws and regulations and **Disability Benefits** insurance, if required by law. The Town shall furnish to the County, prior to its execution of the Agreement, the documentation required by the State of New York Workers' Compensation Board of

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coverage or exemption from coverage pursuant to §§57 and 220 of the Workers' Compensation Law. In accordance with General Municipal Law §108, the Agreement shall be void and of no effect unless the Town shall provide and maintain coverage during the Term for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

iv.) **Professional Liability** insurance in an amount not less than Two Million Dollars ($2,000,000.00) on either a per-occurrence or claims-made coverage basis.

b. The County may mandate an increase in the liability limits set forth in the immediately preceding paragraphs (4)(a)(i), (ii), and (iv).

c. All policies providing such coverage shall be issued by insurance companies authorized to do business in New York with an A.M. Best rating of A or better.

d. The Town shall furnish to the County, prior to the execution of the Agreement, declaration pages for each policy of insurance other than a policy for commercial general liability insurance and upon demand, a true and certified original copy of each such policy evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance and business use automobile insurance, the Town shall furnish to the County, prior to the execution of the Agreement, declaration or insuring agreement and endorsements evidencing the County's status as an additional insured on said policy and upon demand, a true and certified original copy of such policy evidencing compliance with the aforesaid insurance requirements.

e. All evidence of insurance shall provide for the County to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in the policy to which such evidence relates. It shall be the duty of the Town to notify the County immediately of any cancellation, nonrenewal, or material change in any insurance policy.

f. In the event the Town shall fail to provide evidence of insurance, the County may provide the insurance required in such manner as the County deems appropriate and deduct the cost thereof from a Fund Source.

g. If the Town is a Municipal Corporation and has a self-insurance program under which it acts as a self-insurer for any of such required coverage, the Town shall provide proof, acceptable to the County, of self-funded coverage.

5. **Indemnification and Defense**

a. The Town shall protect, indemnify, and hold harmless the County, its agents, servants, officials, and employees from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, suits or actions, costs, and expenses caused by the negligence or any acts or omissions of the Town, including reimbursement of the cost of reasonable attorneys' fees incurred by the

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County, its agents, servants, officials, and employees in any action or proceeding arising out of, or in connection with, the Agreement.

b. The Town hereby represents and warrants that it will not infringe upon any copyright in performing the terms of this Agreement. The Town agrees that it shall protect, indemnify, and hold harmless the County, its agents, servants, officials, and employees from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, suits or actions, costs, and expenses arising out of any claim asserted for infringement of copyright, including reimbursement of the cost of reasonable attorneys' fees incurred by the County, its agents, servants, officials, and employees in any action or proceeding arising out of or in connection with any claim asserted for infringement of copyright.

c. The Town shall defend the County, its agents, servants, officials, and employees in any proceeding or action, including appeals, arising out of, or in connection with, the Agreement, and any copyright infringement proceeding or action. Alternatively, at the County's option, the County may defend any such proceeding or action and require the Town to pay reasonable attorneys' fees or salary costs of County employees of the Department of Law for the defense of any such suit.

6. Termination

This Agreement may be terminated in whole or in part in writing by the County, in the event of failure by the Town to fulfill its obligations under this Agreement. The County or the Town shall have the right to terminate this Agreement at any time and for any reason deemed to be in their best interest, provided that no such termination shall be effective unless the other party is given sixty (60) calendar days' written notice of termination. Upon termination of this Agreement, the Town shall return all copies of the Software provided by the County and shall cease and desist all use by the Town of the Software.

7. Notice

All notices shall be in writing and shall be deemed sufficiently given if sent by regular first class mail and certified mail, or personally delivered during business hours as follows: 1.) to the Town at the address on page 1 of this Agreement and 2.) to the County at the Department, or as to either of the foregoing, to such other address as the addressee shall have indicated by prior written notice to the addressor. All notices received by the Town relating to a legal claim shall be immediately sent to the Police Department, IT Department, and also to the County Attorney at H. Lee Dennison Building, 100 Veterans Memorial Highway, P.O. Box 6100, (Sixth Floor), Hauppauge, New York, 11788-0099.

8. Independent Contractor

It is expressly agreed that the status of the Town and the County hereunder are that of independent contractors. Neither the Town nor any person hired by the Town shall be considered employees of the County for any purpose whatsoever. Likewise, neither the County nor any person hired by the County shall be considered employees of the Town for any purpose whatsoever.

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9. Assignment and Subcontracting

a. The Town shall not delegate its duties under the Agreement, or assign, transfer, convey, subcontract, sublet, or otherwise dispose of the Agreement, or any of its right, title or interest therein, or its power to execute the Agreement, or assign all or any portion of the monies that may be due or become due hereunder, (collectively referred to as "Assignment"), to any other person, entity or thing without the prior written consent of the County, and any attempt to do any of the foregoing without such consent shall be void ab initio.

b. Such Assignment shall be subject to all of the provisions of the Agreement and to any other condition the County requires. No approval of any Assignment shall be construed as enlarging any obligation of the County under the terms and provisions of the Agreement. No Assignment of the Agreement or assumption by any person of any duty of the Town under the Agreement shall provide for, or otherwise be construed as, releasing the Town from any term or provision of the Agreement.

10. Waiver of Claims

The Town hereby waives, releases and forever discharges the County, its successors, executors, administrators, heirs, assigns, officers, officials, employees, contractors, agents and other persons from any and all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, promissory notes, trespasses, damages, judgments, extents, executions, claims and demands whatsoever, known or unknown, direct or consequential, foreseen and unforeseen, foreseeable or unforeseeable, concealed or in law, admiralty or equity, which the Town, its heirs, successors or assigns, ever had, now have, or hereafter can, shall or may have for, upon, by reason of any matter, cause or thing whatsoever, from the beginning of the world to the date of this Agreement.

11. Severability

It is expressly agreed that if any term or provision of this Agreement and any amendment hereto, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this Agreement and any amendment hereto, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this Agreement and any amendment hereto shall be valid and shall be enforced to the fullest extent permitted by law.

12. Entire Agreement

It is expressly agreed that this instrument represents the entire agreement of the parties and that all previous understandings are merged in this Agreement.

13. Modification of Agreement

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No modification of this Agreement shall be valid unless written in the form of an Addendum or Amendment signed by both parties.

14. Disclaimer

This Agreement shall not be construed to inure to the benefit of third parties.

15. SEQRA

For purposes of compliance with the State Environmental Quality Review Act (SEQRA), the Town shall act as Lead Agency.

- END OF TEXT FOR EXHIBIT A -

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EXHIBIT B

SUFFOLK COUNTY LEGISLATIVE REQUIREMENTS FOR CONTRACTS

1. Contractor's/Vendor's Public Disclosure Statement

The Town represents and warrants that it has filed with the Comptroller of Suffolk County the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the said Comptroller on or before the 31st day of January in each year of this Agreement's duration. The Licensee acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of this License Agreement, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of this Agreement.

Required Form: Suffolk County Form SCX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. Living Wage Law

This Agreement is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply, all employers (as defined) under service contracts, recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek the remedies as set forth therein, for violations of this Law.

The Town represents and warrants that it has read and shall comply with the requirements of Suffolk County Code Chapter 575, Suffolk County Local Law No. 12-2004, the Living Wage Law.

Required Forms: Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"

Suffolk County Living Wage Form LW-38; entitled "Suffolk County Department of Labor – Living Wage Unit Living Wage Certification/Declaration – Subject To Audit"

3. Use of County Resources to Interfere with Collective Bargaining Activities Local Law No. 26-2003

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The Licensee represents and warrants that it has read and is familiar with the requirements of Chapter 803, Article 1 of the Suffolk County Local Laws, "Use of County Resources to Interfere with Collective Bargaining Activities". County Contractors (as defined) shall comply with all requirements of Local Law No. 26-2003 including the following prohibitions:

a. The Town shall not use County funds to assist, promote, or deter union organizing.

b. No County funds shall be used to reimb[illegible] the Town for any costs incurred to assist, promote, or deter unio[illegible]izing.

c. The County of Suffolk shall not us[illegible] County funds [illegible] assist, promote, or deter union organizing.

d. No employer shall use Cou[illegible] property to hold a meeting w[illegible] employees or supervisors if the purpose [illegible] such meeti[illegible]s to assist, prom[illegible], or deter union organizing.

If the Town services are perfor[illegible] on County pro[illegible]ty the Town must adopt a reasonable access agreement, [illegible]lity agreeme[illegible] fair communication agreement, non-intimidation agre[illegible]ent [illegible] majority [illegible]horization card agreement.

If the Town service[illegible] the prov[illegible]n o[illegible]man [illegible]es and such services are not to be perform[illegible] on C[illegible]y proper[illegible] Town must adopt, at the least, a neutrality agre[illegible]ent.

Under the pro[illegible]ons of Lo[illegible] Law No. 26-[illegible]03, the County shall have the authority, under appropria[illegible]ircu[illegible]rmina[illegible] this Agreement and to seek other rem[illegible] set fo[illegible]ein, for viola[illegible] of this Law.

[illegible]quired For[illegible] S[illegible]lk County Labor Law Form DOL-LO1; entitled "Suffolk Cou[illegible] Department of Labor – Labor Mediation Unit Union Organi[illegible]g Certification/Declaration – Subject to Audit"

4. Law[illegible] Hiring of Em[illegible]yees Law

This Agre[illegible]nt i[illegible]ject to the Lawful Hiring of Employees Law of the County of Suffolk (Loc[illegible]2-2006). It provides that all covered employers, (as defined), and the owners [illegible]ereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered

employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than January 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Town acknowledges that such filings are a material contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of this Agreement.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate this Agreement for violations of this Law and to seek other remedies available under the law.

The Town represents and warrants that it has read, is in compliance with, and shall comply with the requirements of Suffolk County Code Chapter 353, Suffolk County Local Law No. 52-2006, the Lawful Hiring of Employees Law.

Required Forms: Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor –"Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees"

"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees" Form LHE-2.

5. Gratuities

The Town represents and warrants that it has not offered or given any gratuity to any

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official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 664 of the Suffolk County Code).

6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

The Town represents that it is in compliance with Suffolk County Administrative Code Article IV, §§A4-13 and A4-14, found in Suffolk County Local Law No. 20-2004, entitled "A Local Law To Amend Local Law No. 1-1993, To Prohibit the County of Suffolk From Contracting With Corporations That Reincorporate Overseas." Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

7. Child Sexual Abuse Reporting Policy

The Town agrees to comply with Chapter 880, Article I of the Suffolk County Code, entitled "Child Sexual Abuse Reporting Policy," as now in effect or amended hereafter or of any other Suffolk County Local Law that may become applicable during the term of this Agreement with respect to child sexual abuse reporting policy.

8. Non Responsible Bidder

The Town represents and [illegible] that it has read and is familiar with the provisions of Suffolk County Code Chapter [illegible] Article II, §§189-5 through 189-9. Upon signing this Agreement, the Town certifies that he, she, it, or they have not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilt after a trial or a plea of guilty to an offense covered under the provisions of Section 189-5 of the Suffolk County Code under "Non Responsible Bidder."

9. Use of Funds in Prosecution of Civil Actions Prohibited

Pursuant to the Suffolk County Code Section §893-3, the Town represents that it shall not use any of the moneys received under this Agreement, either directly or indirectly, in connection with the prosecution of any civil action against the County of Suffolk or any of its programs, funded by the County, in part or in whole, in any jurisdiction or any judicial or administrative forum.

10. Youth Sports

In accordance with Local Law No. 44-2009, (Suffolk County Code Chapter 730), all contract agencies that conduct youth sports programs are required to develop and maintain a written plan or policy addressing incidents of possible or actual

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concussion or other head injuries among sports program participants. Such plan or policy must be submitted prior to the award of the County contract, grant or funding. Receipt of such plan or policy by the County does not represent approval or endorsement of any such plan or policy, nor shall the County be subject to any liability in connection with any such plan or policy.

11. Suffolk County Local Laws Website

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County web site at www.co.suffolk<http://www.co.suffolk.ny.us>. Click on "Laws of Suffolk County" under "Suffolk County Links."

- END OF TEXT FOR EXHIBIT B -

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EXHIBIT C
Suffolk County Resolution No. _____-2013

Islip Town Board Resolution #11 dated March 5, 2013

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March 5, 2013
Resolution # 11

WHEREAS, the Town of Islip completely changed its phone system in or about 2011; and

WHEREAS, the Town of Islip is still in possession of all of the phone equipment that was used with the prior phone system; and

WHEREAS, the Central Data Processing Department has determined that the Town of Islip cannot use the prior phone equipment with the new phone system and hereby recommends that the Town of Islip declare the prior phone equipment to be surplus; and

WHEREAS, the County of Suffolk has offered and agreed to purchase the prior phone equipment for a sum of $3,000, with no warranties, assurances or guarantees of any kind.

Now, therefore, on a motion by Councilperson Flotteron, seconded by Councilperson Bergin Weichbrodt be it

RESOLVED, that the Town Board hereby declares the prior phone equipment to be surplus; and be it further

RESOLVED, that the Town Board hereby authorizes the sale of the prior phone equipment to the County of Suffolk for a sum of $3,000, with no warranties, assurances or guarantees of any kind.

Upon a vote being taken, the result was: carried 5-0

Bill of sale

Town of Islip agreed to sale these phones and phone systems to Suffolk County Department of Information Technology, located at North County Complex – Building 50,

725 Veterans Memorial Highway, Hauppauge, NY 11788-0099.

Sale price = $3000

Condition of sale: AS IS.

Phone Brand	Model #	Qty
Norstar/Meridian	M7310 (TAN)	16
Norstar/Meridian	M7310 (BLACK)	34
Norstar/Meridian	M7324 (TAN)	15
Norstar/Meridian	M7324 (BLACK)	7
Norstar/Meridian	M7208 (BLACK)	21
NORTEL NETWORKS	T7316E (CHARCOAL)	81
NORTEL NETWORKS	T7208 (CHARCOAL)	68
NORTEL NETWORKS	M5216 W/M522	1
	TOTAL HANDSETS	243

NORTHERN TELECOM	48 BTN EXP MODULE (TAN)	1
NORTEL NETWORKS	M0X16 (STATION MODULE)	8
NORTEL NETWORKS	M12X0 (LINE / TRUNK MODULE)	9
NORTHERN TELECOM	CALLER ID INTERFACE M8	1
NORTHERN TELECOM	MICS NVRAM CARTRIDGE W/MEMORY CARD	1
MERIDIAN	M8X24-DS W/DR5	1
Norstar	ICS MODULE W/NVRAM CARTRIDGE	3
MERIDIAN	ICS MODULE / SOFTWARE CARTRIDGE	1
	TOTAL EQUIPMENT	25

Suffolk County Representative: Patrick W. Connolly

Town of Islip Representative: Mohsen Elsayed, Director of Finance

Date: 3/8/2013

MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY

No. 11

TO: SUPERVISOR THOMAS D. CROCI
COUNCILMAN STEVEN J. FLOTTERON
COUNCILWOMAN TRISH BERGIN WEICHBRODT
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN ANTHONY S. SENFT, JR.

FROM: ROBERT L. CICALE, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board authorization for the sale of surplus phone equipment to the County of Suffolk

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA ON **MARCH 5, 2013, AT 2:00 PM IN THE TOWN BOARD ROOM, ISLIP TOWN HALL.**

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Steve Kosin

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:
cc: OLGA H. MURRAY TOWN CLERK
DAVID GENAWAY, COMMISSIONER, PLANNING AND DEVELOPMENT
JOSEPH LUDWIG, COMPTROLLER
LYNDA DISTLER, CHIEF OF STAFF

TOWN of ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

INSTRUCTION: All items for Town Board action must be accompanied by a sponsor's memorandum which shall be the covering document for all agenda submissions. All items should be reported to the Deputy Supervisor no later than 12 days prior to the scheduled meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have been passed or denied by the Board.

To declare certain used phones to be surplus equipment and to authorize the sale of same to the County of Suffolk for the sum of $3,000.00, with no warranties, assurances or guarantees of any kind.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip and County of Suffolk
2. Site or location effected by resolution: Town of Islip
3. Cost: none (Town to receive $3,000)
4. Budget Line:
5. Amount and source of outside funding: n/a

ENVIRONMENTAL IMPACT: Is this action subject to a SEQRA environmental review?

_____ Yes under Section I, Sub A, Number _____, of Town of Islip 617 Check List, an environmental review is required.

___X___ No under Section II, Sub B, Number _____, of Town of Islip 617 Check List, no environmental review is required.

Signature of Commissioner/Department Head Sponsor: Date

2/21/2013

Steven Kosin, Department Head of Central Data Processing

COUNTY OF SUFFOLK

STEVEN 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 DCR
Patrick W. Connelly, Director of Communications

DATE: 7/26/13

SUBJECT: Inter-Municipal Agreement with the Town of Islip for the purchase of surplus telephone equipment

We are forwarding a draft resolution requesting the approval to enter into an Inter-Municipal Agreement (IMA) for the purpose of purchasing surplus Norstar Telephone equipment from the Town of Islip, at a cost of $3,000.00. This equipment is for the Telecommunications Department and will be used as replacement parts for the County wide telephone network system. The purpose of this agreement is to decrease the cost of purchasing new telephone equipment from an independent telephone equipment vendor by utilizing the surplus Norstar equipment purchased from the Town of Islip. An email version of the resolution was sent to CE RESO saved under the title "Reso-ITS-IMA with Town of Islip".

Background of Agreement: The Town of Islip recently purchased a new phone system and had no further use of its Norstar telephone equipment. The Telecommunications Department was contacted by the Town of Islip to inquire if the Department was interested in purchasing this equipment, knowing that the Department uses this equipment at all County locations. The Department reviewed and examined the equipment offered for sale and determined that the cost of purchasing this same telephone equipment from an outside telephone equipment vendor would be in excess of $20,000.00. The Department negotiated with the Town of Islip and agreed to a purchase price of $3,000.00 for the equipment.

Operating Budget Impact: $3,000.00 for telephone equipment.

DCR/dmc/ngs
Attachments: Draft Resolution
Statement of Financial Impact
Request for Introduction of Suffolk Legislation
Memorandum of Support

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations

Introductory Resolution No. 1785-13 Laid on Table 9/12/13

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 A.B. OF SAYVILLE, LTD. (SCTM NO. 0200-235.00-01.00-015.000)

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 235.00 Block 01.00 Lot 015.000 and acquired by Tax Deed on April 17, 1984 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on April 17, 1984 in Liber 9546 at CP 232 and described as follows, known and designated as Lot 4 in Block 18 on a certain map entitled "Amended Map of Shanmont Estates, Section A, and filed in the Office of the Clerk of the County of Suffolk on September 27, 1910 as Map No. 113,

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, A.B. of Sayville, Ltd., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 20' x 100' (paper Streets) has been appraised at $1,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $1,000.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

1st **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1); and be it further,

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further,

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and 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 A.B. of Sayville, Ltd, P.O. Box 5810, Miller Place, New York 11764.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

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

1785

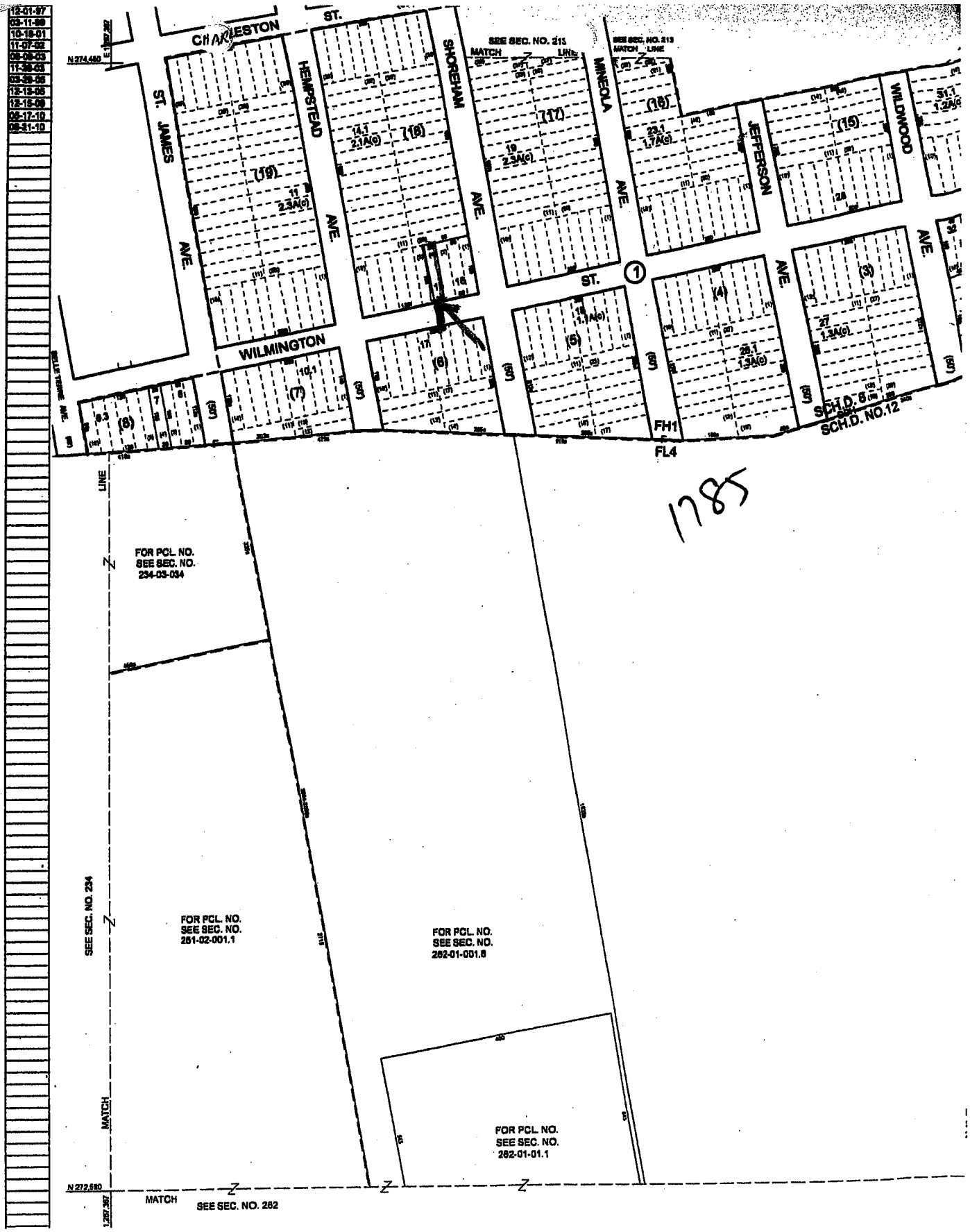
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-235.00-01.00-015.000

ADJOINING OWNER	BID	BID	BID
A.B. of Sayville, Ltd. P.O. Box 5810 Miller Place, New York 11764 0200-235.00-01.00-014.001	$1,000.00		
County of Suffolk 330 Center Drive Riverhead, New York 11901 0200-235.00-01.00-016.000	$0		

SIZE OF PARCEL: 20' x 100'
APPRAISED VALUE: $1,000.00
COMMENT: Direct Sale to Adjacent Owner

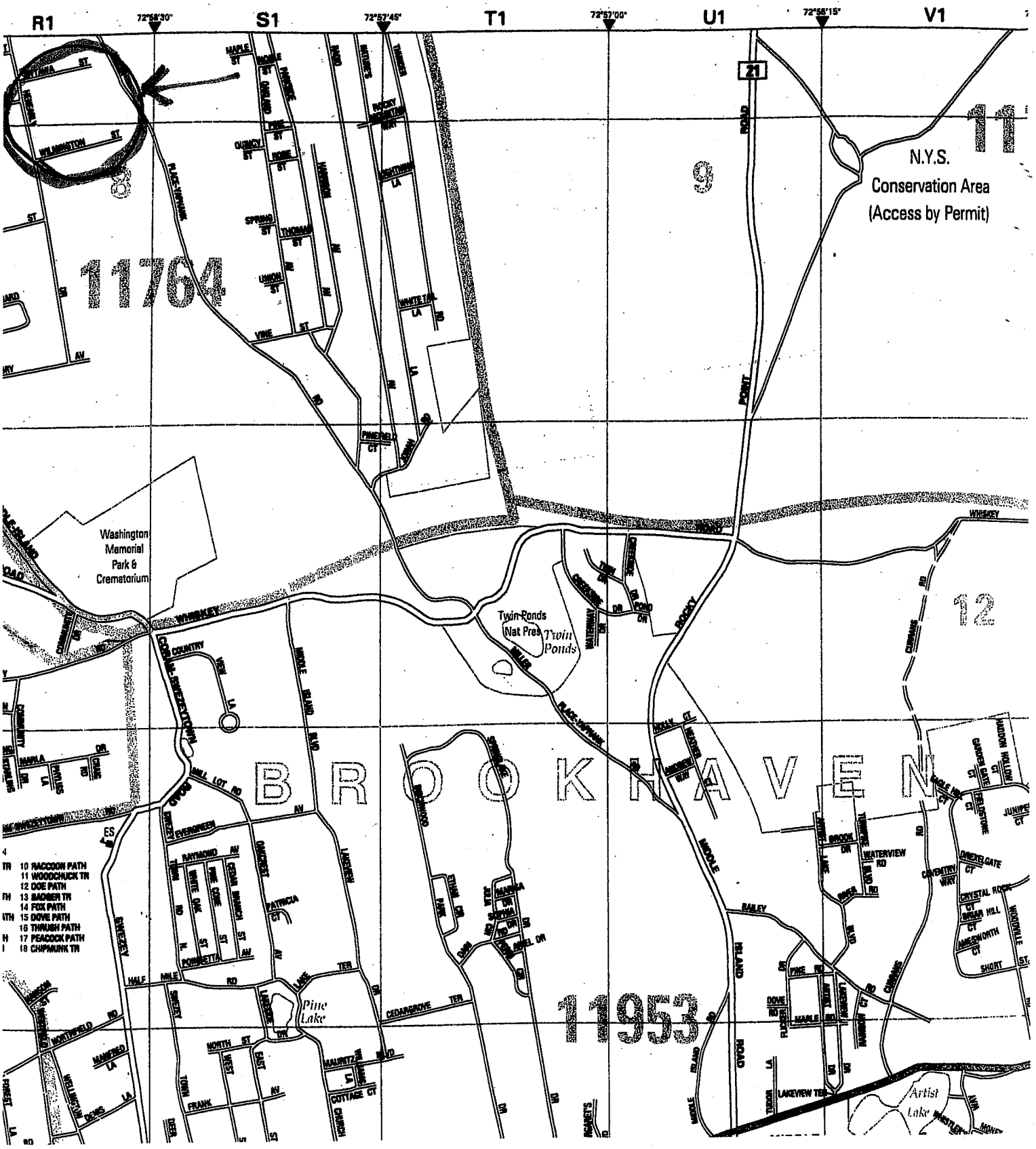
Wayne R. Thompson
Property Manager
(631) 853-5971



Tax# 0200-235-00-01.00-015.000

1785

1785



TM # 0200-235.00-01.00-015.000

1785

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
   A.B. OF SAYVILLE, LTD.
   (SCTM NO. 0200-235.00-01.00-015.000)

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

Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	RJ Bhatt	8/26/13
NEIL TOOMB	Neil Toomb	9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1785

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 TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1785

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

August 26, 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: 0200-235.00-01.00-015.000

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)

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

Introductory Resolution No. 1786-13 Laid on Table 9/12/13

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 A.B. OF SAYVILLE, LTD (SCTM NO. 0200-213.00-03.00-008.000)

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 213.00 Block 03.00 Lot 008.000 and acquired by Tax Deed on May 17, 1988 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on May 18, 1988 in Liber 10605 at CP 480 and described as follows, known and designated as Lot 32 in Block 43 on a certain map entitled "Amended Map of Shanmont Estates, Section A", and filed in the Office of the Clerk of the County of Suffolk on September 27, 1910 as Map No. 113,

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, A.B. of Sayville, Ltd, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 20' x 100' (paper streets) has been appraised at $1,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $1,000.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

1st **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1); and be it further,

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further,

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and 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 A.B. of Sayville, Ltd, P.O. Box 5810, Miller Place, New York 11764.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

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

1786

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-213.00-03.00-008.000

ADJOINING OWNER	BID	BID	BID
A.B. of Sayville, Ltd. P.O. Box 5810 Miller Place, New York 11764 0200-213.00-03.00-007.001	$1,000.00		

SIZE OF PARCEL: 20' x 100'
APPRAISED VALUE: $1,000.00
COMMENT: Direct Sale to Adjacent Owner

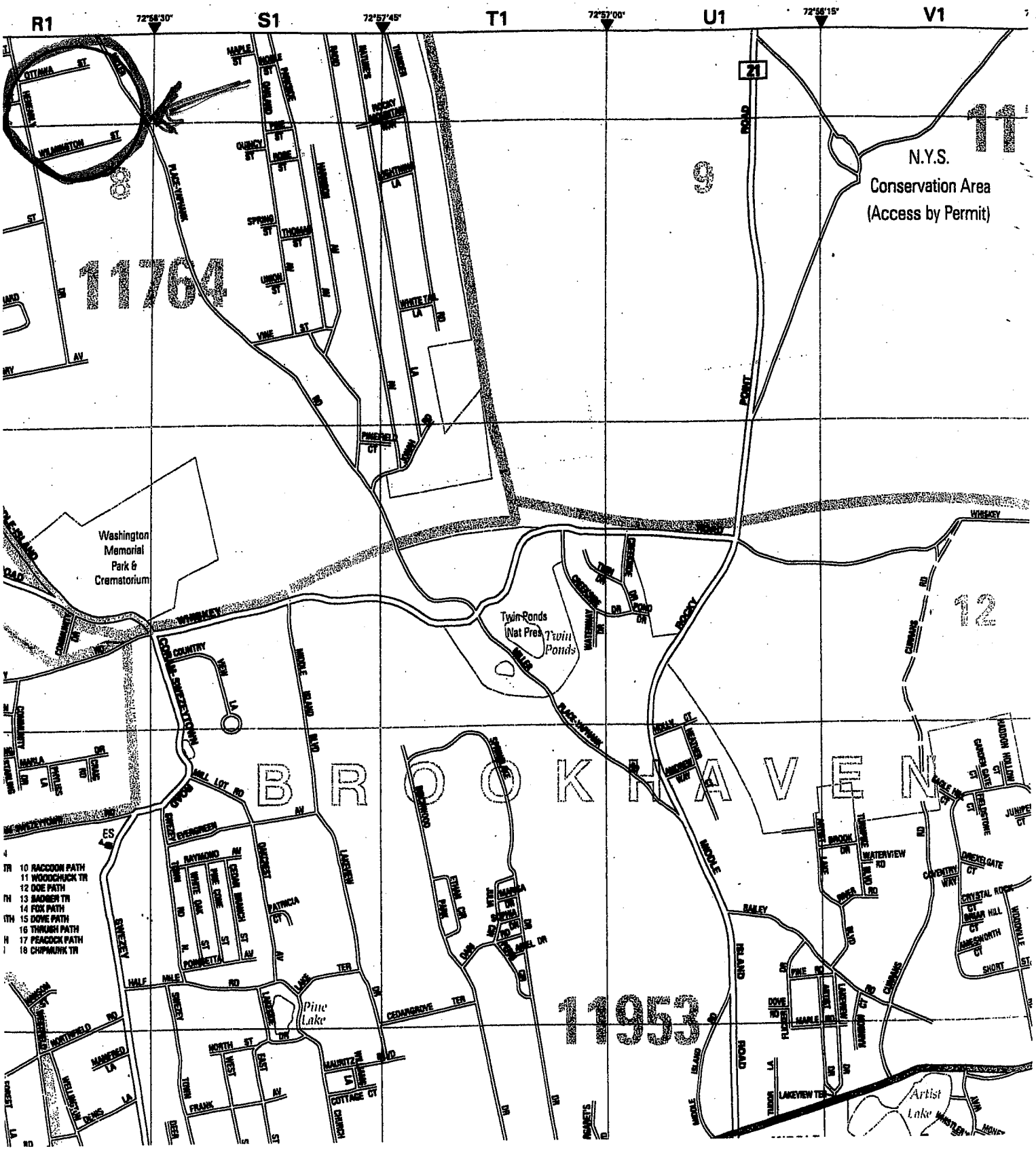
Wayne R. Thompson
Property Manager
(631) 853-5971

1786

TM# 0200-213.00-03.00-008.000

1286

17826



TM # 0200-213.00-03.00-008.000

1786

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
   A.B. OF SAYVILLE, LTD
   (SCTM NO. 0200-213.00-03.00-008.000)

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 RJ Bhatt 8/26/13
    Land Management Specialist
    NEIL TOOMB Neil Toomb 8/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1786

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 TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1786

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

August 26, 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: 0200-213.00-03.00-008.000

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)

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

Introductory Resolution No. 1787-13 Laid on Table 9/16/13

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 A.B. OF SAYVILLE, LTD (SCTM NO. 0200-213.00-03.00-014.000)

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 213.00 Block 03.00 Lot 014.000 and acquired by Tax Deed on August 17, 1998 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 14, 1998 in Liber 11916 at CP 755 and described as follows, known and designated as Lots 21 and 22 in Block 41 on a certain map entitled "Amended Map of Shanmont Estates, Section A", and filed in the Office of the Clerk of the County of Suffolk on September 27, 1910 as Map No. 113,

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, A.B. of Sayville, Ltd., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 40' x 100' (paper streets) has been appraised at $2,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $2,000.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

1st **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1); and be it further,

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further,

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and 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 A.B. of Sayville, Ltd, P.O. Box 5810, Miller Place, New York 11764.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1787

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. 0200-213.00-03.00-014.000

ADJOINING OWNER	BID	BID	BID
A.B. of Sayville, Ltd. P.O. Box 5810 Miller Place, New York 11764 0200-213.00-03.00-017.001	$2,000.00		

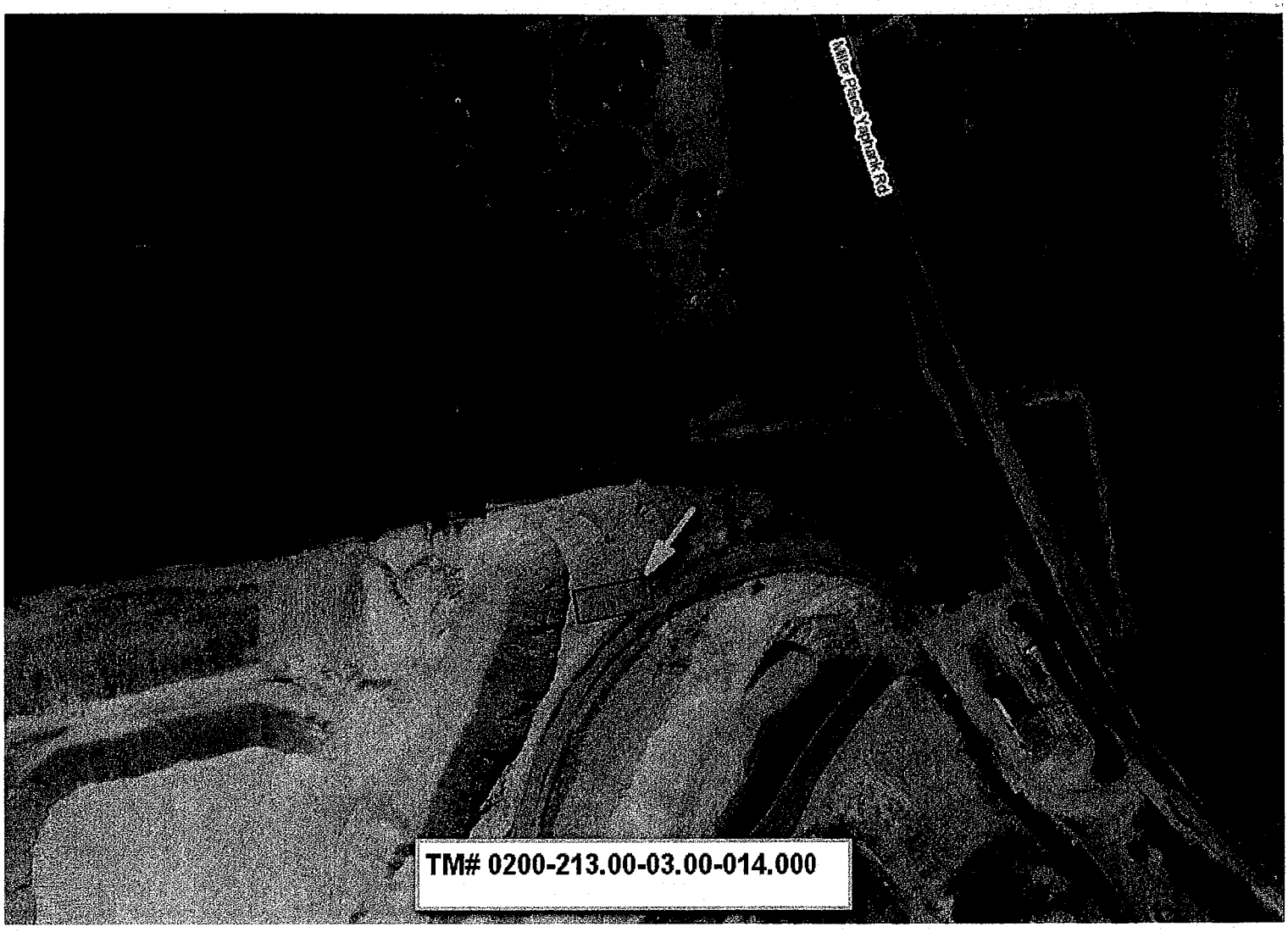
SIZE OF PARCEL: 40' x 100'
APPRAISED VALUE: $2,000.00
COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971

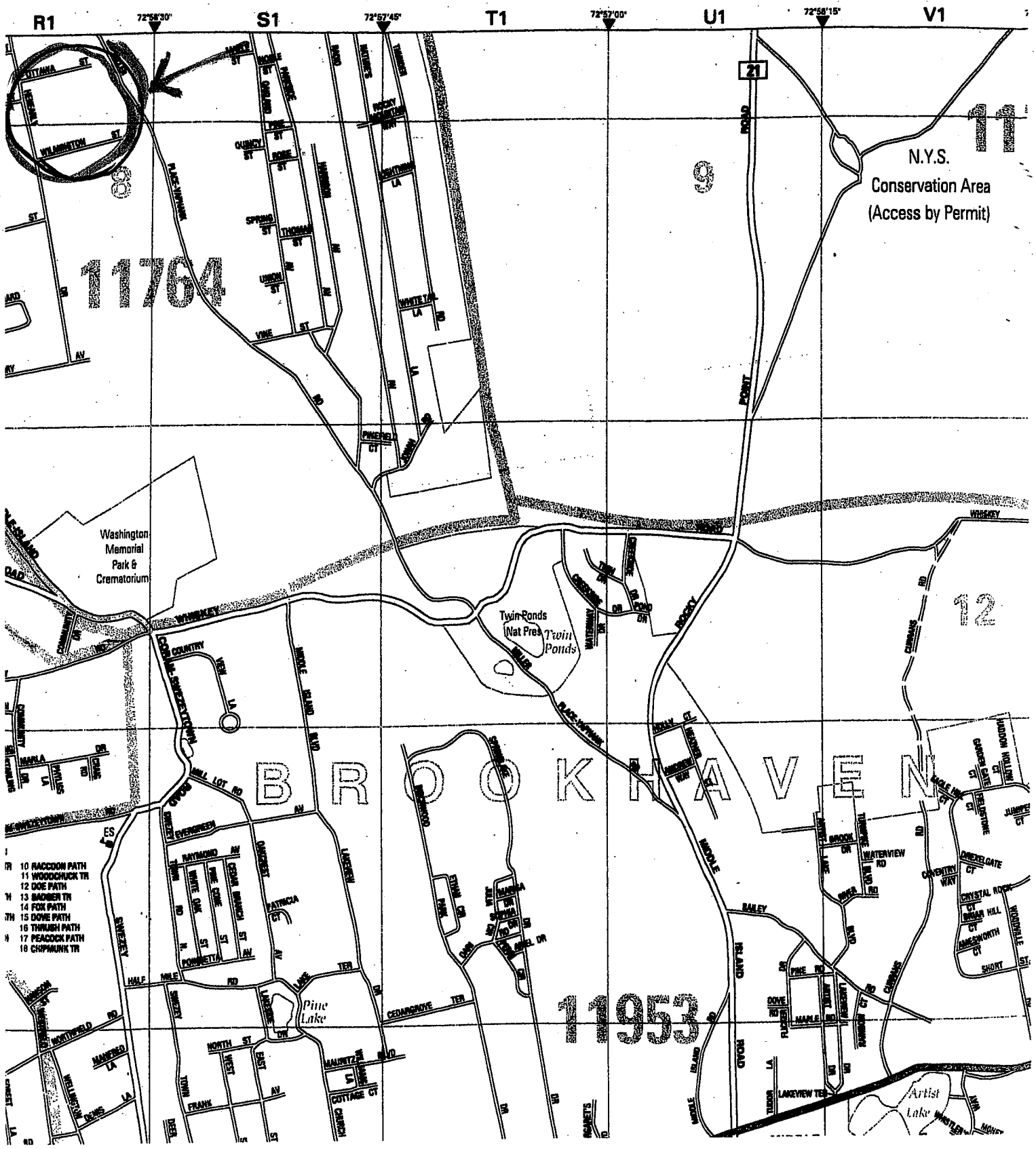
1787

TM# 0200-213.00-03.00-014.000

1787



1787



Tm # 0200 – 213.00 – 03.00 – 014.000

1787

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
   A.B. OF SAYVILLE, LTD
   (SCTM NO. 0200-213.00-03.00-014.000)

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

Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	RJ Bhatt	8/26/13
NEIL TOOMB	Neil Toomb	9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1787

GENERAL FUND

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER $100	2013 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER $100	2013 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER $100	2013 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
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2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

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

1787

August 26, 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: 0200-213.00-03.00-014.000

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)

1788

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer, on request of County Executive and Legislator Al Krupski

RESOLUTION NO. –2013 TO APPOINT MEMBER OF THE SUFFOLK COUNTY PLANNING COMMISSION (NICHOLAS J. PLANAMENTO)

WHEREAS, Section 14-2(A) of the SUFFOLK COUNTY CHARTER provides for the appointment of fifteen (15) members of the Suffolk County Planning Commission, one member from each of the ten (10) towns in Suffolk County, one member from an incorporated village of under 5,000 population, one member from an incorporated village of over 5,000 population, and three members from the County at large: and

WHEREAS, the term of the Suffolk County Planning Commission member for the Town of Southold, Tom McAdam, expired on December 31, 2012, (Resolution # 731-2009); and

WHEREAS, Steven Bellone, the County Executive of Suffolk, has appointed Nicholas J. Planamento, currently residing in Southold, New York 11971, as a member of the County Planning Commission representing the Town of Southold; now, therefore be it

1st **RESOLVED**, that Nicholas J. Planamento, currently residing in Southold, NY 11971, is hereby appointed as a member of the Suffolk County Planning Commission representing the Town of Southold for a term of office to expire on December 31, 2016, pursuant to Section 14-2(A) of the SUFFOLK COUNTY CHARTER; now, therefore be it

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) 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 of Approval:

1788

Southold, LI NY 11971 631 631/

Nicholas J. Planamento

Objective

Seeking appointment to Suffolk County Planning Commission

Experience

2012-Present Town of Southold Southold, LI NY
Member, Board of Assessment Review

2009–Present Town And Country Real Estate Mattituck, LI NY
Licensed NYS Broker Associate, SVP, Agent Advisor

2008-2009 Buyers Connections Realty Mattituck, LI NY
Licensed NYS Broker Associate & Co-Founder

1995-2008 Mediterranean Living, Inc Mattituck, LI NY
Owner, Retail & Wholesale Merchant

1989–1995 Greenwich Financial Resources Greenwich, CT
Compensation & Benefits Analyst

Education

1992—1996 City College of New York New York City, NY
M. Arch (study not completed)
1991-1992 Universitaet Heidelberg Heidelberg, Germany
1985-1989 Pace University Pleasantville, NY
BBA International Marketing, **BA** European History

Professional Memberships

Multi-term President, Hamptons and North Fork Realtors Association; NYSAR & NAR

Volunteer Experience

Southold Town Architectural Review Committee; Mattituck Stakeholders Committee; Past President: Mattituck-Laurel Historical Society & Museums & multi-term Prior Board Member

Languages

Proficient in German, working knowledge of French & Italian

Memberships

North Fork (and Mattituck) Chamber of Commerce, LI Farm Bureau, LI Wine Council, Southold Republican Club, Goethe Haus, Golden Retriever Club of LI

Interests

Dog Handling (show), hiking, biking, down hill & cross country skiing, historic preservation, sailing

1788

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. -2012 TO APPOINT MEMBER OF SUFFOLK COUNTY PLANNING COMMISSION (NICHOLAS J. PLANAMENTO)

3. Purpose of Proposed Legislation SAME AS ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **YES** ___ **NO** X

5. If the answer to item 4 is "yes",on what will it impact? (Circle appropriate category)

County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Sarah Lansdale Director of Planning		9-3-2013

SCIN FORM 175b (10/95)

NEIL TOOMB Neil Toomb 9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1788

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 TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1788

2013 1NTERGOVERNMENTAL RELATIONS

MEMORANDUM OF SUPPORT

TITLE OF BILL: TO APPOINT MEMBER OF SUFFOLK COUNTY PLANNING COMMISSION (NICHOLAS J. PLANAMENTO)

PURPOSE OR GENERAL IDEA OF BILL: Section 14-2(A) of the SUFFOLK COUNTY CHARTER provides for the appointment of fifteen (15) members of the Suffolk County Planning Commission, one member for each of the ten (10) towns in Suffolk County, one member from an incorporated village of under 5,000 population, one member from an incorporated village of over 5,000 population, and three members from the County at large.

SUMMARY OF SPECIFIC PROVISIONS: Appointment of Nicholas J. Planamento, currently residing in Southold, NY 11971, to replace Tom McAdam as member representing Town of Southold, which term expired on December 31, 2012.

JUSTIFICATION: The term of office for Tom McAdam, member of the Planning Commission representing the Town of Southold, expired on December 31, 2012 (Resolution 731-2009).

FISCAL IMPLICATIONS: There is no fiscal impact.

COUNTY OF SUFFOLK

1788

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

September 3, 2013

Jon Schneider, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Reso-EDP-Appointing Nicholas J. Planamento (Planning Commission)

Dear Mr. Schneider:

Enclosed herewith for your approval is the proposed resolution with documentation pursuant to:

TO APPOINT MEMBER OF SUFFOLK COUNTY PLANNING COMMISSION
(NICHOLAS J. PLANAMENTO)

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Sarah Lansdale
Director of Planning

Enclosures

Copy of Resolution to:
Dennis M. Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner EDP
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
CE Reso Review (electronic copy)

Introductory Resolution No. 1789-13 Laid on Table 9/12/13

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 A.B. OF SAYVILLE, LTD (SCTM NO. 0200-234.00-03.00-003.000)

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 234.00 Block 03.00 Lot 003.000 and acquired by Tax Deed on May 17, 1988 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on May 18, 1988 in Liber 10605 at CP 480 and described as follows, known and designated as Lot 4 in Block 24 on a certain map entitled "Amended Map of Shanmont Estates, Section A", and filed in the Office of the Clerk of the County of Suffolk on September 27, 1910 as Map No. 113,

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, A.B. of Sayville, Ltd., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 30' x 70' (paper streets) has been appraised at $1,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of $1,000.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

1st **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1); and be it further,

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further,

3rd **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and 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 A.B. of Sayville, Ltd, P.O. Box 5810, Miller Place, New York 11764.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

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

1789

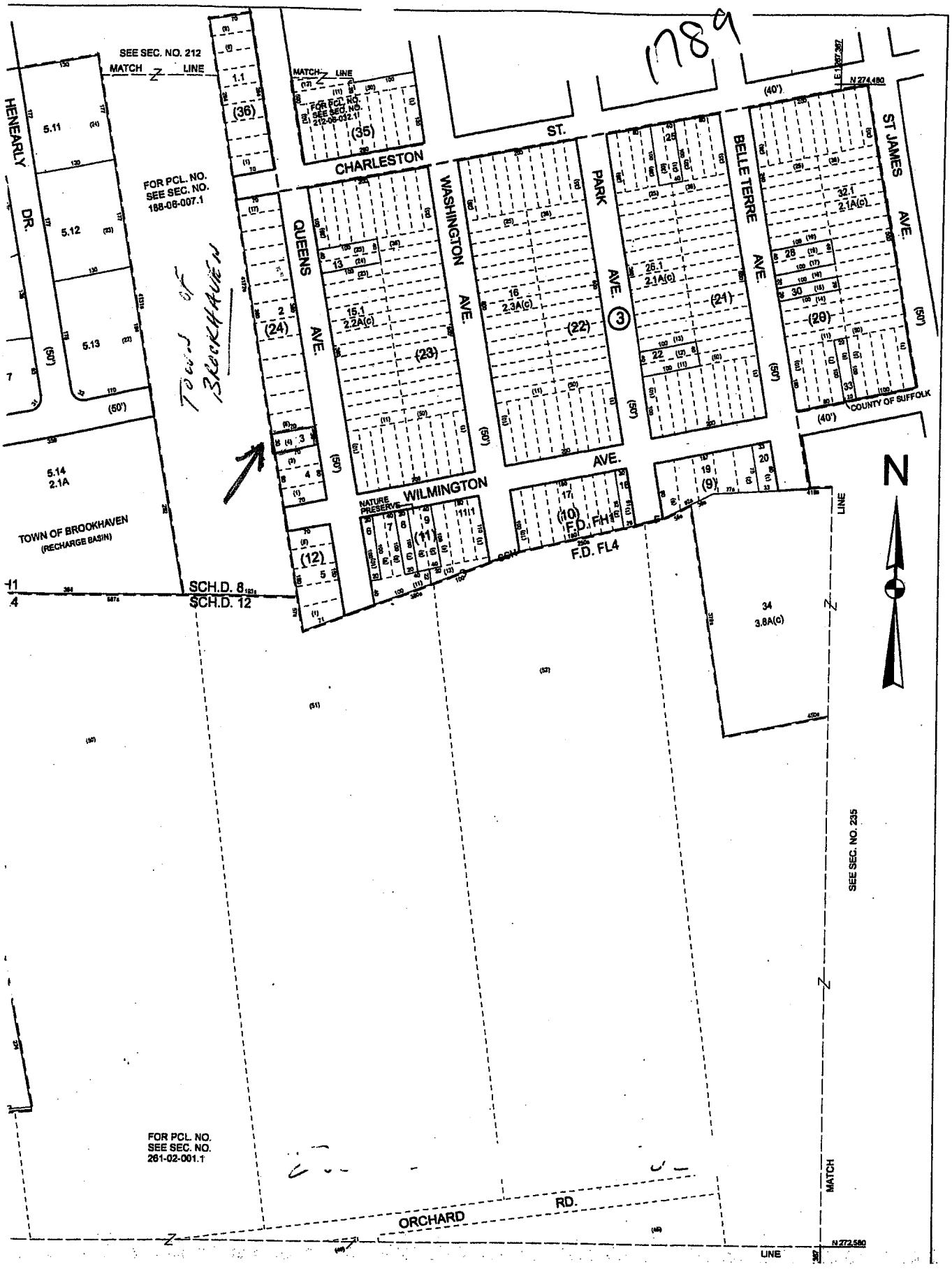
SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-234.00-03.00-003.000

ADJOINING OWNER	BID	BID	BID
A.B. of Sayville, Ltd. P.O. Box 5810 Miller Place, New York 11764 0200-234.00-03.00-002.004	$1,000.00		
Town of Brookhaven Town Attorney One Independence Hill Farmingville, New York 11738 0200-188.00-06.00-007.001	$0		

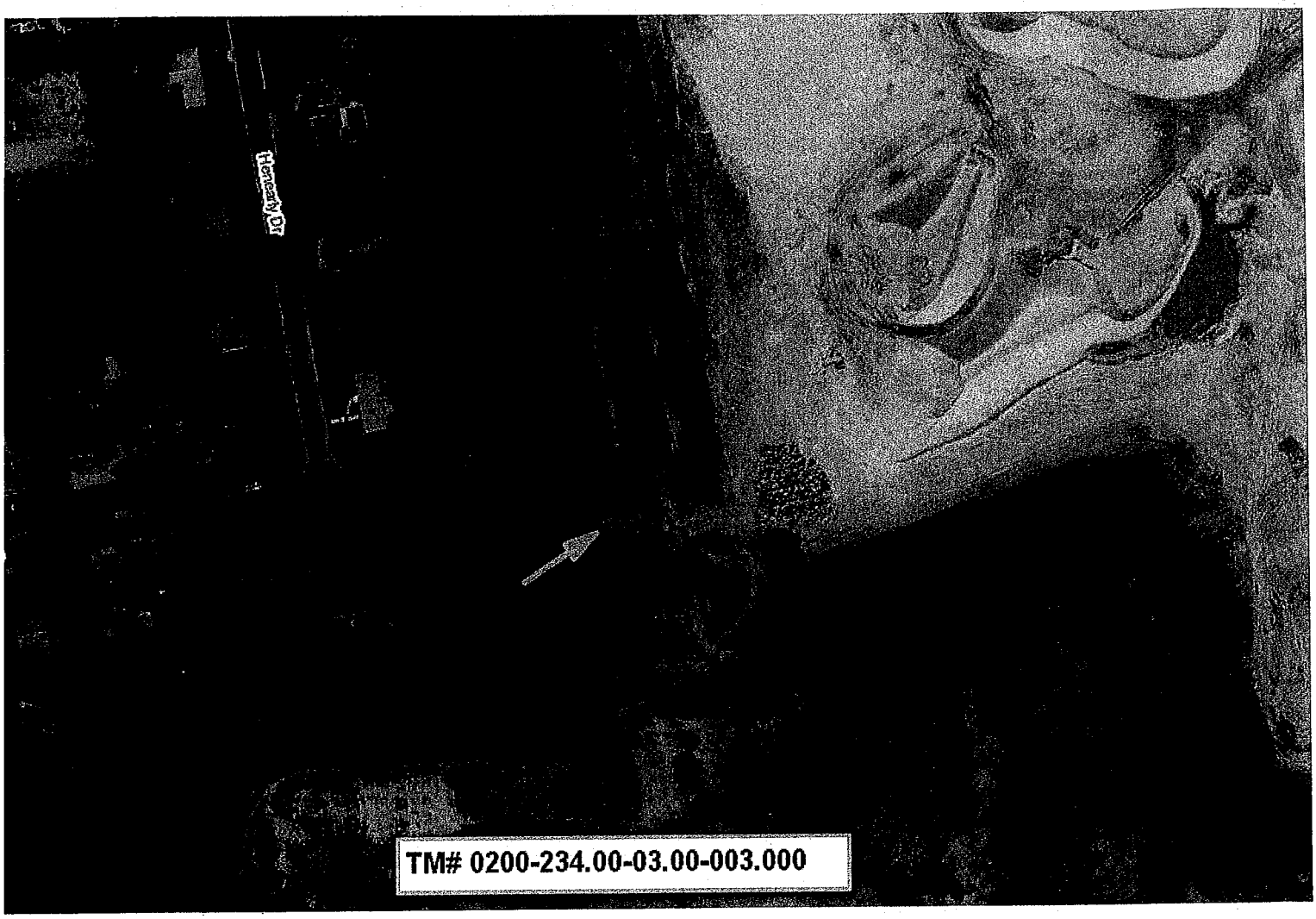
SIZE OF PARCEL: 30' x 70'
APPRAISED VALUE: $1,000.00
COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971

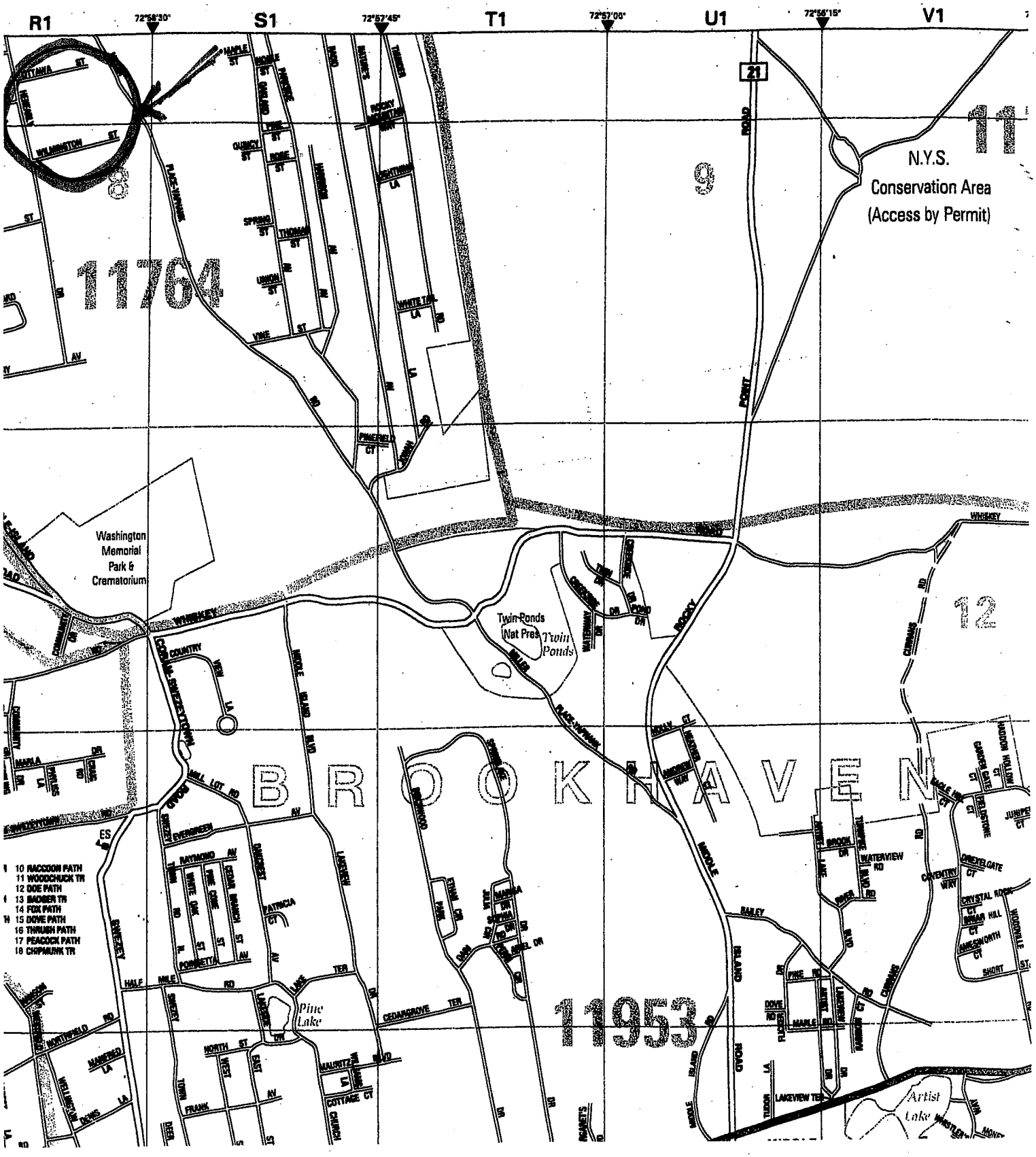


TM # 0200-234.00-03.00-003.000

1789



1789



TM# 0200-234.00-03.00-003.000

1789

DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
SPONSOR'S MEMO FOR COUNTY LEGISLATION

Resolution Title:

Sale of Suffolk County Real Property
Pursuant to Local Law No. 13-1976

Tax Map # 0200-234.00-03.00-003.000

Purpose/Justification of Request:

Local Law No. 13-1976

Specify Where Applicable:

1. Is request due to change in law? Yes__ No_X

   If yes, please explain:

2. Has this resolution been submitted previously? Yes___ No_X_.

   If yes, give I.R. #, attach copy and reason for resubmittal:

3. Is backup attached? Yes_X_ No____

4. Is this resolution subject to SEQRA review? Yes___ No_X

Fiscal Information:

Anticipated Revenue: $1,000.00

Contact Person:
Wayne R. Thompson

Telephone Number:
(631) 853-5971

1789

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
   A.B. OF SAYVILLE, LTD
   (SCTM NO. 0200-234.00-03.00-003.000)

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

Name & Title of Preparer	Signature of Preparer	Date
R.J. Bhatt Land Management Specialist	RJ Bhatt	8/26/13
NEIL TOOMB	Neil Toomb	9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1789

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 TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1789

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

August 26, 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: 0200-234.00-03.00-003.000

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)

H. LEE DENNISON BLDG ■ 100 VETERANS MEMORIAL HWY, 2nd Fl ■ P.O. BOX 6100 ■ HAUPPAUGE, NY 11788-0099
Ph: (631) 853-5972 ■ Fax: (631) 853-5905

1790

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. -2013, AUTHORIZING THE COUNTY COMPTROLLER AND COUNTY TREASURER TO CLOSE CERTAIN CAPITAL PROJECTS AND TRANSFER FUNDS

WHEREAS, the County Departments have reviewed their Capital Projects and have determined that certain Capital Projects have been completed and/or should be closed; and

WHEREAS, the attached "Addendum 1" hereby made part of this resolution specifies the Capital Projects and associated point numbers to be closed and contains information required under Resolution No. 303-2010; and

WHEREAS, the closing of these projects will reduce the County's outstanding bond authorization, reduce the number of projects required to be monitored and tracked for financial purposes, and generate revenue to offset debt service costs; and

WHEREAS, it is in the best interest of the County of Suffolk to close these selected Capital Projects listed on "Addendum 1"; and

WHEREAS, the available uncommitted balances have been verified; now, therefore be it

1st **RESOLVED**, that the County Comptroller and County Treasurer be and hereby are authorized to close the Capital Projects listed on "Addendum 1" and credit the appropriate revenue accounts no later than December 31, 2013; and be it further

2nd **RESOLVED,** as required by Resolution No. 303-2010, the attached "Addendum 1" reflects a sufficiently detailed justification for Capital Project(s) with uncommitted balances in excess of 15% of the total amount appropriated and an estimated cash balance associated with each project to be closed and total cash balance by fund for projects to be closed; and be it further

3rd **RESOLVED,** as required by Resolution No. 303-2010, the total reduction in bond authorization is estimated at $; and be it further

4th **RESOLVED**, that if any additional aid is received on any of these projects the Treasurer may accept the aid and close this amount of aid to the appropriate fund and revenue account; and be it further

5th **RESOLVED**, that any unissued serial bond, bond anticipation note or capital note authorization remaining after the project is closed can be liquidated by the County Comptroller and the County Treasurer; and be it further

6th **RESOLVED**, that the County Comptroller and County Treasurer are authorized to transfer positive and negative cash balances to close these Capital Projects; and be it further

7th **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to net the positive and negative cash as a result of the projects being closed and accept the remaining funds into the appropriate Operating Fund under revenue code 2954 Unused Capital Fund Authorization.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1790

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 COUNTY COMPTROLLER AND COUNTY TREASURER TO CLOSE CERTAIN CAPITAL PROJECTS AND TRANSFER FUNDS

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE.

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes X** **No ____**

5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)

County X	**Town**	**Economic Impact**
Village	**School District**	**Other (Specify):**
Library District	**Fire District**	

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:

THE CLOSING OF CAPITAL PROJECTS THAT HAVE BEEN COMPLETED HAS A POSITIVE IMPACT TO THE COUNTY OF SUFFOLK. IT REDUCES BOND AUTHORIZATIONS AND REMAINING CASH BALANCES WILL OFFSET DEBT EXPENSES.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

THIS WILL BE DETERMINED ONCE THE FINAL CASH BALANCE HAS BEEN VERIFIED BY THE TREASURER'S OFFICE. THE FINAL CASH BALANCE SHOULD PROVIDE A SIGNIFICANT AMOUNT OF REVENUE TO THE COUNTY TO OFFSET DEBT SERVICE COSTS AND SHOULD EXCEED THE AMOUNT INCLUDED IN THE ADOPTED 2012 OPERATING BUDGET GENERAL FUND FOR THIS PURPOSE.

8. Proposed Source of Funding

PROPOSED CASH PROCEEDS FROM UNUSED CAPITAL FUND AUTHORIZATIONS

9. Timing of Impact

2013

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E Paglia Jr. Asst Executive Analyst		September 4th 2013

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1790

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

1791

Intro. Res. No. – 2013 Laid on Table 9/12/13

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. - 2013 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE WILLIAM AND ANTOINETTE SMITH PROPERTY – SWAN RIVER COUNTY PARK ADDITION (TOWN OF BROOKHAVEN - SCTM#0200-981.10-03.00-005.000)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 1002-2007, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Estate and/or her designee to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Estate and/or her designee and approved as to legality by the Office of the County Attorney; now, therefore, be it

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of One Hundred Twenty Five Thousand Dollars ($125,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	1.6± acres	William & Antoinette Smith
	Section	981.10		180 Pine Neck Avenue
	Block	03.00		Patchogue, NY 11772
	Lot	005.000		

; and, be it further

2nd **RESOLVED**, that the Director of Real Estate and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of One Hundred Twenty Five Thousand Dollars ($125,000.00), subject to a final survey; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $125,000.00, subject to a final survey, from previously appropriated funds in capital project 8714.211 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th **RESOLVED**, that the Director of Real Estate and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th **RESOLVED**, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and One (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th **RESOLVED**, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same;
b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study; and, be it further

7th **RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th **RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

9th **RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) the proposed use of the subject parcel(s) is passive recreation; and

3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

10th **RESOLVED**, that in accordance with Section 450-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____ 1791

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space, of the Smith property (Swan River County Park Addition), SCTM#0200-981.10-03.000-005.000, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

4. Will the Proposed Legislation Have a Fiscal Impact? **YES** ___ **NO** __X__

5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)

County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

N/A

8. Proposed Source of Funding

New Suffolk County ¼% Drinking Water Protection Program-Open Space-PayGo

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Jill Rose-Nikoloff Director of Real Estate		August 22, 2013

SCIN FORM 175b (10/95)

NEIL TOOMB 9/3/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1791

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 TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

2013 INTRAGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

1791

TITLE OF BILL:

AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE SMITH PROPERTY – SWAN RIVER COUNTY PARK ADDITION – TOWN OF BROOKHAVEN (SCTM#0200-981.10-03.00-005.000)

PURPOSE OR GENERAL IDEA OF BILL:

OPEN SPACE PRESERVATION

SUMMARY OR SPECIFIC PROVISIONS:

ACQUISITION OF OPEN SPACE UNDER THE NEW SUFFOLK COUNTY ¼% DRINKING WATER PROTECTION PROGRAM - OPEN SPACE

JUSTIFICATION:

FUNDING AVAILABLE IN 525-CAP-8714.211

FISCAL IMPLICATIONS:

N/A

COUNTY OF SUFFOLK

1791

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

August 22, 2013

Mr. Jon Schneider, Deputy County Executive
for Intragovernmental Relations
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Smith property (Swan River County Park Addition), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program-Open Space. The purchase price is $125,000.00 for 1.6± acres.

Please contact me if you require any additional information.

Sincerely,

Jill Rosen-Nikoloff
Director of Real Estate

JRN:pd
Att.
cc: Dennis Cohen, Chief Deputy County Executive (e-mail copy only)
Lisa Santeramo, Assistant Deputy County Executive (e-mail copy only)
Joanne Minieri, Deputy County Executive & Commissioner, Dept. of Economic Development & Planning
Sarah Lansdale, Director, Division of Planning & Environment (e-mail copy only)
Robert Braun, Deputy Bureau Chief, Law Dept., Real Estate-Condemnation (e-mail copy only)
Janet M. Longo, Acquisition Supervisor, Real Property Acquisition & Mgmt. (e-mail copy only)
Lauretta Fischer, Principal Environmental Analyst, Division of Planning (e-mail copy only)
Tom Vaughn, Director, Intragovernmental Relations
Bob Zaher, Acquisition Agent
CE Reso Review (e-mail copy only)

1792

Intro. Res. No. -2013 Laid on Table 9/12/13

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, ADOPTING LOCAL LAW NO. -2013, A CHARTER LAW AMENDING ARTICLE II OF THE SUFFOLK COUNTY CHARTER TO CLARIFY THE REQUIREMENTS OF A REVENUE IMPACT STATEMENT

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2013, a proposed local law entitled, "**A CHARTER LAW AMENDING ARTICLE II OF THE SUFFOLK COUNTY CHARTER TO CLARIFY THE REQUIREMENTS OF A REVENUE IMPACT STATEMENT**"; and said local law in final form is the same as when presented and introduced; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW AMENDING ARTICLE II OF THE SUFFOLK COUNTY CHARTER TO CLARIFY THE REQUIREMENTS OF A REVENUE IMPACT STATEMENT

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature finds that, pursuant to Section C2-12(E) of the Suffolk Charter, a proposed local law, resolution or charter law which reduces County-generated revenue shall not be acted upon unless it is accompanied by a revenue impact statement as to how the loss of revenue will be accommodated by the County.

This Legislature also finds and determines that instead of a Revenue Impact Statement that is imbedded in a Fiscal Impact Statement, it would facilitate the County's long-standing tradition of fiscal prudence to require separate, detailed and itemized Revenue Impact Statements for any proposed legislative action pursuant to C2-12(E) which reduces or eliminates, or has the effect of reducing or eliminating, County-generated revenues allocated as County budgeted revenues

Therefore, the purpose of this law is to amend Section C2-12(E) of the Suffolk County Charter to require that a separate, detailed and itemized revenue impact statement be appended to all future proposals which will reduce or eliminate, or have the effect of reducing or eliminating, County budgeted revenues.

Section 2. Amendments.

Article II of the Suffolk County Charter is hereby amended as follows:

Article II
County Legislature

****

C2-12 Legislative consideration of proposed local laws and resolutions.

***

E. Revenue impact statement (RIS).

(1) [No] A proposed local law, resolution or charter law which proposes to reduce or eliminate a County-generated revenue or which shall have the effect of reducing or eliminating a County-generated revenue (imposed or established by Suffolk County, not a state, federal, town or village grant) may not be discharged from the legislative committee of the County Legislature to which it has been assigned or be eligible for approval by the full Legislature, and [no] an operating budget which proposes to reduce or eliminate a County-generated revenue or which shall have the effect of reducing or eliminating a County-generated revenue (imposed or established by Suffolk County, not a state, federal, town or village grant) may not be adopted or enacted into law by the County of Suffolk, unless it shall have appended thereto a separate, detailed and itemized written statement as to how the loss of revenue shall be accommodated by the County of Suffolk for a period of at least three years from the standpoint of:

****

Section 3. 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 effect, 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 judgment or order shall be rendered.

Section 4. SEQRA Determination.

This Legislature, being the State Environment Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and/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 nonapplicability or non-significance in accordance with this law.

Section 5. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[ ] Brackets denote deletions of material.
___ Underscore denotes the addition of new material

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1792

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
email: george.nolan@suffolkcountyny.gov

WILLIAM H. ROGERS BUILDING
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099
(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

DATE: SEPTEMBER 6, 2013

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2013

TITLE: I.R. NO. -2013; A CHARTER LAW AMENDING ARTICLE II OF THE SUFFOLK COUNTY CHARTER TO CLARIFY THE REQUIREMENTS OF A REVENUE IMPACT STATEMENT

SPONSOR: PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 9/6/2013 **PUBLIC HEARING:** 10/8/2013

DATE ADOPTED/NOT ADOPTED: _____ **CERTIFIED COPY RECEIVED:** _____

Section C2-12(E) of the SUFFOLK COUNTY CHARTER presently requires that a revenue impact statement be prepared any time a local law, resolution or operating budget proposes to reduce or eliminate a County-generated revenue. This law would extend the revenue impact statement requirement to actions "that shall have the effect of reducing or eliminating a County-generated revenue ...".

This proposed law also adds new language stating that revenue impact statements should be "separate, detailed and itemized."

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-revenue-impact-statement

1792

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution _____ Local Law __X__ Charter Law

2. Title of Proposed Legislation – **ADOPTING LOCAL LAW NO. -2013, A CHARTER LAW AMENDING ARTICLE II OF THE SUFFOLK COUNTY CHARTER TO CLARIFY THE REQUIREMENTS OF A REVENUE IMPACT STATEMENT**

3. Purpose of Proposed Legislation : SAME AS ABOVE.

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** ___ **No** __X__

5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)

County	**Town**	**Economic Impact**
Village	**School District**	**Other (Specify):**
Library District	**Fire District**	

6. If the answer to item 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.

8. Proposed Source of Funding:

9. Timing of Impact - NONE

10. Typed Name & Title of Preparer:	11. Signature of Preparer	12. Date: 9/3/13
Neil Toomb Intergovernmental Relations Coordinator	Neil Toomb	

SCIN FORM 175b (10/95)

1792

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

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COMBINED

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To be completed by the Executive Budget Office