

## L A I D O N T H E T A B L E M A R C H 1 8 , 2 0 1 4

LADS REPORT PREPARED BY:

Michele Gerardi

(3/13/2014 8:34)

1275. Directing the Department of Public Works to partner with the Town of Brookhaven to establish a Single Stream Recycling Program at Suffolk County Facilities. (Anker) PUBLIC WORKS, TRANSPORTATION AND ENERGY
1276. Adopting Local Law No. -2014, A Local Law to further strengthen the County's regulation on the outdoor restraint of pets. (D'Amaro) PUBLIC SAFETY
1277. Authorizing use of Indian Island County Park by Birthright of Peconic, Inc., for a fundraising walkathon. (Krupski) PARKS & RECREATION
1278. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 953-2014). (Co. Exec.) BUDGET AND FINANCE
1279. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 954-2014). (Co. Exec.) BUDGET AND FINANCE
1280. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 404. (Co. Exec.) BUDGET AND FINANCE
1281. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 405. (Co. Exec.) BUDGET AND FINANCE
1282. Imposing moratorium on the sale of the former Foley Facility. (Schneiderman) WAYS & MEANS
1283. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 11 Selden and Crescent Club Apartments (BR-1655). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY
1284. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 11 Selden and Middle Country Meadows (BR-1640). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY
1285. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Linda L. Nichi (SCTM No. 0200-446.00-03.00-024.000). (Co. Exec.) WAYS & MEANS
1286. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law Town of Brookhaven (SCTM No. 0200-389.00-06.00-036.002). (Co. Exec.) WAYS & MEANS
1287. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Orlando Lopez (SCTM No. 0500-317.00-01.00-447.015 k/n/a all or part of 0500-317.00-01.00-093.002). (Co. Exec.) WAYS & MEANS

1288. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Steven Crawford (SCTM No. 0100-090.00-01.00-044.000). (Co. Exec.) WAYS & MEANS
1289. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Elias Nunez (SCTM No. 0100-130.00-03.00-004.000). (Co. Exec.) WAYS & MEANS
1290. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Marci A. Micciantuono (SCTM No. 0400-098.00-02.00-003.000). (Co. Exec.) WAYS & MEANS
1291. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Margaret Dubitsky (SCTM No. 0209-033.00-02.00-075.000). (Co. Exec.) WAYS & MEANS
1292. Authorizing the execution of an agreement between the County and the New York State Department of Transportation for Federal and State Aid Funding for the continuation of the HOV Bus Service on the Long Island Expressway for 2012 and 2013. (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY
1293. Appropriating funds in connection with Suffolk County District Attorney Building 77 Bathroom Project (CP 1649). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY
1294. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Active Recreation/Hamlet Park/Historic and/or Cultural Park component - for the Board of Education Middle Country Central School District No. 11 property - Boyle Road - Town of Brookhaven (SCTM No. 0200-392.00-04.00-016.000 p/o). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1295. Amending the 2014 Capital Budget and Program and appropriating funds in connection with the Real Property Integrated Land Information System (CP 1758). (Co. Exec.) WAYS & MEANS
1296. Authorizing execution of a Memorandum of Agreement with the Village of Saltaire for provision of police services. (Co. Exec.) PUBLIC SAFETY
1297. Accepting and appropriating 100% Federal funds awarded by the United States Department of Justice, Drug Enforcement Administration to the Suffolk County District Attorney and authorizing the Suffolk County Executive to execute related agreements. (Co. Exec.) PUBLIC SAFETY
1298. Authorizing funding of infrastructure improvements and oversight of real property under the Suffolk County Affordable Housing Opportunities Program and execution of agreements (Concern-Ronkonkoma). (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1299. Authorizing changes in Investment Management Policy for the Suffolk County Vanderbilt Museum Endowment Trust Fund. (D'Amaro) PARKS & RECREATION

1300. Adopting Local Law No. -2014, A Local Law to eliminate automatic pay increases for County Elected Officials. (Lindsay) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
1301. Declaring May as "Cystic Fibrosis Awareness Month" in Suffolk County. (Kennedy) HEALTH
1302. Authorizing the illumination of the H. Lee Dennison Executive Office Building in recognition of Cystic Fibrosis Awareness Month. (Kennedy) PUBLIC WORKS, TRANSPORTATION AND ENERGY
1303. VOID
1304. Authorizing use of County property in Yaphank by the GOOD Foundation for a 5K Run. (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY

1275

Intro. Res. No. -2014  
Introduced by Legislator Anker

Laid on Table 3/18/14

**RESOLUTION NO. -2014, DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO PARTNER WITH THE TOWN OF BROOKHAVEN TO ESTABLISH A SINGLE STREAM RECYCLING PROGRAM AT SUFFOLK COUNTY FACILITIES**

**WHEREAS**, recycling programs help communities reduce the amount of solid waste in landfills and incinerators, and assist with recycling existing materials that may otherwise take a prolonged time to biodegrade; and

**WHEREAS**, a new recycling system, termed "single stream recycling", allows participants to comingle all recyclables, which are then sorted at a recycling facility; and

**WHEREAS**, communities that have moved from traditional to single stream recycling have seen a 20% to 30% increase in the recycling rate; this translates into the sale of more recycled materials and avoided waste disposal costs; and

**WHEREAS**, the Town of Brookhaven is interested in partnering with other levels of government to increase recycling; and

**WHEREAS**, by partnering with the Town of Brookhaven, the County of Suffolk will reduce its waste stream, save on carting fees, and have increased environmental benefits; and

**1st RESOLVED**, that the Department of Public Works is hereby authorized, and empowered to partner with the Town of Brookhaven on a recycling program at County facilities; and

**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:

127b

Intro. Res. No. -2014  
Introduced by Legislator D'Amaro

Laid on Table 3/18/14

**RESOLUTION NO. - 2014, ADOPTING LOCAL LAW NO. -2014, A LOCAL LAW TO FURTHER STRENGTHEN THE COUNTY'S REGULATION ON THE OUTDOOR RESTRAINT OF PETS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2014, a proposed local law entitled, "A LOCAL LAW TO FURTHER STRENGTHEN THE COUNTY'S REGULATION ON THE OUTDOOR RESTRAINT OF PETS" now, therefore, be it

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

**LOCAL LAW NO. -2014, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO FURTHER STRENGTHEN THE COUNTY'S REGULATION ON THE OUTDOOR RESTRAINT OF PETS**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Suffolk County continues to be a leader in the protection of animal health and welfare.

This Legislature further finds and determines that that Local Law No. 41-2011, codified in Chapter 299 of the SUFFOLK COUNTY CODE, placed common sense regulations on the restraint of pets outdoors.

This Legislature finds that the provisions of Local Law No. 41-2011 needs to be strengthened to adequately protect animals.

This Legislature also finds that that the County should set specific limits on the amount of time animals can be left outdoors while restrained, so as to further protect animals from environmental hazards and neglect.

This Legislature further finds that the County should also prohibit the use of restraint devices on dogs that are so tight they become embedded in the animal's skin, causing the animal great pain.

Therefore, the purpose of this local law is to amend Article VII of Chapter 299 of the SUFFOLK COUNTY CODE to limit the amount of time animals can be left restrained outside and prohibit the use of restraint devices that are embedded in an animal's skin.

**Section 2. Amendments.**

Chapter 299 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 299.  
ANIMALS**

\* \* \* \*

**Article VII. Outdoor Restraint of Pets**

\* \* \* \*

**§ 299-51. Prohibitions**

\* \* \* \*

B. Notwithstanding the provisions of Subsection A of this section, no person shall tether, leash, fasten, secure, restrain, chain or tie a dog to any [stationary] object [for any amount of time] with a device that:

(1) Is a choke collar or pinch collar, or a similar collar that restrains the dog in such a manner that it impairs the flow of oxygen or blood to the dog which may cause choking, or causes substantial discomfort to the dog [otherwise causes such dog to choke];

(2) Is embedded, partially embedded or may become embedded in such dog's skin;

~~[(2)](3)~~ Has weights attached or contains links that are more than 1/4 inch thick;

(4) Weighs more than 25% of the dogs total body weight, not to exceed 25 pounds for any dog;

(5) Is less than 10 feet in length;

~~[(3)](6)~~ Because of its design or placement is likely to become entangled;

~~[(4)](7)~~ Is long enough to allow such dog to move outside of its owner's property;  
or

~~[(5)](8)~~ Would allow the restrained dog to move over an object or edge that could result in the strangulation of or injury to such dog.

C. No person shall tether, leash, fasten, secure, restrain, chain or tie a dog to any stationary object outdoors for more than 2 hours in any 12 hour period.

\* \* \* \*

**Section 3. Applicability.**

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

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

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

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

DATED:

APPROVED BY:

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

Date:

s:\laws\l-further-strengthen-pet-outdoor-restraint

1276

**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:** March 12, 2014

**TO:** CLERK OF THE COUNTY LEGISLATURE

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

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**PROPOSED LOCAL LAW YEAR 2014**

**TITLE:** I.R. NO. -2014; A LOCAL LAW TO FURTHER STRENGTHEN THE COUNTY'S REGULATION ON THE OUTDOOR RESTRAINT OF PETS

**SPONSOR:** LEGISLATOR D'AMARO

**DATE OF RECEIPT BY COUNSEL:** 3/12/14 **PUBLIC HEARING:** 4/29/14

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

Article VII of Chapter 299 of the SUFFOLK COUNTY CODE regulates the manner in which animals may be restrained outdoors. This local law would amend Article VII to further restrict the type of restraints used and the length of time an animal may be restrained outdoors.

This law would prohibit the use of any collar that restrains the flow of oxygen or blood to a dog's brain which may cause choking or discomfort to the animal. Further, this law will prohibit the use of collars on dogs that are fully or partially embedded in the dog's skin or may become so. The law limits the weight of the restraint used to no more than 25% of the dog's weight, with a maximum weight of 25 pounds. All restraints must also be at least 10 feet in length. Under this law, no animal may be restrained to a stationary object outdoors for more than 2 hours in a 12 hour period.

The existing penalty for a violation of Article VII of Chapter 299 is a fine of up to \$500 per violation.

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

**GEORGE NOLAN**  
Counsel to the Legislature

**GN:**

1277

Intro. Res. No. -2014  
Introduced by Legislator Krupski

Laid on Table 3/18/14

**RESOLUTION NO. -2014, AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY BIRTHRIGHT OF PECONIC, INC., FOR A FUNDRAISING WALKATHON**

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

**WHEREAS**, the walkathon will be held on Saturday, October 11, 2014 at Indian Island County Park from 9:00 a.m. to 1:00 p.m.; and

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

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

**1st RESOLVED**, that the use of County-owned property, i.e., the Indian Island County Park in Riverhead, in consideration of the payment of Three Hundred and 00/100 Dollars (\$300.00), which includes payment for use of the pavilion, for the purpose of conducting a fundraising walkathon on Saturday, October 11, 2014, between the hours of 9:00 a.m. and 1:00 p.m. is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the County's receipt of a Certificate of Insurance naming the County of Suffolk as an additional insured from Birthright of Peconic, Inc., and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

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

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

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

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

DATED:

APPROVED BY:

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

Date:

s:\res\ir-indian-island-county-park-birthright-peconic

RESOLUTION NO.

CONTROL#953-2014

Intro. Res. # 1278-14

Laid on Table 3/18/14

INTRODUCED BY PRESIDING OFFICER  
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. \_\_\_\_\_ 2014  
TO READJUST, COMPROMISE, AND GRANT  
REFUNDS AND CHARGE-BACKS ON REAL  
PROPERTY CORRECTION OF ERRORS BY:  
COUNTY LEGISLATURE (CONTROL #953-2014)

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

1. 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

2. 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#953-2014

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#953-2014

(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	13/14	0100 00500 0100 013000	46485.47	34151.58	12333.89
A	BABYLON	13/14	0100 01300 0100 016000	8603.43	4399.42	4204.01
A	BABYLON	13/14	0100 04900 0100 002000	59520.18	50708.84	8811.34
A	BABYLON	13/14	0100 06600 0300 041000	7494.56	3441.35	4053.21
A	BABYLON	13/14	0100 14500 0100 054000	10033.32	6615.53	3417.79
A	BABYLON	13/14	0100 14500 0400 057000	5184.56	1376.39	3808.17
A	BABYLON	13/14	0100 19800 0200 030000	50058.67	37594.58	12464.09
A	BABYLON	13/14	0103 00900 0400 080000	8996.66	2932.78	6063.88
A	BABYLON	12/13	0102 02100 0100 035000	33615.85	29233.84	4382.01
A	BROOKHAVEN	13/14	0200 12100 0100 002000	10161.84	3230.75	6931.09
A	BROOKHAVEN	13/14	0209 03000 0300 035002	7980.82	1664.25	6316.57
A	BROOKHAVEN	13/14	0209 00700 0200 010000	4444.59	1621.30	2823.29
A	SMITHTOWN	13/14	0800 05100 0900 016000	26290.41	22520.40	3770.01
A	SMITHTOWN	13/14	0800 15100 0100 046000	15562.71	12812.78	2749.93
A	SMITHTOWN	13/14	0800 05100 0800 011000	27589.68	24842.05	2747.63

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

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

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1278

1. Type of Legislation

Resolution  Local Law Charter Law

2. Title of Proposed Legislation

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

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

**SEE NO. 2 ABOVE**

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

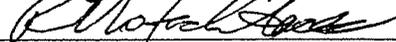
9. Timing of Impact

2014

10. Typed Name & Title of Preparer

R. Motschenbacher RPAT II

11. Signature of Preparer



12. Date February 26, 2014



1278

**STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE**

**REAL PROPERTY TAX SERVICE AGENCY**

**PENNY WELLS LAVALLE, MAI, CCIM, CCD**

**DIRECTOR**

# Memorandum

**To: Jon Schneider, Deputy County Executive**

**From: Penny Wells LaValle, MAI, CCIM, CCD**

**Date: February 26, 2014**

**Re: Resolution Control No. 953-2014**

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**ATTACHED FOR YOUR REVIEW PLEASE FIND  
CORRECTION OF ERRORS CONTROL NO. 953-2014**

**Additional back-up material regarding IR 1278 is on file in the  
Legislative Clerk's Office, Hauppauge.**

RESOLUTION NO.

CONTROL#954-2014

Intro. Res. # 1279-14

Laid on Table 3/18/14

INTRODUCED BY PRESIDING OFFICER  
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. \_\_\_\_\_ 2014  
TO READJUST, COMPROMISE, AND GRANT  
REFUNDS AND CHARGE-BACKS ON REAL  
PROPERTY CORRECTION OF ERRORS BY:  
COUNTY LEGISLATURE (CONTROL #954-2014)

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

1. 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
2. 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#954-2014

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#954-2014

(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	13/14	0102 01400 0100 025000	10244.36	3594.07	6650.29
A	BROOKHAVEN	12/13	0200 97670 0100 001003	223825.17	202394.08	21431.09
A	HUNTINGTON	12/13	0400 22600 0100 001000	381802.00	310722.73	71079.27
C	ISLIP	13/14	0500 43100 0500 027000	8584.26	3047.37	5536.89
C	ISLIP	13/14	0500 49100 0100 065000	7126.18	4288.89	2837.29
A	ISLIP	13/14	0500 34300 0300 028001	654201.50	648430.59	5770.91
A	ISLIP	13/14	0500 34500 0100 083001	579458.09	573744.13	5713.96
A	ISLIP	13/14	0500 04000 0100 015000	6949.69	2284.22	4665.47
A	SMITHTOWN	13/14	0800 07500 0900 028000	25630.56	19728.61	5901.95
A	SMITHTOWN	13/14	0800 00500 0400 028000	18738.58	15618.44	3120.14
A	SMITHTOWN	13/14	0800 02200 0100 001004	24491.27	19660.54	4830.73
A	SMITHTOWN	13/14	0800 14400 0100 009000	15457.44	11677.60	3779.84
A	SMITHTOWN	13/14	0800 08800 0500 068000	12478.59	9796.45	2682.14
A	SMITHTOWN	13/14	0800 11900 0200 041000	13746.05	11097.90	2648.15
A	SMITHTOWN	13/14	0800 09100 0200 037027	21027.59	17928.68	3098.91
A	SMITHTOWN	13/14	0800 13100 0200 015002	21267.58	16358.04	4909.54
A	SMITHTOWN	13/14	0800 17800 0300 011000	14006.35	11235.97	2770.38
A	SMITHTOWN	13/14	0800 00500 0400 023000	19896.37	17384.56	2511.81

As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1279

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution  Local Law Charter Law

2. Title of Proposed Legislation

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

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

SEE NO. 2 ABOVE

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

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

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

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

N/A

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

N/A

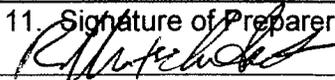
8. Proposed Source of Funding

N/A

9. Timing of Impact

2014

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

11. Signature of Preparer  


12. Date February 27, 2014

**COUNTY OF SUFFOLK**



1279

**STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE**

**REAL PROPERTY TAX SERVICE AGENCY**

**PENNY WELLS LAVALLE, MAI, CCIM, CCD**

**DIRECTOR**

# Memorandum

**To: Jon Schneider, Deputy County Executive**

**From: Penny Wells LaValle, MAI, CCIM, CCD**

**Date: February 27, 2014**

**Re: Resolution Control No. 954-2014**

---

**ATTACHED FOR YOUR REVIEW PLEASE FIND  
CORRECTION OF ERRORS CONTROL NO. 954-2014**

**Additional back-up material regarding IR 1279 is on file in the  
Legislative Clerk's Office, Hauppauge.**

Intro Res. No. **1280-14** Laid on Table **3/18/14**  
 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 #404

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>BROOKHAVEN:</b>				
<b>0200-976.70-01.00-001.003 (Item #8514280)</b>	<b>2013/14</b>	<b>\$230,009.88</b>	<b>\$207,986.60</b>	<b>\$22,023.28</b>
<b>0200-805.00-01.00-007.011 (Item #6706093)</b>	<b>2013/14</b>	<b>\$ 86,115.87</b>	<b>0.00</b>	<b>\$86,115.87</b>

Dated:

Approved By:

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

Date of Approval:

1280

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

**ResolutionXXX**

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

**YES XXX**

NO

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

**County**

**Town**

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

Angie M. Carpenter  
County Treasurer

11. Signature of Preparer

*Angie M. Carpenter*

12. Date

*2/27/14*



1780

## SUFFOLK COUNTY TREASURER

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

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

ANGIE M. CARPENTER  
COUNTY TREASURER

DOUGLAS W. SUTHERLAND  
CHIEF DEPUTY

DIANE M. STUKE  
DEPUTY

### MEMORANDUM

**TO: Jon Schneider, Deputy County Executive**

**FROM: Angie M. Carpenter, Suffolk County Treasurer**

**DATE: February 27, 2014**

**RE: RESOLUTION FOR CANCELLATION OF TAXES, CONTROL # 404**

.....

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

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

Should you need anything further, please contact me.

AMC:dz

Enc.

Cc : Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations

**Additional back-up material regarding IR 1280 is on file in the  
Legislative Clerk's Office, Hauppauge.**

Intro Res. No. **1281-14** Laid on Table **3/18/14**  
 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 #405

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>BROOKHAVEN:</b>				
<b>0200-615.00-02.00-017.000 (Item #5415840)</b>	<b>2003/04</b>	<b>\$6,119.70</b>	<b>0.00</b>	<b>\$6,119.70</b>

Dated:

Approved By:

---

Suffolk County Executive

Date of Approval:

1281

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

**ResolutionXXX**

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

**YES XXX** NO

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

**County**

**Town**

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

Angie M. Carpenter  
County Treasurer

11. Signature of Preparer

*Angie M. Carpenter*

12. Date

2/28/14



1281

## SUFFOLK COUNTY TREASURER

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

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

ANGIE M. CARPENTER  
COUNTY TREASURER

DOUGLAS W. SUTHERLAND  
CHIEF DEPUTY

DIANE M. STUKE  
DEPUTY

### MEMORANDUM

**TO:** Jon Schneider, Deputy County Executive

**FROM:** Angie M. Carpenter, Suffolk County Treasurer

**DATE:** February 28, 2014

**RE:** RESOLUTION FOR CANCELLATION OF TAXES, CONTROL # 405

.....

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

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

Should you need anything further, please contact me.

AMC:dz

Enc.

Cc : Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations

**Additional back-up material regarding IR 1281 is on file in the  
Legislative Clerk's Office, Hauppauge.**

**RESOLUTION NO. -2014, IMPOSING MORATORIUM  
ON THE SALE OF THE FORMER FOLEY FACILITY**

**WHEREAS**, the County of Suffolk owns the former John J. Foley Skilled Nursing Facility, a 181,749 square foot building on approximately 14 acres of property in Yaphank; and

**WHEREAS**, the County ceased operating Foley as a skilled nursing facility in 2013 and the building is now vacant; and

**WHEREAS**, Resolution No. 515-2013 authorized the Division of Real Property Acquisition and Management to offer the Foley Facility for sale through a public auction or a Request for Proposals; pursuant to this resolution, any contract for the sale of Foley is subject to legislative approval; and

**WHEREAS**, the Division of Real Property Acquisition and Management has received an offer for the Foley Facility but that offer is far below the amount the County anticipated receiving in the 2014 Operating Budget; and

**WHEREAS**, the County of Suffolk made a major investment of public resources in constructing the Foley Facility; and

**WHEREAS**, other potential uses of the Foley Facility should be studied in order to maximize its value and benefits to the residents of Suffolk County; and

**WHEREAS**, Resolution No. 757-2013 authorized the Department of Public Works to study the feasibility of retrofitting the Foley Facility in order to house DWI offenders and other low risk offenders or, in the alternative, to house a drug and alcohol treatment facility; and

**WHEREAS**, the report issued by the Department of Public Works concluded that there would be substantial costs associated with converting Foley to correctional center use, but that a conversion of the facility to use as a drug and alcohol treatment/rehabilitation center could be achieved at a more modest cost; and

**WHEREAS**, the Sheriff of Suffolk County has endorsed the concept of converting the Foley Facility into a private, non-profit long-term drug treatment facility for use as an alternative to incarceration; and

**WHEREAS**, the proposed sale of the Foley Facility should be placed on hold to allow for a thorough study and examination of alternative potential uses of the facility; now, therefore be it

**1st RESOLVED**, that notwithstanding the provisions of Resolution No. 515-2013, no department, office, agency, employee or officer of the County of Suffolk shall take any action to advance the sale of the Foley Facility for a six (6) month period following the effective date of this resolution; 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:

1283

Intro Res. No. -2014

Laid on Table 3/18/13

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2014, AUTHORIZING  
EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD  
OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 SELDEN AND  
CRESCENT CLUB APARTMENTS (BR-1655)

WHEREAS, Crescent Club Apartments is outside the boundary of Suffolk County Sewer District No. 11 – Selden; and

WHEREAS, Crescent Club Apartments has petitioned and requested the Administrative Head of the District for permission to discharge Forty-One Thousand Six Hundred Seventy gallons per day (41,670 GPD), and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity Forty-One Thousand Six Hundred Seventy gallons per day (41,670 GPD) 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 1-2014) with a connection fee of \$30.00 per gallon per day of sewage capacity; for a total connection fee of \$1,250,100.00, for the said Forty-One Thousand Six Hundred Seventy gallons per day (41,670 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

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

2<sup>nd</sup> RESOLVED, that the Administrative Head of the District be and hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 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.

3<sup>rd</sup> RESOLVED, that the Suffolk 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:

1283

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO. 1 - 2014**

### **AUTHORIZING THE CONNECTION OF CRESCENT CLUB APARTMENTS (BR-1655) TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN**

WHEREAS, application has been made for Crescent Club Apartments which is an existing 257 apartment subdivision, located in Coram, New York, situated on property identified on the Suffolk County Tax Map as District 0200, Section 429.00, Block 05.00, Lot 028.001, 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, the owner of the Crescent Club Apartments has applied to this Agency for permission to connect Crescent Club Apartments to the sanitary sewerage facilities of the District, and

WHEREAS, it is anticipated that Crescent Club Apartments will generate a wastewater flow of Forty-One Thousand Six Hundred Seventy gallons per day (41,670 GPD), and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage which is expected to emanate from Crescent Club Apartments, and

WHEREAS, in order to facilitate the connection, the project engineer is required to submit a report determining that the sewer collection system (gravity lines and pump stations) is able to accommodate the additional flow, and

WHEREAS, the connection of Crescent Club Apartments 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-One Thousand Six Hundred Seventy gallons per day (41,670 GPD) of sanitary sewage generated by the said project shall be treated at the facilities of the District, 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

1283

NOW, THEREFORE, IT IS

1<sup>st</sup> RESOLVED, that the SEQRA requirements for this project have been met, and requires no further action, now, therefore, be it further

2<sup>nd</sup> RESOLVED, that providing the engineering report verifies that the sewer collection system can accommodate the additional flow that Forty-One Thousand Six Hundred Seventy gallons per day (41,670 GPD), of capacity in the District's sewage treatment plant be allocated to the Crescent Club Apartments, and it is further

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

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

5<sup>th</sup> RESOLVED, that the connection fee to be paid for the Crescent Club Apartments shall be paid upon the execution of the Connection Agreement at the rate of \$30.00 per gallon per day for a total of \$1,250,100.00, prior to execution of the Connection Agreement, and it is further

6<sup>th</sup> RESOLVED, that Crescent Club Apartments shall, at its sole cost, expense and effort, construct a sewage collection facility for the Crescent Club Apartments and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

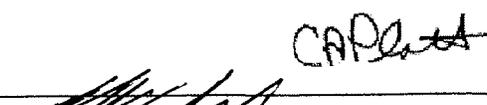
7<sup>th</sup> RESOLVED, that the Crescent Club Apartments shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for the Crescent Club Apartments, as well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

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

Suffolk County Sewer Agency Meeting (February 10, 2014)

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

1283

<b>1. Type of Legislation</b> Resolution <u>  X  </u> Local Law <u>          </u> Charter Law <u>          </u>		
<b>2. Title of Proposed Legislation</b> RESOLUTION NO.            -2014, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 SELDEN AND CRESCENT CLUB APARTMENTS (BA-1655)		
<b>3. Purpose of Proposed Legislation</b> To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No.11 - Selden with the Crescent Club Apartments (BR-1655), an apartment complex seeking permission to discharge 41,670 GPD.		
<b>4. Will the Proposed Legislation Have a Fiscal Impact?</b> Yes <u>  X  </u> No <u>          </u>		
<b>5. If the answer to Item 4 is "yes," on what will it impact? (Circle appropriate category)</b>		
County	Town	Economic Impact
Village	School District	<b>Other (Specify):</b>
Library District	Fire District	• SD # 11 - SELDEN
<b>6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact</b> The connection fee of \$30.00 per gallon per day (41,670 GPD) of \$1,250,100.00 will be paid to the District.		
<b>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</b> NA		
<b>8. Proposed Source of Funding</b> NA		
<b>9. Timing of Impact</b> NA		
<b>10. Typed Name &amp; Title of Preparer</b> Craig A Platt, Assistant Director Sewer District Activation	<b>11. Signature of Preparer</b> 	<b>12. Date</b> February 18, 2014

*Michelle Pablin  
Asst Exec Analyst*

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

1283

**GENERAL FUND**

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

**POLICE DISTRICT AND DISTRICT COURT**

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

**COMBINED**

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

1283

**RESOLUTION SUBMITTAL SHEET**

Capital Project	NA	Legislative Districts	4th
Operating Fund	NA	Federal Aid %	NA
Other		State Aid %	NA

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

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No.11 - Selden with the Crescent Club Apartments (BR-1655), an apartment complex seeking permission to discharge 41,670 GPD.

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

Resolution Number	Purpose	Amount
NA	NA	NA

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

**Project Status**

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

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

Offset	Leg. District	Comments
NA		

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

1283

**GENERAL FUND**

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

**POLICE DISTRICT AND DISTRICT COURT**

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

**COMBINED**

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

NOTES:

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

COUNTY OF SUFFOLK

1283



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

**2014 Intergovernmental Relations  
Memorandum of Support**

**Title of Bill:**

RESOLUTION NO. -2014, AUTHORIZING EXECUTION OF AGREEMENT BY THE  
ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 SELDEN  
AND CRESCENT CLUB APARTMENTS (BR-1655)

**Purpose or General Idea of Bill:**

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 11 - Selden with the Crescent Club Apartments (BR-1655), an apartment complex seeking permission to discharge 41,670 GPD.

**Summary of Specific Provisions:**

Allow the connection of the project to SCSD #11 - Selden

**Justification:**

Economic and environmental benefit

**Fiscal Implications:**

None

**SCDPW Project:** Crescent Club Apartments

**Project No.:** BR-1655

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

COUNTY OF SUFFOLK



1783

STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.  
COMMISSIONER

PHILIP A BERDOLT  
DEPUTY COMMISSIONER

MEMORANDUM

To: Jon Schneider, Deputy County Executive

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

Date: February 18, 2014

Subject: **RESOLUTION NO. -2014, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SCSD NO. 11 – SELDEN WITH CRESCENT CLUB APARTMENTS (BR-1655)**

Attached is a draft resolution filed as **Reso DPW SA 1-2014 Crescent Club Apartments (BR-1655)** and appropriate forms with the backup filed as **Backup- Reso DPW SA 1-2014 Crescent Club Apartments (BR-1655) 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 Crescent Club Apartments (BR-1655).

**Project Facts:**

Type/units:	Existing Apartment Complex	SCTM #:	0200-42900-0500-028.001
Area:	36±	SEQRA:	Complete
Flow:	41,670 GPD	Groundwater Zone:	I
SCSD:	No. 11 – Selden	Legislative District:	4 <sup>th</sup>

GA:JD:cap

cc:

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

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1284

Intro Res. No. -2014

Laid on Table

3/18/14

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2014, AUTHORIZING  
EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD  
OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 SELDEN AND  
MIDDLE COUNTRY MEADOWS (BR-1640)

WHEREAS, Middle Country Meadows is outside the boundary of Suffolk County Sewer District No. 11 – Selden; and

WHEREAS, Middle Country Meadows has petitioned and requested the Administrative Head of the District for permission to discharge Nineteen Thousand gallons per day (19,000 GPD), and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity Nineteen Thousand gallons per day (19,000 GPD) 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 6-2014) with a connection fee of \$30.00 per gallon per day of sewage capacity; for a total connection fee of \$570,00.00, for the said Nineteen Thousand gallons per day (19,000 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

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

2<sup>nd</sup> RESOLVED, that the Administrative Head of the District be and hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 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.

3<sup>rd</sup> RESOLVED, that the Suffolk 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:

1784

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO. 6 - 2014**

### **AUTHORIZING THE CONNECTION OF MIDDLE COUNTRY MEADOWS (BR-1640)**

### **TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN**

WHEREAS, application has been made for Middle Country Meadows which is a proposed One Hundred Twenty-Four (124) unit Apartment/Planned Retirement Community subdivision, located in Selden, New York, situated on property identified on the Suffolk County Tax Map as District 0200, Section 489.00, Block 02.00, Lots 033.001, 033.002, and 034.000, 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, the owner of the Middle Country Meadows has applied to this Agency for permission to connect Middle Country Meadows to the sanitary sewerage facilities of the District, and

WHEREAS, it is anticipated that Middle Country Meadows will generate a wastewater flow of Nineteen Thousand gallons per day (19,000 GPD), and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage which is expected to emanate from Middle Country Meadows, and

WHEREAS, in order to facilitate the connection, the project engineer is required to submit a report determining that the sewer collection system (gravity lines and pump stations) is able to accommodate the additional flow, and

WHEREAS, the connection of Middle Country Meadows 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 Nineteen Thousand gallons per day (19,000 GPD) of sanitary sewage generated by the said project shall be treated at the facilities of the District, 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

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NOW, THEREFORE, IT IS

1<sup>st</sup> RESOLVED, that the SEQRA requirements for this project have been met, and requires no further action, now, therefore, be it further

2<sup>nd</sup> RESOLVED, that providing the engineering report verifies that the sewer collection system can accommodate the additional flow that Nineteen Thousand gallons per day (19,000 GPD), of capacity in the District's sewage treatment plant be allocated to the Middle Country Meadows, and it is further

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

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

5<sup>th</sup> RESOLVED, that the connection fee to be paid for the Middle Country Meadows shall be paid upon the execution of the Connection Agreement at the rate of \$30.00 per gallon per day for a total of Five Hundred Seventy Thousand Dollars (\$570,000.00), prior to execution of the Connection Agreement, and it is further

6<sup>th</sup> RESOLVED, that Middle Country Meadows shall, at its sole cost, expense and effort, construct a sewage collection facility for the Middle Country Meadows and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

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

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

COUNTY OF SUFFOLK



1784

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

**2014 Intergovernmental Relations  
Memorandum of Support**

**Title of Bill:**

RESOLUTION NO. -2014, AUTHORIZING EXECUTION OF AGREEMENT BY THE  
ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 SELDEN  
AND MIDDLE COUNTRY MEADOWS (BA-1640).

**Purpose or General Idea of Bill:**

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No.11 - Selden with the Middle Country Meadows (BR-1640), a subdivision seeking permission to discharge 19,000 GPD.

**Summary of Specific Provisions:**

Allow the connection of the project to SCSD #11 - Selden

**Justification:**

Economic and environmental benefit

**Fiscal Implications:**

None

**SCDPW Project:** Middle Country Meadows

**Project No.:** BR-1640

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

# COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

1784

## DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.  
COMMISSIONER

PHILIP A BERDOLT  
DEPUTY COMMISSIONER

### MEMORANDUM

To: Jon Schneider, Deputy County Executive  
From: Gilbert Anderson, P.E., Commissioner, SCDPW  
Date: February 18, 2014  
Subject: **RESOLUTION NO. -2014, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SCSD NO. 11 – SELDEN WITH MIDDLE COUNTRY MEADOWS (BR-1640)**

Attached is a draft resolution filed as **Reso DPW SA 6-2014 Middle Country Meadows (BR-1640)** and appropriate forms with the backup filed as **Backup- Reso DPW SA 6-2014 Middle Country Meadows (BR-1640) 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 Middle Country Meadows (BR-1640).

#### **Project Facts:**

Type/units:	PRC/Garden Apartment development	SCTM #:	0200-48900-0200-033002 & 0200-48900-0200-034000
Area:	13.8±	SEQRA:	Complete
Flow:	19,000 GPD	Groundwater Zone:	I
SCSD:	No. 11 – Selden	Legislative District:	4 <sup>th</sup>

GA:JD:cap

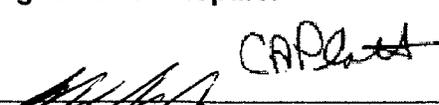
cc:

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

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1284

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

<b>1. Type of Legislation</b> Resolution <u>  X  </u> Local Law _____                      Charter Law _____					
<b>2. Title of Proposed Legislation</b> RESOLUTION NO.            -2014, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 SELDEN AND MIDDLE COUNTRY MEADOWS (BA-1640).					
<b>3. Purpose of Proposed Legislation</b> To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No.11 - Selden with the Middle Country Meadows (BR-1640), a subdivision seeking permission to discharge 19,000 GPD.					
<b>4. Will the Proposed Legislation Have a Fiscal Impact?</b> Yes <u>  X  </u> No _____					
<b>5. If the answer to Item 4 is "yes," on what will it impact? (Circle appropriate category)</b>  <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">           County             Village             Library District         </td> <td style="width: 33%; vertical-align: top;">           Town             School District             Fire District         </td> <td style="width: 33%; vertical-align: top;">           Economic Impact   <u>Other (Specify):</u>            • SD # 11 - SELDEN         </td> </tr> </table>			County  Village  Library District	Town  School District  Fire District	Economic Impact  <u>Other (Specify):</u> • SD # 11 - SELDEN
County  Village  Library District	Town  School District  Fire District	Economic Impact  <u>Other (Specify):</u> • SD # 11 - SELDEN			
<b>6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact</b> The connection fee of \$30.00 per gallon per day (19,000 GPD) of \$570,000.00 will be paid to the District.					
<b>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</b>  NA					
<b>8. Proposed Source of Funding</b>  NA					
<b>9. Timing of Impact</b>  NA					
<b>10. Typed Name &amp; Title of Preparer</b> Craig A Platt, Assistant Director Sewer District Activation	<b>11. Signature of Preparer</b>  C.A. Platt	<b>12. Date</b> February 18, 2014			

*Handwritten notes:*  
 11.10.14  
 Ass. Dir. Sewer Dist.

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

1284

**GENERAL FUND**

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

**POLICE DISTRICT AND DISTRICT COURT**

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

**COMBINED**

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

1284

**RESOLUTION SUBMITTAL SHEET**

Capital Project	NA	Legislative Districts	4th
Operating Fund	NA	Federal Aid %	NA
Other		State Aid %	NA

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

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No.11 - Selden with the Middle Country Meadows (BR-1640), a subdivision seeking permission to discharge 19,000 GPD.

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

Resolution Number	Purpose	Amount
NA	NA	NA

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

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

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

Offset	Leg. District	Comments
NA		

Introductory Resolution No. 1285-14

Laid on Table 3/18/14

Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. -2014, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976  
LINDA L. NICHI  
(SCTM NO. 0200-446.00-03.00-024.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 446.00 Block 03.00 Lot 024.000 and acquired by Tax Deed on November 2, 2009 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 4, 2009 in Liber 12605 at CP 51 and described as follows, known and designated as Lot 566 on a certain map entitled "Map of Highland Park, Plate 38", and filed in the Office of the Clerk of the County of Suffolk on June 12, 1906 as Map No. 69,

**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**, Linda L. Nichi, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,800.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described being in size approximately 25' x 101' x 25' x 102' has been appraised at \$3,800.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, the Director of Real Estate, and/or her designee, has received and deposited the sum of \$3,800.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup>** **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, Without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Linda L. Nichi, 18 Alma Avenue, 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

1285

**SUMMARY STATEMENT**

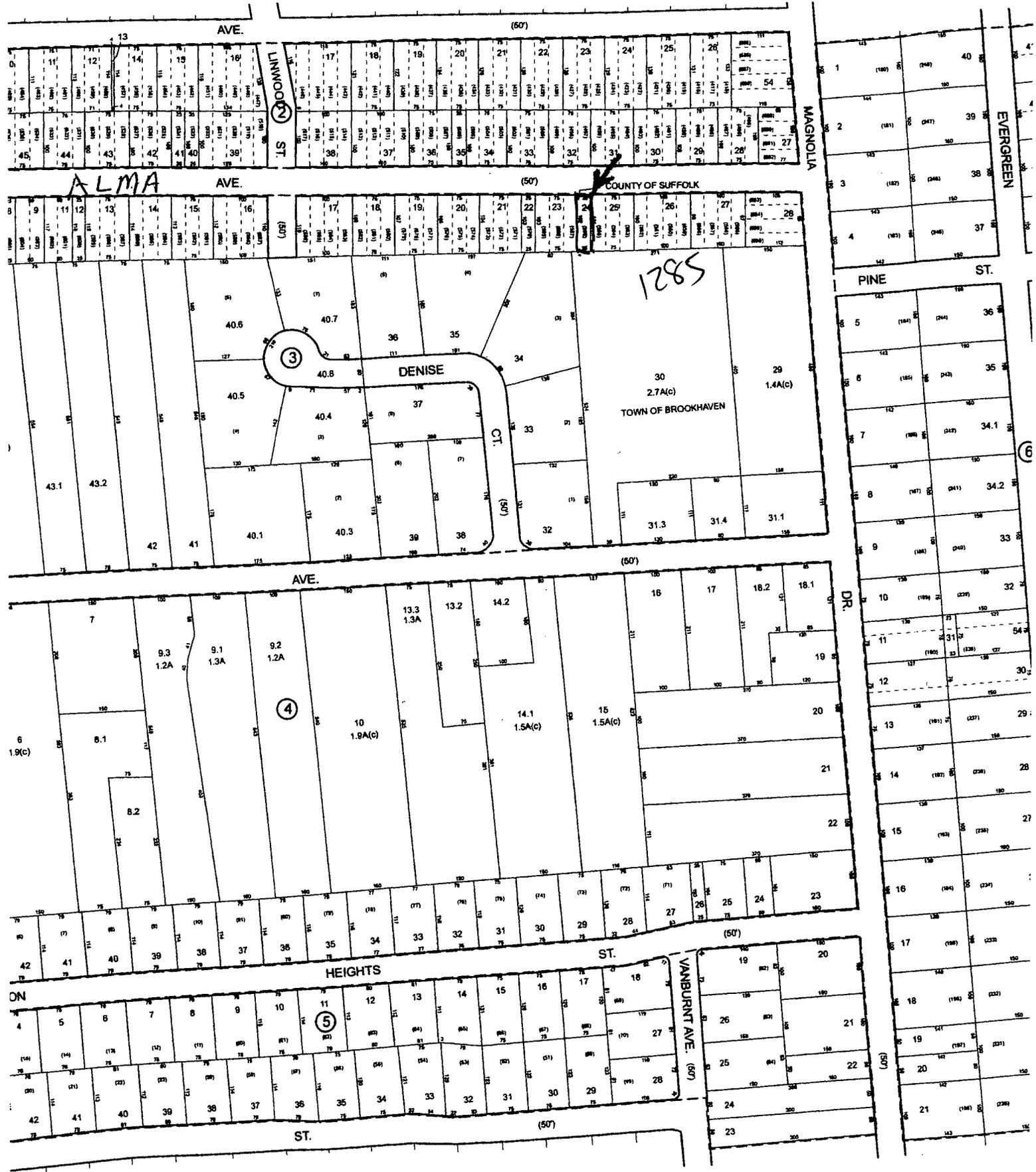
**DIRECT SALE:**

Suffolk County Local Law No. 13-1976  
 Tax Map No. 0200-446.00-03.00-024.000

ADJOINING OWNER	BID	BID	BID
Linda L. Nichi 18 Alma Avenue Selden, New York 11784 0200-446.00-03.00-023.000	\$3,800.00		
Salvatore Izzo 14 Alma Avenue Selden, New York 11784 0200-446.00-03.00-025.000	\$0		
Town of Brookhaven One Independence Hill Farmingville, New York 11738 0200-446.00-03.00-003.000	\$0		

SIZE OF PARCEL: 25' x 101' x 25' x 102'  
 APPRAISED VALUE: \$3,800.00  
 COMMENT: Direct Sale to Adjacent Owner

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



UNLESS OTHERWISE ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS

NOTICE



COUNTY OF SUFFOLK

423 424 425

TM # 0200 - 446.00 - 03.00 - 024.000

1785



TM# 0200-446.00-03.00-024.000



1285

176

114

AVENUE

97

26  
25  
24  
23  
22

Joins Map 26

TM# 0200-446-00-03:00-024.000

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  
LINDA L. NICHI  
(SCTM NO. 0200-446.00-03.00-024.000)**

3. Purpose of Proposed Legislation

Convey County owned parcel to adjacent owner

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

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

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

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

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

Unknown

8. Proposed Source of Funding

None

9. Timing of Impact

2014

10. Name & Title of Preparer

Signature of Preparer

Date

R.J. Bhatt   
Land Management Specialist  
NEIL TOOMB

RJBhatt   
NEIL TOOMB

2/20/14   
 3/11/14

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

1285

**GENERAL FUND**

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

**COMBINED**

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

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 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.

COUNTY OF SUFFOLK

1285



Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Department of  
Economic Development and Planning

Joanne Minieri  
Deputy County Executive and Commissioner

Division of Real Property  
Acquisition and Management

February 20, 2014

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: 0200-446.00-03.00-024.000

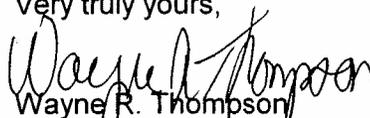
Dear Mr. Schneider:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

  
Wayne R. Thompson

Real Property Manager  
Division of Real Property Acquisition and  
Management

JRN:WRT:sib  
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. 1286-14

Laid on Table 3/18/14

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 # 0200-389.00-06.00-036.002)**

**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 389.00, Block 06.00 Lot 036.002 and acquired by Tax Deed on January 29, 1976 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on January 29, 1976 in Liber 7981 at Page 310 and described as follows, known and designated as part of Lot 225 on a certain map entitled "Map of Laurel Park, Plate 6", and filed in the Office of the Clerk of the County of Suffolk on May 15, 1907 as Map No. 314; 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 100' x 33' x 100' x 23' (Road Bed) 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

**1<sup>st</sup> 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 \$1.00 plus the pro rata share of the current tax adjustment due at closing; and be it further

**2<sup>nd</sup> RESOLVED**, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Highway 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 purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for Highway purposes; and be it further

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

**4<sup>th</sup>** **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. 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"

1280

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 2013-958  
MEETING OF November 12, 2013

AUTHORIZATION TO ACQUIRE A VACANT  
PARCEL OF SUFFOLK COUNTY OWNED  
LAND FOR HIGHWAY PURPOSES PURSUANT  
TO SECTION 72-H OF THE GENERAL  
MUNICIPAL LAW – WEST COURT DRIVE,  
CENTEREACH (SCTM No. 0200-389.00-06.00-  
036.002)

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 West Court Drive, Centereach, further identified as SCTM No. 0200-389.00-06.00-036.002 as shown on the attached map; and

WHEREAS, the Superintendent of Highways of the Town of Brookhaven is interested in acquiring said parcel of real property for highway purposes for a total consideration of One Dollar (\$1.00); 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

1286

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 highway purposes further identified as SCTM No. 0200-389.00-06.00-036.002 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration of \$1.00 subject to the restrictive covenants and reverter provisions as stated above.

1286

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

S U M M A R Y   S T A T E M E N T

SALES TO GOVERNMENTAL ENTITIES  
TOWN OF BROOKHAVEN

Tax Map No.: 0200-389.00-06.00-036.002

Section 72-h, Gen'l Municipal Law

County Investment \$ 0

PURPOSE:

- A. Affordable Housing \_\_\_\_\_
- B. Town Parks \_\_\_\_\_
- C. Road/Highway \_\_\_\_\_X\_\_\_\_\_
- D. Drainage/Recharge Basin \_\_\_\_\_
- E. Other \_\_\_\_\_

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

WRT:slb

1286

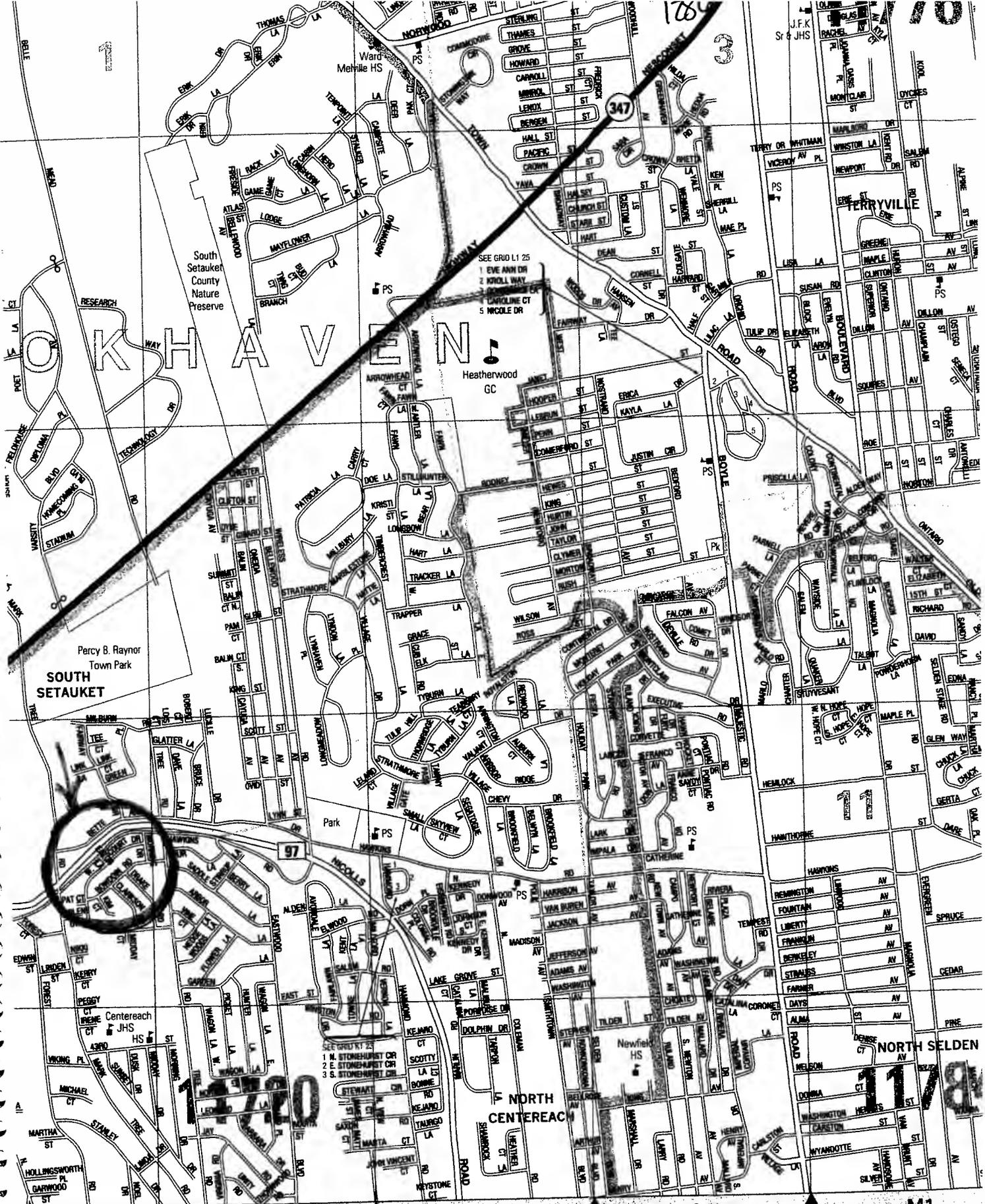
TM# 0200-389.00-06.00-036.002



12 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

1786





TM # 0200 - 389.00 - 06.00 - 036.00Z

1286

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 # 0200-389.00-06.00-036.002)**

3. Purpose of Proposed Legislation

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

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

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

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

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2014

10. Typed Name & Title of Preparer

Signature of Preparer

Date

R.J. Bhatt  
Land Management Specialist

R.J. Bhatt

2/20/14

NEIL TOOMB

Neil Toomb

3/11/14

1286

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

**GENERAL FUND**

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

**COMBINED**

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

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 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.

1286e

**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 # 0200-389.00-06.00-036.002)**

PURPOSE OR GENERAL IDEA OF BILL:

Sale to Town of Brookhaven of 100' x 33' x 100' x 23' approximately 0.06 acre for use in Highway 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 to the Town of Brookhaven.

FISCAL IMPLICATIONS:

Loss of sale at public auction.

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

February 20, 2014

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.: 0200-389.00-06.00-036.002  
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

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. 1287-14 Laid on Table 3/18/14

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  
**ORLANDO LOPEZ**  
**(SCTM NO. 0500-317.00-01.00-447.015**  
**k/n/a All or Part of 0500-317.00-01.00-093.002)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 317.00, Block 01.00, Lot 447.015, and acquired by tax deed on August 20, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 21, 2013, in Liber 12741, at Page 244, and otherwise known and designated by the Town of Islip, as District 0500, Section 317.00, Block 01.00, Lot 447.015; 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 20, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 21, 2013 in Liber 12741 at Page 244.

**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**, BENEFICIAL HOMEOWNERS SERVICE CORPORATION, MORTGAGEE has made application of said above described parcel and BENEFICIAL HOMEOWNERS SERVICE CORPORATION, MORTGAGEE has paid the application fee and has paid \$104,586.26, 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, 2014; now, therefore be it

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



SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1287

February 24, 2014

Tax Map No.: 0500-317.00-01.00-447.015 k/n/a  
All or Part of 0500-317.00-01.00-093.002  
Name of Last Legal Fee Owner: ORLANDO LOPEZ

TREASURER'S COMPUTATION..... \$104,586.26 ✓  
Taxes.....2013/2014..... INCLUDED  
License/Storage Fee..... OPEN  
Repairs..... OPEN  
Miscellaneous Expenses..... OPEN

TOTAL..... \$104,586.26 ✓

Monies Received..... \$104,586.26

RESOLUTION AMOUNT..... \$104,586.26 ✓

APPROVED:

Annette Browne 2.20.2014  
Accounting  
LS:lag

PREPARED BY:

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

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0500	317.00	01.00	447.015

1287

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2008	\$ 14,496.97
2009	\$ 15,275.73
2010	\$ 15,732.39
2011	\$ 14,538.03
2012	\$ 13,583.28
2013	\$ 10,729.08

TOTAL: \$ 84,355.48

B. INTEREST DUE	\$ 4,515.48
C. TOTAL	\$ 88,870.96
D. 5% LINE C	\$ 4,443.55
E. FEE	23 314.51
F. MISC	\$ 11,271.75
G. MISC	

2014 PROPERTY TAX

H. TOTAL DUE \$ 104,586.26

**CERTIFICATION BY COUNTY TREASURER**

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

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

13-Jan-14



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 07/12/14



1287

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

**GENERAL FUND**

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

**COMBINED**

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

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 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.



500-317-01-447015

R.D. 41 F.D. 15 S.R.27  
 R.D. 42 F.D. 1

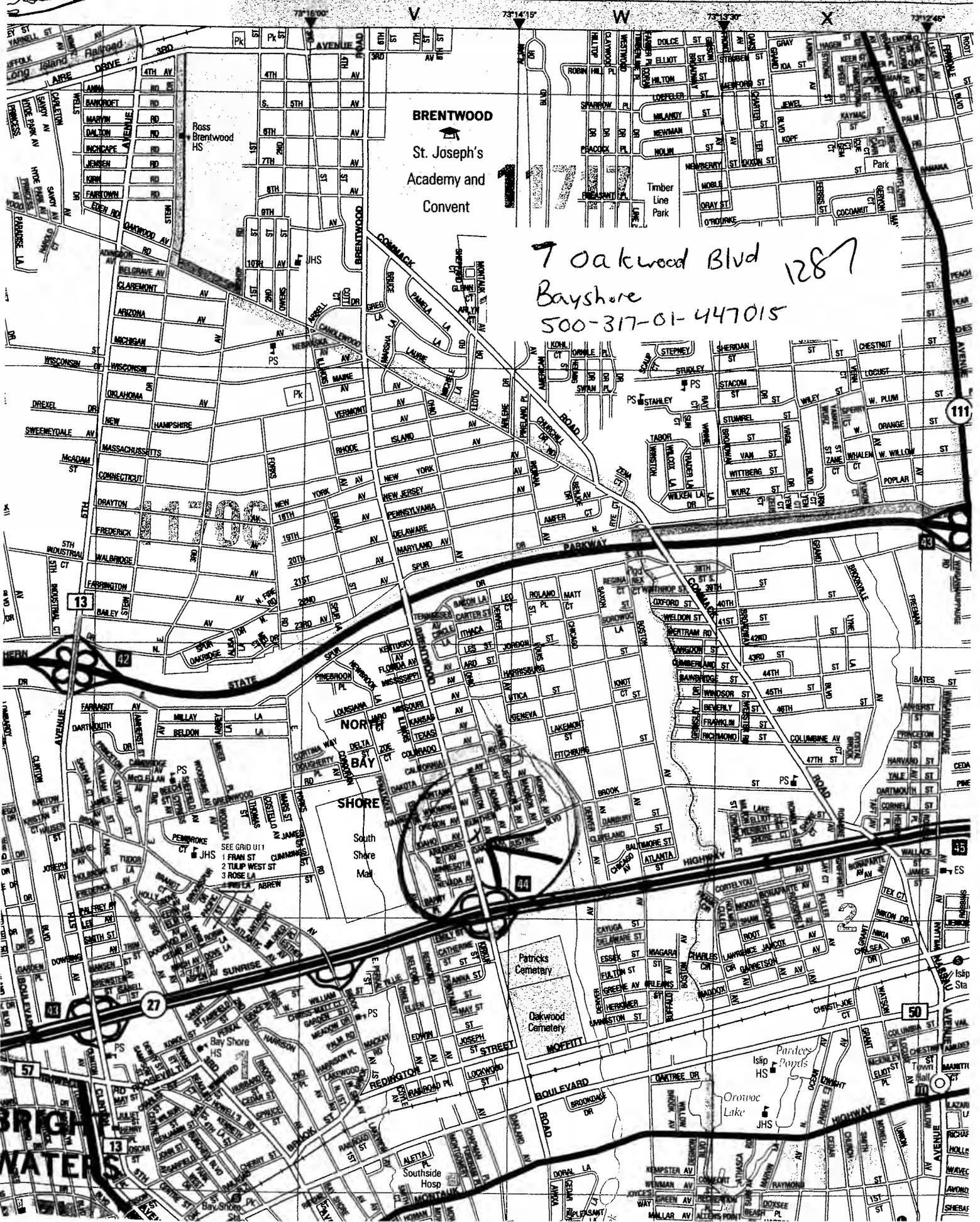
SUNRISE HIGHWAY  
 R.D. 41  
 R.D. 42

FOR PARCEL NO.  
 SEE SEC. NC

(21) Block No. <b>(2)</b>	School District Line --- SCD ---	Highway District Line --- H ---	(UNLESS OTHERWISE ALL PROPOSED ARE WITHIN THE FOLLOWING DISTRICTS: SCHOOL: _____ CITY: _____ COUNTY: _____	<b>NOTICE</b> MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SURVEY SHALL BE THE RESPONSIBILITY OF THE SURVEYOR. SEE MAP 1287-01-447015	
	Fire District Line --- F ---	Section District Line --- S ---			

# Suffolk Co.

Joins Map 15



**BRENTWOOD**  
St. Joseph's  
Academy and  
Convent

7 Oakwood Blvd 1287  
Bayshore  
500-317-01-447015

**NORFOLK BAY SHORE**  
South  
Shore  
Mall

Patricks  
Cemetery  
Oakwood  
Cemetery

Oronoke  
Lake  
JHS

**BRIDGEWATER**

111

13

1100

27

50

57

13

COUNTY OF SUFFOLK



1287

Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Department of  
Economic Development and Planning

Joanne Minieri  
Deputy County Executive and Commissioner

Division of Real Property  
Acquisition and Management

February 24, 2014

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

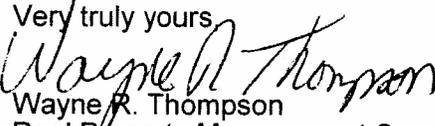
Re: Tax Map No. 0500-317.00-01.00-447.015 k/n/a  
All or Part of 0500-317.00-01.00-093.002  
ORLANDO LOPEZ

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 Kubicko, Inventory (e-copy)

Introductory Resolution No. 1288-14 Laid on Table 3/18/14

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  
**STEVEN CRAWFORD**  
(SCTM NO. 0100-090.00-01.00-044.000)

**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 090.00, Block 01.00, Lot 044.000, 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 Lots 5 through 8, Inclusive and Lots 101 through 105, Inclusive, Block 3, on a certain map entitled "Map of Sheet 3, Long Island Lot Company", filed in the Office of the Clerk of Suffolk County on September 19, 1874 as Map No. 568; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on 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**, STEVEN CRAWFORD has made application of said above described parcel and STEVEN CRAWFORD has paid the application fee and will be paying \$57,837.62, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2014; now, therefore be it

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



SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1288

February 18, 2014

Tax Map No.: 0100-090.00-01.00-044.000

Name of Last Legal Fee Owner: STEVEN CRAWFORD

TREASURER'S COMPUTATION..... \$57,837.62 ✓

Taxes.....2013/2014..... INCLUDED

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$57,837.62 ✓

Monies to be Received..... \$57,837.62

RESOLUTION AMOUNT..... \$57,837.62 ✓

APPROVED:

Steven Crawford 2-20-2014  
Accounting  
LS:lag

PREPARED BY:

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

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	090.00	01.00	044.000

1288

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2008/09	19444.13
2009/10	20422.80
2011/12	4303.77
2012/13	3792.24

**2010/11 PROPERTY TAXES PAID BY NYS REALTY ASSOCS**

TOTAL: 47962.94 ↘

B. INTEREST DUE	3023.93
C. TOTAL	50986.87
D. 5% LINE C	<u>2549.34</u>
E. FEE	53 536.21
F. MISC	\$4,301.41 ↘
G. MISC	

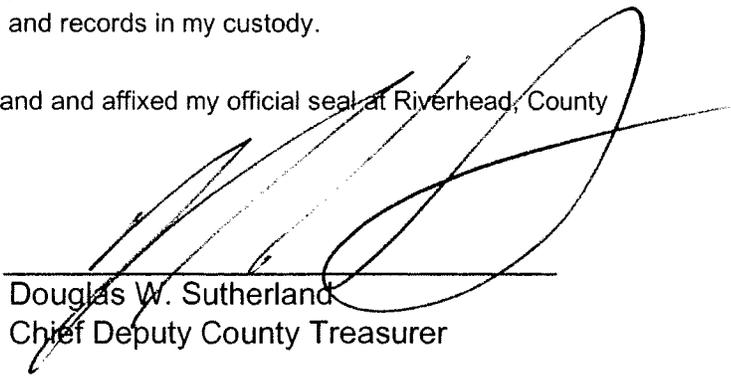
**2013/14 PROPERTY TAXES**

H. TOTAL DUE \$57,837.62 ↘

**CERTIFICATION BY COUNTY TREASURER**

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 16-Jan-14

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

\*\*Interest and penalty computed to and including 07/15/14

1288

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  
**STEVEN CRAWFORD**  
**0100-090.00-01.00-044.000**

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

2014

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

Lori Sklar

Lori Sklar

2/21/14

NEIL TROMB

NEIL TROMB

3/11/14

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

1288

**GENERAL FUND**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
<b>TOTAL</b>	00	00.00	00.000

**POLICE DISTRICT AND DISTRICT COURT**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
<b>TOTAL</b>	00	00.00	00.000

**COMBINED**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
<b>TOTAL</b>	00	00.00	00.000

**NOTES:**

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

# Suffolk Co.

Joins Map 8

1288



100-90-1-44  
160 Comnaca Rd  
Deer Park

athmore  
Park

randani

Park

WYANDANCH AVENUE

Belmont

Picnic Area  
Lake

Parking  
Field

Picnic Area  
State

L.I.S.P.C.  
(Hours)

104

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NORTH BABYLON

34

North Babylon  
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Elda  
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 04-30-00  
 04-31-00

N 210.779 E 1172.180

1268



M  
 100-90-1-44  
 160 Commack Rd  
 Deer Park

N 211.879 E 1172.180

<b>LEGEND</b> Property or PAV Line Division Commission Center Subdivision Lot Line Streets / Shore Parcel No. 23	Subdivision Lot No. 118 Southwestern Standard No. (21) Cont. Dimension Section Dimension Cont. Area 12.1 A(6) or 12.1A Calculated Area 12.1 A(6)	Block No. (2) County Line Town Line Village Line	School District Line SCH Fire District Line F Water District Line W Light District Line L Park District Line P Power District Line S	Hydrant District Line H Rescue District Line R Historical District Line HST Ambulance District Line A Watermaster District Line WWS	UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS: SCHOOL 7 FIRE 14 LIGHT 50 PARK AMBULANCE
	School District Line Fire District Line Water District Line Light District Line Park District Line Power District Line	Hydrant District Line Rescue District Line Historical District Line Ambulance District Line Watermaster District Line	SCHOOL 7 FIRE 14 LIGHT 50 PARK AMBULANCE	SCHOOL 7 FIRE 14 LIGHT 50 PARK AMBULANCE	SCHOOL 7 FIRE 14 LIGHT 50 PARK AMBULANCE

COUNTY OF SUFFOLK



1288

Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Department of  
Economic Development and Planning

Joanne Minieri  
Deputy County Executive and Commissioner

Division of Real Property  
Acquisition and Management

February 24, 2014

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

Re: Tax Map No. 0100-090.00-01.00-044.000  
STEVEN CRAWFORD

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 Kubiczko, Inventory (e-copy)

Introductory Resolution No. 1289-14 Laid on Table 3/18/14

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  
**ELIAS NUNEZ**  
**(SCTM NO. 0100-130.00-03.00-004.000)**

**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 130.00, Block 03.00, Lot 004.000, 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 Lots 17, 18, 19 and 20 Block 2, on a certain map entitled "Map of Homewood Farms, Section 1", filed in the Office of the Clerk of Suffolk County on November 4, 1931 as Map No. 470; 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**, BANK OF AMERICA, N.A., AS MORTGAGEE has made application of said above described parcel and BANK OF AMERICA, N.A., AS MORTGAGEE has paid the application fee and has paid \$18,592.53, 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, 2014; now, therefore be it

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



SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1289

February 20, 2014

Tax Map No.: 0100-130.00-03.00-004.000  
Name of Last Legal Fee Owner: ELIAS NUNEZ

TREASURER'S COMPUTATION..... \$18,592.53 ✓  
Taxes.....2013/2014..... INCLUDED  
License/Storage Fee..... OPEN  
Repairs..... OPEN  
Miscellaneous Expenses..... OPEN

TOTAL..... \$18,592.53 ✓

Monies Received..... \$18,592.53

RESOLUTION AMOUNT..... \$18,592.53 ✓

APPROVED:

PREPARED BY:

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

*Elías Nunez* *2.21.2014*  
Accounting  
LS:lag

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	130.00	03.00	004.000

1289

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2009 \$ 7,116.56

TOTAL: \$ 7,116.56

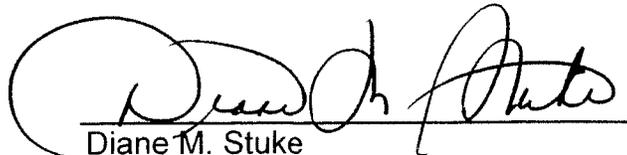
B. INTEREST DUE		\$ 428.20
C. TOTAL		\$ 7,544.76
D. 5% LINE C		\$ 377.24
E. FEE	2013/14 PROPERTY TAXES	\$ 10,670.53
F. MISC		
G. MISC		

H. TOTAL DUE \$ 18,592.53

**CERTIFICATION BY COUNTY TREASURER**

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

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



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 06/14/14

1289

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  
**ELIAS NUNEZ**  
**0100-130.00-03.00-004.000**

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

2014

10. Typed Name & Title of Preparer

Signature of Preparer

Date

Lori Sklar  
NEIL TOOMBS

Lori Sklar  
NEIL TOOMBS

2/24/14  
3/10/14

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

1789

**GENERAL FUND**

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

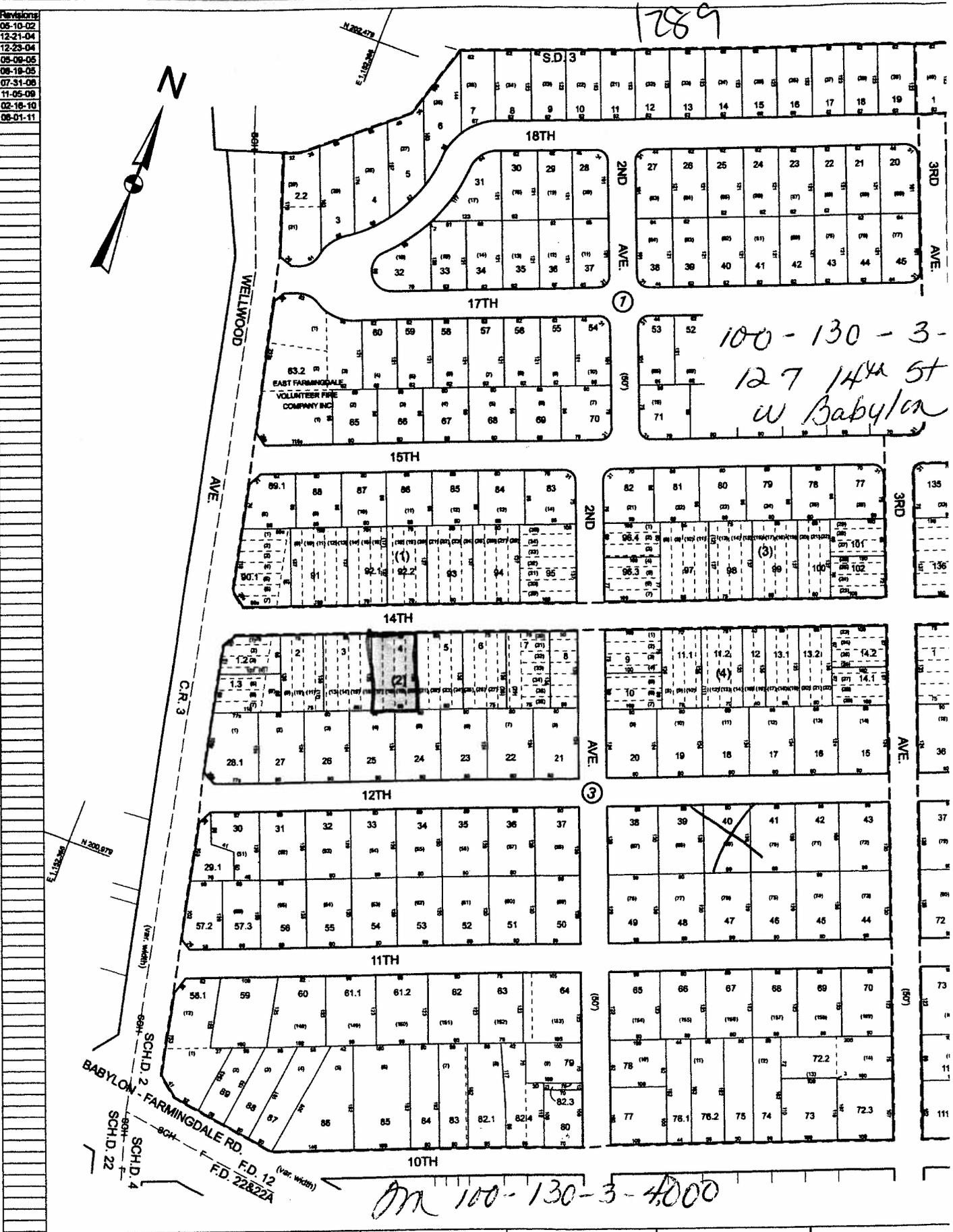
**COMBINED**

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

**NOTES:**

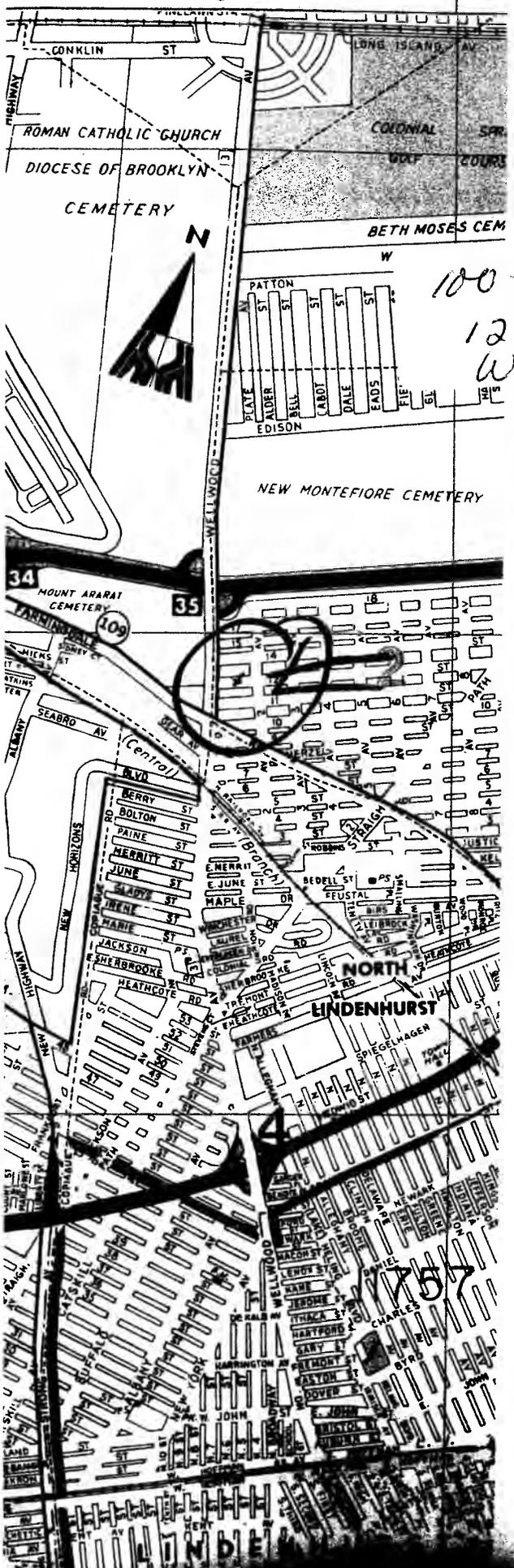
- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2012.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012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

- Revisions:**  
 05-10-02  
 12-21-04  
 12-23-04  
 08-08-05  
 08-18-05  
 07-31-06  
 11-05-08  
 02-16-10  
 08-01-11

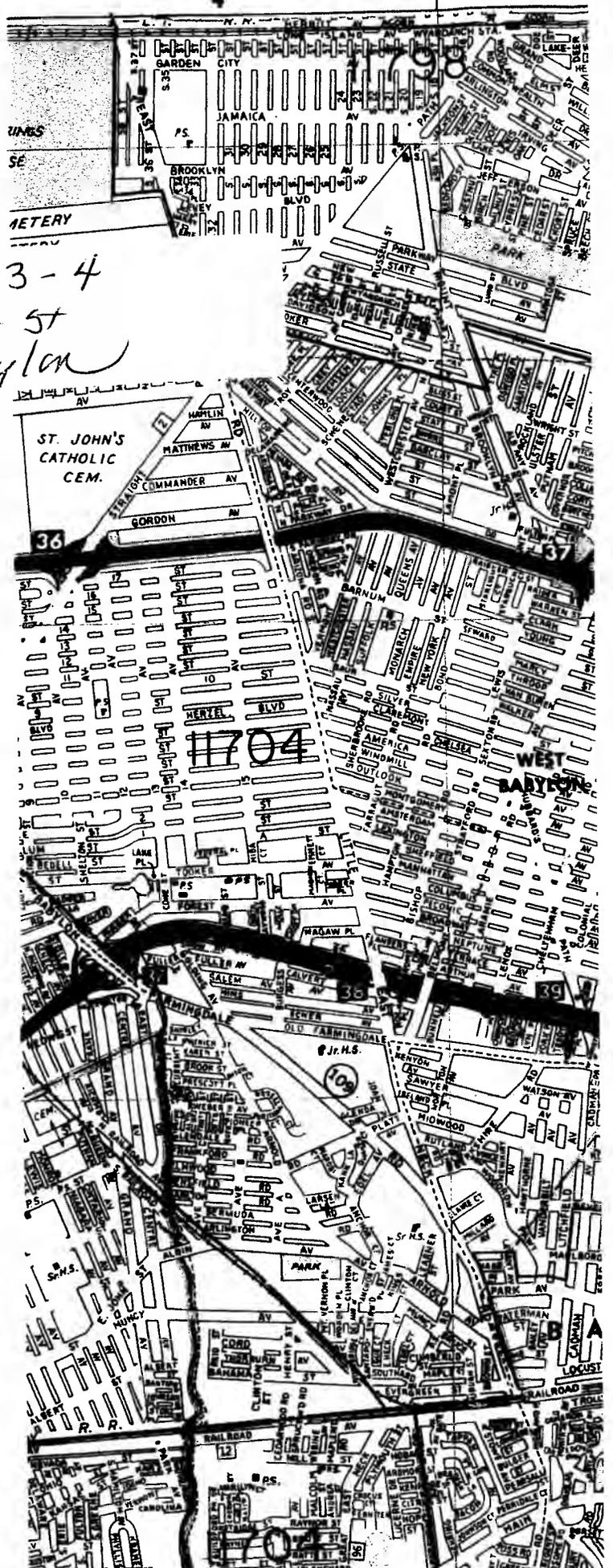


<b>LEGEND</b> Property or RW Line Division Corner Corner Subdivision Lot Line Stream / Shore Parcel No. 23	Subdivision Lot No. 23 Subdivision Sheet/Block No. (21) Dated Ordinance 12 Scaled Ordinance 12 Dated Area 12.1 A(d) or 12.1A Calculated Area 12.1 A(c)	Block Line Block No. 2 County Line Town Line Village Line	School District Line SCH Fire District Line F Water District Line W Light District Line L Park District Line P Sewer District Line S	Hydrant District Line H Refuse District Line R Historical District Line HST Ambulance District Line A Waterworks District Line WW	UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS: SCHOOL 2 FIRE 12 LIGHT 28 WATER 18 AMBULANCE

3



100-130-3-4  
 127 14th St  
 W. Babylon



COUNTY OF SUFFOLK



Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Department of  
Economic Development and Planning

1289

Joanne Minieri  
Deputy County Executive and Commissioner

Division of Real Property  
Acquisition and Management

February 24, 2014

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

Re: Tax Map No. 0100-130.00-03.00-004.000  
ELIAS NUNEZ

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 Kubicko, Inventory (e-copy)

Introductory Resolution No. 1290-14 Laid on Table 3/18/14

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  
**MARCI A. MICCIANTUONO**  
**(SCTM NO. 0400-098.00-02.00-003.000)**

**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 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 098.00, Block 02.00, Lot 003.000, and acquired by tax deed on August 02, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 06, 2013, in Liber 12739, at Page 263, and otherwise known and designated by the Town of Huntington, as Part of Lot 5 and All of Lots 6 and 7, Block J, on a certain map entitled "Map of Hill Top Manor", filed in the Office of the Clerk of Suffolk County on June 4, 1925 as Map No. 209; 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 02, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 06, 2013 in Liber 12739 at Page 263.

**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**, TD BANK, MORTGAGEE has made application of said above described parcel and TD BANK, MORTGAGEE has paid the application fee and has paid \$100,378.19, 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, 2014; now, therefore be it

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



SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1290

February 11, 2014

Tax Map No.: 0400-098.00-02.00-003.000

Name of Last Legal Fee Owner: MARCI A. MICCIANTUONO

TREASURER'S COMPUTATION..... \$100,378.19 ✓

Taxes.....2013/2014..... INCLUDED

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$100,378.19 ✓

Monies Received..... \$100,378.19

RESOLUTION AMOUNT..... \$100,378.19 ✓

APPROVED:

Mark Brownell 2/20/2014  
Accounting  
LS:lag

PREPARED BY:

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

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u> 1290	<u>LOT</u>
0400	098.00	02.00	003.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2008/09	18012.20
2009/10	18293.12
2010/11	17192.55
2011/12	16121.05
2012/13	12694.30

TOTAL: 82313.22 ✓

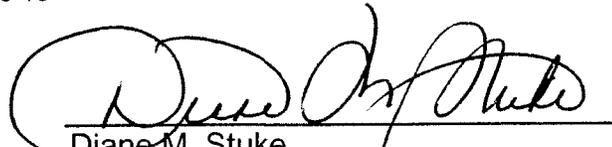
B. INTEREST DUE	4281.42
C. TOTAL	86594.64
D. 5% LINE C	<u>4329.73</u>
E. FEE	90924.37
F. MISC	2013/14 PROPERTY TAXES
G. MISC	\$9,453.81 ✓

H. TOTAL DUE \$100,378.19 (+.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. 20-Dec-13

  
Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 06/18/14

1290

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  
**MARCI A. MICCIANTUONO**  
**0400-098.00-02.00-003.000**

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

2014

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

Lori Sklar  
NEIL TOOME

Lori Sklar  
NEIL TOOME

2/20/14  
3/11/14

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

1290

**GENERAL FUND**

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

**COMBINED**

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

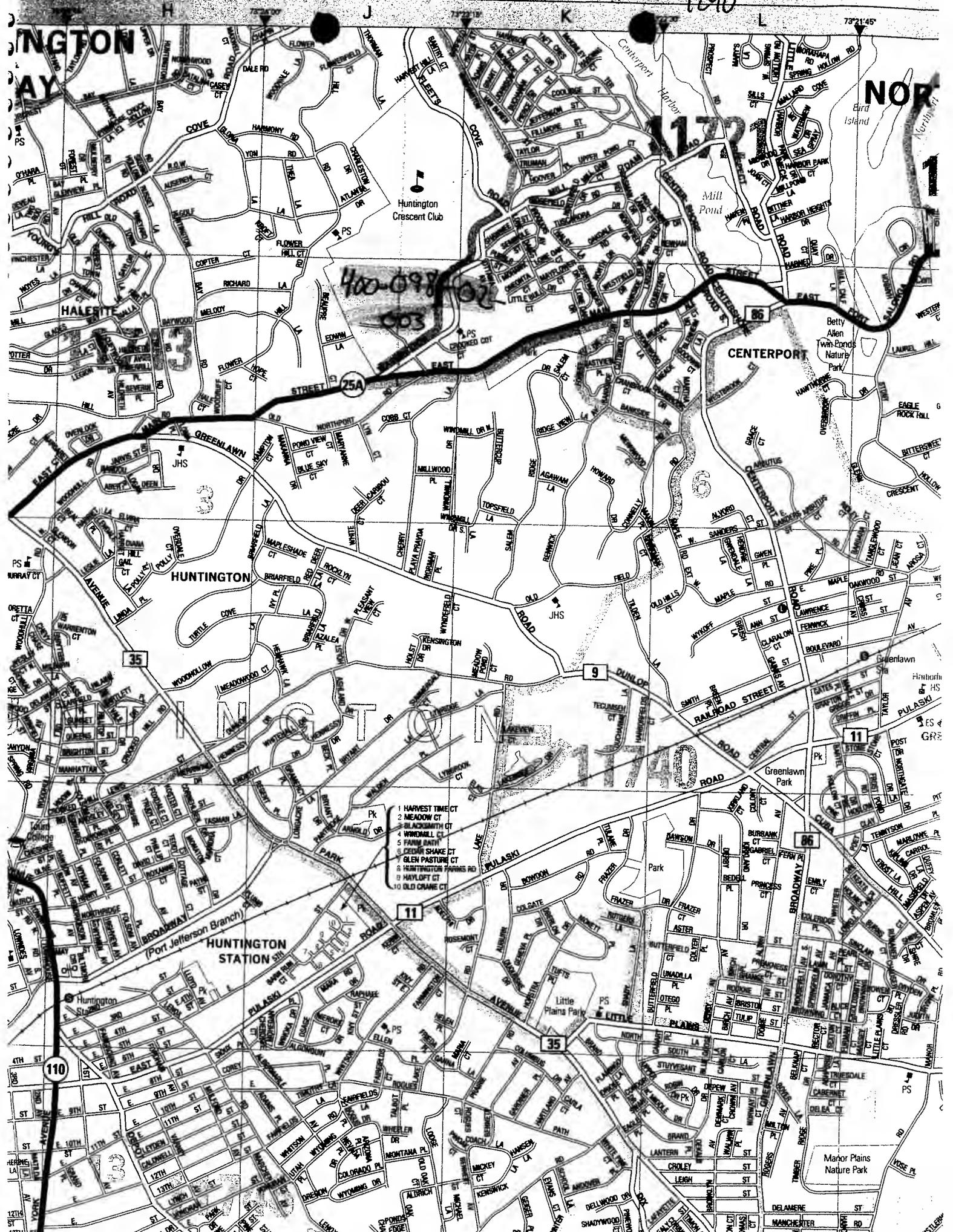
**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 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.

1290

400-098-02-003





400-098-003

- 1 HARVEST TIME CT
- 2 MEADOW CT
- 3 BLACKSMITH CT
- 4 WINDMILL CT
- 5 FAIRBANK CT
- 6 CEDAR SHAKE CT
- 7 GLEN PASTURE CT
- 8 HUNTINGTON PARKS RD
- 9 HAYLOFT CT
- 10 OLD CRANE CT

HUNTINGTON STATION  
(Port Jefferson Branch)

Marion Plains Nature Park

CENTERPORT

HUNTINGTON

HUNTINGTON

Greenlawn Park

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11740

11740

NOR

NGTON  
AY

Huntington  
Crescent Club

Mill  
Pond

Betty  
Allen  
Twin Ponds  
Nature  
Park

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COUNTY OF SUFFOLK



1290

Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Department of  
Economic Development and Planning

Joanne Minieri  
Deputy County Executive and Commissioner

Division of Real Property  
Acquisition and Management

February 24, 2014

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

Re: Tax Map No. 0400-098.00-02.00-003.000  
MARCI A. MICCIANTUONO

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. 1291-14 Laid on Table 3/18/14

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  
**MARGARET DUBITSKY**  
**(SCTM NO. 0209-033.00-02.00-075.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0209, Section 033.00, Block 02.00, Lot 075.000, and acquired by tax deed on August 05, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 07, 2013, in Liber 12739, at Page 495, and otherwise known and designated by the Town of Brookhaven, as Lots 1302 and 1303, on a certain map entitled "Fifth Map of Mastic Beach", filed in the Office of the Clerk of Suffolk County on September 2, 1930 as Map No. 1005; 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 05, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 07, 2013 in Liber 12739 at Page 495.

**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**, MARGARET DUBITSKY has made application of said above described parcel and MARGARET DUBITSKY has paid the application fee and has paid \$20,002.98, 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, 2014; now, therefore be it

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



SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1291

February 24, 2014

Tax Map No.: 0209-033.00-02.00-075.000  
Name of Last Legal Fee Owner: MARGARET DUBITSKY

TREASURER'S COMPUTATION.....	\$18,595.12	✓
Taxes.....2013/2014.....	\$1,407.86	✓
License/Storage Fee.....	OPEN	
Repairs.....	OPEN	
Miscellaneous Expenses.....	OPEN	
<hr/>		
TOTAL.....	\$20,002.98	✓
<hr/> <hr/>		
Monies Received.....	\$20,002.98	
<hr/>		
<u>RESOLUTION AMOUNT</u> .....	\$20,002.98	✓
<hr/> <hr/>		

APPROVED:

*Annette Brownell*

Accounting  
PB:lag

PREPARED BY:

*Peter Belyea*

Peter Belyea  
Redemption Unit  
(631)853-5932

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

**DISTRICT**

**SECTION**

**BLOCK**

**LOT**

0209

033.00

02.00

1291

075.000

ITEM #4411470

F/K/A 0200-983.40-02.00-075.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

Year	Village	Town	Combined
2008/09	PAID	4,087.84	4,087.84
2009/10	PAID	4,156.87	4,156.87
2010/11	PAID	3,981.76	3,981.76
2011/12	244.38	1,840.58	2,084.96
2012/13	459.46	1,700.89	2,160.35
2013/14	412.73	0.00	412.73

TOTAL: \$16,884.51

B. INTEREST DUE

825.13

C. TOTAL

17,709.64

D. 5% LINE C

885.48

E. FEE

sub total 18,595.12

F. MISC

2013/14 TOWN PROPERTY TAXES

\$1,407.86

G. MISC

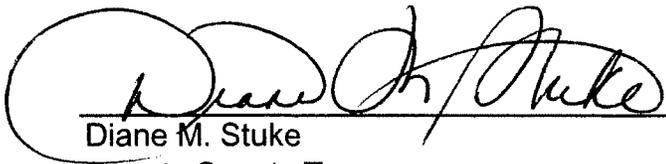
H. TOTAL DUE

\$20,002.98

**CERTIFICATION BY COUNTY TREASURER**

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 07-Jan-14

  
Diane M. Stuke  
Deputy County Treasurer

\*\* Interest and penalty computed to and including

07/06/14

DZ

1291

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  
**MARGARET DUBITSKY**  
**0209-033.00-02.00-075.000**

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

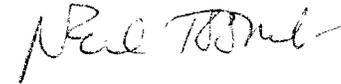
N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2014

10. Typed Name & Title of Preparer	Signature of Preparer	Date
<u>Peter Belyea</u>		<u>2-24-14</u>
NEIL TOOMB		<u>3/11/14</u>

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

1291

**GENERAL FUND**

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

**POLICE DISTRICT AND DISTRICT COURT**

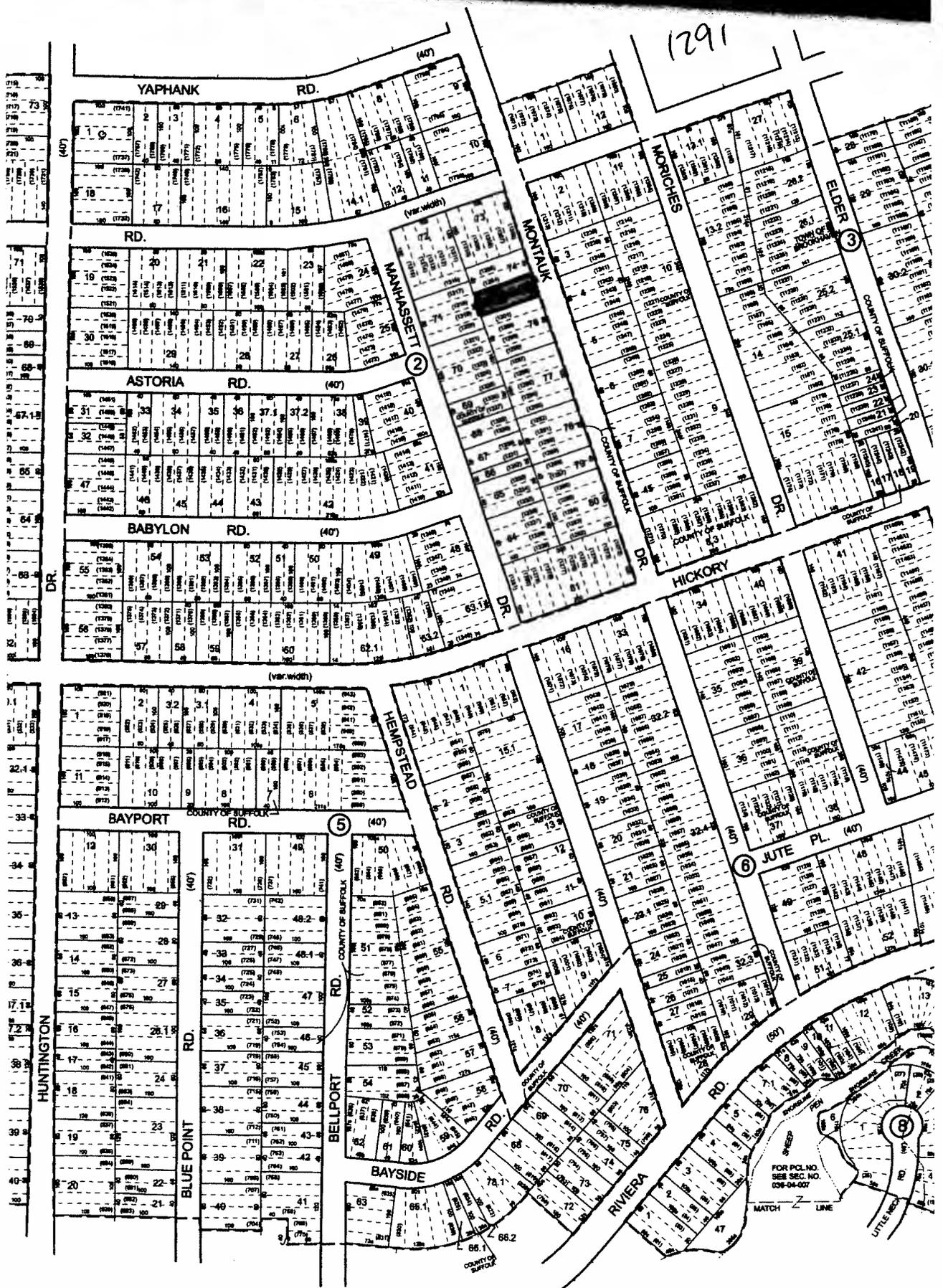
	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
<b>TOTAL</b>	\$0	\$0.00	\$0.000

**COMBINED**

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

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 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.



West District Line	---	SOH	Hydant District Line	---	H
To Dashed Line	---	F	Refuse District Line	---	H
Mer District Line	---	W	Historical District Line	---	HST
9th District Line	---	L	Assistance District Line	---	A
14th District Line	---	P	Watermaster District Line	---	WM
15th District Line	---	S			

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

SCHOOL	32	SEWER	
PRD	ER2	HYDRANT	
LIGHT	LX1	WATER	
PARK		REFUSE	GSL
AMBULANCE		WASTEWATER	

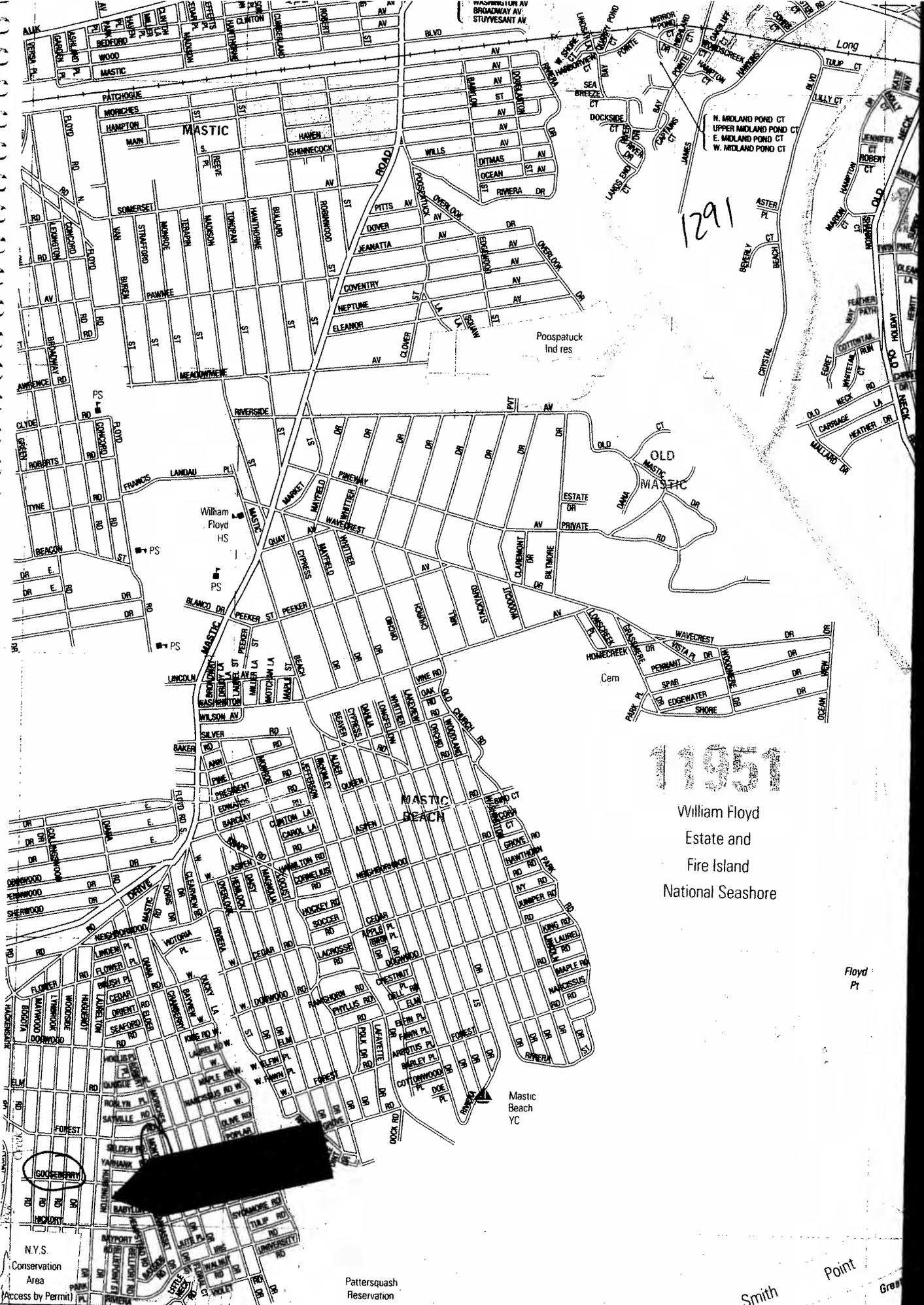
**NOTICE**  
 MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.

**SUFFOLK COUNTY**  
 Real Property  
 County Clerk



FOR POL. NO. SEE SEC. NO. 036-04-007

100



1291

1951

William Floyd  
Estate and  
Fire Island  
National Seashore

Floyd  
Pt

Mastic  
Beach  
VC

Smith  
Point  
Green

72°51'45"      B2      72°51'00"      C2      72°50'15"      D2      72°49'30"      E2      72°48'45"

N.Y.S.  
Conservation  
Area  
(Access by Permit)

Patterson  
Reservation

COUNTY OF SUFFOLK



1291

Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Department of  
Economic Development and Planning

Joanne Minieri  
Deputy County Executive and Commissioner

Division of Real Property  
Acquisition and Management

February 24, 2014

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

Re: Tax Map No. 0209-033.00-02.00-075.000  
MARGARET DUBITSKY

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)

1292

Intro Res. No. -2014

Laid on Table 3/18/14

Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO - 2014, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AND STATE AID FUNDING FOR THE CONTINUATION OF THE HOV BUS SERVICE ON THE LONG ISLAND EXPRESSWAY FOR 2012 and 2013**

**WHEREAS**, the New York State Department of Transportation has requested an extension of the bus service which operates in the High Occupancy Lane of the Long Island Expressway for the period January 1, 2012 through December 31, 2013; and

**WHEREAS**, Federal and State funding has been made available to cover the deficit related to the operation of this service; and

**WHEREAS**, Federal funds in the amount of \$752,000 and State funds in the amount of \$188,000 for a total of \$940,000 have been made available for 2012 and Federal funds in the amount of \$752,000 and State funds in the amount of \$188,000 for a total of \$940,000 have been made available for 2013; and

**WHEREAS**, sufficient funds as well as the revenue estimates have been included in the 2012 and 2013 Operating Budgets for these services; and

**WHEREAS**, no County match is required; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered, and directed to take such action as may be necessary, pursuant to Section C8-2(P) of the Suffolk County Charter; and be it further

**3<sup>rd</sup> RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute an agreement with the New York State Department of Transportation to accept these funds.

DATED:

APPROVED BY:

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1797

1. Type of Legislation  
Resolution  X                       Local Law                            Charter Law     

2. Title of Proposed Legislation  
  
AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AND STATE AID FUNDING FOR THE CONTINUATION OF THE HOV BUS SERVICE ON THE LONG ISLAND EXPRESSWAY FOR 2012 AND 2013

3. Purpose of Proposed Legislation  
  
Enables the County to receive the federal & state aid to cover the deficit related to the operation of this service

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 the 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  
Federal Funds - \$752,000 and State Funds - \$188,000 - 2012  
Federal Funds - \$752,000 and State Funds - \$188,000 - 2013

9. Timing of Impact  
N/A

10. Typed Name and Title of Preparer  Barry Lenberger, Director Transportation Operations	11. Signature of Preparer  	12. Date  2/24/14
--	---	-------------------------

Nicholas Praglia - ASST EXECUTIVE ANALYST

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

1292

**GENERAL FUND**

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

**POLICE DISTRICT AND DISTRICT COURT**

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

**COMBINED**

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

1292

**MEMORANDUM OF SUPPORT**

TITLE OF BILL: AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AND STATE AID FUNDING FOR THE CONTINUATION OF THE HOV BUS SERVICE ON THE LONG ISLAND EXPRESSWAY FOR 2012 and 2013.

PURPOSE OR GENERAL IDEA OF BILL: Authorizes DPW to enter into a grant agreement with NYSDOT to receive Federal and State aid funding for the continuation of the HOV bus service on the Long Island Expressway for 2012 and 2013.

SUMMARY OF SPECIFIC PROVISIONS: Authorizes DPW to execute an agreement with the New York State Department of Transportation to accept these funds.

JUSTIFICATION: New York State Department of Transportation has requested an extension of the bus service which operates in the High Occupancy Lane of the Long Island Expressway. Additional federal and state funds have been made available to the County to fund the deficit related to the operation of this service for the period January 1, 2012 through December 31, 2013. There is no required match on the part of the County.

FISCAL IMPLICATIONS: County will receive up to \$940,000 for 2012 and up to \$940,000 for 2013 in combined Federal/State funds to offset operating cost of HOV bus service. Sufficient funds as well as the revenue estimates have been included in the 2012 and 2013 operating budgets for this service.



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
STATE OFFICE BUILDING  
250 VETERANS MEMORIAL HIGHWAY  
HAUPPAUGE, N.Y. 11788-5518

1292  
TRANSPORTATION DIVISION

FEB 19 AM 10:55

JOAN MCDONALD  
COMMISSIONER

February 11, 2014

Mr. Gary Lenberger  
Acting Director of Transportation Operations  
Suffolk County Department of Public Works  
335 Yaphank Avenue  
Yaphank, N Y 11980

PIN# 0806.59.131 & .132  
Suffolk County Clipper SA #9

Dear Mr. Lenberger:

Please find enclosed an unsigned copy for a Supplemental Agreement #9 for PIN 0806.59. Kindly have the form executed and return **six copies all notarized**, with original signatures in blue.

A "Sample Resolution by Municipality" is enclosed. Please return an adopted municipal resolution with this agreement. These documents are necessary in order to process your Supplemental Agreement in a timely manner.

Bills should be submitted in a timely manner, as well. The last bill charged against this PIN was in February 2011. Any billing submitted against this PIN extension one year after phase approval risks de-obligation of funds making it impossible to pay the bill.

If you have any questions, please feel free to contact me at (631) 952-6108. Thank you in advance for your cooperation.

Very truly yours,

Lanny S. Wexler  
Planning & Program Management

Enclosure

cc: G. Murrell/T. Golikova, Planning & Program Management  
C. Chatterton, SCDPW, w/o/a

LW:jh

Sponsor: **Suffolk County**  
PIN: **0806.59** BIN: \_\_\_\_\_  
Comptroller's Contract No. **C005011**  
Supplemental Agreement No. **9**  
Date Prepared: **02/10/14** By: ( **LW** )  
Initials

Press F1 for instructions in the blank fields:

**SUPPLEMENTAL AGREEMENT No. 9 to C005011** (Comptroller's Contract No.)

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State");

and

**Suffolk County** (the Sponsor)  
Acting by and through the **Chief Deputy County Executive**  
with its office at **335 Yaphank Ave, Yaphank, NY 11980.**

This amends the existing Agreement between the parties in the following respects only (check applicable categories):

Amends a previously adopted Schedule A by (check as applicable):

- amending a project description
- amending the contract end date
- amending the scheduled funding by:
  - adding additional funding (check and enter the # phase(s) as applicable):
    - adding phase \_\_\_\_ which covers eligible costs incurred on/after   /  /
    - adding phase \_\_\_\_ which covers eligible costs incurred on/after   /  /
  - increasing funding for a project phase(s)
  - adding a pin extension
  - change from Non-Marchiselli to Marchiselli
  - deleting/reducing funding for a project phase(s)
  - other (\_\_\_\_)

Amends a previously adopted Schedule "B" (Phases, Sub-phase/Tasks, and Allocation of Responsibility)

Amends a previously adopted Agreement by adding Appendix 2-S – Iran Divestment Act:

Amends the text of the Agreement as follows (insert text below):

Sponsor: **Suffolk County**  
PIN: **0806.59** BIN: \_\_\_\_\_  
Comptroller's Contract No. **C005011**  
Supplemental Agreement No. **9**  
Date Prepared: **02/10/14** By: ( **LW** )  
Initials

Press F1 for instructions in the blank fields:

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by their duly authorized officials as of the date first above written.

SPONSOR:

SPONSOR ATTORNEY:

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

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

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

STATE OF NEW YORK

)ss.:

COUNTY OF **Suffolk**

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn did depose and say that he/she resides at \_\_\_\_\_; that he/she is the \_\_\_\_\_ of the Municipal/Sponsor Corporation described in and which executed the above instrument; (except New York City) that it was executed by order of the \_\_\_\_\_ of said Municipal/Sponsor Corporation pursuant to a resolution which was duly adopted on \_\_\_\_\_ and which a certified copy is attached and made a part hereof; and that he/she signed his/her name thereto by like order.

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

**APPROVED FOR NYSDOT:**

**APPROVED AS TO FORM:**  
**STATE OF NEW YORK ATTORNEY GENERAL**

BY: \_\_\_\_\_  
For Commissioner of Transportation

By: \_\_\_\_\_  
Assistant Attorney General

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.

**COMPTROLLER'S APPROVAL:**

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

By: \_\_\_\_\_  
For the New York State Comptroller  
Pursuant to State Finance Law §112



## NYS DOT/Local Agreement - Schedule A for PIN

**A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES** For each PIN Fiscal Share below, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in the last row, right click in each field and select "Update Field."

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
	Current	STP	\$0.00	\$0.00	\$0.00	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
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	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$

## NYSDOT/State-Local Agreement - Schedule A for PIN 0806.59

**B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES** For each PIN Fiscal Share, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in last row, right click in each field and select "Update Field."

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
0806.59.122	Current	STP	\$443,000.00	\$354,400.00	\$88,600.00	\$0.00
	Old	STP	\$443,000.00	\$354,400.00	\$88,600.00	\$0.00
0806.59.122	Current	Other (see footnote)	\$87,000.00	\$0.00	\$60,000.00	\$27,000.00
	Old	Other (see footnote)	\$87,000.00	\$0.00	\$60,000.00	\$27,000.00
0806.59.123	Current	STP	\$526,000.00	\$0.00	\$105,200.00	\$0.00
	Old	STP	\$526,000.00	\$0.00	\$105,200.00	\$0.00
0806.59.123	Current	Other (see footnote)	\$36,000.00	\$420,800.00	\$17,550.00	\$18,450.00
	Old	Other (see footnote)	\$36,000.00	\$420,800.00	\$17,550.00	\$18,450.00
0806.59.124	Current	STP	\$530,115.00	\$424,092.00	\$106,023.00	\$0.00
	Old	STP	\$530,115.00	\$424,092.00	\$106,023.00	\$0.00
0806.59.124	Current	Other (see footnote)	\$73,091.00	\$0.00	\$51,163.00	\$21,928.00
	Old	Other (see footnote)	\$73,091.00	\$0.00	\$51,163.00	\$21,928.00
0806.59.125	Current	STP	\$563,000.00	\$450,400.00	\$112,600.00	\$0.00
	Old	STP	\$563,000.00	\$450,400.00	\$112,600.00	\$0.00
0806.59.125	Current	Other (see footnote)	\$90,538.00	\$0.00	\$68,652.00	\$21,886.00
	Old	Other (see footnote)	\$90,538.00	\$0.00	\$68,652.00	\$21,886.00
0806.59.126	Current	STP	\$700,000.00	\$560,000.00	\$140,000.00	\$0.00
	Old	STP	\$700,000.00	\$560,000.00	\$140,000.00	\$0.00
0806.59.126	Current	Other (see footnote)	\$119,208.00	\$0.00	\$97,208.00	\$22,000.00
	Old	Other (see footnote)	\$119,208.00	\$0.00	\$97,208.00	\$22,000.00
0806.59.127	Current	STP	\$700,000.00	\$560,000.00	\$140,000.00	\$0.00
	Old	STP	\$700,000.00	\$560,000.00	\$140,000.00	\$0.00
0806.59.127	Current	Other (see footnote)	\$119,208.00	\$0.00	\$97,208.00	\$22,000.00
	Old	Other (see footnote)	\$119,208.00	\$0.00	\$97,208.00	\$22,000.00
0806.59.128	Current	STP	\$650,000.00	\$520,000.00	\$130,000.00	\$0.00
	Old	STP	\$650,000.00	\$520,000.00	\$130,000.00	\$0.00
0806.59.129	Current	STP	\$715,000.00	\$572,000.00	\$143,000.00	\$0.00
	Old	STP	\$715,000.00	\$572,000.00	\$143,000.00	\$0.00
0806.59.130	Current	STP	\$1,000,000.00	\$800,000.00	\$200,000.00	\$0.00
	Old	STP	\$775,000.00	\$620,000.00	\$155,000.00	\$0.00
0806.59.131	Current	STP	\$940,000.00	\$752,000.00	\$188,000.00	\$0.00
	Old	STP	\$0.00	\$0.00	\$0.00	\$0.00
0806.59.132	Current	STP	\$940,000.00	\$752,000.00	\$188,000.00	\$0.00
	Old	STP	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL CURRENT COSTS:</b>			\$8,232,160.00	\$6,165,692.00	\$1,933,204.00	\$133,264.00



## APPENDIX 2-S IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By entering into a renewal or extension of this Contract, Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Contractor understands that during the term of the Contract, should NYSDOT receive information that a person is in violation of the above-referenced certification NYSDOT will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then NYSDOT shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

NYSDOT reserves the right to reject any renewal, extension or request for assignment for an entity that appears on the prohibited entities list hereafter and to pursue a responsibility review with respect to any entity that is granted a contract extension/renewal or assignment and appears on the prohibited entities list thereafter.

COUNTY OF SUFFOLK



1292

STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.  
COMMISSIONER

PHILIP A. BERDOLT  
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner  
Department of Public Works

DATE: February 24, 2014

RE: PROPOSED RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AND STATE AID FUNDING FOR THE CONTINUATION OF THE HOV BUS SERVICE ON THE LONG ISLAND EXPRESSWAY FOR 2012 AND 2013

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New York State Department of Transportation has requested an extension of the bus service which operates in the High Occupancy Lane of the Long Island Expressway. Additional federal and state funds have been made available to the County to fund the deficit related to the operation of this service for the period January 1, 2012 through December 31, 2013. There is no required match on the part of the County.

Sufficient funds as well as the revenue estimates have been included in the 2012 and 2013 operating budgets for this service.

The SCIN Forms 175a and Statement of Financial Impact Form are attached as well as copies of correspondence from NYSDOT related to this project.

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-Cont. HOV Bus SVC. LIE for 2012 and 2013.

Please initiate the process to have this resolution introduced at the March 18th Suffolk County Legislature meeting. If you have any questions, please do not hesitate to contact Garry Lenberger, Director of Transportation Operations, at 2-4880.

GL:cc  
Enclosures

cc: Dennis M. Cohen, Chief Deputy County Executive, w/enc.  
Lisa Santeramo, Assistant Deputy County Executive, w/enc  
Tom Vaughn, Director of Intergovernmental Relations, w/enc  
CE Reso Review List, e-mail

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1293

Intro. Res. No. - 2014

Laid on the Table 3/18/14

Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2014, APPROPRIATING FUNDS  
IN CONNECTION WITH SUFFOLK COUNTY DISTRICT  
ATTORNEY BUILDING 77 BATHROOM PROJECT (CP 1649)**

**WHEREAS**, the Commissioner of Public Works and the District Attorney have requested funds for the Building Safety Improvements in the bathrooms located in Building 77; and

**WHEREAS**, there are sufficient funds within the 2014 Capital Budget and Program to cover the cost of said request; and

**WHEREAS**, Resolution No. 471-1994 as revised 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 \$245,000.00 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(C)(1) and (2) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-four (54) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete this project; and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$245,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1649.310 (Fund 001 Debt Service)	20	Construction for SCDA Building 77 Bathroom Project	\$245,000

Date:

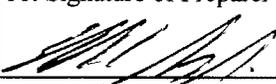
APPROVED BY:

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

Date of Approval:

1293

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation  <b>RESOLUTION NO.                      - 2014, APPROPRIATING FUNDS IN CONNECTION WITH SUFFOLK COUNTY DISTRICT ATTORNEY BUILDING 77 BATHROOM PROJECT (CP 1649)</b>		
3. Purpose of Proposed Legislation  See above.		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No <u>      </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>  County  </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact  SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  SEE ATTACHED DEBT SCHEDULE		
8. Proposed Source of Funding  SERIAL BONDS		
9. Timing of Impact  IT IS ANTICIPATED THAT BONDS WILL BE ISSUED SPRING OF 2014 AND DEBT SERVICE WILL COMMENCE SPRING 2015. THERE IS NO FISCAL IMPACT IN 2014.		
10. Typed Name & Title of Preparer Nicholas Paglia Asst Executive Analyst	11. Signature of Preparer 	12. Date March 10, 2014

SCIN FORM 175b (10/95)

1293

FINANCIAL IMPACT  
2015 PROPERTY TAX LEVY\*  
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

	2014 PROPERTY TAX LEVY	2015* COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$21,652	\$0.04		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2015* COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2015* COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$21,652	\$0.04		\$0.000

\* The Estimated 2015 Cost to Average Taxpayer is based upon the 2014 property tax levy and is provided for informational purposes only.

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2013.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2013-2014.
- 3) SOURCE FOR EQUALIZATION RATES: 2013 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County

General Obligation Serial Bonds  
Level Debt

1293

Term of Bonds	15
Amount to Bond:	\$245,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2014					
5/1/2015	3.000%	\$12,464.61	\$9,187.50	\$21,652.11	\$21,652.11
			\$4,360.04	\$4,360.04	
5/1/2016	3.000%	\$12,932.03	\$4,360.04	\$17,292.07	\$21,652.11
			\$4,117.56	\$4,117.56	
5/1/2017	3.000%	\$13,416.98	\$4,117.56	\$17,534.54	\$21,652.11
			\$3,865.99	\$3,865.99	
5/1/2018	4.000%	\$13,920.12	\$3,865.99	\$17,786.11	\$21,652.11
			\$3,604.99	\$3,604.99	
5/1/2019	4.000%	\$14,442.12	\$3,604.99	\$18,047.11	\$21,652.11
			\$3,334.20	\$3,334.20	
5/1/2020	4.000%	\$14,983.70	\$3,334.20	\$18,317.90	\$21,652.11
			\$3,053.26	\$3,053.26	
5/1/2021	4.000%	\$15,545.59	\$3,053.26	\$18,598.85	\$21,652.11
			\$2,761.78	\$2,761.78	
5/1/2022	4.000%	\$16,128.55	\$2,761.78	\$18,890.33	\$21,652.11
			\$2,459.37	\$2,459.37	
5/1/2023	4.000%	\$16,733.37	\$2,459.37	\$19,192.74	\$21,652.11
			\$2,145.62	\$2,145.62	
5/1/2024	4.000%	\$17,360.87	\$2,145.62	\$19,506.49	\$21,652.11
			\$1,820.10	\$1,820.10	
5/1/2025	4.000%	\$18,011.90	\$1,820.10	\$19,832.01	\$21,652.11
			\$1,482.38	\$1,482.38	
5/1/2026	4.000%	\$18,687.35	\$1,482.38	\$20,169.73	\$21,652.11
			\$1,131.99	\$1,131.99	
5/1/2027	4.000%	\$19,388.13	\$1,131.99	\$20,520.12	\$21,652.11
			\$768.46	\$768.46	
5/1/2028	4.125%	\$20,115.18	\$768.46	\$20,883.64	\$21,652.11
			\$391.30	\$391.30	
5/1/2029	4.125%	\$20,869.50	\$391.30	\$21,260.80	\$21,652.11
5/1/2030		\$245,000.00	\$79,781.60	\$324,781.60	\$324,781.60
5/1/2031					
5/1/2032					

COUNTY OF SUFFOLK  
OFFICE OF DISTRICT ATTORNEY

1293



THOMAS J. SPOTA  
DISTRICT ATTORNEY

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Craig D. Pavlik, Administration and Finance  
Suffolk County District Attorney's Office

DATE: March 4, 2014

RE: CP 1649 – Bathroom Building Safety Improvements  
Building 77

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Attached for your review please find the following in connection with CP1649 to appropriate the sum of \$245,000 for renovation and repair:

- o Draft Resolution
- o Memorandum of Support
- o SCIN FORM No. 175a
- o SCIN FORM No. 175b

The purpose of the resolution is to appropriate funding necessary for the renovation and repair of bathroom facilities located in Building 77 in the North County Complex under the above referenced capital project.

Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW under the title RESO-CP1649- SCDA- BLD 77.

This action is considered a Type II Action under SEQRA in accordance with NYCRR, Part 617.5(c) (18), (21) and (27).

CDP/pk  
Attachments

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director, Intergovernmental Relations  
CE RESO Review (e-mail)

COUNTY OF SUFFOLK  
OFFICE OF DISTRICT ATTORNEY



THOMAS J. SPOTA  
DISTRICT ATTORNEY

1293

**2014 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

TITLE OF BILL: A resolution to appropriate funds in connection with Bathroom Building Safety Improvements in Building 77 (Capital Program 1649).

PURPOSE OR GENERAL IDEA OF BILL: To authorize the issuance of Suffolk County Serial Bonds in connection with Building Safety Improvements in Building 77 as authorized in the 2014 Capital Budget.

SUMMARY OF SPECIFIC PROVISIONS: To remedy deficiencies and repair and restore bathroom facilities in Building 77 including handicapped access for the public as well as repair and replacement of fixtures that are a safety and sanitary concern in the facilities.

JUSTIFICATION: Accessibility to public bathrooms for grand jurors and other visitors is required by various rules and regulations. Also, unsanitary conditions for employees may violate various work rules and/or regulations. Safety is also a concern due to extremely worn and substandard flooring in the bathroom facilities.

FISCAL IMPLICATIONS: Expenditure to repair to be determined.

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

**RESOLUTION NO. -2014, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - ACTIVE RECREATION/ HAMLET PARK/HISTORIC AND/OR CULTURAL PARK COMPONENT - FOR THE BOARD OF EDUCATION MIDDLE COUNTRY CENTRAL SCHOOL DISTRICT NO. 11 PROPERTY - BOYLE ROAD - TOWN OF BROOKHAVEN (SCTM NO. 0200-392.00-04.00-016.000 p/o)**

**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. 990-2011, authorized planning steps for the acquisition of said property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Estate to negotiate the acquisition; and

**WHEREAS**, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

**WHEREAS**, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Estate and approved as to legality by the Office of the County Attorney; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation / Hamlet Park/ Historic and/or Cultural Park component, for a total purchase price of One Million Two Hundred Sixty-Four Thousand Dollars (\$1,264,000±), at Eighty Thousand Dollars (\$80,000) per acre, for 15.8± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
No. 1	District 0200	15.8±	Board of Education
	Section 392.00		Middle Country Central School
	Block 04.00		District No.11
	Lot 016.000 p/o		No. 8 43 <sup>rd</sup> Street
			Centereach, NY 11720

and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Director of the Division of Real Estate and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Active Recreation / Hamlet Park / Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of One Million Two Hundred Sixty-Four Thousand Dollars (\$1,264,000±), subject to a final survey; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,264,000±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8714.211 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation / Hamlet Park / Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

**4<sup>th</sup>** **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

**5<sup>th</sup>** **RESOLVED**, that the acquisition of such parcel(s) is for the following purpose as set forth under Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER:

i.) active recreational park - ball fields/playground

**6<sup>th</sup>** **RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for active recreational use including ball fields, multiuse sports fields, tennis courts, basketball courts, playground area, picnic areas, restrooms and parking areas for use by all Suffolk County residents; and be it further

**7<sup>th</sup>** **RESOLVED**, the County of Suffolk, through its Department of Parks, Recreation and Conservation shall negotiate and enter into a municipal cooperation agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who charged with the management and operation of said property; and be it further

**8<sup>th</sup>** **RESOLVED**, that the above activity is a Type I action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

**9<sup>th</sup>** **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 active recreation – ball fields/playground; and
- 3.) the proposed action does not appear to 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 of the Suffolk County Charter and Code; and
- 4.) the proposed action will have a positive social and cultural impact on the surrounding community by providing needed ball fields/active recreation areas to the community; and
- 5.) the proposed action will maintain a minimum buffer of 50-75 feet between the ball fields/active recreation areas and the surrounding community in accordance with Brookhaven Town Code and any significant changes to the proposed Concept Plan will be resubmitted to the CEQ for review; and
- 6.) the proposed action will have dark skies compliant lighting in accordance with Brookhaven Town Code; and
- 7.) 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

**10<sup>th</sup>** **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:

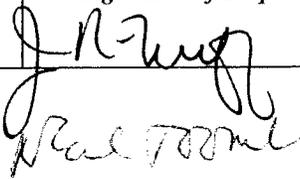
APPROVED BY:

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

Date:

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

1294

1. Type of Legislation		
Resolution	<b>X</b>	Local Law
Charter Law		
2. Title of Proposed Legislation		
Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Active Recreation, of Board of Education, Middle Country Central School District #11 property , SCTM#0200-392.00-04.00-016.000 p/o, (Town of Brookhaven).		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
New Suffolk County ¼% Drinking Water Protection –Program-Active Recreation		
9. Timing of Impact		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Jill Rosen-Nikoloff Director of Real Estate		March 10, 2014

SCIN FORM 175b (10/95)  
NEIL TOOMBS

Real Estate      3/11/14

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

1294

**GENERAL FUND**

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

**COMBINED**

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

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 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.

2014 INTRAGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT

1294

**TITLE OF BILL:**

AUTHORIZING ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY ¼% DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – ACTIVE RECREATION COMPONENT FOR THE BOARD OF EDUCATION MIDDLE COUNTRY CENTRAL SCHOOL DISTRICT #11 PROPERTY- BOYLE ROAD (TOWN OF BROOKHAVEN – SCTM#0200-392.00-04.00-016.000 p/o)

**PURPOSE OR GENERAL IDEA OF BILL:**

PURCHASE OF LAND FOR ACTIVE RECREATION

**SUMMARY OR SPECIFIC PROVISIONS:**

ACQUISITION OF ACTIVE RECREATION LAND UNDER THE NEW SUFFOLK COUNTY ¼% DRINKING WATER PROTECTION PROGRAM

**JUSTIFICATION:**

FUNDING AVAILABLE IN 525-CAP-8714.211

**FISCAL IMPLICATIONS:**

N/A

COUNTY OF SUFFOLK



1294

Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Department of  
Economic Development and Planning

Joanne Minieri  
Deputy County Executive and Commissioner

Division of Real Property  
Acquisition and Management

March 10, 2014

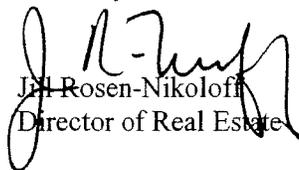
Mr. Jon Schneider, Deputy County Executive  
for Intragovernmental Relations  
H. Lee Dennison Building -12<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Board of Education Middle Country Central School District #11 property (Boyle Road), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program-Active Recreation. The purchase price is \$1,264,000.00± for 15.8± acres, at \$80,000.00 per acre..

Please contact me if you require any additional information.

Sincerely,



J. Rosen-Nikoloff  
Director of Real Estate

JRN:pd

Att.

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

1295

Intro. Res. No. - 2014

Laid on Table

3/18/14

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2014, AMENDING THE 2014  
CAPITAL BUDGET AND PROGRAM AND  
APPROPRIATING FUNDS IN CONNECTION WITH THE  
REAL PROPERTY INTEGRATED LAND INFORMATION  
SYSTEM (CP 1758)**

**WHEREAS**, the Director of Suffolk County Real Property Tax Service Agency has requested funds adopted in the 2014 Capital Budget and Program - Project 1758 entitled "Real Property Integrated Land Information System" to provide funds to enable the Real Property Tax Service Agency (RPTSA) to migrate its geo-data platform - *AREIS* (Advanced Real Estate Information System) to a dataset optimized for maintenance of land records, interoperability and a more efficiently designed model; and

**WHEREAS**, the adopted 2014 Capital provided for RPTSA to migrate its current geo-data platform to a model of a vastly improved spatial and topological connections, essential to a more efficient production of tax map parcels (points, lines and polygons), multi-scaled layers, maps and the publishing of tax map albums mandated by New York State Real Property Tax Law; and

**WHEREAS**, The production of maps and albums is mandated by New York State Real Property Tax Law; and

**WHEREAS**, the 2014 Capital Program and Budget does not include sufficient funding for this project and pursuant to Suffolk County Charter, section C4-13, an offsetting authorization must be provided from another capital project; and

**WHEREAS**, RPTSA has requested \$280,000 to be used in 2014 for the planning, preparation and migration of the RPTSA tax map parcels and albums into an advanced Esri data model platform; and

**WHEREAS**, expediting this project to commence in 2014 is the most efficacious plan to use technological advancements for the maintenance and integrity of tax map parcels, product development and direction by the Real Property Tax Service Agency, while increasing revenues to the General Fund by the continued ability to print maps for ad valorem and offer multiple services thru licensing and web based applications in *AREIS*; 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 2014 Capital Budget, as the basis for funding capital projects such as this project; and

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$280,00 in Suffolk County Serial Bonds; now therefore be it

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

to Section 617.5 (C) (18) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund, or approve any Type I or Unlisted action, since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, , that it is hereby determined that this project, with a priority ranking of fifty-eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the 2014 Capital Program and Budget be and is hereby amended as follows:

Project No.: 1740  
 Project Title: Upgrade Payroll System Database

	Total Est'd Cost	Current 2014 Capital Budget & Program	Revised 2014 Capital Budget & Program
5. Equipment	\$1,550,000	\$900,000B	\$800,000B
TOTAL	\$1,800,000	\$900,000	\$800,000

Project No.: 1758  
 Project Title: Real Property Integrated Land Information System

	Total Est'd Cost	Current 2014 Capital Budget & Program	Revised 2014 Capital Budget & Program
1. Planning, Design, Supervision	\$1,163,610	\$ 175,000B	\$ 270,000B
5. Equipment	\$ 858,000	\$ 5,000B	\$ 10,000B
TOTAL	\$2,021,610	\$ 180,000	\$ 280,000

and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$280,000 in Suffolk County Serial Bonds be and they are hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1758.113 (Fund 001 Debt Service)	Real Property Integrated Land Information System	\$270,000
525-CAP-1758.511 (Fund 001 Debt Service)	Real Property Integrated Land Information System	\$ 10,000

DATED:

APPROVED BY:

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

Date of Approval



**FINANCIAL IMPACT  
2015 PROPERTY TAX LEVY\*  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

1295

	2014 PROPERTY TAX LEVY	2015* COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$61,839	\$0.12		\$0.000

**POLICE DISTRICT AND DISTRICT COURT**

	2014 PROPERTY TAX LEVY	2015* COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

**COMBINED**

	2014 PROPERTY TAX LEVY	2015* COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$61,839	\$0.12		\$0.000

\* The Estimated 2015 Cost to Average Taxpayer is based upon the 2014 property tax levy and is provided for informational purposes only.

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2013.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2013-2014.
- 3) SOURCE FOR EQUALIZATION RATES: 2013 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

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

1295

Term of Bonds	5
Amount to Bond:	\$280,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2014					
5/1/2015	3.000%	\$52,319.26	\$9,520.00	\$61,839.26	\$61,839.26
			\$3,870.57	\$3,870.57	
5/1/2016	3.000%	\$54,098.11	\$3,870.57	\$57,968.69	\$61,839.26
			\$2,950.90	\$2,950.90	
5/1/2017	3.000%	\$55,937.45	\$2,950.90	\$58,888.35	\$61,839.26
			\$1,999.97	\$1,999.97	
5/1/2018	4.000%	\$57,839.32	\$1,999.97	\$59,839.29	\$61,839.26
			\$1,016.70	\$1,016.70	
5/1/2019	4.000%	\$59,805.86	\$1,016.70	\$60,822.56	\$61,839.26
5/1/2020		\$280,000.00	\$29,196.29	\$309,196.29	\$309,196.29
5/1/2021					
5/1/2022					
5/1/2023					
5/1/2024					
5/1/2025					
5/1/2026					
5/1/2027					
5/1/2028					
5/1/2029					
5/1/2030					
5/1/2031					
5/1/2032					

# COUNTY OF SUFFOLK



1295

## STEVEN BELLONE SUFFOLK COUNTY EXECUTIVE

REAL PROPERTY TAX SERVICE AGENCY  
AREIS Advanced Real Estate Information System

PENNY WELLS LAVALLE, MAI, CCIM, CCD  
DIRECTOR

### MEMORANDUM OF SUPPORT

**TITLE OF BILL:** A resolution to amend the 2014 Capital Budget and Program and appropriate funds in connection with the Real Property Tax Service Agency Land Information System (Capital Program Number 1758).

**PURPOSE OR GENERAL IDEA OF BILL:** To authorize issuance of Suffolk County Serial Bonds in connection with planning and equipment related to Real Property Integrated Land Information System and the tax map parcel conversion.

**SUMMARY OF SPECIFIC PROVISIONS:** Design and initiate Suffolk County tax map migration to updated map ArcGIS Version 10.2 to incorporate other County GIS platforms that are already in the Version 10.2, and the subsequent migration to a technologically advanced Parcel Fabric application.

**JUSTIFICATION:** The overall multi-disciplined goals and benefits are to improve the performance of the creation and maintenance of the Suffolk County Tax Map parcels for ad valorem purposes (NYS Mandate); restructure workflows to advance our method of collaboration; promulgate the currently referenced Federated Model; and to maintain the positive ROI that this agency has produced over the past 18 years.

**FISCAL IMPLICATIONS:** The overall project has little impact on operating expenses but looks to increasing revenues by additional product designs and implementation. We have itemized a bare minimum of \$5,000 per annum in costs in our operating budgets in the years 2014 and 2015. (Revenues in 2013 capped at \$13.5 Million).

Attachments

cc: Dennis M. Choen, Chief Deputy County Executive  
Joanne Minieri, Deputy County Executive/Commissioner Economic Development and Planning  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director, Intergovernmental Relations  
CE RESO Review (E-mail)

COUNTY OF SUFFOLK



1295

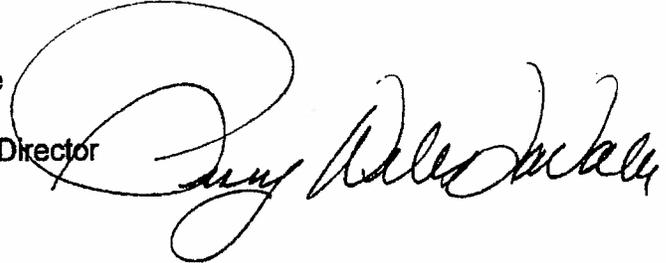
STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

REAL PROPERTY TAX SERVICE AGENCY  
AREIS Advanced Real Estate Information System

PENNY WELLS LAVALLE, MAI, CCIM, CCD  
DIRECTOR

MEMORANDUM

To: Jon Schneider, Deputy County Executive

FROM: Penny Wells LaValle, MAI, CCIM, CCD, Director 

DATE: 2/13/14

RE: CP-1758 – Real Property Tax Service Agency Integrated Land Information System

---

Attached for your review is a draft resolution amending the 2014 Capital Budget and Program appropriating the total sum of \$280,000 into Real Property Tax Service Agency Integrated Land Information System program funds (CP1758).

The original resolution passed in concept in 2013 requested \$175,000 for planning, design and supervision and \$5,000 for equipment to total \$180,000 in 2014. We have determined that with the cooperation of the Department of Information and Technical Services, an additional offset appropriation of \$100,000 (\$95,000 additional funding for planning, design and supervision and \$5,000 for equipment) from CP 1740 (Upgrade Payroll System) is essential. This brings the total appropriation request for the year 2014 to \$280,000. Catapulting this migration is an imperative that will benefit the County and contribute to RPTSA revenues.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-RPTSA-CP1758.

Attachments

cc: Dennis M. Cohen, Chief Deputy County Executive  
Joanne Minieri, Deputy County Executive/Commissioner Economic Development and Planning  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director, Intergovernmental Relations  
CE RESO Review (E-mail)

1296

Intro. Res. No. -2014

Laid on Table

3/18/14

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2014, AUTHORIZING  
EXECUTION OF A MEMORANDUM OF AGREEMENT  
WITH THE VILLAGE OF SALTAIRE FOR PROVISION  
OF POLICE SERVICES**

**WHEREAS**, the County of Suffolk maintains and operates within a police district, the Suffolk County Police Department ("SCPD"); and

**WHEREAS**, the monies necessary to operate the SCPD come, in part, from a tax upon real estate within the County Police District subject to taxation, which funds are allocated to an account referred to as the "Police District Fund" or "115 account;" and, in part, by another tax upon real estate located within the County subject to taxation, which funds are allocated to an account referred to as the "General Fund" or "001 account;" and

**WHEREAS**, the 115 account is expressly reserved to pay expenses for police services of the SCPD within the police district; and

**WHEREAS**, the 001 account is expressly reserved to pay expenses for specific functions of the SCPD which serve the entire County; and

**WHEREAS**, the Village of Saltaire ("Village") does not maintain its own police department and is not part of the County police district; and

**WHEREAS**, the Village and its residents are entitled, without charge, to the use of the resources and services of the SCPD which are provided under the 001 account, but the Village also needs assistance from, and the use of, the resources and services of the SCPD that are supported by the 115 account; and

**WHEREAS**, the County of Suffolk entered into an agreement with the Village for the provision of police services in accordance with Suffolk County Resolution No. 47-2010, which is about to expire; and

**WHEREAS**, the public interest will be served if the SCPD services and resources funded by the 115 account continue to be made available to the Village on a fee-for-services basis; and

**WHEREAS**, the SCPD is willing and able to continue to assist the Village in this regard; and

**WHEREAS**, the Suffolk County Charter § C13-7 authorizes the provision of police services, pursuant to contract, to a town or village which is not part of the County police district; and

**WHEREAS**, a formal agreement ("Memorandum of Agreement") between the SCPD and the Village will delineate the respective obligations of each of the parties as set forth in section C13-7 of the Charter; the form of which is attached hereto; and

**WHEREAS**, the Board of Trustees of the Village has adopted a resolution authorizing the Memorandum of Agreement; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, the form and substance of the Memorandum of Agreement presented to this Legislature is hereby approved; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the execution and delivery on behalf of and in the name of the County and the SCPD by the County Executive and/or his designee(s) of the Memorandum of Agreement presented to the members of the Legislature at this meeting, is hereby authorized and directed, with such ministerial and non-substantive changes therein as the County Executive and/or his designee(s) may approve, and the execution and delivery of such Agreement shall be conclusive evidence of his approval of any such changes and of the authorization and direction thereof by this Legislature; and be it further

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

**MEMORANDUM OF AGREEMENT**

**MEMORANDUM OF AGREEMENT** by and between and the COUNTY OF SUFFOLK (“**County**”), acting through its duly constituted Department of Police (“**SCPD**”), with offices located at 30 Yaphank Avenue, Yaphank, New York 11980, and the VILLAGE OF SALTAIRE, (“**Village**”), with offices located at 103 Broadway, Saltaire, New York and a mailing address of P.O. Box 5551, Bay Shore, New York 11706.

**WHEREAS**, the County maintains and operates the SCPD, and the monies necessary to operate the SCPD come, in part, from a uniform tax upon real estate within the County Police District subject to taxation, which funds are allocated to an account referred to as the “Police District Fund” or “115 account,” and, in part, by another tax upon real estate located within the County subject to taxation, which funds are allocated to an account referred to as the “General Fund” or “001 account,” and the latter funds are expressly reserved to pay expenses of specific functions of the SCPD which serve the entire County; and

**WHEREAS**, the Village is entitled, without separate charges, to the use of SCPD boats; and the resources and services which are provided under the “001 account”, which shall include, but not be limited to, the Suffolk County Aviation Section, Major Crimes Bureau, Special Services Bureau, Office of Homeland Security, Medical Evaluation, Recruitment and Community Outreach, Communications & Records Bureau, and all other services and resources provided under the “001 account;” and

**WHEREAS**, the Village does not maintain its own department and is not a part of the County Police District, and sometimes both it and its residents and guests are in need of assistance from and the use of the resources and services of the SCPD that are funded from the 115 account; and

**WHEREAS**, it is the responsibility of the County to account to the taxpayers of the Police District for the funds allocated to the Police District, and to recover costs from users of services paid for from the 115 account when those users are outside the Police District; and

**WHEREAS**, the County and the Village successfully entered into an agreement for police services on a fee-for-services basis in 2010 so that SCPD services be made available to the Village in the interest of the public; and

**WHEREAS**, the Suffolk County Police Commissioner and the Board of Trustees of the Village have deemed that the public interest would be served if SCPD services and resources funded by the 115 account continued to be made available to the Village on a fee-for-services basis, and desire to equitably set forth the means to calculate those costs and reimburse the County for them; and

**WHEREAS**, the Suffolk County Charter Section C13-7 authorizes the provision of police services to a town or village which is not a party of the County Police District pursuant to

contract, and Suffolk County Resolution No. \_\_\_-2014 and Village Board Resolution No. \_\_\_-2013, dated December 14, 2013 have authorized this Agreement; and

**NOW, THEREFORE**, the parties mutually agree as follows:

1. **Purpose of Agreement.** Pursuant to the terms and conditions set forth in this Agreement, the Village shall have access to 115 account resources of and services of the SCPD. This Agreement shall govern the relationship between the SCPD and the Village regarding the resources and services to be provided by the SCPD to the Village. Such SCPD resources and services shall include, but are not limited to, police officers, use of police patrol and other land vehicles, and resources and services of the canine, emergency services, crime scene, enforcement, motorcycle, motor carrier safety, and SAFE-T sections, highway patrol, domestic violence, elder abuse bureau, impound unit and the marine patrol section, in instances when the use of the resources of the marine patrol section consist of land-based functions and the use of land-bound officers. The cost to the Village for 115 account resources and services shall be calculated on a fee for services basis as set forth in paragraph 5 of this Agreement.

2. **Term and Termination.**

a. **Term**

The term of this Agreement (“Term”) shall commence January 1, 2014 and shall continue through December 31, 2018, unless sooner terminated as provided below.

b. **Termination for Cause**

A failure by the Village to make payment for services within sixty (60) days of the submission of a voucher by the County may result in termination of this Agreement in the sole discretion of the County, provided that the Village shall be given five (5) calendar days’ written notice of intent to terminate (“Notice of Intent to Terminate”) delivered in accordance with Paragraph 11 herein. During such five (5) day period, the Village will be given an opportunity for consultation with the County and an opportunity to cure its failure to make timely payment for services prior to termination by the County. In the event that the Village has not cured its failure to the satisfaction of the County by the end of the five (5) day period, the County may issue a written termination notice (“Termination Notice”) terminating the Agreement effective immediately.

c. **Termination for Convenience**

The County or the Village may terminate this Agreement at any time and for any other reason deemed to be in either party’s best interests upon ninety (90) calendar days’ written notice of termination (“Termination Notice”) to the other party to the Agreement.

3. **Availability and Supervision of Resources and Services.** The SCPD shall be obligated to exercise its best efforts to provide the “115 account” services to the Village in a timely fashion to adequately meet the needs of the Village. The SCPD may only limit the availability of

resources and services to the Village if in the SCPD's determination the allocation by the SCPD of resources requested by the Village will reduce the level of resources available to the County below a level that is an acceptable minimum level of services. The SCPD shall have sole administrative and operational oversight over SCPD resources and services provided to the Village.

4. **Ownership and Operation of Equipment.** At all times, ownership and control of all SCPD equipment will remain with the SCPD, and the ownership and control of all Village equipment will remain with the Village.

5. **Method of Calculation.**

- a. (i) The costs for SCPD officers shall be payable by the Village at the actual rate incurred by the County and as stated in the labor contract in effect on the date that the services are rendered. The costs will include, but not be limited to, pay rates, health insurance costs, longevity payments, meal allowances, night differential costs, minimum recall costs, special assignment allowances, miscellaneous stipends, holiday pay, travel allowances, cleaning, and clothing allowances. In the event a labor contract is subsequently renewed at different rates of pay and is retroactive in scope, SCPD may resubmit a payment voucher to the Village and be reimbursed at the new rate. If the officer is working on overtime, the County shall be reimbursed at overtime rates.
- (ii) The costs shall include actual retirement pension costs which are calculated using a multiplier, at the prevailing rate, times actual labor costs. If the SCPD pension costs are adjusted retroactively by the State, the County may resubmit a payment voucher to the Village and be reimbursed for actual cost increases that are incurred by a multiplier adjustment that is applied retroactively.
- (iii) The costs shall include social security and Medicare multiple of up to 7.65% and any subsequent increase made by federal law.
- b. The charges for the use of the police patrol unit(s) and other SCPD land vehicles shall be based on \$10.65 per hour, per vehicle, which the parties have determined to be a reasonable amount. Vehicle time usage will be rounded up or down to nearest quarter hour of use, whichever is closer to the hour. The per hour rate shall be reviewed annually on January 1 of each year of this Agreement, and may be subject to a reasonable increase at the discretion of the County based on an increase in actual costs incurred.
- c. Additional charges due to the SCPD for resources or services, including, but not limited to, towing, emergency services consumables and first aid consumables shall be paid to reimburse the SCPD for such costs as they are actually incurred by the SCPD.
- d. This method of calculation shall apply to any 115 account services rendered to the Village in the ordinary course of police business being carried out, and in the case of any 115 account services rendered to the Village in any emergency situation. For the purposes

of this Agreement, “emergency situation” shall mean any circumstance that threatens life or property as reasonably determined by the supervising SCPD officer at the time and place that the 115 account resources and services are rendered.

6. Payment for Services.

a. The County, through the SCPD, shall prepare and present an itemized claim for payment on an approved form supplied by the Village for such purposes (“Payment Voucher”). The Payment Voucher shall be submitted to the Clerk of the Village one time per month for resources and services rendered during the preceding month. Claims shall be documented by sufficient, competent, and evidential matter. Payment by the Village shall be made within thirty (30) days of submission of the voucher by check delivered to the SCPD and made payable to the Suffolk County Treasurer.

b. Nothing in this Agreement shall be construed as limiting the Village’s liability for payment for any 115 account resources and services provided in an emergency situation.

7. Additional Policies and Procedures. The SCPD Commissioner and the Mayor are authorized and empowered to establish additional policies and procedures to implement this agreement.

8. Indemnification.

a. Each party to this agreement agrees that it shall protect, indemnify, and hold harmless the other and the other’s officers, officials, employees, contractors, and agents from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits, or actions and reasonable attorneys’ fees, arising out of its own acts, omissions, or negligence in connection with actions undertaken pursuant to this Agreement. Each party shall defend the other and its officers, officials, employees, contractors, and agents in any suit, including appeals, or at the party’s option, pay reasonable attorneys’ fees for defense of any such suit arising out of its acts or omissions or negligence, or those of its officers, officials, employees, contractors, or agents, if any, in connection with this Agreement except to the extent that any losses are caused by the negligence, fault, or default of the other party.

b. Each party shall cooperate with the other in connection with the investigation, defense, or prosecution of any action, suit, or proceeding in connection with this Agreement.

c. The provisions of this Section shall survive the termination of this Agreement.

9. Compliance with Law. Each party shall comply with any and all federal, state, and local Laws in connection with actions taken pursuant to this Agreement. As used in this Agreement the word “Law” means any and all statutes, rules, regulations, orders, ordinances, writs, injunctions, official resolutions, official interpretations, or decrees, as same may be amended from time to time, enacted, adopted, promulgated, released, or issued, by or on behalf of any

government or political subdivision thereof, quasi-governmental authority, court, or official investigative body.

**10. Notices and Contact Persons.**

**a. Notices in General:** Any communication, notice, report, or other submission necessary or required to be made by the parties regarding this Agreement shall be in writing and shall be given to the other party or its designated representative at the following addresses or at such other address that may be specified in writing by the parties and must be delivered as follows:

**For the Suffolk County Police Department:  
By First Class and Certified Mail, Return Receipt Requested in Postpaid Envelope  
or by Courier Service or by Fax and Email to:**

Suffolk County Police Department  
30 Yaphank Avenue  
Yaphank, New York 11980  
Attn: Charles Palmer, Senior Accountant, Finance Section  
Fax No.: (631) 852-6666  
Email: [Charles.Palmer@suffolkcountyny.gov](mailto:Charles.Palmer@suffolkcountyny.gov)

**With a copy to the Police Commissioner at the same address:**  
Fax No.: (631) 852-6324  
Email: [1000CO@suffolkcountyny.gov](mailto:1000CO@suffolkcountyny.gov)

**For the Village:  
By First Class and Certified Mail, Return Receipt Requested in Postpaid Envelope  
or by Courier Service or by Fax or by Email to:**

Mayor  
Village of Saltaire  
P.O. Box 5551  
Bay Shore, New York 11706  
Fax #: (631) 583-5986  
Email: [Mario@saltaire.org](mailto:Mario@saltaire.org)

**With a copy to the Village Administrator at the same address.**

**b. Notices Relating to Termination and/or Litigation:**

In the event either party to this Agreement receives a notice of claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to a lawsuit or any legal proceeding related to this Agreement, it shall

immediately deliver to the other party, and to the County Attorney at the address set forth below, copies of all papers filed by or against it.

Any communication or notice regarding termination shall be in writing and shall be given to the Village or its designated representative at the following address or at such other address that may be specified in writing by the Village and must be delivered as follows:

**For the County:**

**By First Class and Certified Mail, Return Receipt Requested in Postpaid Envelope or by Nationally Recognized Courier Service or Personally and by First Class Mail**

Suffolk County Police Department  
Attn: Commissioner  
30 Yaphank Avenue  
Yaphank, New York 11980  
Email: [Charles.Palmer@suffolkcountyny.gov](mailto:Charles.Palmer@suffolkcountyny.gov)

and

Dennis M. Brown, County Attorney  
Suffolk County Department of Law  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, New York 11788  
Email: [Dennis.Brown@asuffolkcountyny.gov](mailto:Dennis.Brown@asuffolkcountyny.gov)

**For the Village**

**By First Class and Certified Mail in Postpaid Envelope or by Nationally Recognized Courier Service or Personally and by First Class Mail**

Mayor  
Village of Saltaire  
P.O. Box 5551  
Bay Shore, New York 11706  
Email: [Mario@saltaire.org](mailto:Mario@saltaire.org)

**With a copy to the Village Administrator at the same address**

and

Joseph W. Prokop  
Attorney, Village of Saltaire  
175 Route 25A  
East Setauket, NY 11733  
Email: [jwprokopesq@aol.com](mailto:jwprokopesq@aol.com)

**11. Entire Agreement.** This Agreement represents the full and entire understanding and Agreement between the parties with regard to the subject matter hereof and supercedes all prior

agreements (whether written or verbal) of the parties relating to the subject matter of this Agreement. Nothing contained herein shall be construed to create an employment or principal-agent relationship, or a partnership or joint venture, between the parties or their respective officers, employees, servants, agents or independent contractors, and neither party shall have the right, power, or authority to bind the other in any manner whatsoever.

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

**13. Approval and Execution.** Neither party shall have any liability under this Agreement (including any extension or other amendments of this Agreement) until it is approved by its governing body and thereafter fully executed.

**14. No Intended Third Party Beneficiaries.** This Agreement shall not be construed to accrue to the benefit of third parties.

**15. Gratuities.** The Village represents and warrants that it has not offered or given any gratuity to any official, employee, or agent of Suffolk County, or New York State, or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 664 of the Suffolk County Code).

**IN WITNESS WHEREOF**, the parties hereto have duly executed this Agreement as of the date this Agreement is last executed by the parties hereto.

**VILLAGE OF SALTARE**

**COUNTY OF SUFFOLK**

By: \_\_\_\_\_  
Name: Robert Cox III  
Title: Mayor  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Dennis M. Cohen  
Chief Deputy County Executive  
Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

**APPROVED:  
SUFFOLK COUNTY POLICE  
DEPARTMENT**

**DENNIS M. BROWN  
COUNTY ATTORNEY**

By: \_\_\_\_\_  
Edward Webber  
Commissioner  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Marisa G. Marletti-Schifano     Date  
Assistant County Attorney

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STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
<b>AUTHORIZING EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE VILLAGE OF SALTAIRE FOR PROVISION OF POLICE SERVICES</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes <u>XX</u> No</b>		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<b>County</b>	<b>Town</b>	<b>Economic Impact</b>
<b>Village</b>	<b>School District</b>	<b>Other (Specify):</b>
<b>Library District</b>	<b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
The Police department will provide services on a fee for service basis.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
This is a five year agreement, payment to the County will be made on a quarterly basis on a fee for service basis.		
8. Proposed Source of Funding		
Village of Saltaire		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		3-11-14

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

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**GENERAL FUND**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**POLICE DISTRICT AND DISTRICT COURT**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2013.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2013-2014.
- 3) SOURCE FOR EQUALIZATION RATES: 2013 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

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STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation AUTHORIZING EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE VILLAGE OF SALTAIRE FOR PROVISION OF POLICE SERVICES		
3. Purpose of Proposed Legislation  A formal agreement between the Village of Saltaire and the County is necessary in order to provide the Village of Saltaire with police services and resources, as the Village of Saltaire is not in the County police district and does not maintain a private police department.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<u>  County  </u>	<b>Town</b>	<b>Economic Impact</b>
<b>Village</b>	<b>School District</b>	<b>Other (Specify):</b>
<b>Library District</b>	<b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact  The term of the Agreement will run for a 5-year period, with police services and resources to Village of Saltaire being paid on a fee-for-service basis.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  Fee for service basis; total unknown		
8. Proposed Source of Funding Monies are allocated from Police District Fund 115 and in part from General Fund 001 accounts.		
9. Timing of Impact  Quarterly		
10. Typed Name & Title of Preparer  Sgt. Christopher A. Love	11. Signature of Preparer	12. Date  3/5/2014

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**2014 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

Title Of Bill: Approving a Memorandum of Agreement with the Village of Saltaire for provision of police services.

PURPOSE OR GENERAL IDEA OF BILL: To provide Village of Saltaire with services of the Suffolk County Police Department, as it is not in the County police district.

SUMMARY OF SPECIFIC PROVISIONS: A formal agreement will outline the respective obligations of both the Village of Saltaire and the Suffolk County Police Department.

JUSTIFICATION: Village of Saltaire requires police services as it does not maintain its own police department, and it is not in the County police district. Therefore, a separate agreement is required in order to delineate specific services and obligations between the parties.

# COUNTY OF SUFFOLK



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STEVEN BELLONE  
COUNTY EXECUTIVE

EDWARD WEBBER  
ACTING POLICE COMMISSIONER

## POLICE DEPARTMENT

March 4, 2014

Jon Schneider  
Deputy County Executive  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788

**Re: Legislative Proposal - Approving Execution of a Memorandum of Agreement (MOA) between Village of Saltaire and Suffolk County Police Department for police services.**

Dear Deputy County Executive Schneider:

I am requesting that the County Executive propose the attached legislative resolution approving the execution of a Memorandum of Agreement between Village of Saltaire and Suffolk County Police Department in order to continue police services to the Village. The prior Agreement expired 12/31/2013.

We have enclosed hard copies of the following documents:

1. Certificate of Necessity
2. Memorandum of Support
3. Request for Introduction (SCIN 175a)
4. Fiscal Impact Statement (SCIN 175b)
5. Draft Resolution
6. Draft Memorandum of Agreement

An e-mail version was sent on March 5, 2014, to CE RESO REVIEW under the title Reso-SCPD-MOA-Village of Saltaire.

Very truly yours,

A handwritten signature in cursive script that reads "Edward Webber".

Edward Webber  
Police Commissioner

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations  
James Burke, Chief of Department  
John Meehan, Chief of Patrol  
Mark White, Deputy Chief, Office of Support Services



**ACCREDITED LAW ENFORCEMENT AGENCY**  
Visit Us Online at [www.suffolkpd.org](http://www.suffolkpd.org)  
Crime Stoppers Confidential Tip Hotline 1-800-220-TIPS  
Non-Emergencies Requiring Police Response, Dial (631) 852-COPS  
30 Yaphank Avenue, Yaphank, New York 11980 – (631) 852-6000



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Intro Res. No. 2014  
Introduced by Presiding Officer on request of the County Executive

Laid on Table 3/18/14

**RESOLUTION NO. 2014  
ACCEPTING AND APPROPRIATING 100% FEDERAL  
FUNDS AWARDED BY THE UNITED STATES  
DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT  
ADMINISTRATION TO THE SUFFOLK COUNTY  
DISTRICT ATTORNEY AND AUTHORIZING THE  
SUFFOLK COUNTY EXECUTIVE TO EXECUTE RELATED  
AGREEMENTS.**

**WHEREAS**, the United States Department of Justice will provide funding to the Suffolk County District Attorney for participation in the U.S. Department of Justice, Drug Enforcement Administration Task Force; and

**WHEREAS**, a sum of \$17,202.25 will be provided for reimbursement of overtime expense for each participating officer for the period September 30, 2013 through September 29, 2014; and

**WHEREAS**, the District Attorney has two officers participating in this task force; and

**WHEREAS**, said funds have not been included in the 2014 Suffolk County Operating Budget; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Executive is authorized to execute any Agreement with the United States Department of Justice, Drug Enforcement Administration, as necessary, to secure said funds; and further

**2<sup>nd</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted funds in the amount of \$34,404.50 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4320-Federal Aid: Crime Control	\$ 34,404.50

APPROPRIATIONS

Suffolk County District Attorney  
DEA Task Force  
001-DIS-1188

<u>1000 Personal Service</u>	<u>\$34,404.50</u>
1120-Overtime	\$34,404.50

APPROVED BY:

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

Date of Approval

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LONG ISLAND DISTRICT OFFICE AND SUFFOLK COUNTY DISTRICT ATTORNEY  
STATE AND LOCAL TASK FORCE AGREEMENT

This agreement is made this 30th day of September, 2013, between the United States Department of Justice, Drug Enforcement Administration (hereinafter "DEA") and the Suffolk County District Attorney (hereinafter "SCDA").

Whereas there is evidence that trafficking in narcotics and dangerous drugs exists in the Long Island area and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of Long Island, the parties hereto agree to the following:

1. The Long Island Task Force will perform the activities and duties described below:
  - a. Disrupt the illicit drug traffic in the Long Island area by immobilizing target violators and trafficking organizations;
  - b. Gather and report intelligence data relating to trafficking in narcotics and dangerous drugs; and
  - c. Conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the State of New York.
2. To accomplish the objectives of the Long Island Task Force, the SCDA agrees to detail two (2) experienced Officers to the Long Island Task Force for a period of not less than two (2) years. During this period of assignment, the SCDA Officers will be under the direct supervision and control of DEA supervisory personnel assigned to the Task Force.
3. The SCDA officers assigned to the Task Force shall adhere to DEA policies and procedures. Failure to adhere to DEA policies and procedures shall be grounds for dismissal from the Task Force.
4. The SCDA officers assigned to the Task Force shall be deputized as a Task Force Officer of DEA pursuant to 21 U.S.C. Section 878.
5. To accomplish the objectives of the Long Island Task Force, DEA will assign eight (8) Special Agents to the Task

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Force. DEA will also, subject to the availability of annually appropriated funds or any continuing resolution thereof, provide necessary funds and equipment to support the activities of the DEA Special Agents and SCDA Officers assigned to the Task Force. This support will include: office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training, and other support items. In lieu of DEA providing official government vehicles for SCDA Task Force Officers, SCDA agrees to provide vehicles for their officers so that they can perform their investigative duties.

6. During the period of assignment to the Long Island Task Force, the SCDA will remain responsible for establishing the salary and benefits, including overtime, of the SCDA Officers assigned to the Task Force, and for making all payments due him/her. DEA will, subject to availability of funds, reimburse the SCDA for overtime payments made by it to SCDA Officers assigned to the Long Island Task Force for overtime, up to a sum equivalent to 25 percent of the salary of a GS-12, Step 1, federal employee (currently \$17,202.25), per officer per year. Note: Task Force Officers' overtime "shall not include any costs for benefits, such as retirement, FICA, and other expenses."

7. In no event will the SCDA charge any indirect cost rate to DEA for the administration or implementation of this agreement.

8. The SCDA shall maintain on a current basis complete and accurate records and accounts of all obligations and expenditures of funds under this agreement in accordance with generally accepted accounting principles and instructions provided by DEA to facilitate on-site inspection and auditing of such records and accounts.

9. The SCDA shall permit and have readily available for examination and auditing by DEA, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts or expenditures relating to this agreement. The SCDA shall maintain all such reports and records until all audits and examinations are completed and resolved, or for a period of three (3) years after termination of this agreement, whichever is later.

10. The SCDA will comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, and all requirements imposed by or pursuant to the regulations of the U.S. Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, F, G, H, and I.

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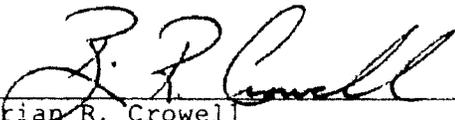
11. The SCDA agrees that an authorized officer or employee will execute and return to DEA the attached OJP Form 1061/6, Certification Regarding Lobbying; Debarment; Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. The SCDA acknowledges that this agreement will not take effect and no Federal funds will be awarded to the SCDA by the DEA until the completed certification is received.

12. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, the SCDA shall clearly state: (1) the percentage of the total cost of the program or project which will be financed with Federal money and (2) the dollar amount of Federal funds for the project or program.

13. The term of this agreement shall be effective from the date specified in the opening paragraph until September 29, 2014. This agreement may be terminated by either party on 30 days advance written notice. Billings for all outstanding obligations must be received by DEA within 90 days of the date of termination of this agreement. DEA will be responsible only for obligations incurred by SCDA during the term of this agreement.

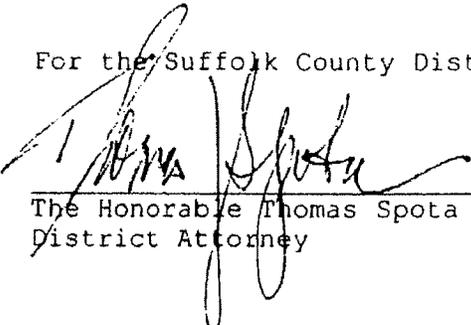
14. DEA acknowledges that the United States is liable for the wrongful or negligent acts or omissions of its officers and employees, including Task Force Officers duly sworn pursuant to 21 U.S.C. Section 878, while on duty and acting within the scope of their federal employment, to the extent permitted by the Federal Tort Claims Act.

For the Drug Enforcement Administration:

  
\_\_\_\_\_  
Brian R. Crowell  
Special Agent in Charge

Date: 9/12/13

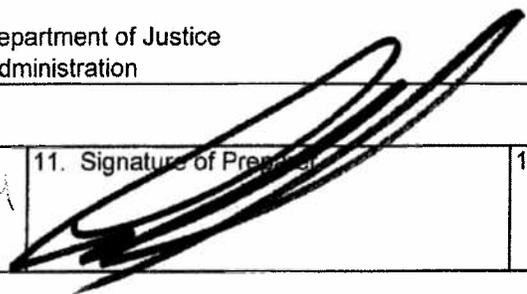
For the Suffolk County District Attorney:

  
\_\_\_\_\_  
The Honorable Thomas Spota  
District Attorney

Date: 10/22/13

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STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation DEA Overtime		
3. Purpose of Proposed Legislation Accept funding from the United States Department of Justice Drug Enforcement Administration		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>X</u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	<u>X</u>	Town
Village		School District
Library District		Fire District
		Economic Impact
		Other (Specify):
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact. This program will reimburse \$34,404.50 of overtime expense for participating officers.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political Subdivision. The funding period for this program is 9/30/13 through 9/29/14.		
8. Proposed Source of Funding The United States Department of Justice Drug Enforcement Administration		
9. Timing of Impact Immediate		
10. Typed Name & Title of Preparer Craig D. Pavlik Deputy Bureau Chief Administration	11. Signature of Preparer 	12. Date 3/6/2014

COUNTY OF SUFFOLK  
OFFICE OF DISTRICT ATTORNEY

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THOMAS J. SPOTA  
DISTRICT ATTORNEY

2014 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT

**TITLE OF BILL:** A resolution ACCEPTING AND APPROPRIATING 100% FEDERAL FUNDS AWARDED BY THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION TO THE SUFFOLK COUNTY DISTRICT ATTORNEY AND AUTHORIZING THE SUFFOLK COUNTY EXECUTIVE TO EXECUTE RELATED AGREEMENTS.

**PURPOSE OR GENERAL IDEA OF BILL:** To accept and appropriate funds in the amount of \$34,404.50 in connection with overtime reimbursement provided by a grant from the United States Drug Enforcement Administration to the District Attorney. The funds will provide reimbursement for overtime accumulated by 2 investigators employed by the District Attorney's Office and assigned to the Long Island DEA task force.

**SUMMARY OF SPECIFIC PROVISIONS:** To accept and appropriate grant funding from the United States Drug Enforcement Administration.

**JUSTIFICATION:** Acceptance of Grant funding. The funds will facilitate the District Attorney's Office ability to continue focusing these officers in the investigation and disruption of those who commit crimes of illicit drug trafficking in Suffolk County. These officers assist in gathering and reporting intelligence data relating to trafficking in narcotics and dangerous drugs. They will conduct undercover operations where appropriate and engage in traditional methods of investigation in order that the Task Force's activities will result in the effective prosecution of those who commit these crimes in the courts of the United States and the State of New York.

**FISCAL IMPLICATIONS:** Grant funds

COUNTY OF SUFFOLK  
OFFICE OF DISTRICT ATTORNEY



THOMAS J. SPOTA  
DISTRICT ATTORNEY

MEMORANDUM

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TO: Jon Schneider, Deputy County Executive

FROM: Craig D. Pavlik, Administration and Finance  
Suffolk County District Attorney's Office

DATE: March 6, 2014

RE: Resolution Packet for the Drug Enforcement Task Force Agreement  
US Department of Justice, Drug Enforcement Administration

---

Attached please find the following for the **DEA Long Island Task Force Agreement**:

- o Draft Resolution
- o Grant SCIN Form 175a
- o Grant SCIN Form 175b
- o Memorandum of Support
- o Copy of Agreement

The within resolution is being requested so as to accept federal fund to reimburse the County for overtime expenses incurred by the two Investigators employed by the District Attorney's Office who are assigned to the DEA Long Island Task Force.

Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW under the title SCDA DEA OVERTIME FUNDING.

If you have any questions concerning this resolution package please do not hesitate to contact Craig Pavlik, Deputy Bureau Chief, at (631) 853-4153 or Katey Moran, Grants Analyst, at (631) 853-3879.

CDP/pk  
Attachments

cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intergovernmental Relations

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Intro Res. No. \_\_\_\_\_-2014

Laid on Table 3/18/ 2014

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. \_\_\_\_-2014, AUTHORIZING FUNDING OF INFRASTRUCTURE IMPROVEMENTS AND OVERSIGHT OF REAL PROPERTY UNDER THE SUFFOLK COUNTY AFFORDABLE HOUSING OPPORTUNITIES PROGRAM AND EXECUTION OF AGREEMENTS (CONCERN-RONKONKOMA)**

**WHEREAS**, Local Law No. 13-2000 as amended in its entirety by Local Law No. 17-2004, known as Suffolk County Administrative Code ("SCAC") Article XXXVI, as amended, found and determined that there was a need for the County to provide assistance in creating affordable housing and established the Suffolk County Affordable Housing Opportunities Program; and

**WHEREAS**, SCAC § A-36-2 provides a statutory framework for land to be acquired and infrastructure improvements to be made by Suffolk County's Workforce Housing Program through the use of capital bond proceeds; and

**WHEREAS**, the County Department of Economic Development and Planning and Concern for Independent Living, Inc., a New York State not for profit corporation (the "Developer"), have identified a site in Lake Ronkonkoma in the County of Suffolk which would be appropriate for development as affordable housing and is identified by Suffolk County Tax Map Numbers: 0200-688.00-01.00-037.002; 0200-688.00-01.00-08.000; 0200-688.00-01.00-041.000, 042.000, 043.000, 044.000, 045.001, 045.002 and 045.003 (the "Subject Premises"); and

**WHEREAS**, the affordable housing development contemplates the construction of 59 rental units for persons of low income, including, homeless veterans and their families, all as more particularly described in the Development Plan attached hereto as Exhibit 1 (the "Development Plan"); and

**WHEREAS**, the Subject Premises will require infrastructure improvements to facilitate the construction of the affordable housing development and, in connection therewith, the Developer has requested infrastructure funding from the County in the amount of up to Seven Hundred and Fifty Thousand and 00/100 (\$750,000.00) Dollars; and

**WHEREAS**, the Developer, its affiliates, Concern Ronkonkoma Housing Development Fund Corp. and Concern Ronkonkoma, LLC, and the County are negotiating the terms of a Development Agreement, a copy of which in substantially final form is attached hereto as Exhibit 2 (the "Development Agreement"); and

**WHEREAS**, the Planning Board of the Town of Brookhaven, on August 6, 2012, as lead agency, issued a negative SEQRA declaration pursuant to the State Environmental Quality Review Act (SEQRA) which completed the environmental review; and further the negative declaration issued by the Planning Board of the Town of Brookhaven is binding on the County, as an involved agency, pursuant to Title 6 of the New York Codes, Rules and Regulations (NYCRR) § 617.6 (b) (3) (iii) and, therefore, SEQRA is complete; and

**WHEREAS**, Resolution No. 1192-2009, appropriated the proceeds of \$5,000,000 in Suffolk County Serial Bonds to fund the infrastructure improvements in connection with the properties acquired, funded, constructed, reconstructed or rehabilitated in connection with the Affordable Housing Opportunities Program subject to further Legislative approval of a resolution authorizing the funding of specific infrastructure improvements to be made in connection with such affordable housing developments; now, therefore be it

**1st RESOLVED**, that the Suffolk County Legislature, on behalf of the County, hereby finds and determines that the development referred to herein meets the requirements of the Suffolk County Affordable Housing Opportunities Program and the need to fill the critical shortage of affordable housing in the County and, accordingly, authorizes the development referred to herein and the requested funding thereof in the amount of up to Seven Hundred and Fifty Thousand and 00/100 (\$750,000.00) Dollars in accordance with the Development Plan; and be it further

**2nd RESOLVED**, that the Development Agreement is hereby approved in substantially the form as attached hereto; and be it further

**3rd RESOLVED**, that the County Executive, the Department of Economic Development and Planning, its Commissioner, its Director of Real Estate and the County Attorney are authorized, empowered and directed to negotiate, execute and deliver the Development Agreement, and each other document contemplated to be executed and delivered in connection therewith, with such changes thereto as may be necessary or desirable, consistent with the Development Plan, in order to effectuate this overall affordable housing project and transactions contemplated hereby; and be it further

**4th RESOLVED**, that the County Executive, the Department of Economic Development and Planning, its Commissioner, its Director of Real Estate and the County Attorney are authorized, empowered and directed to take such further actions and execute such additional documents as may be necessary or desirable, consistent with the Development Plan, in order to effectuate the purposes and intent of the foregoing resolutions, including, but not limited to, payment of expenses such as costs associated with surveys, appraisals, environmental audits, title reports and insurance; and be it further

**5th**            **RESOLVED**, that, subject to the terms of the fully executed Development Agreement, the County Comptroller and County Treasurer are hereby authorized to reserve and pay up to Seven Hundred and Fifty Thousand and 00/100 (\$750,000.00) Dollars in connection with infrastructure costs associated with the construction of the development referred to herein from previously appropriated funds in Capital Project No. 525-CAP-6411.312; and be it further

**6th**            **RESOLVED**, the Planning Board of the Town of Brookhaven, on August 6, 2012, as lead agency, issued a negative SEQRA declaration pursuant to the State Environmental Quality Review Act (SEQRA) which completed the environmental review; and further the negative declaration issued by the Planning Board of the Town of Brookhaven is binding on the County, as an involved agency, pursuant to Title 6 of New York Codes, Rules and Regulations (NYCRR) § 617.6 (b) (3) (iii) and, therefore, SEQRA is complete.

Dated: \_\_\_\_\_

APPROVED BY:

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

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

EXHIBIT 1 to RESOLUTION

SCHEDULE B  
**CONCERN RONKONKOMA DEVELOPMENT PLAN**

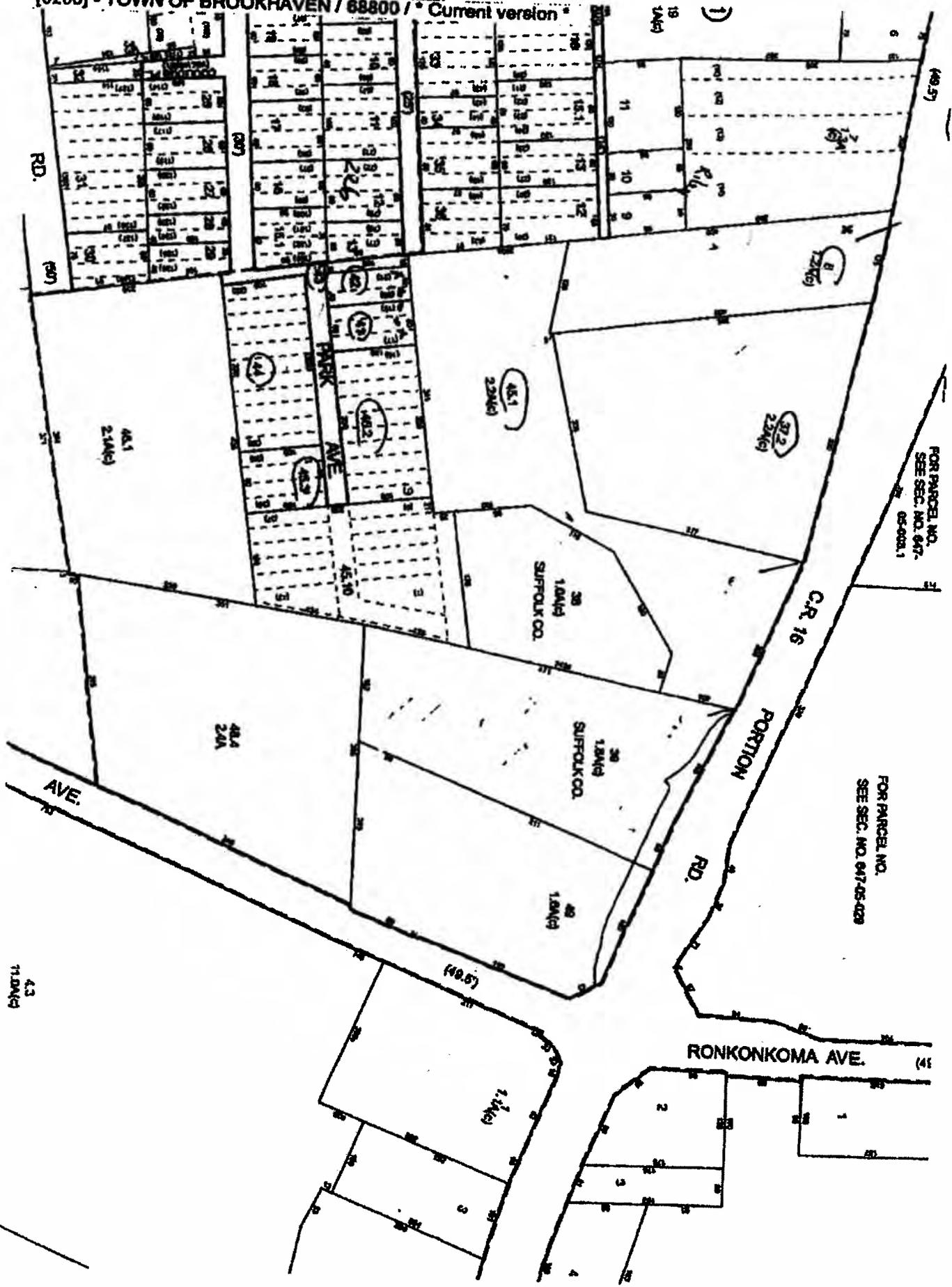
ITEM	DESCRIPTION	EXHIBIT
<b>MUNICIPALITY:</b>  <b>PROJECT ADDRESS:</b>	<b>Town of Brookhaven</b> The project contains 9 parcels in the hamlet of Ronkonkoma located as follows: 58 Portion Road - SCTM# 0200-688.00-01.00-037.002 44 Portion Road - SCTM# 0200-688.00-01.00-08.000 3 Park Avenue - SCTM# 0200-688.00-01.00-041.000, 042.000, 043.000, 044.000, 045.001, 045.002 and 045.003 (the "Premises") (See attached Tax Map)	A
<b>SITE DESCRIPTION:</b>	The entire site is comprised of approx. 7.17 Acres.  The property is zoned MR. No further zone change is required.	B
<b>OWNER/DEVELOPER:</b>	Concern Ronkonkoma Housing Development Fund Corp., as nominee for Concern Ronkonkoma, LLC (the "Fee Owner")  Concern Ronkonkoma, LLC (the "Beneficial Owner")  <u>Concern for Independent Living, Inc. ("NFP")</u>	
<b>SUFFOLK COUNTY TAX MAP NUMBERS:</b>	District 0200, Section 688.00, Block 01.00, Lots 037.002, 008.000, 041.000, 042.000, 043.000, 044.000, 045.001, 045.002 and 045.003.	
<b>LAND PURCHASE:</b>	NA	

<p><b>INFRASTRUCTURE FUNDS:</b></p>	<p>Suffolk County will subsidize up to \$750,000 of the infrastructure costs associated with this development. The funds will be utilized to offset the costs of a sewage treatment plant, roads, curbs, landscaping, lighting, piping, sidewalks located on the Premises and other related infrastructure costs. The owner/developer will finance the infrastructure funds and the funds shall only be paid upon completion of the project.</p>	
<p><b>PROJECT DESCRIPTION:</b></p>	<p>This is a Low-Income Housing Tax Credit Project. Residents must meet eligibility requirements, including psychiatric disability and/or income limits (dependent upon unit). It is designed for extremely low- and low-income households.</p> <p>The development will consist of 8 two-story buildings containing 59 apartments total. 58 units will be affordable rentals and 1 unit will be occupied by the Super of the complex. Each apartment will include a kitchen, bathroom, living room and bedroom(s). Each kitchen is equipped with a refrigerator and range oven. Laundry facilities are available in a convenient common areas within two of the buildings. An additional on-site community center will include support services staff, as well as project amenities including exercise room and computer room.</p> <p>All units will be ADA compliant and will meet the "Visitability" requirements of Article XXXVI of the Suffolk County Administrative Code. Forty (40) units will be handicapped accessible, including roll-in showers. In addition, all units will be accessible for persons with hearing and/or vision impairments.</p> <p>Concern Ronkonkoma Housing Development Fund Corp. will be the fee owner of the site. Concern Ronkonkoma LLC will be the beneficial owner. See attached organizational chart.</p>	<p>C</p>
<p><b>SUFFOLK COUNTY LAND DEVELOPMENT SUBSIDY (LDS):</b></p> <p><b>SUFFOLK COUNTY INFRASTRUCTURE DEVELOPMENT SUBSIDY (IDS):</b></p>	<p>NA</p> <p><u>\$750,000 / 59 units (\$12,712 per unit)</u></p> <p>The IDS shall be evidenced by a deferred note and lien. The note shall be non-interest bearing unless and until there is an event of default at which time interest shall accrue at 6%. The note and line may be subordinated to bank financing or other funding sources as reasonably acceptable to the County.</p>	
<p><b>IDS REPAYMENT:</b></p>	<p>Repayable after 50 years or upon covenant violation. Units shall remain affordable for the term of the IDS</p>	

HOMEOWNER UNIT PURCHASE PRICES:	N/A	
HOMEOWNERSHIP OCCUPANCY REQUIREMENT:	N/A	
INCOME ELIGIBILITY:	<p>The units will be affordable to households earning up to 50% HUD AMI (very low income). Tenants shall not pay more than 30% of their income for rent. Targeted rents are as follows:</p> <p>30 1 bedroom units: \$239 (subsidized by NYS OMH. Preference for homeless veterans)  8 1 bedroom units: \$875 (subsidized by Section 8 Housing Choice Voucher Program)  2 1 bedroom units: \$785  15 2 bedroom units: \$965  3 3 bedroom units: \$1,100  1 2 bedroom superIntendent unit.</p> <p>Rents are based on 2013 projections. Rents cannot exceed the fair market rents established by HUD</p> <p>Covenants &amp; Restrictions shall be recorded evidencing same.</p> <p>See attached Operating Budget (with rents per unit type).</p>	D
RENTER SELECTION PROCESS/MARKETING PLAN:  RENTER SELECTION PROCESS/MARKETING PLAN:	<p>A preference will be provided to low income homeless veterans with psychiatric disabilities. Concern for Independent Living will be retained to market the development and to perform the applicant qualification process. Concern for Independent Living will outreach to community contacts for potential applicants. Applications will be reviewed and interviews conducted by a Licensed Master Social Worker. A list of qualified applicants will be maintained by Concern for Independent Living to fill vacancies. An annual income certification for each household in the development will be provided by the Developer to the County.</p> <p>See attached Renter Selection Process and Marketing Plan.</p>	E
ANTICIPATED FUNDING SOURCES/FINANCIAL ASSISTANCE:	<p>Construction Sources:  9% LIHTC Equity (National Equity Fund, Inc.): \$2,651,576  Bank of America: \$11,250,000 NYS Office of Mental Health OMH: \$7,500,000  Deferred Developer Fee: \$2,050,320  Deferred Capital Op Reserve: 297,337</p> <p>Permanent Sources:  9% LIHTC Equity: \$13,257,879  Community Preservation Corp.: \$7,500,000</p>	

	<p>County of Suffolk: \$750,000  Sponsor Loan: \$2,703,395  NYS OMH PDG (Project Development Grant):  \$252,960  TOTAL: \$24,464,234</p>	
<p><b>PERMITTED ENCUMBRANCES:</b></p>	<p>A subordinated lien in favor of Suffolk County in the amount of the IDS to be repaid upon such terms as may be reasonably acceptable to the County and as shall be contained in a Mortgage and/or Easement to be executed between the parties. Such lien shall be subordinated as set forth in Schedule D to the Development Agreement.</p> <p>A lien in favor of The Community Preservation Corporation, Bank of America, NYS Homeless Housing and Assistance, NFP and NYS Office of Mental Health.</p>	
<p><b>DEVELOPMENT TEAM MEMBERS:</b></p>	<p>Developer: Concern for Independent Living, Inc.  Property Manager: Concern for Independent Living, Inc.  Bullder: Jobco Incorporated  Attorney: Nixon Peabody  Engineer: Nelson and Pope  Architect: DeLaCour, Ferrara &amp; Church</p> <p>NFP: Concern for Independent Living, Inc.</p>	
<p><b>CONDITIONS OF CONTRACT EXECUTION/FUNDING/CLOSING:</b></p>	<ol style="list-style-type: none"> <li>1. Satisfactory evidence of financing sources</li> <li>2. Building permits and completion of construction, certificate of occupancy</li> <li>3. Payment and Performance Bond naming Suffolk County as insured</li> <li>4. Suffolk County and municipal approvals, as applicable, including Health Department</li> <li>5. Execution of a Development Agreement and such other documents in connection therewith as the County may reasonably require.</li> </ol> <hr/> <ol style="list-style-type: none"> <li>6. Title to the premises shall have been transferred to Owner</li> <li>7. Completion of SEQRA</li> <li>8. Environmental review satisfactory to the County</li> <li>9. Such other conditions as the County may</li> </ol>	

	reasonably require and as shall be set forth in the Development Agreement.	
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FOR PARCEL NO.  
SEE SEC. NO. 047-  
05-001.1

FOR PARCEL NO.  
SEE SEC. NO. 047-05-029

4.3  
11.04Ac

EXHIBIT B

AS TO TAX LOT 0200-688.000-01.00-008.000

ALL that certain plot, piece or parcel of land situate, lying and being in Lake Ronkonkoma, Town of Brookhaven, County of Suffolk, State of New York bounded and described as follows:

BEGINNING at a locust stake on the southerly side of Portion Road, distant 626 feet more or less easterly from the corner formed by the intersection of the southerly side of Portion Road and the easterly side of Lake Shore Road, said locust stake being set in the northeast corner of land now or formerly of one Riley;

RUNNING THENCE in a southeasterly direction along the southerly side of Portion Road in a course south 65 degrees 20 minutes 00 seconds east a distance of 124.92 feet to a locust stake and land now or formerly of Estate of G. DeVabre;

THENCE along said last mentioned land on a course 5 degrees 0 minutes 0 seconds west a distance of 400 feet to a locust stake and other land now or formerly of the Estate of G. DeVabre;

THENCE along said last mentioned land on a course north 65 degrees 14 minutes 00 seconds west a distance of 125 feet to a locust stake and the aforementioned land of Riley;

THENCE on a course north 5 degrees 0 minutes 0 seconds east a distance of 399.77 feet to the locust stake set on the southerly side of Portion Road at the point or place of BEGINNING.

## **Schedule A Description**

AS TO TAX LOT 0200-688.00-01.00-037.002

**ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Brookhaven, County of Suffolk and State of New York bounded and described as follows:**

**BEGINNING at a point on the southerly side of Portion Road, said point being distant 590.42 feet westerly, as measured along the southerly line of Portion Road, from the westerly terminus of an arc connecting the southerly line of Portion Road with the westerly line of Ronkonkoma Avenue and proceeding from said point of beginning along the following four (4) courses:**

- 1. south 24 degrees 53 minutes 30 seconds west, a distance of 277.19 feet;**
- 2. north 88 degrees 43 minutes 12 seconds west, a distance of 235.30 feet;**
- 3. north 05 degrees 00 minutes 00 seconds east, a distance of 395.00 feet to the southerly line of Portion Road;**
- 4. south 65 degrees 08 minutes 30 seconds east, a distance of 350.00 feet along the southerly line of Portion Road to the point or place of BEGINNING.**

**BEING AND INTENDED TO BE THE SAME PREMISES AS CONTAINED IN DEED IN LIBER 12370 PAGE 211. SAID DESCRIPTION IS PRIOR TO THE CORNER CUT WITH RONKONKOMA AVENUE.**

**AS TO TAX LOT 0200-688.00-01.00-045.001**

**ALL that certain plot, piece or parcel of land situate, lying and being at Lake Ronkonkoma, Town of Brookhaven, County of Suffolk and State of New York bounded on the north by Portion Road, on the east by land formerly of Raynor and Myers, on the south by Map of Twilight Park, on the west by land formerly of Paula Browne and Allison. Described on the Suffolk County Tax Map as being north by Portion Road and another, east by Suffolk County, south by Twilight Park and Suffolk County, west by Twilight Park and another**

**BEING AND INTENDED TO BE THE SAME PREMISES AS DESCRIBED IN LIBER 3324 PAGE 132 AND LIBER 12028 PAGE 401.**

**AS TO TAX LOTS 0200-688.00-01.00-045.002**

**ALL that certain plot, piece or parcel of land situate, lying and being at Lake Ronkonkoma, Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lots 7 to 16, both inclusive, on a certain map entitled, "Map of Twilight Park" situate at Lake Ronkonkoma and filed in the Office of the Clerk of Suffolk County on the 27th day of November, 1929 under File No. 666.**

**BEING AND INTENDED TO BE THE SAME PREMISES AS DESCRIBED IN LIBER 10388 PAGE 24 AND LIBER 12028 PAGE 402.**

**AS TO TAX LOTS 0200-688.00-01.00-044.00 and 045.003**

**ALL that certain plot, piece or parcel of land situate, lying and being at Lake Ronkonkoma, Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lots 22 to 36 both inclusive, on a certain map entitled, "Map of Twilight Park" situate at Lake Ronkonkoma and filed in the Office of the Clerk of Suffolk County on the 27th day of November, 1929, under File No. 666.**

**BEING AND INTENDED TO BE THE SAME PREMISES AS DESCRIBED IN LIBER 3114 PAGE 493, LIBER 3324 PAGE 132, LIBER 12028 PAGE 402.**

**Continued On Next Page**

**AS TO TAX LOTS 0200-688.00-01.00-042.00 AND P/O 041.000**

**ALL that certain plot, piece or parcel of land situate, lying and being at Lake Ronkonkoma, Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lots 20 and 21 all on a certain map entitled "Twilight Park" situate at Lake Ronkonkoma, surveyed by Louis C. Heilman, August 23, 1929 and filed in the Office of the Clerk of the County of Suffolk on the 27th day of November 1929 under file number 666.**

**BEING AND INTENDED TO BE THE SAME PREMISES AS DESCRIBED IN LIBER 3114 PAGE 494, LIBER 1479 PAGE 532, LIBER 3324 PAGE 132, LIBER 12028 PAGE 403 AS AMENDED BY LIBER 12115 PAGE 287.**

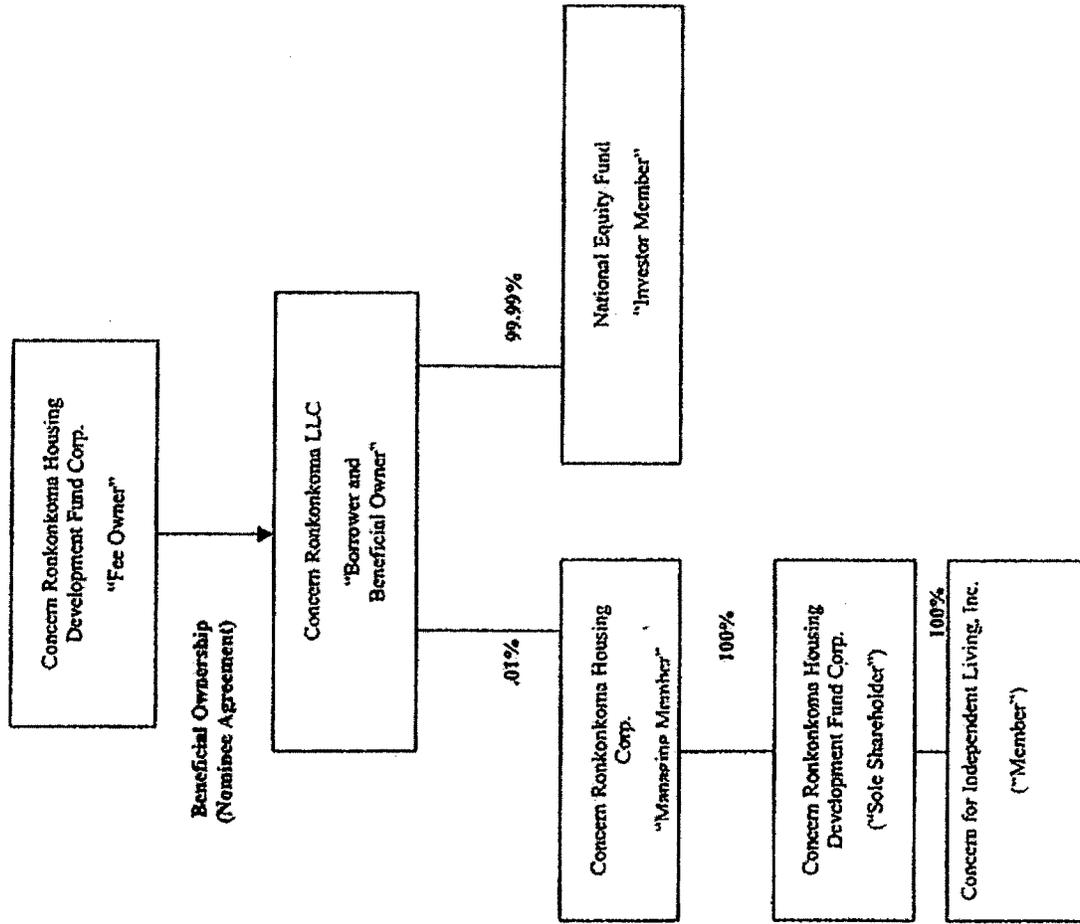
**AS TO TAX LOTS 0200-888.00-01.00-P/O 041.00 AND 043.000**

**ALL that certain plot, piece or parcel of land situate, lying and being at Lake Ronkonkoma, Town of Brookhaven, County of Suffolk and State of New York, known and designated as 17, 18 and 21A all on a certain map entitled "Twilight Park" situate at Lake Ronkonkoma, belonging to Gary Devarbre, surveyed by Louis C. Heilman August 23, 1929 and filed in the Office of the Clerk of the County of Suffolk on the 27th day of November 1929 under file no. 666.**

**BEING AND INTENDED TO BE THE SAME PREMISES AS DESCRIBED IN LIBER 3114, PAGE 494, LIBER 3324 PAGE 132, LIBER 7782 PAGE 61. LIBER 12028 PAGE 403 AS AMENDED BY LIBER 12115 PAGE 288.**

**INCLUDING ALL RIGHT TITLE AND INTEREST IN PARK AVENUE AS LAID OUT ON THE SUFFOLK COUNTY TAX MAP.**

# CONCERN RONKONKOMA VETERANS HOUSING - ORGANIZATIONAL STRUCTURE



CONFIDENTIAL

**CONCERN RONKONKOMA VETERANS HOUSING**

**Unit Breakdown**

**40 One-Bedroom Apartments:**

18 @ 619.9 Square Feet/Each

22 @ 677.2 Square Feet/Each

**16 Two-Bedroom Apartments:**

7 @ 879.2 Square Feet/Each

1 @ 878.2 Square Feet

7 @ 936.1 Square Feet/Each

1 @ 937.1 Square Feet

**3 Three-Bedroom Apartments:**

3 @ 1,184.9 Square Feet/Each

**Exhibit 4 - Rents/Maintenance Fees & Affordability**

page 1  
 Date: **09/12/13**  
 Median Income = **\$107,500**  
 Jan-12

Project Name: **Concern - Ronkonkoma Veterans Housing**  
 Project County: **Suffolk** SHARS # (if assigned)

This Exhibit must be completed by all applicants proposing to assist residential units. All residential units in the project must be recorded on this Exhibit, including those not funded by DHCR/HTFC, and building superintendent's/resident manager's units.

**A. Tenant Affordability Plan for Rental Units**

1. Do you anticipate that any units in the project will receive a rental subsidy?  Yes

2. If yes, enter the number of units that you expect to receive the subsidy from, by source

a. DSS Housing Allowance - No. of units to receive subsidy	8
b. HTFC Section 8 - No. of units to receive subsidy	
c. Section 8 Other - No. of units to receive subsidy	
d. DHCR RRAP - No. of units to receive subsidy	
e. USDA - RD Section 521 - No. of units to receive subsidy	
f. Other (specify) <b>NYS OMH</b>	30

Total number of units to receive subsidy **38**

3. If the project includes a non-rent bearing unit to be occupied by a building superintendent/resident manager, complete the following table:

A. Unit Size	B. # of Units	C. # of Occupants in Unit	D. Monthly Utilities	E. Monthly Housing Cost	F. Total Annual Cost
2 br	1	3	\$152	\$152	\$1,824
Total Units	1		Total \$	\$152	\$1,824

Comments:

Project Name: **Concern - Ronkonkoma Veterans Housing** updated: 4/30/12  
 Project County: **Suffolk** SHARS # (if assigned) **0** Date: **09/12/13**  
**Table A1 - Monthly Housing Cost and Affordability for Rental Units without Subsidies** Median Income = **\$107,500** page 2  
 Jan-12

A. B. C. D. E. F. G. H. I. J. K. L. M.





Table 2 - Base for Operating Budget Projections for Years 1 - 15

A. Expense		B. Year 1 Cost	C. Type % Increase		D. Rationale for Estimate and Source
					default expense Type Variable
1. Total Effective Income		\$1,029,071	Variable	1.50%	default expense % change 3.00%
2. Manager		45,000	Variable	3.00%	
3. Management Fee (enter %) 5.00%		24,454	Variable	3.00%	5% of Effective Income
4. Accounting & Audit		10,400	Variable	3.00%	Quote provided by CPA
5. Legal		7,500	Variable	3.00%	\$200/DU x 60 DUs and based on sponsor's other projects
6. Advertising		4,000	Variable	3.00%	
7. Office Supplies & Equipment		7,000	Variable	3.00%	Based on similar Sponsor projects
8. LIHC Monitoring Fee		4,510	Variable	3.00%	HCR Guidelines
9. Other Admin. (specify in column D)		0	Variable	3.00%	
11. Janitor and Cleaning Payroll		\$21,600	Variable	3.00%	Add'l Maintenance staff - 1 FTE/35 DUs
12. Janitor and Cleaning Supplies		\$2,950	Variable	3.00%	\$50/DU and based on sponsor's other projects
13. Exterminating		\$2,880	Variable	3.00%	\$15/Rental Room x 192 Rooms and based on sponsor's other projects
14. Garbage and Trash Removal		\$8,500	Variable	3.00%	Based on similar Sponsor projects
15. Security			Variable	3.00%	
16. Ground Expense		\$4,750	Variable	3.00%	Seasonal exterior cleanup/painting/mowing
17. Maintenance and Repair Payroll		\$45,000	Variable	3.00%	Full-time Superintendent
18. Maintenance and Repair Materials		\$13,760	Variable	3.00%	Based on similar Sponsor projects
19. Maintenance and Repair Contracts		\$12,500	Variable	3.00%	Based on similar Sponsor projects
20. Elevator		\$0	Variable	3.00%	
21. Snow Removal		\$5,500	Variable	3.00%	Contract for snow removal
22. Painting and Decorating		\$13,275	Variable	3.00%	\$225/DU and other Sponsor projects
23. Other M & O (specify in column D)		\$12,500	Variable	3.00%	HVAC & Fire Alarm Maintenance Contracts
25. Fuel Oil			Variable	3.00%	N/A
26. Lighting/Electricity		\$53,088	Variable	3.00%	Based on architect estimate plus utility costs for 38 residents plus common are
27. Water and Sewer		\$44,900	Variable	3.00%	Engineer's Estimate: Water at \$8,900 and on site sewage treatment facility
28. Gas		\$40,449	Variable	3.00%	Based on architect estimate plus utility costs for 38 residents plus common
29. Other Utilities (specify in column D)			Variable	3.00%	
31. Real Estate Taxes		\$20,000	Variable	3.00%	PILOT to Town of Brookhaven
32. Payroll Taxes		\$27,900	Variable	3.00%	A function of total payroll as based on sponsor's other projects
33. Other Taxes (specify)		\$0	Variable	3.00%	
34. Property and Liability Insurance		\$21,592	Variable	3.00%	Quote from Insurance Broker
35. Fidelity Bond Insurance			Variable	3.00%	In above insurance quote
36. Other Insurance (specify in column D)			Variable	3.00%	
38. Operating Reserve			Fixed		
39. Replacement Reserve		\$14,750	Fixed		\$250/DU x 59 DUs, per HCR Guidelines
40. Total Expenses		\$486,748			
41. Net Operating Income		\$562,323			
42. Debt Service List <u>All</u> Sources of Permanent Financing with Debt Service		B. Year 1 Cost	C. Type % Increase		D. Source Name
MIF	7,500,000	6.000%	540,000	Fixed	First Mortgage from The Community Preservation Corp.
		0.000%		Fixed	
		0.000%		Fixed	
		0.000%		Fixed	
		0.000%		Fixed	
		0.000%		Fixed	
		0.000%		Fixed	
		0.000%		Fixed	
		0.000%		Fixed	
		0.000%		Fixed	
		0.000%		Fixed	
43. Total Debt Service		\$540,000			
44. Cash Flow		\$22,323			
45. Repayment of Deferred Dev's. Fee		\$14,000	Fixed		

## OFHEO Marketing Plan

### 1. PROJECT IDENTIFICATION

- a. Applicant: Concern for Independent Living  
312 Expressway Drive South  
Medford, NY 11763
- Project: Concern Ronkonkoma  
58 Portion Road  
Lake Ronkonkoma, New York
- b Units: 30 1-bedroom apartments for Special Needs Individuals  
(Homeless Veterans with Psychiatric Disabilities)  
10 1-bedroom apartments for Low Income Individuals and  
Families  
15 2-bedroom apartments for Low Income Individuals and  
Families  
3 3-bedroom apartments for Low Income Individuals and  
Families

NOTE: 1 additional 2-bedroom apartment will be reserved for a live-in Superintendent.

- c. Household type: Homeless Veterans with Psychiatric Disabilities  
Low Income Individuals and Families
- d. Project type: This project involves the new construction of eight buildings. Marketing is anticipated to begin in June, 2015, with full occupancy by January, 2016.

The 30 Special Needs units are funded by the New York State Office of Mental Health. Marketing of this project must adhere to the requirements of NYS OMH. It is a requirement of NYS OMH that the primary market area of this project be the County of Suffolk. The population to be served will be Homeless Veterans with Psychiatric Disabilities and referrals for these beds will be through the Suffolk County Single Point of Access (SPA) as required by NYS OMH.

Additionally, Concern will register the project with [www.NYHousingSearch.gov](http://www.NYHousingSearch.gov) no later than 90 days prior to engaging in marketing activities.

### 2. ACCESSIBILITY/ADAPTABILITY OF UNITS

Forty (40) units are handicapped-accessible for the mobility impaired; Fifty-nine (59) units will be accessible for those with hearing and/or visual impairments. All common areas of the buildings will be equipped with audio/visual alarms (including

strobes), contrasting color stair treads and risers, contrasting walls and floors with directional queues. Braille signage will be used throughout the buildings.

### **3. ACCESSIBILITY/ADAPTABILITY POLICIES OF MANAGEMENT**

- a. When an accommodation is requested by a tenant, Concern will provide the requested accommodation unless doing so would result in a fundamental alteration in the nature of the program or an undue financial or administrative burden. If it is not possible to provide the needed accommodation due to undue financial or administrative burden, Concern will take any possible action that would address the need but not result in an undue burden.
- b. Concern will take all steps necessary to ensure effective communication with applicants, tenants, and members of the public. The project will have a telecommunication device such as a TTY machine or an equally effective communication system. When requested and feasible, Concern will offer leases, brochures, and other information in large print, Braille, or on tape. Additionally, staff trained in American Sign Language will be made available as needed. If Concern is unable to fulfill a request we will seek alternative ways of presenting written communications to meet the individual's needs.
- c. Accessible units will be assigned first to current tenants who need the accessibility features of the unit and then to other applicants. Concern may move a current tenant requiring an accessible unit in lieu of making modifications. Concern will move a tenant with a disability requiring a more accessibly located unit at the tenant's request if such a unit is available.
- d. Accessible marketing efforts: Marketing to persons who require special features will be ongoing. Diligent efforts will be made to market accessible units to individuals requiring units with special features prior to temporarily renting to persons that do not require special features. We will perform outreach to organizations that serve handicapped persons and will keep copies of all correspondence/outreach efforts.
- e. Lease clauses will be included to require non-handicapped occupants to relocate if the unit is needed by a handicapped person.
- f. Concern makes special efforts to ensure that our housing is available and accessible to all eligible persons on an equal basis. Concern will limit the verification of a person's disability to only that which is needed to establish eligibility. Verification will be required only after a tenant or applicant has asked that their disability be considered by management.

Upon receipt, the application for a unit is screened by for basic eligibility and, if eligibility requirements are met, applicants are scheduled for a screening interview. The screening interview includes review of the application and supporting documentation (psychiatric history, psycho-social summary, and physical exam), a criminal background check, a sex offender registry check and

a face-to-face interview. If additional materials are needed, the applicant and the referring (or accompanying) worker are advised of the need for documentation.

- g. When necessary and requested persons with disabilities are permitted to have service and/or companion animals.
- h. Concern makes special efforts to ensure that our housing is available and accessible to all eligible persons on an equal basis. Persons with disabilities are given the same choices as other applicants in choosing their housing accommodations.

#### **4. SMOKING POLICY**

- a. Smoking is prohibited in all of Concern's housing programs, buildings, and vehicles. The smoking policy is clearly outlined in the Lease that is reviewed and signed by all applicants prior to admission into the program.
- b. Residents of the program will be permitted to smoke outdoors; however, cigarettes must be disposed of in a safe and sanitary manner and in an appropriate receptacle. Smoking will be prohibited in outdoor public areas.
- c. All smoking policies will be clearly outlined in the lease.

#### **5. DIRECTION OF MARKETING ACTIVITIES**

##### **I. SPECIAL NEEDS UNITS**

The 30 Special Needs units are funded by the New York State Office of Mental Health. Marketing of this project must adhere to the requirements of NYS OMH. It is a requirement of NYS OMH that the primary market area of this project be the County of Suffolk.

- a. The project is located in the City of Lake Ronkonkoma, Town of Brookhaven, Suffolk County, New York. The primary market area for this portion of the program will be Suffolk County. As indicated by data set QT-P3 attached, the primary market area has a total population of 1,419,369 persons. Over 97% of the population identifies themselves as one race: African Americans make up 6.9% of the population, Whites comprise 84.6%, American Indian and Alaskan Native comprise 0.2%, Asians comprise 2.4%, Native Hawaiian and Other Pacific Islanders comprise 0%. The remaining 3.7% of individuals do not fit into any of the aforementioned categories. In addition, 10.5% of individuals identify as Hispanic or Latino.
- b. The populations least likely to apply are African Americans and Asians. Enhanced marketing efforts will be directed to these populations.

##### **II. LOW-INCOME UNITS**

- a. The project is located in the City of Lake Ronkonkoma, Town of Brookhaven, Suffolk County, New York. The primary market area for this portion of the program will be the Lake Ronkonkoma CDP. As indicated by data set QT-P3

attached, the primary market area has a total population of 20,155 persons. Over 98% of the population identifies themselves as one race: African Americans make up 2.4% of the population, Whites comprise 89.2%, American Indian and Alaskan Native comprise 0.2%, Asians comprise 4.5%, Native Hawaiian and Other Pacific Islanders comprise 0%. The remaining 3.7% of individuals do not fit into any of the aforementioned categories. In addition, 10% of individuals identify as Hispanic or Latino.

- c. The populations least likely to apply are African Americans and Asians. Enhanced marketing efforts will be directed to these populations.
- c. The secondary market area will be the Town of Brookhaven. As indicated by data set QT-P3 attached, the secondary market area has a total population of 486,040 persons. Over 97% of the population identifies themselves as one race: African Americans make up 5.5% of the population, Whites comprise 84.5%, American Indian and Alaskan Native comprise 0.3%, Asians comprise 3.9%, Native Hawaiian and Other Pacific Islanders comprise 0%. The remaining 6.1% of individuals do not fit into any of the aforementioned categories. In addition, 12.4% of individuals identify as Hispanic or Latino.
- d. In the event we are unable to fill the units, we would request permission to market the project to residents of Suffolk County.

## **6. MARKETING PROGRAM**

Please note that this is a mixed-use project. As such, the marketing efforts will vary according to the units being marked (Special Needs vs. Low-Income)

### **I. SPECIAL NEEDS**

#### **a. Commercial Media to be Used**

Please note that the proposed program will serve Homeless Veterans with psychiatric disabilities. Given the target population, we would request a waiver from advertising or marketing this housing in the Commercial Media for this project, as this could lead to the stigmatization of the program participants. It is standard practice in this industry that projects such as this are granted relief from commercial media marketing due to the stigma attached to mental illness and to preserve the residents' privacy. Concern's thirteen HUD 811 Supportive Housing programs, 5 existing CR-SROs, and one SP-SRO have all been granted a waiver from this requirement as stigmatization may lead to prejudice violence and/or become an impediment to recovery.

#### **b. Brochures, Signs and HUD's Fair Housing Poster**

As stated above, this program will serve homeless singles, couples and families, many with psychiatric disabilities and/or substance abuse disorders. Due to the stigma attached to homelessness, mental illness and substance abuse disorder and the need to protect the privacy of the project residents, Concern makes every effort to be as discreet as possible in its advertising.

(1) All signs, brochures and leaflets will show the Equal Housing Opportunity and Accessibility logos.

(2) There will be no project sign because of concerns regarding stigma.

- (3) Brochures and handouts include information on Concern for Independent Living and all of its programs as they are developed. Those developed to provide information to community groups and potential residents also include information regarding the process for applying for housing in our programs.
- (4) Attached is a sample of the proposed brochure which includes this project. We will begin using this brochure during the marketing phase of this project, and continue to use this brochure after that.

c. Community Contacts

- (1) Organizations serving groups that are least likely to apply:

Asian - Asian Americans for Equality  
108 Norfolk Street  
New York, NY 10002

OCA-Long Island Chapter  
P.O. Box 2052  
Garden City, NY 11531

African American - Helen Martin  
Bellport-Hagerman East Patchogue Alliance  
PO Box 121  
Bellport, NY 11713

- (2) Organizations serving special populations served by the project:

The majority of tenants will come directly from the VAMC at Northport and/or the Public Housing Authority. It is anticipated that the remaining tenants will be referred from our community partners. The following is a list of community partners and organizations to which Concern will outreach for referrals and services for tenants in this program.

- o United Veterans Beacon House-PO Box 621, Bayshore, NY
- o Clubhouse of Suffolk – PO Box 373, Ronkonkoma, NY
- o Long Island Coalition for the Homeless – 38 Old Country Rd, Garden City, NY
- o Suffolk County United Veterans-939 Johnson Avenue, Ronkonkoma, NY
- o Pedersen-Krag Clinics and Continuing Day Treatment- 17 Flowerfield, St. James, NY
- o Catholic Charities – 90 Cherry Lane, Hicksville, NY
- o Federation of Organizations – One Farmingdale Road, Suite 109, West Babylon, NY
- o F.R.E.E. – 120 Plant Avenue, Hauppauge, NY
- o Mercy Haven – 859 Connetquot Avenue, Suite 10, Islip Terrace, NY
- o Options for Community Living – 202 East Main Street, Smithtown, NY
- o John T. Mather Hospital – North Country Road, Port Jefferson, NY
- o St. Charles Hospital – North Country Road, Port Jefferson, NY

- o Eastern Long Island Hospital – Main Street, Greenport
- o Maryhaven – 51 Terryville Road, Port Jefferson Station, NY
- o Hands Across Long Island – 159 Brightside Avenue, Central Islip, NY
- o Adelante of Suffolk – 10 Third Street, Brentwood, NY
- o Hispanic Counseling Center – 344 Fulton Avenue, Hempstead, NY
- o Stony Brook University Hospital – Stony Brook, NY
- o Brookhaven Hospital – Hospital Road, East Patchogue, NY
- o Transitional Services of Long Island – 840 Suffolk Avenue, Brentwood, NY
- o The Way Back – 1401 Main Street, Port Jefferson, NY
- o Central Nassau Guidance and Counseling – 950 S. Oyster Bay Road, Hicksville, NY
- o Angelo Melillo Center – 113 Glen Cove Avenue, Glen Cove, NY

Other organizations expected to provide referrals or be contacted in the event of a vacancy:

- o Madonna Heights Services – 151 Burrs Lane, Dix Hills, NY
- o Madonna Heights East End Services – 712 Northville Turnpike, Riverhead, NY
- o Society of St. Vincent DePaul – 249 Broadway, Bethpage, NY
- o Suffolk Community Council – 180 Oser Avenue, Hauppauge, NY
- o Suffolk Coalition Against Domestic Violence – PO Box 1269, Bay Shore, NY
- o Island Harvest – 199 Second Street, Mineola, NY
- o WHPDC – 1434 Straight Path, Wyandanch NY
- o YMCA Family Services – 11 East Main Street, Ste 160, Bay Shore, NY
- o Single Point of Access – 1300 Veterans Memorial Highway, Hauppauge, NY

Community Contacts serving the (physically) disabled community:

- o SILO – 245 Waverly Avenue, Holtsville, NY
- o LICIL – 1601 Hempstead Turnpike, Suite 312, Levittown, NY

(3) Concern has an extensive database of community contacts, addresses, fax numbers and email addresses. Vacancy notices and program-opening announcements are distributed through mass emails and fax notices to the above contacts and others. Additionally, SHNNY, ACL, NAMI and several consumer groups share vacancy and program opening notices with their networks. Finally, targeted mailings are sent to those on our Affirmative Fair Marketing lists, along with copies of the application. We will use these methods, which have been successful in our other programs, to market this project.

As indicated, Concern belongs to several umbrella organizations and has affiliation agreements with others. Those organizations will assist Concern in marketing our program by sending our vacancy notices and notification of program opening to all of the contacts in their extensive email groups.

(4) Attached is a sample of the letter that will be sent to community contacts.

## **II. LOW-INCOME UNITS**

### **a. Commercial Media to be Used**

Marketing of non-Special Needs apartments will be performed through classified advertisements in local newspapers. The following is a list of newspapers which circulate the Primary Market Area.

#### **General Circulation**

Newsday

The Suffolk County News

The Suffolk Times

Additionally, minority circulated newspapers will be utilized in marketing. Minority newspapers serving the Primary Market Area include:

#### **LLA Newspapers**

The World Journal

New Amsterdam News

### **b. Brochures, Signs and HUD's Fair Housing Poster**

Marketing of Low-Income units will be limited to commercial media; however, all signs, brochures, leaflets and handouts used in the marketing of this project will include the fair housing and accessibility logos.

### **c. Community Contacts**

(1) Organizations serving groups that are least likely to apply:

Asian -

Asian Americans for Equality  
108 Norfolk Street  
New York, NY 10002

OCA-Long Island Chapter  
P.O. Box 2052  
Garden City, NY 11531

African American -

Helen Martin  
Bellport-Hagerman East Patchogue Alliance  
PO Box 121  
Bellport, NY 11713

Community Contacts serving the (physically) disabled community:

- o SILO – 245 Waverly Avenue, Holtsville, NY
- o LICIL – 1601 Hempstead Turnpike, Suite 312, Levittown, NY

Attached is a sample of the letter that will be sent to community contacts.

## **7. TENANT SELECTION PROCEDURES**

**I. SPECIAL NEEDS UNITS:**

- a. Because this project targets Homeless Veterans with psychiatric disabilities, a special needs population, we would like to request a waiver of the requirement for an initial lottery. Referrals will be sought through the Suffolk County Single Point of Access (SPA) which is the referral source for all mental health housing on Long Island.
- b. Marketing will begin not less than 90 days from anticipated program opening, as described above and in accordance with all rules and regulations of the Division of Housing and Community Renewal. Concern will outreach to SPA and through notification letters via email, fax and regular mail to community contacts. Concern's Intake staff will review individual applications for admission and conduct interviews with prospective tenants and their referral sources. The application form will be made available in Concern's offices and on our website.

Please see the sample marketing letter attached.

- c. Applications will be date/time stamped and logged into a bound book. Applications will be received from the SPA. SPA maintains its own waiting list. Concern will not maintain a waiting list for these units.
- d. Tenant eligibility criteria include income limits (Very-Low Income), psychiatric disabilities, homelessness and an assessed ability to live successfully in the community with supports. Documentation of income, homelessness and veteran status, if applicable, must be included with the application and will be verified by program staff. Interviews will be conducted by a highly trained and Licensed Social Worker.
- e. Applicants with histories that indicate the potential to cause harm to him/herself or others, including those with histories of violence or severe or current substance abuse, may be declined for admission.

**II. Low-Income Units:**

- a. Marketing will begin not less than 90 days from anticipated program opening, as described above and in accordance with the rules and regulations of the Division of Housing and Community Renewal. The initial selection process will be made on a random basis through the use of a lottery.
- b. Applications will be received at a post office box designated for this purpose only. The initial application period will close 90 days from the date of commencement. The application cut-off date will be stated in the print ad and in the community contact letter.
- c. Prior to the date of commencement of marketing activities, Concern will open a dedicated PO Box at our local Post Office. This PO Box will remain open until the close of marketing activities. Immediately upon the close of marketing activities, applications will be opened at random in the presence of a third party and logged. Apartments will be offered to eligible applicants in the order that they are drawn.

- d. Tenant eligibility criteria include income limits (60% of AMI) and head of household at least 18 years of age. Documentation of income must be included with the application and will be verified by staff. Full time students are not eligible.
- e. Applicants that do not meet the income limits criteria, are full-time students or where the head of household is not at least 18 years of age will be rejected.

## **8. FUTURE MARKETING ACTIVITIES**

### **I. Special Needs Units:**

- a. As openings or vacancies occur in this program, Concern will notify the Single Point of Access. The Single Point of Access maintains waiting lists of applicants for this kind of subsidized housing.
- b. Concern will not maintain a waiting list for these units.

### **II. Low-Income Units:**

- a. Concern will publish a classified advertisement in the local commercial media as stated above, when and if, a large number of vacancies occur and/or the waiting lists nears exhaustion.
- b. Concern will maintain a waiting list for the Low-Income Units in the building. The list may be closed if the probable wait for an apartment exceeds one year. When the wait for housing is judged to be six (6) months or less, the waiting list will be re-opened. The waiting list may be culled to remove inactive applications every 6-8 months. Applicants will be sent a letter inquiring if they are still interested in housing. They will be given two weeks to contact a Concern representative either by telephone or mail. If the letter is returned by the post office or if there is no response within the time period, the applicant's name will be removed from the waiting list.

## **9. ASSESSMENT OF MARKETING EFFORTS**

- a. The success of the marketing efforts will be measured by the number of eligible applications that are received in response to our marketing efforts. In order to be considered successful, the marketing efforts should result in at least 60 eligible applications for the project.
- b. The success of our marketing efforts to LLA populations will be measured by the percentage of applications received from persons representative of those minority groups, as compared to the percentage of persons from those minority groups in the target area. For example, if the Hispanic population in the area is 10%, success in marketing to the Hispanic population would be measured by whether more than 10% of eligible applicants were Hispanic. In the event that LLA populations are poorly represented in our program, additional marketing efforts will be made to attract persons from those populations, including meeting with

representatives of Minority organizations, hospitals, and community groups; sending letters or articles to minority-based local publications, generally describing the agency and its services, as well as its accomplishments; outreaching to minority leaders within the community to educate them about the housing and services provided by this program and the agency as a whole.

## **10. STAFF INSTRUCTION**

Concern for Independent Living conducts Fair Housing training workshops for staff on an annual basis. In addition, Concern has an affiliation Agreement and a Fair Housing Contract with Long Island Housing Services (LIHS), a Fair Housing Advocacy organization. Concern also subscribes to several Housing Development and Fair Housing related publications, including "Assisted Housing Management Insider," "Housing Affairs Letter," and "Professional Apartment Management." Relevant articles are distributed to staff for their reference and edification. Concern also belongs to several umbrella organizations that address fair housing issues for various populations. These include the Long Island Coalition for the Homeless, the National Coalition for the Homeless, the National Low-Income Housing Coalition, the National Alliance for the Mentally Ill, the Association for Community Living, the Supportive Housing Network of New York and the Health and Welfare Council. Concern executive and managerial staff are board members and trustees of several of these organizations.

## **11. RECORD KEEPING**

- a. Copies of all advertising and records of dates of publication will be kept on file in the management office.
- b. Records of outreach to special interest groups and agencies providing referrals will be kept on file in the management office.

**NOTE:** Sections which do not explicitly separate "Special Needs Units" and "Low Income Units" apply to both.

EXHIBIT 2  
To  
RESOLUTION

**CONCERN RONKONKOMA  
DEVELOPMENT AGREEMENT**

THIS DEVELOPMENT AGREEMENT (the "Agreement") made as of the \_\_\_ day of \_\_\_\_\_, 2014 among THE COUNTY OF SUFFOLK (the "County"), a municipal corporation of the State of New York, having its principal office at County Center, Riverhead, New York 11901 acting by and through its Department of Economic Development and Planning (the "Department"), having its offices at 100 Veterans Memorial Highway, Hauppauge, New York 11788 and CONCERN RONKONKOMA LLC, a New York limited liability company (the "Developer") and CONCERN RONKONKOMA HOUSING DEVELOPMENT FUND CORP., a New York corporation (the "Fee Owner"), each having its office at c/o Concern for Independent Living, Inc. 312 Expressway Drive South Medford, New York 11763-0467.

The County, the Department, the Fee Owner and/or the Developer may also hereinafter be referred to as a "Party" or the "Parties" as the context may require.

WHEREAS, in furtherance of the objectives of Article XXXVI of the Suffolk County Administrative Code, as amended (the "Program"), the County has undertaken a program for the acquisition, construction, reconstruction and rehabilitation of properties for affordable housing purposes; and

WHEREAS, there exists a need in Suffolk County to provide affordable housing thereby promoting the County's economic growth and prosperity; and

WHEREAS, the County has identified a certain affordable housing development to be constructed within the County of Suffolk in Lake Ronkonkoma known as "Concern Ronkonkoma", all as more particularly described in Schedule A annexed hereto and made a part hereof (the "Development Area") pursuant to the terms of this Agreement; and

WHEREAS, there has been formulated and presented to the Suffolk County Legislature for consideration and approval an Affordable Housing Development Plan known as the Development Plan for Concern Ronkonkoma (the "Development Plan"), a copy of which is annexed hereto and made a part hereof as Schedule B, which Development Plan was approved by the Suffolk County Legislature pursuant to Resolution No. \_\_\_ - 2014, which provides for the construction, reconstruction and/or rehabilitation of said Development Area with 59 rental units and, *inter alia*, the construction of ancillary facilities at the Development Area (the "Project"); and

WHEREAS, Resolution No. \_\_\_\_ - 2014 authorizes the County to enter into this Agreement to fund the cost of certain infrastructure improvements in the Development Area for affordable housing purposes in accordance with the Program, which funds are not subject to appropriation; and

NOW, THEREFORE, each of the Parties, for and in consideration of the promises and agreements of the other Party hereto, does covenant and agree as follows:

ARTICLE 1  
INFRASTRUCTURE IMPROVEMENTS

101. Infrastructure Improvements.

- A. Infrastructure Subsidy. The County agrees to provide funding to the Developer in an amount not to exceed Seven Hundred and Fifty Thousand (\$750,000.00) Dollars (the "Infrastructure Subsidy") to subsidize a portion of the infrastructure improvements in the Development Area. These funds are intended to off-set the costs of infrastructure improvements as set forth in Schedule C attached hereto. In accordance herewith, on the date hereof, the Developer and the Fee Owner agree to deliver to the County an easement, attached hereto as Exhibit 1 (the "Easement"), executed by the Developer and the Fee Owner running in favor of the County encompassing the entire Development Area.
- B. Payment of Infrastructure Subsidy; Closing Date. Initially, the Developer will pay for the infrastructure costs. The County will pay the Infrastructure Subsidy to the Developer only upon (a) satisfaction of the conditions set forth in Section 102 below; and (b) the Completion of Construction (as defined in Section 203 below); and (c) completion, to the reasonable satisfaction of the County, of all the infrastructure improvements which shall be constructed in accordance with all applicable laws, codes, rules and regulations, including, without limitation, the Suffolk County Sanitary Code, Chapter 760 of the Laws of Suffolk County; and (d) submission to the County of an Affidavit of the Developer and the Fee Owner setting forth their compliance with the terms of this Agreement and the Development Plan; and (e) presentment of paid invoices for the amount of the Infrastructure Subsidy requested hereunder; and (f) receipt of evidence of release of liens of all contractors, subcontractors, laborers,

materialmen and any other person retained in connection with construction of the Project or arrangements reasonably satisfactory to the County for the disposition or bonding thereof. The date on which the Infrastructure Subsidy is paid is referred to herein as the "Closing Date."

- C. Closing Date Documents. On the Closing Date, the Developer shall execute and deliver to the County the Note in the form attached hereto as Exhibit 2 (the "Note") and the Developer and the Fee Owner shall deliver to the County the Mortgage in the form attached hereto as Exhibit 3 (the "Mortgage") and the Covenants and Restrictions attached hereto as Exhibit 4 (the "Covenants & Restrictions"). On the Closing Date, the Mortgage and the Covenants & Restrictions shall be filed as a lien against the Development Area.
- D. Subordination. The County's priority of rights and interests of and to any mortgage of the County running in favor of the County on the Development Area, or any part thereof, are subordinated to the lien of the mortgage for construction or operating financing on the Development Area as set forth on Schedule D attached hereto (the "Superior Liens"). Such subordination shall be upon such terms and conditions as are reasonably acceptable to the County. Upon request of the Developer, the County will deliver to Developer and the holder of any Superior Lien, an instrument in recordable form reflecting such subordination.

102. Conditions. As additional conditions precedent to the County's obligations hereunder the following conditions shall have been met, provided that the execution and delivery of this Agreement by the County shall constitute definitive evidence of the satisfaction of such conditions:

- A. On the date hereof, the Developer and the Fee Owner shall have executed and delivered the Easement in favor of the County. The Easement shall be recorded promptly following the execution and delivery of this Agreement
- B. On or prior to the date hereof, the Developer shall have executed and delivered a Management Agreement for the operation of Concern Ronkonkoma in form and substance reasonably satisfactory to the County.
- C. On or prior to the date hereof, the Developer shall have delivered a written plan to administer the marketing, income eligibility, occupant selection and

lottery process for Concern Ronkonkoma that is in compliance with all applicable laws, including, but not limited to Fair Housing Laws.

- D. On or prior to the date hereof, the Developer shall have provided the County with an accurate description of the contractors and subcontractors to be utilized in the development of the Development Area.
- E. On or prior to the date hereof, the Developer shall have provided the County with documentation necessary to support the Infrastructure Subsidy requested.
- F. On or prior to the date hereof, the Developer shall have delivered to the Department documents satisfactory to the Department indicating that there are sufficient public and/or private funds committed to complete the Project. In the event federal or state grant funds are obtained to finance the Project or any part thereof, the federal and state requirements shall be met. Notwithstanding the foregoing, if the County's requirements are more stringent, the County's requirements shall prevail.
- G. On or prior to the date hereof, title to the Development Area shall have vested in the Developer together with the Fee Owner and the County shall have been provided with evidence of same. In addition, all subdivisions, zone changes, variances and municipal approvals required to be obtained, in order to develop the Development Area in accordance with the Development Plan, shall have been obtained and the County provided with evidence of same.
- H. On or prior to the date hereof, the Fee Owner and the Developer shall have executed and delivered a Nominee Agreement pursuant to which the Fee Owner shall grant to the Developer a beneficial ownership interest in the Development Area and the rights to develop such area in accordance with this Agreement and the Development Plan and the County shall be provided with a copy of such Nominee Agreement.

ARTICLE 2  
DEVELOPER'S AND FEE OWNER'S RESPONSIBILITIES

201. Covenants. Developer hereby covenants and agrees for itself and every successor in interest to the Development Area or any part thereof, as follows:
- A. Construction of the Project. Construction of the Project shall commence no later than two (2) months from the date hereof and shall proceed diligently to completion of the Project within thirty four (34) months from the date hereof unless the Director of Real Estate (the "Director") has

granted an extension in writing, for good cause shown. Said extension shall be no longer than two (2) years unless approved by a duly enacted resolution of the Suffolk County Legislature.

- B. Plans and Specifications. Developer agrees to undertake and carry out the construction of the Project in accordance with the Development Plan and the applicable building and fire codes and zoning restrictions which are in effect. Developer may make amendments, modifications or corrections to the Development Plan, provided that the same comply with the requirements of the applicable building codes and zoning restrictions which are in effect, and provided further, that any modifications, amendments or corrections to the Development Plan which materially affect the site plan or which affect the total number, affordability and distribution as to type of dwelling units to be constructed shall require the prior written approval of the Department, and the prior written approval of the Suffolk County Legislature. "Material Change" shall be as reasonably determined by the Director. Any requests to modify the site plan or total number and distribution as to type of dwelling units shall be made in accordance with the notice requirements of Section 515 of this Development Agreement.

As of the date hereof, the applicable zoning regulations must be consistent with the land use and development contemplated in the Development Plan. If the Development Plan is modified or amended, all changes must be approved by the Department in accordance with this Section 201(B). The Department shall make reasonable efforts to assist Developer in any proceeding, other than judicial proceedings initiated by Developer, to obtain other necessary County approvals.

- C. Impairment of County Lien; Repayment of Infrastructure Subsidy. Developer and Fee Owner covenant and agree and will require any successors, assigns and transferees to covenant and agree, that it shall not undertake nor permit any action or activity which shall impair or have the effect of impairing the lien of the County in the amount of the Infrastructure Subsidy except as authorized under this Agreement.

The Infrastructure Subsidy imposed upon the Project in accordance with the Program shall be repaid if, once the residential units at the Project are occupied, occupancy requirements are not met as specified in the Covenants & Restrictions, the Development Plan or any Easement, Note or Mortgage evidencing the Infrastructure Subsidy.

- D. Environmental Compliance. The Developer agrees to demolish and remove, at its sole cost and expense, any and all buildings, structures, cesspools, septic tanks and fuel tanks located on the Development Area. In the event that any

remediation work to the Development Area is required by law, Developer shall complete same at its sole cost and expense.

The demolition and removal of any and all buildings, structures, cesspools, septic tanks and fuel tanks at the Development Area and remediation work, if any, including, but not limited to, the proper disposal of any debris, solid wastes, pollutants, hazardous materials and/or soil will be performed by the Developer in accordance with all applicable Federal, State and County laws and local ordinances. The Developer covenants and agrees that it will defend, indemnify, and hold harmless the County, and any of its respective officers, agents, employees, and their successors and assigns, against any and all damages, claims, losses, liabilities and expenses, including, without limitation, responsibility for legal, consulting, engineering and other costs and expenses which may arise out of any action, suit, claim, or proceeding seeking money damages, injunctive or compulsive relief, remedial action, or other remedy by reason of (1) a violation or non-compliance with any environmental law; or (2) the disposal, discharge or release of solid wastes, pollutants, hazardous materials and/or soil; or (3) its acts or omissions or negligence in the performance of the aforementioned demolition, removal and remediation work, if any. The provisions of this Paragraph shall survive the delivery of any instrument of conveyance, satisfaction or completion pursuant to this agreement.

E. Charges, Costs and Assessments,

Any charges, costs, assessments or levies imposed by any governmental entity against County for any cost incurred or projected to be incurred for the cleaning up of any debris on the Development Area shall be paid by Developer immediately upon receipt by Developer, from County or otherwise, of any bill, assessment or levy therefore. County shall have neither responsibility nor any obligation for the payment or reimbursement of any such charges, costs, assessments or levies.

F. Closing Date.

On the Closing Date, (i) the Developer shall execute and deliver the Note; and (ii) the Developer and the Fee Owner shall execute and deliver the Mortgage to the County and shall cause the Covenants & Restrictions to be executed and delivered to the County and shall cause each such document to be recorded promptly following the Closing Date and shall pay all required recording fees and taxes in connection therewith, if any.

202. Project Signs. The Developer shall, at its own cost and expense, promptly erect and maintain a Project sign identifying the interest of the Parties in lettering of such size and form as shall be approved by the Department. The provisions of this Section 202 shall survive until Completion of Construction as described immediately below in Section 203

203. Completion of Construction. Construction of the Project shall be deemed complete when (i) a permanent Certificate of Occupancy has been issued by the municipality for all of the residential units constructed in the Development Area, and (ii) the municipality certifies in writing to the Department that the Project meets all applicable building and fire codes and zoning restrictions and that all the Project construction obligations of Developer have been met ("Completion of Construction").
204. Drawings. Upon Completion of Construction, Developer shall, submit to the Department three (3) sets of "as built" surveys of the Project showing all the construction certified as complete by municipality. The "as built" surveys shall indicate, on their faces, the locations of all buildings, rights-of-way, utility and other easements and work as actually built and installed. Such locations shall be shown by offset distances from permanent surface improvements such as buildings, retaining walls or curbs and such sizes shall be shown by dimensions in feet and inches.
205. Reports. Developer shall submit a narrative report in writing to the Director within six (6) months after the date hereof, and every three (3) months thereafter, up to the time of Completion of Construction pursuant to Section 203 above, as to the progress of the construction on the Development Area. Each report shall also include, but not be limited to, (i) a progress report from the supervising architect or engineer; (ii) the dates of completion and occupancy of any housing unit; (iii) the total household income, from all sources, of the renter(s), and his/her/their family; and (iv) the total rent of each housing unit. In addition, Developer shall provide a report to the Director no later than December 31<sup>st</sup> of each year of this Agreement outlining the exact and precise use to which any such parcels has been put and the rental income to be derived from such affordable housing units. Said year-end report shall also state whether or not the parcels have been utilized for affordable housing purposes and whether or not there has been adherence to the restrictive covenants ensuring such utilization contained in any deeds of conveyance.
206. Limitation on Use of Development Area. Developer, prior to Completion of Construction of the Project, shall not rent, license or permit temporary use of the Development Area for purposes unrelated to the construction of the Project; provided, however, that Developer may enter into leases for the rental units in the Project, as set forth in the Development Plan, prior to completion of the entire Project. The Project may temporarily contain a rental or sales office and a reasonably appropriate number of model units.
207. Access. Prior to the Closing Date, the Developer shall permit representatives, employees and agents of the County to have access at all reasonable times to all parts of the Development Area for the purpose of obtaining data and making various tests concerning the Development Area necessary to carry out and/or

ensure that the Developer is carrying out the provisions of this Agreement. After Closing Date, Developer shall permit the representatives of the County access to the Development Area upon prior reasonable notice and at all reasonable times, for the purposes of this Agreement, including, but not limited to, inspection of all work being performed in connection with the construction of the Project. It is agreed by the Parties that "reasonable time" shall be normal working hours for construction trades in Suffolk County. No compensation or other charge or sum shall be payable or made by any Party for access provided for in this Section 207.

208. Compliance With Laws. Developer, and any successors, assigns, transferees, contractors and subcontractors, shall comply with all applicable Federal, State, and local laws, rules, regulations, ordinances and codes including, but not limited to, zoning, building and fire codes.
209. Living Wage Law. This Agreement is subject to the Living Wage Law of the County of Suffolk (Chapter 575 of the Code of Suffolk County). The law requires that, unless specific exemptions apply, all employers (as defined therein) under service contracts and all recipients of County financial assistance, (as defined therein) 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 Living Wage Law. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of the law.

### ARTICLE III

#### PROHIBITION AGAINST ASSIGNMENT AND TRANSFER

301. Prohibition Against Transfer of Property and Assignment of Agreement. Developer and the Fee Owner each represent and agree, for themselves and their successors and assigns that, except for the Superior Liens, the Developer has not made or created, and will not prior to the Completion of Construction, make or create, or suffer to be made or created, any total or partial sale, assignment, conveyance, mortgage or lease, except the lease of individual residential units in the normal course of business, nor will the Developer make or create any trust or power, or transfer in any other mode or form of, or with respect to this Agreement or the Development Area or any part thereof or any interest in the real property therein, or any contract or agreement to do any of the same. Notwithstanding anything to the contrary set forth herein or in any other document delivered in connection with this Agreement, the County agrees and acknowledges that the Developer has assigned its interests in this Agreement to

Bank of America, N.A. (the "Construction Lender") in connection with its construction financing and any transfer of the Property or this Agreement in connection with an exercise of Construction Lender's remedies shall be permitted without the County's consent.

302. Representations as to the Development.

- A. Developer and the Fee Owner represent and agree, for themselves and their successors and assigns, that the purpose of this Agreement is for the sole purpose of constructing, reconstructing or rehabilitating affordable housing in the Development Area and for no other purpose inconsistent therewith, except as otherwise contemplated by the Development Plan. Developer and Fee Owner recognize, in view of (1) the importance of the development of the Development Area to the general welfare of the community; and (2) the substantial financing and other public aid that have been made available by law and by governmental entities for the purpose of making such development possible, that the County is relying on Developer and Fee owner for the faithful performance of all agreements, undertakings and covenants hereby to be performed by each contained herein.
- B. This Agreement is a legal, valid and binding obligation of each of the Developer and the Fee owner, and, upon due execution and delivery by the parties thereto, all agreements, instruments and documents to be executed by the Developer and the Fee Owner in connection with the transactions contemplated hereby will be legal, valid and binding obligations of the Developer and the Fee owner, each enforceable against the Developer and the Fee Owner, as applicable, in accordance with its terms. Developer is a limited liability company, duly organized, validly existing and in good standing under the laws of the State of New York and has all requisite power and authority to own, operate and lease its properties and to carry on its business as now conducted, or as contemplated to be conducted by the terms hereof. Fee owner is a corporation, duly organized, valid existing and in good standing under the laws of the State of New York and has all requisite power and authority to own, operate and lease its properties and to carry on its business as now conducted, or as contemplated to be conducted by the terms hereof.
- C. The Developer has full power and authority to execute, deliver and perform its obligations under this Agreement and all agreements, instruments and documents contemplated hereby, and all actions of Developer necessary for such execution, delivery and performance of this Agreement and the transactions contemplated hereby have been duly taken.
- D. The Fee Owner has full power and authority to execute, deliver and perform its obligations under this Agreement and all agreements, instruments and documents contemplated hereby to be executed by the Fee Owner, and all actions of the Fee Owner necessary for such execution, delivery and

performance of this Agreement and the transactions contemplated hereby have been duly taken.

The Developer has good, valid and marketable title to the Development Area free and clear of all liens, claims, charges or encumbrances, except for any Permitted Encumbrances as described in the Development Plan.

#### ARTICLE IV

#### REMEDIES

#### 401. Right to Terminate.

- A. Without limiting, and in addition to any other rights and remedies available to the County pursuant to this Agreement, the Easement, the Note and the Mortgage, and unless an extension of time has been granted by the Director or as otherwise permitted, in the event that Developer shall fail to effect the Completion of Construction within the time specified in Section 201(A), and in accordance with the Development Plan, or has otherwise defaulted in its obligations hereunder, and if such failure is not remedied within sixty (60) days after the Director has provided written notice of such failure, then the County shall have the right to terminate this Agreement and the County shall have no further obligation pursuant to this Agreement or otherwise, including, without limitation any obligation to provide the Infrastructure Subsidy. Notwithstanding anything to the contrary herein, if the condition giving rise to the County's right to terminate is such that correction or cure is impossible or impracticable to complete within 60 days after notice, then Developer shall be obligated to commence to cure or correct the condition within such 60-day period and thereafter diligently to prosecute the cure or correction of such condition to completion and County shall not have the right to terminate this Agreement for so long as Developer is diligently prosecuting to cure or correct such condition. It is the intent of this Agreement that the County's obligation to Developer shall be made upon the condition that, if any default, failure, violation, or other action or inaction by Developer is not remedied, ended or abrogated within the period provided, if any, and in the manner stated, the Department, at its option may declare a termination of this Agreement, and the County's

obligation's hereunder shall terminate, but such termination shall not limit any other rights or remedies available to the County pursuant to this Agreement, at law or in equity.

- B. A copy of any notice to Developer by the County pursuant to Section 401(A) shall be simultaneously sent to (i) Bank of America, N.A. at Bank of America, N.A., One Bryant Park, NY1-100-35-03, New York, NY 10036; (ii) NEF Assignment Corporation at c/o National Equity Fund, Inc., 120 South Riverside Plaza, 15th Floor, Chicago, Illinois 60606, Attention: Senior Vice President - Asset Management; and (iii) any holders of mortgages or any equity investors in Developer that have been designated as having the right to receive such notice and the right to cure defaults under this Agreement, at the address of such holders as shall have been furnished to the County, and no such notice to the Developer shall be effective as against such holder unless such notice is also given to the designated holders as provided herein.

## ARTICLE V

### GENERAL PROVISIONS

501. Non-Discrimination. Developer covenants and agrees, for and on behalf of itself, its affiliates, successors and assigns, lessees, agents, contractors and subcontractors and every successor in interest to the Development Area, or any part thereof, to be bound by the following covenants, which shall be binding for the benefit of the County and enforceable by the County to the fullest extent permitted by law and equity:

- A. Non-Discrimination in Employment and Affirmative Action. In connection with the performance of this Agreement there shall be no discrimination against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability, sexual orientation, military status or marital status, and Developer will undertake or continue existing programs of affirmative action to ensure that women and minority group members are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion upgrading, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation any of which shall be intended to overcome the effects of intentional or unintentional discrimination.
- B. Non-Discrimination in Services. Developer, its successors and assigns, and any lessees of the Development Area or any improvements erected, or to be erected thereon, or any part thereof, shall not effect or execute any

agreement, lease, conveyance, or other instrument whereby the sale, lease, or occupancy of the Development Area or any improvements erected or to be erected thereon, or any part thereof shall have the effect of discrimination because of race, creed, national origin, sex, age, disability, sexual orientation, alienage, citizenship or marital status, nor utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, creed, national origin, sex, age, disability, sexual orientation, alienage, citizenship or marital status or have the effect of defeating or substantially impairing accomplishment of the objectives of the program in respect to individuals of a particular race, creed, national origin, sex, age, disability, sexual orientation, alienage, citizenship or marital status. Further, during the performance of this Agreement:

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

- b. the class of individuals to whom, or the situations in which, such service(s) or other benefits will be provided; or
  - c. the class of individuals to be afforded an opportunity to receive service(s).
- C. The Developer, its successors and assigns, and any lessees of the Development Area or any improvements erected or to be erected thereon, or any part thereof, shall include the covenants of Paragraphs 501(A) and (B) in any agreement, lease, conveyance, or other instrument with respect to the sale, lease, or occupancy of the Development Area or any improvements erected or to be erected thereon, or any part thereof.
- D. Developer agrees that compliance with this Section 501 constitutes a material term of this Agreement, and that it is binding upon the Developer, its affiliates, successors, transferees, and assignees for the period of this Agreement. The Developer also understands that the County may, at its discretion, seek a court order requiring compliance with the terms of this Section 501 or seek other appropriate judicial relief.

502. Gratuities and Disclosure Statement.

- A. Gratuities. Developer represents and warrants, and shall require its successors and assigns to represent and warrant, that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 664 of the Suffolk County Code).
- B. Disclosure Statement. Developer and Fee owner represent and warrant, and shall require their successors and assigns to represent and warrant, that, unless exempt, they have filed with the Comptroller of Suffolk County the verified public disclosure statement required by Suffolk County Administrative Code 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. Developer and Fee owner acknowledge that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of this Agreement, for which, inasmuch as actual damages shall be difficult or impossible to calculate, the County shall be entitled, upon a determination that such breach has occurred, to liquidated monetary damages, in addition to other legal remedies, of fifteen percent (15%) of the amount of the Agreement.

503. Conflicts of Interest.

- A. Developer and Fee owner agree that they will not, during the term of this Agreement engage in any activity that is contrary to and/or in conflict with the goals and purposes of the County.
- B. Developer and Fee owner may not simultaneously represent other clients in matters or proceedings adverse to the County or its agencies without the prior written approval of the County. The representation of any individual in a dispute concerning the legal relationship between the individual and the County or its agencies would also create a conflict that will require disqualification.
- C. Developer and Fee owner are charged with the duty to disclose to the County the existence of any such adverse interests, whether existing or potential. This duty shall continue so long as the term of this Agreement. The determination as to whether or when a conflict exists or may potentially exist shall ultimately be made by the County Attorney after full disclosure is obtained.

504. Confidentiality. Any records, reports or other documents of the County or any of its agencies used by Developer or Fee Owner pursuant to this Agreement or any documents created as a part of this Agreement shall remain the property of the County and shall be kept confidential in accordance with applicable laws, rules and regulations.

505. Prohibition Against Contracting with Corporations that Reincorporate Overseas Developer and Fee owner represent that it is in compliance with Suffolk County Administrative Code §§ A4-13 and A4-14, found in Suffolk County Local Law No. 20-2004, entitled "A Local Law to Amend Local Law No. 5-1993, To Prohibit The County of Suffolk From Contracting With Corporations That Reincorporate Overseas." Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

506. Use of County Resources to Interfere with Collective Bargaining Activities Local Law No. 26-2003. Developer and Fee Owner represent and warrant that each has read and is familiar with the requirements of Chapter 803 of the Code of Suffolk County "Use of County Resources to Interfere with Collective Bargaining Activities." Developer and Fee Owner shall fully comply with the requirements of Local Law No. 26-2003.

507. Certification as to Relationships. Pursuant to Suffolk County Code Chapter 189, the Parties to this Agreement hereby certify that, other than the funds provided in

this Agreement and other valid Agreements with the County, there is no known relationship within the third degree of consanguinity, life partner, or business, commercial economic or financial relationship between the Parties, the signatories to this Agreement, and any partners, members, directors, or shareholders of five (5%) percent or more of any Party to this Agreement.

508. Use of Funds in Prosecution of Civil Actions Prohibited. Pursuant to the Suffolk County Code § 893-3, Developer and Fee owner represent that neither shall 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.
509. Suffolk County Local Laws. Suffolk County Local Laws, Rules and Regulations can be found on the internet at <http://legis.suffolkcountyny.gov/main.html>. Click on "Search the Laws of Suffolk County."
510. Survival. None of the provisions of this Agreement are intended to or shall be merged or ended by reason of any deed transferring title to the Development Area from the County to Developer or any successor in interest, nor by any closing on the Note and Mortgage contemplated hereby, and any such deed or closing shall not be deemed to affect or impair the provisions and covenants of this Agreement, all of which shall survive the delivery of the deed and the closing.
511. Binding Effect. This Agreement shall inure to the benefit of and be binding upon any successor or assign of any Party, but this provision shall not operate to permit any assignment or other voluntary transfer of any rights created hereunder except in such manner as may be expressly permitted by this Agreement.
512. Execution of Documents.
- A. This Agreement may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original; and all such counterparts shall together constitute but one and the same Agreement.
  - B.
    - 1. Subsequent to the full execution of this Agreement, the Commissioner of the Department or the Director may execute on behalf of County such agreements, documents or instruments as are necessary or desirable to accomplish the purposes of the Project.
    - 2. Subsequent to the full execution of this Agreement, the Managing Member of the Developer, on behalf of the Developer, and the President or Chief Executive Office of the Fee Owner, on behalf of the Fee Owner, may execute such agreements, documents or instruments as are necessary or desirable to accomplish the purposes of the Project.

513. County Employees. No official or employee of the County shall have any personal interest, direct or indirect, in this Agreement nor shall any such member, official or employee participate in any decision relating to this Agreement or any agreement arising out of or through this Agreement which affects his or her personal interest or the interest of any corporation, partnership or association in which he or she is directly or indirectly interested. No person hired by the Developer or the Fee Owner shall be considered employees of the County for any purpose whatsoever.
514. Headings. Any headings or titles of the several parts, Articles, Paragraphs, Subparagraphs and Sections of this Agreement are for convenience only and shall be disregarded in construing or interpreting any of its provisions.
515. Notices. Any communication, notice, claim for payment, report or other submission, including but not limited to, submissions regarding insurance, indemnification and/or termination, necessary or required to be made by the Parties regarding this Agreement shall be in writing and shall be given to the County and Developer or their designated representative at the following addresses or at such other address that may later be specified in writing by the Parties and must be delivered as follows:

A. Notices Relating to Payments, Reports, or Other Submissions:

**For the COUNTY and the DEPARTMENT:  
By registered or certified mail, return receipt requested in postpaid envelope or by nationally recognized courier service,**

Suffolk County Department of  
Economic Development and Planning  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
P.O. Box 6100  
Hauppauge, New York 11788  
Attention: Jill Rosen-Nikoloff, Director of Real Estate

and

Suffolk County Department of Law  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
P.O. Box 6100  
Hauppauge, New York 11788  
Attention: Dennis Brown, County Attorney

**FOR DEVELOPER AND FEE OWNER:  
By registered or certified mail, return receipt requested in Postpaid  
Envelope or by  
nationally recognized courier service**

Concern Ronkonkoma LLC  
Concern Ronkonkoma Housing Development Fund Corp.  
c/o Concern for Independent Living, Inc.  
312 Expressway Drive South  
Medford, NY 11763-0467  
Attention: Ralph Fasano

and

Nixon Peabody LLP  
437 Madison Avenue  
New York, NY 10022  
Attention: Aaron J. Yowell, Esq.

**B. Notices Relating to Litigation.**

1. Any notice by any party to another with respect to the commencement of any lawsuit or legal proceeding against the other, shall be effected pursuant to and governed by the New York State Civil Practice Law and Rules or the Federal Rules of Civil Procedure, as applicable.
2. In the event Developer or Fee Owner receives a notice or claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to a lawsuit or any legal proceeding related to this Agreement, the Developer or the Fee Owner shall immediately forward to the County Attorney, at the addresses set forth in Paragraph A above, copies of all papers filed by or against the Developer and/or the Fee Owner. Notices shall be as provided in Paragraph A above.

The notice shall also be given to interested parties in accordance with Section 401 above.

Each Party shall give prompt written notice to the other Party of the appointment of successor(s) to the designated contact person(s) or in the event of a change of address or contact, which such address or contact shall thereafter be the address or contact to which notices are sent.

516. No Implied Waiver. No waiver shall be inferred from any failure or forbearance of the County to enforce any provision of this Agreement in any particular instance or instances, but the same shall otherwise remain in full force and effect notwithstanding any such failure or forbearance.
517. Entire Agreement. This Agreement contains the entire understanding between the Parties and may not be amended or modified except by an instrument in writing duly executed by all of the Parties.
518. Severability. It is expressly agreed that if any term or provision of this Agreement, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law.
519. Provisions Required by Law Deemed Inserted. Each and every provision of law and governmental regulation required by law to be inserted in this Agreement shall be deemed to be inserted herein and this Agreement shall read and shall be enforced as though so included herein. If through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either Party, this Agreement shall be deemed to be amended to make such insertion or correction so as to comply strictly with the law and without prejudice to the rights of either Party hereunder.
520. Unlawful Provisions Deemed Stricken. If this Agreement contains any unlawful provision not an essential part of this Agreement and which shall not appear to have been a controlling or material inducement to the making thereof, the same shall be deemed of no effect and shall, upon notice by either Party, be deemed stricken from this Agreement without affecting the binding force of the remainder.
521. Claims and Actions.
- A. No Claims and Action Officers, Agents or Employees. No claim whatsoever shall be made by Developer or the Fee Owner, their successors or assigns, against any officer, agent or employee of the County for, or on account of, anything done or omitted to be done in connection with this Agreement.
- B. Cooperation. If any action is brought against the County, and the action relates in any way to this Agreement or the Development Area and the County and the Developer an/or the Fee Owner are not adverse parties in that action, then the Developer and the Fee Owner shall diligently render

to the County without additional compensation, any and all assistance which the County may require, including but not limited to indemnification for all costs and expenses of the County, and its reasonable attorneys' fees.

- C. Reports of Actions. Developer and Fee Owner shall report to the County in writing within ten (10) days of the initiation by or against it of any legal action or proceeding in connection with or relating to this Agreement or the Development Area.
- D. All Rights Reserved. Each and every defense, right and remedy that the County has under this Agreement is not exclusive and is in addition to and concurrent with all other defenses, rights and remedies which the County has under this Agreement and which the County otherwise has, will have, or may have under law, equity or otherwise.
- E. Insurance and Indemnification.
  - 1. Prior to commencement of any work hereunder, Developer agrees to procure, pay the entire premium for, and maintain throughout the term of this Agreement, insurance in amounts and types specified by the County and as may be mandated and increased from time to time. Developer agrees to require that all of its subcontractors, in connection with work performed for the Developer related to this Agreement, procure, pay the entire premium for and maintain throughout the term of this Agreement, insurance in amounts and types equal to that specified by the County. Unless otherwise specified by the County and agreed to by Developer in writing, such insurance shall be as follows:
    - a. Commercial General Liability Insurance, including contractual liability coverage, in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and Two Million Dollars (2,000,000.00) per occurrence for property damage.
    - b. Automobile Liability Insurance (if any vehicles are used in the performance of this Agreement) in an amount not less than Five Hundred Thousand Dollars (\$500,000.00) per person, per accident, for bodily injury and not less than One Hundred Thousand Dollars (\$100,000.00) for property damage per occurrence.

c. 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. Municipality, if applicable and Developer shall furnish to the County, prior to its execution of this Agreement the documentation required by the State of New York Workers' Compensation Board of coverage or exemption from coverage pursuant to §§ 57 and 220 of the Workers' Compensation Law. In accordance with General Municipal Law § 108, this Agreement shall be void and of no effect unless Developer, its successors, assigns, contractors or subcontractors, shall provide and maintain coverage during the term of this Agreement for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

2. All policies shall be issued by insurance companies with an A.M. Best rating of A- or better which are licensed to do business in the State of New York. Developer shall furnish to County, Declaration Pages for each such policy of insurance, and upon request, a true and certified original copy of each such policy, evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, the County of Suffolk shall be named as an additional insured and Developer shall furnish a Declaration Page and endorsement page evidencing the County's status as an additional insured on said policy. All such Declaration Pages, certificates or other evidence of insurance shall provide for the County of Suffolk to be notified in writing thirty (30) days prior to any cancellation, nonrenewal or material change in said policies. Such Declaration Pages, certificates, policies and/or other evidence of insurance and notices shall be mailed to the Department at its address as set forth in this Agreement in the paragraph entitled "Notices" in Section 508, or at such other address of which the County shall have given Developer, notice in writing. If Developer, has a self-insurance program under which it acts as a self-insurer for any of such required coverage, it may provide self-funded coverage and certificates or other evidence of such self-insurance in lieu of insurance issued by insurance companies. Developer shall also require its successors, assigns, contractors and subcontractors to provide insurance coverage in like amounts and quality and naming the County of Suffolk as an additional insured.
3. In the event Developer, its successors, assigns, contractors, subcontractors, shall fail to provide the Declaration Pages or certificates of insurance or to maintain any insurance required by this

Agreement, the County may, but shall not be required to, obtain such policies and deduct the cost thereof from payments due under this Agreement or any other agreement between the County and the Developer.

4. Furthermore, Developer and Fee Owner agree that they shall protect, defend, indemnify and hold harmless the County, its officers, officials, employees, contractors, agents and other persons from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorneys' fees, arising out of the acts or omissions or the negligence of the Developer, the Fee Owner, or their affiliates, agents, lessees, officers, members, officials, employees, contractors or subcontractors, in connection with the services and transactions described or referred to in this Agreement. Developer and Fee Owner shall defend the County and its officers, officials, employees, contractors, agents and other persons in any suit, including appeals, or at the County's option, pay reasonable attorneys' fees for defense of any such suit arising out of the acts or omissions or negligence of the Developer or the Fee Owner, its affiliates, agents, officers, members, officials, employees, lessees, contractors, subcontractors or agents, if any, in connection with the services described or referred to in this Agreement.

F. Choice of Law and Consent to Jurisdiction and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of New York without regard to conflict of law provisions. Venue shall be designated as Suffolk County, New York or the United States District Court for the Eastern District of New York.

G. Cooperation on Claims. Each of the Parties agrees to render truthfully and diligently to the other Party, without additional compensation, any and all cooperation, that may be required to defend the other Party, its employees and designated representatives against any claim, demand or action that may be brought against the other Party, its employees or designated representatives in connection with this Agreement.

522. Merger. It is expressly agreed that this Agreement represents the entire agreement of the Parties, that all previous understandings are merged in this Agreement. No modification of this Agreement shall be valid unless written in the form of an Amendment and executed by both Parties. Any and all prior writings, or agreements including, without limitation, oral communications, discussions, negotiations, commitments and understandings relating thereto, are hereby merged herein and superseded hereby.

523. No Commission. No brokerage or any other fee or compensation shall be due or payable by the County for this transaction.
524. Arrears. Developer and Fee Owner warrant that neither is in arrears to County upon debt or contract and is not in default as surety, contractor or otherwise on any obligation to or contract with the County.
525. Withholding of Funds and Set-Off Rights. The County shall have all of its common law, equitable, and statutory rights of set-off. These rights shall include, but not be limited to, the County's option to withhold, for the purposes of set-off, any moneys due to Developer under this Agreement up to any amounts due and owing to the County with regard to this Agreement and/or any other contract with any County department or agency, including any contract for a term commencing prior to the term of this Agreement, plus any amounts due and owing to the County for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The County shall exercise its set-off rights in accordance with normal County practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the County agency, its representatives, or the County Comptroller, and only after legal consultation with the County Attorney.

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**IN WITNESS WHEREOF**, the Parties hereto have executed this Agreement as of the \_\_\_ day of \_\_\_\_\_, 2014.

**COUNTY OF SUFFOLK**

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

Name: \_\_\_\_\_

Title: Chief Deputy County Executive

**CONCERN RONKONKOMA LLC**

**By: Concern Ronkonkoma Housing Corp., its Managing Member**

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

Name: Ralph Fasano

Title: President

**CONCERN RONKONKOMA HOUSING DEVELOPMENT  
FUND CORP.**

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

Name: Ralph Fasano

Title: President

**APPROVED:**

**DEPARTMENT OF ECONOMIC  
DEVELOPMENT AND  
PLANNING**

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

Name: Jill Rosen-Nikoloff

Title: Director of Real Estate

**APPROVED AS TO FORM:**

**DENNIS M. COHEN,  
SUFFOLK COUNTY ATTORNEY**

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

Name: Robert A. Braun

Title: Assistant County Attorney

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF SUFFOLK )

On the \_\_\_\_ day of \_\_\_\_ in the year 2014 before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of Individual  
Taking Acknowledgement

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF SUFFOLK )

On the \_\_\_\_ day of \_\_\_\_ in the year 2014 before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or provided to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of Individual  
Taking Acknowledgment

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF SUFFOLK )

On the \_\_\_\_ day of \_\_\_\_ in the year 2014 before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or provided to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of Individual  
Taking Acknowledgment

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Schedule D

Superior Mortgages

1. Building Loan Mortgage, Assignment of Leases and Rents and Security Agreement in the amount of \$[\_\_\_\_\_.00]\* and that certain Project Loan Mortgage, Assignment of Leases and Rents and Security Agreement in the amount of \$[\_\_\_\_\_.00], each from mortgagor to Bank of America, N.A. each dated April \_\_, 2014
2. Mortgage, by Mortgagor to the Concern for Independent Living, Inc. in the amount of \$[7,500,000] dated April \_\_, 2014 (NYS Office of Mental Health -OMH)
3. Mortgage, by Mortgagor to the New York State Homeless Housing and Assistance Corporation in the amount of \$[2,597,018.00] dated \_\_\_\_\_, \_\_\_\_\_\*\*
4. Mortgage, by Mortgagor to Concern for Independent Living, Inc. in the amount of \$[252,960] dated \_\_\_\_\_, \_\_\_\_\_ (OMH PD (Project Development) GRANT)\*\*\*

\* Total amount of Bank of America loan is anticipated to be \$11,250,000. Building Loan and Project Loan split is to be determined.

\*\* To be recorded at Permanent Conversion

\*\*\* To be recorded at Permanent Conversion

**2014 INTRAGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

**TITLE OF BILL:**

Authorizing funding of infrastructure improvements and oversight of real property under the Suffolk County Affordable Housing Opportunities Program (Concern Ronkonkoma)

**PURPOSE OR GENERAL IDEA OF BILL:**

To authorize funding, under CP 6411, for up to \$750,000.00 of infrastructure improvements under the Suffolk County Affordable Housing Opportunities Program for construction of 59 affordable rental units in Lake Ronkonkoma

**SUMMARY OF SPECIFIC PROVISIONS:**

\$750,000.00 is requested to offset the costs related to the on-site sewer treatment facility, parking, curbs, sidewalks, drainage, landscaping and related infrastructure necessary for the construction of 59 affordable rental units. This development will provide a preference for homeless veterans.

**JUSTIFICATION:**

To provide assistance in creating affordable housing for households under certain income limits as established pursuant to the Suffolk County Affordable Housing Opportunities Program

**FISCAL IMPLICATIONS:**

\$750,000.00 reserved and paid from 525-CAP-6411.312.

**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**

March 11, 2014

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

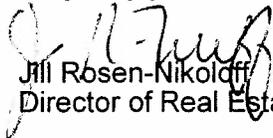
Dear Mr. Schneider:

Attached is the following Resolution, together with the back-up documentation, requested to be Laid on the Table at the March 18, 2014 meeting for consideration and vote at the April 29, 2014 meeting:

**RESOLUTION NO. \_\_\_\_-2014, AUTHORIZING FUNDING OF INFRASTRUCTURE IMPROVEMENTS AND OVERSIGHT OF REAL PROPERTY UNDER THE SUFFOLK COUNTY AFFORDABLE HOUSING OPPORTUNITIES PROGRAM (CONCERN RONKONKOMA) AND EXECUTION OF AGREEMENTS.**

Thank you.

Very truly yours,

  
Jill Rosen-Nikoldff  
Director of Real Estate

**Attachment**

cc: Dennis M. Cohen, Chief Deputy County Executive  
Joanne Minieri, Deputy County Executive and Commissioner (e-copy)  
Lisa Santeramo, Assistant Deputy County Executive  
Tom Vaughn, Director of Intragovernmental Relations  
CE Reso Review (e-copy)

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation Resolution Authorizing Funding of Infrastructure Improvements and Oversight of Real Property under the Suffolk County Affordable Housing Opportunities Program and Execution of Agreements (Concern Ronkonkoma)		
3. Purpose of Proposed Legislation Authorizing funding of infrastructure improvements, in an amount up to \$750,000, and oversight of real property under the Suffolk County Affordable Housing Opportunities Program, to construct 59 affordable units for the development known as "Concern Ronkonkoma" and execution of agreements in connection therewith.		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes</b> <u>      </u> <b>No</b> <u>      </u>		
5. If the answer to item 4 is "yes", on what will it impact?    (circle appropriate category)		
<b>County</b>	<b>Town</b>	<b>Economic Impact</b>
<b>Village</b>	<b>School District</b>	<b>Other (Specify):</b>
<b>Library District</b>	<b>Fire District</b>	
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 Jill Rosen-Nikoloff	11. Signature of Preparer	12. Date March 10, 2014

SCIN FORM 175b (10/95)

1299

Intro. Res. No. -2014  
Introduced by Legislator D'Amaro

Laid on Table 3/18/2014

**RESOLUTION NO. -2014, AUTHORIZING CHANGES IN  
INVESTMENT MANAGEMENT POLICY FOR THE SUFFOLK  
COUNTY VANDERBILT MUSEUM ENDOWMENT TRUST FUND**

**WHEREAS**, Procedural Motion 7-2013 was adopted to retain PFM Asset Management LLC (PFM) to serve as the investment advisor for the Vanderbilt Museum Endowment Trust Fund; and

**WHEREAS**, the Agreement with PFM was duly executed on April 23, 2013; and

**WHEREAS**, PFM does not invest directly in individual stocks or bonds, but instead mutual fund shares on behalf of the Vanderbilt Museum Endowment Trust Fund; and

**WHEREAS**, PFM has advised that the current investment guidelines established via Resolution No. 215-1987, as amended by Resolution No. 1266-2007, directing that a 50/50 split between fixed securities and equities to range between 5-10% of the 50/50 split as determined by market conditions shall remain in effect until modified by duly enacted resolution of the Suffolk County Legislature is hampering their ability to maximize investment returns for the Vanderbilt Museum Endowment Trust Fund; and

**WHEREAS**, the Suffolk County Legislature has fiduciary responsibility for the Museum's Endowment Trust Fund; and

**WHEREAS**, authorizing the Vanderbilt Museum Trust Fund's Investment manager to invest in fixed securities (bonds) and equities (stocks) via a 50/50 split between fixed securities and equities to range between 10-20% of the 50/50 split as determined by market conditions would allow the investment advisor flexibility needed to be consistent with the priorities of preserving principal, producing a reasonable level of current income and providing for future growth of income through capital growth; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Fund's investment management policy adopted in Resolution No. 215-1987, as amended by Resolution No. 1266-2007, directing that a 50/50 split between fixed securities and equities to range between 5-10% of the 50/50 split as determined by market conditions be amended to allow a 50/50 split between fixed securities and equities to range between 10-20% of the 50/50 split as determined by market conditions; and be it further

**2<sup>nd</sup> RESOLVED**, that the investment guidelines stipulated in this resolution shall remain in effect until modified by a duly enacted resolution of the Suffolk County Legislature.

DATED:

APPROVED BY:

-----  
County Executive of Suffolk County

Date:

1300

Intro. Res. No. -2014  
Introduced by Legislator Lindsay

Laid on Table 3/18/14

**RESOLUTION NO. - 2014, ADOPTING LOCAL LAW NO.  
-2014, A LOCAL LAW TO ELIMINATE AUTOMATIC PAY  
INCREASES FOR COUNTY ELECTED OFFICIALS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2014, a proposed local law entitled, "**A LOCAL LAW TO ELIMINATE AUTOMATIC PAY INCREASES FOR COUNTY ELECTED OFFICIALS**" now, therefore, be it

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

**LOCAL LAW NO. -2014, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO ELIMINATE AUTOMATIC PAY INCREASES FOR  
COUNTY ELECTED OFFICIALS**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Local Law No. 4-1986 and Local Law No. 42-1999 established a policy whereby the County's elected officials receive an automatic annual pay increase equal to 4% or the increase in the Consumer Price Index, whichever is lower.

This Legislature further finds that the policy established by these local laws has led to a steady escalation of elected officials' salaries.

This Legislature determines that the County's elected officials should, to the fullest extent practicable, be accountable to the voters for their actions. Local Law No. 42-1999 decreases that accountability by removing the issue of elected officials' compensation from the normal budgeting and governing process.

This Legislature also concludes that automatic pay increases for elected officials can no longer be justified at a time when the County of Suffolk is experiencing chronic budget deficits and many County employees are receiving no pay increase or increases that are lower than the rate of inflation.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY CODE and end automatic annual pay increases for elected officials.

**Section 2. Repeal.**

Local Law No. 4-1986, Local Law No. 42-1999 and Article I of Chapter 205 of the SUFFOLK COUNTY CODE are hereby repealed in their entirety.

**Section 3. Transition.**

The salary of the County's elected officers shall continue to be increased annually by an amount equal to the lesser of 4% or the amount of increase in the Consumer Price Index ("CPI") for the New York - Northern New Jersey – Long Island Region published by the Bureau of Labor Statistics under the United States Department of Labor for the preceding year, through the dates set forth below at which point automatic salary adjustments for these offices shall terminate.

Officer

County Executive	December 31, 2015
District Attorney	December 31, 2017
County Sheriff	December 31, 2017
County Treasurer	December 31, 2017
County Clerk	December 31, 2014
County Comptroller	December 31, 2014
Presiding Officer of the County Legislature	December 31, 2015
Deputy Presiding Officer of the County Legislature	December 31, 2015
County Legislator	December 31, 2015

**Section 4. Applicability.**

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

**Section 5. 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 6. 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 7. Effective Date.**

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

DATED:

APPROVED BY:

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

Date:

s:\laws\l-eliminate-automatic-pay-increases-elected-officials

1300

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: MARCH 12, 2014  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

-----  
PROPOSED LOCAL LAW YEAR 2014

TITLE: I.R. NO. -2014; A LOCAL LAW TO ELIMINATE AUTOMATIC PAY INCREASES FOR COUNTY ELECTED OFFICIALS

SPONSOR: LEGISLATOR LINDSAY

DATE OF RECEIPT BY COUNSEL: 3/12/2014 PUBLIC HEARING: 4/29/2014

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

This proposed local law would repeal Article I of Chapter 205 of the SUFFOLK COUNTY CODE and phase out automatic cost-of-living pay increases for the County's elected officials.

Under existing law, the County's elected officials are entitled to an annual pay increase of 4% or the amount of increase in the regional Consumer Price Index, whichever is less.

This law would end these automatic annual pay increases at the end of the elected officials' current terms of office. Accordingly, automatic salary adjustments would end for the County Executive on December 31, 2015; for the District Attorney, Treasurer and Sheriff on December 31, 2017; for the Clerk and the Comptroller on December 31, 2014; and for County Legislators on December 31, 2015.

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

1301

Intro. Res. No. -2014  
Introduced by Legislator Kennedy

Laid on Table 3/18/14

**RESOLUTION NO. -2014, DECLARING MAY AS "CYSTIC FIBROSIS AWARENESS MONTH" IN SUFFOLK COUNTY**

**WHEREAS**, Cystic Fibrosis ("CF") is the most common, fatal hereditary disease in the United States; and

**WHEREAS**, CF is a disorder of the cells that affects the lungs, small intestines, sweat glands and pancreas; and

**WHEREAS**, sticky, thick mucus contributes to the destruction of lung tissue and impedes gas exchange in the lungs and prevents nutrient absorption in the small intestines, while also blocking ducts from the pancreas that release digestive enzymes; and

**WHEREAS**, the most common test for CF is a sweat test; it measures the amount of salt in the sweat, the higher the number of sodium and chloride suggests that a person has CF; and

**WHEREAS**, there is no cure for CF, however, treatments have improved in recent years and include nutritional and respiratory therapies, medicines and exercise; and

**WHEREAS**, the County of Suffolk wishes to designate the Month of May as "Cystic Fibrosis Awareness Month" in Suffolk County to raise awareness of this serious, genetic illness; now, therefore be it

**1st RESOLVED**, that beginning in 2014 and continuing every year thereafter the month of May shall be designed as "Cystic Fibrosis Awareness Month" in Suffolk County to educate and raise awareness of this genetic and potentially fatal disease; 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:

1302

Intro. Res. No. -2014  
Introduced by Legislator Kennedy

Laid on Table 3/18/14

**RESOLUTION NO. -2014, AUTHORIZING THE  
ILLUMINATION OF THE H. LEE DENNISON EXECUTIVE  
OFFICE BUILDING IN RECOGNITION OF CYSTIC FIBROSIS  
AWARENESS MONTH**

**WHEREAS**, Cystic Fibrosis ("CF") is a chronic, progressive, and sometimes fatal hereditary disease; and

**WHEREAS**, CF primarily affects the respiratory and digestive systems in children and young adults; and

**WHEREAS**, approximately one in 2,500 children are born in the United States with CF and 1,300 new cases are diagnosed each year; only half of those with CF will survive to age 30; and

**WHEREAS**, in honor of CF awareness, the Cystic Fibrosis Foundation is hosting a walk on May 10<sup>th</sup>, 2014 at Blydenburgh County Park; and

**WHEREAS**, to further the public's awareness of CF, Suffolk County wishes to participate in an illumination project to raise awareness of this serious, genetic illness; now, therefore be it

**1st RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER to illuminate the north side of the H. Lee Dennison Executive Office Building facing Veterans Memorial Highway with a blue and yellow glow, every evening during from May 6th through May 11th, beginning in 2014 and continuing every year thereafter.

DATED:

APPROVED BY:

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

Date:

**VOID I.R. No. 1303**

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

**RESOLUTION NO. -2014, AUTHORIZING USE OF  
COUNTY PROPERTY IN YAPHANK BY THE GOOD  
FOUNDATION FOR A 5K RUN**

**WHEREAS**, the Guardians of Our Dependents Foundation (also known as the "GOOD Foundation") is a nonprofit organization having an address at P.O. Box 295, Nesconset, New York 11767, dedicated to assisting and providing support to Suffolk County families who have lost a member of the family who was a law enforcement service member; and

**WHEREAS**, the GOOD Foundation would like to use the grounds and parking areas of the Suffolk County Police Department Headquarters, adjoining County property, and portions of Yaphank Avenue for the purpose of hosting a 5K run and to raise funds for the organization; and

**WHEREAS**, the GOOD Foundation's event is scheduled to be held on Saturday, May 10, 2014; and

**WHEREAS**, a Certificate of Insurance naming Suffolk County as an additional insured will be provided by the GOOD Foundation within 30 days of the event; now therefore be it

**1<sup>st</sup>** **RESOLVED**, that use of the grounds of the Police Department Headquarters, adjoining County property, and portions of Yaphank Avenue, for the purpose of hosting a fundraiser on Saturday, May 10, 2014, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of the Certificate of Insurance and the accompanying declaration page from the GOOD Foundation in a form and amount as determined by the Risk Management and Benefits Division within the Department of Law, and payment of a two hundred and twenty five dollar (\$225.00) event fee; and be it further

**2<sup>nd</sup>** **RESOLVED**, that before this event shall be permitted to occur, the GOOD Foundation shall apply for and obtain a permit from the Department of Public Works in accordance with Section C8-2(A)(1)(i) of the Suffolk County Charter and Suffolk County Standard Operating Procedure Number B-05, and the Department of Public Works is hereby authorized and empowered to issue such permit; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Police Department and the Department of Public Works are further authorized, empowered and directed to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the event for the GOOD Foundation; and be it further

**4<sup>th</sup>** **RESOLVED**, that the GOOD Foundation also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food and drink and require those vendors to display such certificate in order to comply with the NEW YORK TAX LAW; and be it further

**5<sup>th</sup>**         **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)(15), (20), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(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:           , 2014

APPROVED BY:

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

Date:           , 2014