

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

May 13, 2009

RECEIVED
2009 MAY 13 P 4:35
COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
HAUPPAUGE

Presiding Officer William J. Lindsay and
Members of the Suffolk County Legislature
William H. Rogers Legislative Building
725 Veterans Memorial Highway
Smithtown, New York 11787

RE: RESOLUTION 326-2009; AUTHORIZING THE RECONVEYANCE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK
STATE COUNTY LAW TO GOTFRIDS LIEPINS (SCTM NO. 0500-441.00-01.00-
006.000)

Dear Presiding Officer Lindsay and Members of the Legislature:

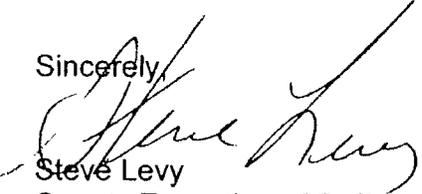
I am returning herein Resolution No. 326-2009; "authorizing the reconveyance of county-owned real estate pursuant to Section 215, New York State County Law to Gotfrids Liepins" vetoed in its entirety.

Under Chapter 27 of the Suffolk County Code, before this type of application may be approved by the Legislature, a sworn affidavit of explanation for the non-payment of taxes must be submitted. Here, Mr. Liepins' affidavit, submitted through his attorney, clearly states that he simply did not have the money to pay the taxes at the time. This is an insufficient explanation to warrant return of this vacant piece of property to Mr. Liepins.

Even considering the letter of clinical psychologist Bruce Levine submitted on behalf of Mr. Liepins, which contradicts the affidavit of Mr. Liepins, this application for redemption must fail. The Suffolk County Code clearly and unequivocally requires that "written evidence of . . . medical problems is contained in a letter . . . signed by a licensed physician indicating the precise nature of the problem, the diagnosis, prognosis and whether such ailment was the cause of . . . incapacitation of the person seeking reconveyance. . . ." Mr. Levine is not a licensed physician and his letter expressly states that the start of Mr. Liepins' cognitive deficits cannot be pinpointed.

For the reasons enumerated above, I strongly urge the legislature to sustain my veto of this resolution.

Sincerely,



Steve Levy

County Executive of Suffolk County

SL:srt

cc: All Suffolk County Legislators
Tim Laube, Clerk of the Legislature
Christine Malafi, Esq., Suffolk County Attorney
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney
James A. Morgo, Chief Deputy County Executive
Frederick B. Pollert, Deputy County Executive for Finance and Management
Jeffrey W. Szabo, Deputy County Executive and Chief of Staff
Ben Zwirn, Deputy County Executive
Connie Corso, Budget Director
Dan Aug, Director of Communications
Mark Smith, Deputy Director of Communications

**RESOLUTION NO. 326 -2009, AUTHORIZING THE
RECONVEYANCE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 215, NEW YORK STATE COUNTY
LAW TO GOTFRIDS LIEPINS (SCTM NO. 0500-441.00-01.00-
006.000)**

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

ALL that certain plot, piece or parcel of land with any buildings and improvements thereon erected, situate, lying and being in West Islip, Town of Islip, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0500, Section 441.00, Block 01.00, Lot 006.000, and acquired by tax deed on June 29, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2005, in Liber 12397 at Page 973, and otherwise known as and by Town of Islip, County of Suffolk and State of New York, known and designated as Suffolk County Tax Map Number: District 0500, Section 441.00, Block 01.00, Lot 006.000.

and

WHEREAS, Gotfrids Liepins was the former owner of said real property; and

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

WHEREAS, an investigation by the Office of Legislator Barraga has determined that said non-payment of taxes on the part of Mr. Liepins was not an intentional act but was due to circumstances beyond his control, more fully described in the documents attached hereto; and

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

WHEREAS, the above described parcel has been appraised by the County Department of Environment and Energy, Division of Real Property Acquisition and Management, at \$430,000; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive and deposit the sum of \$22,118.18 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized to execute, acknowledge, and deliver a quitclaim deed to:

Gotfrids Liepins
574 Higbie Lane
West Islip, NY 11795

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

DATED: April 28, 2009

APPROVED BY:

VETOED

County Executive of Suffolk County

Date: 5-13-09

Intro. Res. 1248 Res. No. 326

April 28, 2009

Motion:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Brian BEEDENBENDER					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Cameron ALDEN					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO		/			
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	17	1			

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
Send To Committee
Table Subject To Call
Lay On The Table
Discharge
Take Out of Order
Reconsider
Waive Rule _____
Override Veto
Close
Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
NOT ADOPTED

Tim Laube
 Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote