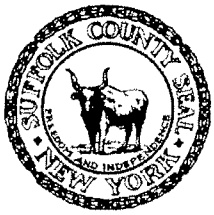
COUNTY OF SUFFOLK



PRESIDING OFFICER
COUNTY LEGISLATURE
SUFFOLK COUNTY, NY
2011 DEC 27 PM 4:04
RECEIVED

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

December 27, 2011

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 NO. 1223-2011, A LOCAL LAW TO INCREASE CERTAIN SUBSCRIPTION SERVICE FEES IN REAL PROPERTY TAX SERVICE AGENCY

Dear Presiding Officer Lindsay and Members of the Legislature:

I AM RETURNING HEREIN RESOLUTION 1223 -2011, A LOCAL LAW TO INCREASE CERTAIN SUBSCRIPTION SERVICE FEES IN REAL PROPERTY TAX SERVICE AGENCY vetoed in its entirety.

These are extraordinarily hard conditions our taxpayers are facing. Too many of our residents are losing their jobs, paying more into their benefits and some even seeing their pensions reduced. Major tax and fee increases are the last thing our residents wish to see in these very difficult economic times.

The tax and fee increases passed by the Legislature over the past month were, and are, avoidable. Had we simply closed the nursing home by January 1st and required employees to contribute to their healthcare, as I recommended in my proposed budget, the taxpayers could be given a break.

Over the last month the Legislature increased the property tax, removed the cap on gasoline taxes, increased fees charged to individuals seeking access to our parks; increased fees for services provided to the public through our Medical Examiner's office and our County Clerk's office, and increased fees for individuals seeking applications to our Suffolk County Planning Commission. Additionally, the Legislature is poised to vote for a $0.50 increase in bus fares, which has a disproportionately high impact on the poor and working class.

Hopefully, the Legislature can work in the upcoming year toward moving the huge loses of the nursing home off of our books and require employees to pay a fair share into their healthcare costs. Every month that goes by without these measures being

LOCATION:
H. LEE DENNISON BUILDING, 12th FLOOR
100 VETERANS MEMORIAL HIGHWAY ♦ MAILING ADDRESS:
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099 ♦ OFFICE (631) 853-4000
FAX (631) 853-4818

implemented is millions of dollars that are wasted. We cannot tax and fee our way out of difficult economic times.

For these reasons, I urge the Legislature to sustain my veto.

Sincerely,

Steve Levy
County Executive of Suffolk County

Intro. Res. No. 2033-2011 Laid on Table 11/22/2011
Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Viloria-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick, Schneiderman

RESOLUTION NO. 1223 -2011, ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW TO INCREASE CERTAIN SUBSCRIPTION SERVICE FEES IN REAL PROPERTY TAX SERVICE AGENCY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on November 22, 2011, a proposed local law entitled, "**A LOCAL LAW TO INCREASE CERTAIN SUBSCRIPTION SERVICE FEES IN REAL PROPERTY TAX SERVICE AGENCY**"; now, therefore be it

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

LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO INCREASE CERTAIN SUBSCRIPTION SERVICE FEES IN REAL PROPERTY TAX SERVICE AGENCY

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the 2012 Operating Budget increases revenues generated by certain subscription service fees charged by the Real Property Tax Service Agency and the Suffolk County Clerk.

Therefore, the purpose of this law is to amend Chapter 767 of the SUFFOLK COUNTY CODE to increase certain subscription service fees charged by the Real Property Tax Service Agency and the County Clerk to offset their administration expenses.

Section 2. Amendments.

Chapter 767 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 767, SUBSCRIPTION SERVICE FEES

ARTICLE I, Access to Real Estate Information System Via Internet.

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§ 767-2. Establishment of convenience fees.

A schedule of fees for Internet subscription services within the Suffolk County Real Property Tax Service Agency is hereby established as follows. The annual convenience fees described below shall be paid at the time of subscription. The annual subscriptions for access to AREIS via the Internet, authorized below, shall run on a term of one year from the commencement date of the subscription. Convenience fees to be charged municipalities, other

than tax assessors, shall be a reduced fee from those listed below. Suffolk County's Town and Village Tax Assessors shall not be charged a fee for the below services.

A. Annual convenience fee for connection to Suffolk County Real Property Tax Service Agency's Advanced Real Estate Information System, AREIS, via the internet:

Detail	Fee
Access is for information via the Internet on parcel ownership and address, historic ownership information, tax map viewing and printing, and other information as it is made available, i.e., sales price	[$2,500 per annum for unlimited AREIS viewing and printing for one user via the Internet; $500 per annum for each additional user at the same location within the same firm, company or organization] <u>$250 for access to information on East End towns, including the Towns of Southampton, Southold, Shelter Island, East Hampton, and Riverhead.</u> <u>$250 for access to Town of Brookhaven information.</u> <u>$250 for access to information on West End towns, including the Towns of Babylon, Huntington, Smithtown, and Islip.</u> <u>$500 for access to information on the entire County.</u> <u>$25 for each additional user at the same location within the same firm, company or organization.</u>

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ARTICLE II, On-Line Records of County Clerk.

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§ 767-6. Establishment of fees.

A fee schedule for Internet access services, within the Office of the Suffolk County Clerk, is hereby established as follows:

A. The fee schedule established in this section shall be increased on an annual basis in the amount of 3%_[,or the increase in the Consumer Price Index for Urban Consumers (all items), or any successor index thereto, whichever is greater.]

Records/Service	Time Period	Fee
Lis Pendens access - All 10 towns	Annually	[$2,500.00] $2,838.36
	Monthly	[$250.00] $283.84
	Daily	[$30.00] $34.06
Land records search (with enhanced search capability)	Annually	[$1,500.00] $1,703.02
	Monthly	[$150.00] $170.30
	Daily	[$30.00] $34.06
Judgment, liens, miscellaneous	Annually	[$3,000.00] $3,406.03
	Monthly	[$300.00] $340.60
	Daily	[$60.00] $68.12
Uniform Commercial Codes (UCC)	Annually	[$1,500.00] $1,703.02
	Monthly	[$150.00] $170.30
	Daily	[$30.00] $34.06
Full subscription service Access to all on-line imaged material and indices (There will be a downloading fee of $0.65 per page, per image.)	Annually	[$6,000.00] $6,812.06
Subdivision maps (images)	Annually	[$2,000.00] $2,270.69
	Monthly	[$200.00] $227.07

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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 filing in the Office of the Secretary of State.

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

DATED: December 20, 2011

APPROVED BY: VETOED

County Executive of Suffolk County

Date: 12-27-11

Intro. Res. 8033 Res. No. 1223 December 20, 2011

Motion:
Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloria-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	Thomas MURATORE	✓				
6	Sarah S. ANKER	✓				
7	Jack EDDINGTON	✓				
9	Ricardo MONTANO	✓				
10	Thomas CILMI	✓				
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	15	1	—	2	

MOTION
X 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 X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED
X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature