

RESOLUTION NO. 297 -2012, ESTABLISHING A POLICY TO GOVERN THE USE OF NON-COUNTY PERSONNEL IN RATING PROPOSED LAND ACQUISITIONS

WHEREAS, the County of Suffolk has maintained a robust land acquisition program for nearly 40 years, acquiring thousands of acres of land for open space, farmland, and active recreation purposes; and

WHEREAS, the Suffolk County Planning Division, within the Department of Economic Development and Planning, uses a rating form to objectively measure the relative value of proposed land and development rights acquisitions; and

WHEREAS, the Planning Division sometimes relies on persons not affiliated with the County Government to gather information that affects the rating of properties that are proposed for acquisition; and

WHEREAS, the Planning Division typically receives information regarding animal, plant or ecological communities observed on a parcel by persons who have some knowledge related to the natural sciences; and

WHEREAS, this Legislature should be informed when the Planning Division relies on information provided by non-County personnel to rate properties; and

WHEREAS, this Legislature should also know the identity of persons and parties that provide information, their qualifications and any potential conflicts of interest they may have; and

WHEREAS, the County's process for evaluating proposed land acquisitions must be truly independent, objective and transparent to maintain the public's support for this critically important program; now, therefore be it

1st RESOLVED, that the Planning Division, within the Department of Economic Development and Planning, is hereby authorized, empowered and directed to advise the County Legislature and the County Executive when it utilizes information provided by non-County personnel to rate properties that are proposed for acquisition by the County; and be it further

2nd RESOLVED, that the Planning Division is hereby directed to develop a form that outside persons and parties must complete when they submit information to the Division for the purpose of affecting the rating of a proposed land acquisition, said form to include at least the following information:

- 1) the name, address and contact information or the person submitting the information to the Division;
- 2) the source of the information they are submitting (i.e., firsthand field observation, photographs, maps, surveys, reports);

- 3) the name of the plant, animal or ecological community observed, the date(s) of such observation and a description of the diagnostic characteristics upon which the identification was based;
- 4) the number of species observed;
- 5) the precise location at which the plant, animal or ecological community was observed and a description of how one would get to the site where the observation was made;
- 6) the qualifications of the person submitting observations or information to the Division; and
- 7) any potential conflicts of interest that may impair the independence and objectivity of the person submitting the information to the Division, including any financial interest of the outside person (or his employer, spouse or dependent child) that may be affected by the County's land acquisition;

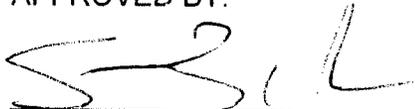
and be it further

3rd **RESOLVED**, that a person submitting the form developed by the Planning Division pursuant to this resolution shall sign the form under oath; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: April 24, 2012

APPROVED BY:



County Executive of Suffolk County

Date: 5.7.2012

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on April 24, 2012 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res.

1346

Res. No.

297

April 24, 2012

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	✓				
2	Jay H. SCHNEIDERMAN	✓				
3	Kate M. BROWNING	✓				
4	Thomas MURATORE	✓				
5	Kara HAHN	✓				
6	Sarah S. ANKER	✓				
7	Rob CALARCO	✓				
9	Ricardo MONTANO	✓				
10	Thomas CILMI	✓				
11	Thomas F. BARRAGA	✓				
12	John M. KENNEDY, JR.	✓				
13	Lynne C. NOWICK	✓				
15	DuWayne GREGORY	✓				
16	Steven H. STERN	✓				
17	Lou D'AMARO	✓				
18	William SPENCER	✓				
14	Wayne R. HORSLEY, D.P.O.	✓				
8	William J. LINDSAY, P.O.				✓	
	Totals	17	1	1	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 _____

Roll Call _____ Voice Vote

Tim Laube

Tim Laube, Clerk of the Legislature