
1527. Declaring a superior governmental interest to retain a parcel (SCTM No. 0209-033.00-03.00-044.000) on County ownership for Open Space Program. (Browning) WAYS & MEANS

1528. Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Jeanine Reynolds (SCTM No. 0100-105.00-02.00-096.000). (Gregory) WAYS & MEANS

1529. Adopting Local Law No. -2017, A Local Law to authorize conveyance of real property previously taken for delinquent taxes (6 Washington Avenue, Holtsville), (SCTM No. 0200-626.00-03.00-014.000). (Muratore) WAYS & MEANS

1530. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (Town of Brookhaven) (SCTM No. 0200-582.00-01.00-009.005). (Co. Exec.) WAYS & MEANS

1531. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Charles D. Parker (SCTM No. 0600-084.00-03.00-033.000). (Co. Exec.) WAYS & MEANS

1532. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act David Diamond (SCTM No. 0100-152.00-04.00-029.000). (Co. Exec.) WAYS & MEANS

1533. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Douglas Tausik n/k/a Douglas Tausik Ryder (SCTM No. 0701-001.00-02.00-028.000). (Co. Exec.) WAYS & MEANS

1534. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John Franco And Donna Franco, Husband and Wife (SCTM No. 0403-008.00-02.00-016.000). (Co. Exec.) WAYS & MEANS

1535. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Melodie B. Kramer and Eric Webb (SCTM No. 0800-154.01-01.00-007.000). (Co. Exec.) WAYS & MEANS

1536. Authorizing the acquisition of Farmland Development Rights under the New Suffolk County ¾% Drinking Water Protection Program (effective December 1, 2007) for the DiPierro property – Finks Farm - Town of Riverhead – (SCTM No. 0600-115.00-01.00-004.001 p/o). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
1537. Approval of Auction Rules for the disposition of surplus property acquired under the Suffolk County Tax Act. (Co. Exec.) WAYS & MEANS

1538. Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services (DHSES) in the amount of $50,000 for “Operation Shield 2017” under State Homeland Security Program (SHSP FY 2015) administered by the Suffolk County Sheriff’s Office in partnership with the Suffolk County Police Department, the East End Marine Task Force and various other Federal, State and Local Agencies, and to execute grant related agreements. (Co. Exec.) PUBLIC SAFETY

1539. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Jose R. Garcia (SCTM No. 0100-176.00-03.00-042.000). (Co. Exec.) WAYS & MEANS

1540. Authorizing use of the Suffolk County Environmental Center by the Rotary Club of Bay Shore for its Fall Kick-Off Gala Fundraiser. (Co. Exec.) PARKS & RECREATION

1541. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 1046-2017). (Co. Exec.) BUDGET AND FINANCE

1542. Adopting Local Law No. -2017, A Local Law to opt-out of ride-sharing service until New York State Addresses the status of Level 1 sex offenders. (Kennedy) PUBLIC WORKS, TRANSPORTATION AND ENERGY

1543. Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Hamlet Park Component, St. Ursula’s Center – Town of Islip (SCTM No. 0200-984.80-04.00-018.000). (Lindsay) ENVIRONMENT, PLANNING AND AGRICULTURE

1544. Appropriating funds in connection with Construction and Rehabilitation of Highway Maintenance Facilities (CP 5048). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY

1545. Appropriating funds in connection with Underground Injection Control (UIC) Management Program (CP 8220). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY

1546. Authorizing a two-year extension for the development of three parcels of land transferred pursuant to the 72-h Affordable Housing Program to the Town of Babylon. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING

1547. Authorizing a two-year extension for the development of ten parcels of land transferred pursuant to the 72-h Affordable Housing Program to the Town of Brookhaven. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING

1548. Appropriating funds for the Purchase of Equipment for the Environmental Health Laboratory Equipment (CP 4079). (Co. Exec.) HEALTH
1549. A Resolution making certain Findings and Determinations and an order for the modification of the plan of service for Suffolk County Sewer District No. 5 – Strathmore Huntington (CP 8115). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY

1550. A Resolution making certain Findings and Determinations and an order for the modification of the plan of service for Suffolk County Sewer District No. 11 – Selden (CP 8117). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY

1551. A Resolution making certain Findings and Determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 21 – SUNY (CP 8121). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY

1552. A Resolution making certain Findings and Determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 1 – Port Jefferson (CP 8122). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY

1553. A Resolution making certain Findings and Determinations and an order for the modification of the plan of service for Suffolk County Sewer District No. 9 – College Park (CP 8163). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY

1554. Identifying County purchasing personnel pursuant to New York General Municipal Law Section 104-b(2)(f). (Co. Exec.) WAYS & MEANS

1555. Authorizing the acquisition of land under the New Enhanced Suffolk County Drinking Water Protection Program 2014 Referendum - land purchases for Open Space Preservation (CP 8732.210) - for the Society of St. Francis, American Province, Inc. property - Little Portion Friary II - Town of Brookhaven - (SCTM No. 0200-067.00-01.00-007.001 p/o). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1556. Authorizing the acquisition of land under the Suffolk County Supplemental Environmental Project for land acquisition (CP 8735) - for the Matrix Residential Holdings, LLC property - Swan River - Town of Brookhaven - (SCTM No. 0200-982.50-04.00-003.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1557. Rescinding Resolution Nos. 984-2016 and 985-2016 and authorizing construction for the National Fish and Wildlife Foundation (NFWF), Wetland Restoration in Suffolk County (NY) project, using the New Enhanced Suffolk County Water Quality Protection Program Funds (CP 8733). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

1558. Authorizing use of Old Field Farm for the Three Village Chamber of Commerce's 18th Annual Family Beach Barbeque. (Hahn) PARKS & RECREATION
1559. Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Department of Public Works: Assistant Director of County Fleet Services. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING

1560. Accepting and appropriating a grant award from the Environmental Protection Agency through the New York State Environmental Facilities Corporation for a Green Innovation Grant Program (GIGP) entitled, "Campus Green Roofs Initiative," 80% reimbursed by Federal funds at Suffolk County Community College. (Co. Exec.) EDUCATION AND HUMAN SERVICES

1561. Amending the 2017 Adopted Capital Budget and Operating Budget and authorizing the execution of a 90% Grant Agreement with the Federal Aviation Administration and the New York State Department of Transportation in connection with a project to replace the Air Traffic Control Tower at Gabreski Airport (CP 5709). (Co. Exec.) ECONOMIC DEVELOPMENT

1562. Amending the 2017 Adopted Capital Budget and Operating Budget and authorizing the execution of a 90% Grant Agreement with the Federal Aviation Administration and the New York State Department of Transportation in connection with an Airport Obstruction Remediation Program at Gabreski Airport (CP 5731). (Co. Exec.) ECONOMIC DEVELOPMENT

1563. Approving the donation of certain items to the Westhampton Beach Historical Society. (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY

1564. Authorizing funding of land acquisition and oversight of real property under the Suffolk County Affordable Housing Opportunities Program (Sandy Hollow Cove Apartments). (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING

1565. Authorizing funding of land acquisition and oversight of real property under the Suffolk County Affordable Housing Opportunities Program (Speonk Commons). (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING
RESOLUTION NO. -2017, APPROVING PAYMENT TO GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE CODE PAGES

WHEREAS, General Code Publishers Corp. has provided Supplement No. 19 to update the Suffolk County Administrative Code totaling $2453.64 and

WHEREAS, Resolution No. 461-1986 established a schedule of fees for entities and/or individuals requesting such Administrative Code and pages from the County Legislature and Resolution No. 189-1991 amended said fee schedule; now, therefore be it

1st RESOLVED, that the payment of $2453.64 for the provisions of such pages is hereby approved.

DATED:

APPROVED BY:

__________________________________
County Executive of Suffolk County

Date:
RESOLUTION NO. -2017, DECLARING A SUPERIOR GOVERNMENTAL INTEREST TO RETAIN A PARCEL (S.C.T.M. NO. 0209-033.00-03.00-044.000) IN COUNTY OWNERSHIP FOR OPEN SPACE PROGRAM

WHEREAS, the County of Suffolk took a tax deed to a parcel, 45 Diane Drive, Mastic Beach, Suffolk County Tax Map No. 0209-033.00-03.00-044.000, on February 7, 2017; and

WHEREAS, this property is located in the Mastic/Shirley Conservation Area; the County has acquired many properties in this environmentally sensitive area in order to restore wetlands for storm resiliency and to reduce the amount of nitrogen going into surface waters; and

WHEREAS, the subject parcel is located in a flood zone; and

WHEREAS, it is in the best interests of the residents of Suffolk County to retain this parcel in public ownership, and ultimately demolish the structure located on the parcel and transfer its management to the Department of Parks, Recreation and Conservation; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby declares that the County of Suffolk has a superior governmental interest and need to retain the property at 45 Diane Drive, Mastic Beach, Suffolk County Tax Map No. 0209-033.00-03.00-044.000, in County ownership for open space purposes; and be it further

2nd RESOLVED, that this Legislature hereby exercises its discretion and hereby terminates the rights of any person or entity to seek a re-conveyance of the subject parcel under the provisions of the Suffolk County Tax Act or any local law; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date:
RESOLUTION NO. -2017, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO JEANINE REYNOLDS (SCTM NO. 0100-105.00-02.00-096.000)

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 the Town of Babylon, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0100, Section 105.00, Block 02.00, Lot 096.000, and acquired by tax deed on September 24, 2014, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 26, 2014, in Liber 12790, at Page 110, and otherwise known and designated by the Town of Babylon, as Lot No. 136, on a certain map entitled “Map of Belmont Gardens,” filed in the Office of the Clerk of Suffolk County on May 31, 1932 as Map No. 1081; and

WHEREAS, Jeanine Reynolds 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 Gregory has determined that said non-payment of taxes was not an intentional act but was due to circumstances beyond her control; 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 Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive from the applicant the sum of $76,274.36 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; 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:

Jeanine Reynolds
31 Nevada Road
North Babylon, New York 11704
upon receipt of the above-described moneys, to convey the interest of the County of Suffolk in
the above-described real estate; and be it further

2nd RESOLVED, in the event that Ms. Reynolds fails to pay all amounts due and
owing the County within 60 days of the effective date of this resolution, the Division of Real
Property Acquisition and Management shall not convey the subject property to Jeanine
Reynolds.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date:

s:\word\Reso Reynolds
RESOLUTION NO. -2017, ADOPTING LOCAL LAW NO. -2017, A LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL PROPERTY PREVIOUSLY TAKEN FOR DELINQUENT TAXES (6 WASHINGTON AVENUE, HOLTsvILLE, S.C.T.M. NO. 0200-625.00-03.00-014.000)

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2017 a proposed local law entitled, "A LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL PROPERTY PREVIOUSLY TAKEN FOR DELINQUENT TAXES (6 WASHINGTON AVENUE, HOLTsvILLE, S.C.T.M. NO. 0200-625.00-03.00-014.000)"; now, therefore be it

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

LOCAL LAW NO. -2017, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL PROPERTY PREVIOUSLY TAKEN FOR DELINQUENT TAXES(6 WASHINGTON AVENUE, HOLTsvILLE, S.C.T.M. NO. 0200-625.00-03.00-014.000)

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

Section 1. Legislative Intent

The Legislature hereby finds and determines that there exists several mechanisms which allow prior owners to redeem real property the County has taken for failure to pay property taxes.

This Legislature further finds that prior owners, who meet stringent hardship requirements in specified categories, may reclaim their properties, but they must make an application to do so within two years and six months of the recording of the County's tax deed.

This Legislature also finds that in very limited circumstances, unique and extenuating circumstances may present themselves, involving a lack of mental capacity or the presence of a terminal illness, must justify restoring a former owner to the ownership of their primary residence, notwithstanding the exhaustion of all other previously referenced remedies.

This legislature finds that Domenico and Giovanna Morabito took title to the land upon which their home now is located on October 4, 1979, by a deed recorded in the Suffolk County Clerk's office at Deed Liber 8721, page 288.

The Legislature determines that the family established a home at this location, raised their children, and have most recently encountered a series of medical difficulties and adversities.

This Legislature also determines that Domenico Morbito came to the United States in his early twenties, and that he has continued to have limited ability to understand
English. Domenico has sustained two accidents which prevent him from working as a mason, and he has been described as suffering from Dementia and/or Alzheimer's. Giovanna Morabito was diagnosed with breast cancer in the Fall of 2016, and is currently under the care of a physician from North Shore Oncology.

This Legislature further finds that Kathryn, Domenico and Giovanna Morabito's oldest child, was born with Down's Syndrome, is severely limited in her capabilities, and lives at home with her mother and father.

This legislature concludes that this family, beset with a series of truly significant medical hardships, deserves consideration due to these circumstances.

Therefore, the purpose of this law is to authorize the Division of Real Property Acquisition and Management to convey to Domenico and Giovanna Morabito a parcel located in Holtsville, Town of Brookhaven, previously taken by the County for non-payment of taxes.

Section 2. Conveyance Authorized.

Notwithstanding the provisions in any special law, local law or resolution to the contrary, the Director of the Suffolk County Division of Real Property Acquisition and Management is hereby authorized, empowered and directed to execute, acknowledge and deliver a quitclaim deed to Domenico and Giovanna Morabito for real property located at 6 Washington Avenue, Holtsville, New York for real property Suffolk County Tax Map No. 0200-625.00-03.00-014.000 upon receipt of all unpaid taxes, interest, penalties and charges due and owing to the County of Suffolk.

Section 3. Applicability.

This law shall apply only to the property described in Section 2 herein.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\delinquent-taxes-morabito
DATE: JUNE 12, 2017
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2017

TITLE: I.R. NO. -2017; LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL PROPERTY PREVIOUSLY TAKEN FOR DELINQUENT TAXES (6 WASHINGTON AVENUE, HOLTSVILLE, S.C.T.M. NO. 0200-825.00-03.00-014.000)

SPONSOR: LEGISLATOR MURATORE

DATE OF RECEIPT BY COUNSEL: 6/12/2017 PUBLIC HEARING: 7/26/2017
DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED: __________

This proposed local law would authorize the Division of Real Property Acquisition and Management to convey a parcel located in Holtsville, Town of Brookhaven, to its former owners, Domenico and Giovanna Morabito, upon receipt of all unpaid taxes, interests, penalties and charges due and owing, notwithstanding that the Morabito failed to pay the County all monies owing after their hardship application was approved by the Legislature.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-deliquent-taxes-morabito
RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(TOWN OF BROOKHAVEN)
(SCTM NO. 0200-562.00-01.00-009.005)

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 562.00 Block 01.00 Lot 009.005 and acquired by Tax Deed on October 5, 2010 from Douglas W. Sutherland, the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on October 6, 2010 in Liber 12639 at Page 481 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Brookhaven under Suffolk County Tax Map No. District 0200 Section 562.00 Block 01.00 Lot 009.005; 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 180' x variable with a preliminary value range of $755,000 to $830,000 as described in Exhibit "A" annexed hereto; and

WHEREAS, as provided in Resolution No. 840-2004 and Resolution No. 412-2005, this Legislature has determined that retention of development rights for transfer and use to promote the development of workforce housing is a vital need of Suffolk County residents and an important public purpose of County government; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has approved the proposed transfer and use of said parcel; now, therefore be it

1st RESOLVED, that the Director of Real Estate, and/or his designee, hereby is authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions as hereinafter described to said Town of Brookhaven for the sum of $422,283.09; which is the amount of the County's investment plus the pro rata share of taxes, and be it further

2nd RESOLVED, that the County of Suffolk hereby transfer the above described property subject to it being sterilized for Open Space Purposes to protect the aquifer and water supply, which property shall be kept in its natural state in perpetuity, except for property maintenance activities as may be appropriate, to effectuate the declaration of covenants and restrictions, entered into by the Town of Brookhaven, without impairing the essential nature and open character of the premises and subject to use for open space and recreational purposes; and be it further
3rd RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is to be permanently sterilized by a deed restriction and must remain as open space and Workforce Housing Development Rights shall be severed herewith (11.0) Eleven Workforce Housing Development Rights and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program Registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Economic Development and Planning, consistent with Resolution No. 412-2005, as amended and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

4th RESOLVED, that said quitclaim deed tendered by the Director of Real Estate, and/or his designee, pursuant to this resolution, shall contain appropriate language that shall permanently sterilize the above-described parcel and sever the development rights for workforce housing purposes in accordance with the County's Workforce Housing Program; and be it further

5th RESOLVED, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Open Space purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other than Open Space purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for Open Space purposes; and be it further

6th RESOLVED, that said quitclaim deed issued by the Director of Real Estate, and/or his 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-chage or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

7th RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Sections 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a) (1)

DATED: ____________________________

APPROVED BY: ____________________________

County Executive of Suffolk County
Date of Approval: ____________________________
RESOLUTION NO. 2017-0089
MEETING: JANUARY 24, 2017

AUTHORIZATION TO ACQUIRE A VACANT PARCEL OF SUFFOLK COUNTY OWNED LAND FOR OPEN SPACE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW – EASTPORT MANOR ROAD, MANORVILLE (SCTM 0200-562.00-01.00-009.005)

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 Eastport Manor Road, Manorville, further identified as SCTM No. 0200-562.00-01.00-009.005 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcels of real property for open space purposes for a total consideration not to exceed $422,000.00 plus closing costs; and

WHEREAS, the Town Board of the Town of Brookhaven is aware that the subject premises shall be conveyed subject to the following restrictive covenants that will run with the land so conveyed: 1) That the Grantee or any subsequent Grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and disposal of all debris, waste, and/or contamination in or on the subject premises; 2) That the Grantee shall not sell, convey, transfer or otherwise dispose of the subject premises; and
WHEREAS, the Town Board of the Town of Brookhaven is aware that the restrictive covenants described above will run with the land and shall bind the heirs, successors, and assigns of the Town of Brookhaven and in the event of any violation of the restrictive covenants stated above; 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 open space purposes further identified as SCTM No. 0200-562.00-01.00-009.005 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed $422,000.00 plus closing costs subject to the restrictive covenants and reverter provisions as stated above; and be it further

RESOLVED, that the Town Clerk is hereby directed to post and publish the notice of adoption of this resolution which is subject to permissive referendum.
SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

SCTM NO.: 0200-562.00-01.00-009.005

Section 72-h, Gen'l Municipal Law

County Investment $422,283.09

Purpose:
A. Affordable Housing
B. Open Space X
C. Road/Highway
D. Drainage/Recharge Basin
E. Other

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

WRT: slb
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X Local Law No. ________ Charter Law ________

2. Title of Proposed Legislation
   SALE OF COUNTY-OWNED REAL ESTATE
   PURSUANT TO SECTION 72-h OF THE
   GENERAL MUNICIPAL LAW
   (TOWN OF BROOKHAVEN)
   (SCTM NO. 0200-562.00-01.00-009.005)

3. Purpose of Proposed Legislation
   Convey County owned parcel to the Town of Brookhaven for Municipal purposes

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

5. If the answer to Item 4 is "yes", on what will it impact?
   X County ______ Town ______ Economic Impact
   ______ Village ______ School District ______ Other (Specify):
   ______ Library District ______ Fire District

6. If the answer to Item 4 is "yes", Provide detailed explanation of Impact
   Loss of sale at public auction

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

8. Proposed Source of Funding
   Unknown

9. Timing of Impact
   2017

10. Typed Name & Title of Preparer
    R.J. Bhatt
    Land Management Specialist
    Diane G. Weyer
    Chief Financial Analyst

    Signature of Preparer
    Date
    ______

    ______
    ______
### GENERAL FUND

<table>
<thead>
<tr>
<th></th>
<th>2017 PROPERTY TAX LEVY</th>
<th>2017 COST TO AVG TAXPAYER</th>
<th>2017 RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
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</tbody>
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### POLICE DISTRICT AND DISTRICT COURT

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<tr>
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</table>

**NOTES:**
3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
2017 INTRAGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL:

SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(TOWN OF BROOKHAVEN)
(SCTM NO. 0200-562.00-01.00-009.005)

PURPOSE OR GENERAL IDEA OF BILL:

Sale to Town of Brooklyn, 180' x Variable Improved Property approximately 15.1 acre for use in Open Space purposes.

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:

County investment repaid.
May 3, 2017

Lisa Santeramo
Chief of Staff
H. Lee Dennison Bldg 12th Fl.
100 Veterans Memorial Highway
Hauppauge, NY 11788

Re: Tax Map No.: 0200-562.00-01.00-009.005
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real
Estate to a Municipality, State, or Federal Government.

Dear Ms. Santeramo:

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,

JASON SMAGIN
Acting Director of Real Estate
Department of Economic Development
and Planning

JS:slb
Resolution
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy of Resolution to:
CE Reso Review. (electronic copy)
RESOLUTION NO. -2017, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CHARLES D. PARKER (SCTM NO. 0600-084.00-03.00-033.000)

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 Riverhead, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0600, Section 084.00, Block 03.00, Lot 033.000, and acquired by tax deed on October 12, 2016, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York and recorded on October 21, 2016, in Liber 12884, at Page 817, and otherwise known and designated by the Town of Riverhead, District 0600, Section 084.00, Block 03.00, Lot 033.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 12, 2016, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York, and recorded on October 21, 2016 in Liber 12884 at Page 817.

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, CHARLES D. PARKER has made application of said above described parcel and CHARLES D. PARKER has paid the application fee and has paid $1,791.38, 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, 2017; now, therefore be it

1st

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

2nd

RESOLVED, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to CHARLES D. PARKER, 269 Doctors Path, Riverhead, NY 11901 to transfer the interest of Suffolk County in the above described property and on the above described terms.
DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date:
Tax Map No.: 0600-084.00-03.00-033.000
Name of Last Legal Fee Owner: CHARLES D. PARKER

COMPTROLLER'S COMPUTATION: $1,432.78
Taxes: 2016/2017: $351.87
Certified Mail Fees: $6.73
License Fee Collected: OPEN
Repairs: OPEN
Other Expenses: OPEN

TOTAL: $1,791.38
Monies Received: $1,791.38

RESOLUTION AMOUNT: $1,791.38

APPROVED:

[Signature]
Accounting
PB: lg

5/17/2017

PREPARED BY:

[Signature]
Peter Belyea
Redemption Unit
(631)853-5932
A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

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<thead>
<tr>
<th>YEAR</th>
<th>AMOUNT</th>
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<tbody>
<tr>
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<td>0</td>
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</tbody>
</table>

TOTAL: $1,293.22

B. INTEREST DUE
C. TOTAL $71.33
D. 5% LINE C $1,364.55
E. $68.23

SUBTOTAL $1,432.78

E. FEE 0
F. MISC MAILING FEES $6.73
G. MISC 2016/17 TAXES $351.87
H. MISC 0

TOTAL AMOUNT DUE: $1,791.38

CERTIFICATION BY COUNTY COMPTROLLER

I, Christina Cooke, Executive Director of Finance & Taxation for the County of Suffolk, in the State of New York do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York.
29-Mar-17

Christina M. Cooke
Executive Director of Finance & Taxation

**Interest and penalty computed to and including 09/25/17**
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
   CHARLES D. PARKER
   0600-084.00-03.00-033.000

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
   2017

10. Typed Name of Preparer    Signature of Preparer    Date
    Peter Belyea                   Peter                   5/10/17
    Diane C. Weyer               Diane Weyer           6/8/17
### GENERAL FUND

<table>
<thead>
<tr>
<th></th>
<th>2017 PROPERTY TAX LEVY</th>
<th>2017 COST TO AVG TAXPAYER</th>
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<tr>
<td>TOTAL</td>
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### POLICE DISTRICT AND DISTRICT COURT

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<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**


3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office
May 25, 2017

Katie Horst, Intergovernmental Relations  
H. Lee Dennison Bldg. – 12th Floor  
Hauppauge, New York 11788-0099

Re: Tax Map No. 0600-084.00-03.00-033.000  
CHARLES D. PARKER

Dear Ms. Horst:

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: CE Reso Review (e-copy)
RESOLUTION NO. -2017, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT DAVID DIAMOND (SCTM NO. 0100-152.00-04.00-029.000)

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 152.00, Block 04.00, Lot 029.000, and acquired by tax deed on October 14, 2016, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York and recorded on October 21, 2016, in Liber 12844, at Page 820, and otherwise known and designated by the Town of Babylon, Part of Lot 1, on a certain map entitled "Map of Birchwood at Babylon", filed in the office of the Clerk of Suffolk County on June 4, 1954 as File No. 2217; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 14, 2016, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York, and recorded on October 21, 2016 in Liber 12844 at Page 820.

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, DAVID DIAMOND has made application of said above described parcel and DAVID DIAMOND has paid the application fee and has paid $69,838.96, 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, 2017; now, therefore be it

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

RESOLVED, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to DAVID DIAMOND, 789 Deer Park Avenue, North Babylon, NY 11703 to transfer the interest of Suffolk County in the above described property and on the above described terms.
DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT  

May 22, 2017

Tax Map No.: 0100-152.00-04.00-029.000
Name of Last Legal Fee Owner: DAVID DIAMOND

<table>
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<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
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<tr>
<td>Taxes</td>
<td>$15,123.70</td>
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<tr>
<td>Certified Mail Fees</td>
<td>$38.05</td>
</tr>
<tr>
<td>License Fee Collected</td>
<td>OPEN</td>
</tr>
<tr>
<td>Repairs</td>
<td>OPEN</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>OPEN</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$69,838.96</td>
</tr>
<tr>
<td>Monies Received</td>
<td>$69,838.96</td>
</tr>
<tr>
<td><strong>RESOLUTION AMOUNT</strong></td>
<td>$69,838.96</td>
</tr>
</tbody>
</table>

APPROVED: 

[Signature]

PREPARED BY: 

[Signature] 
Lori Sklar
Redemption Unit
(631)853-5937
### A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
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</tr>
</tbody>
</table>

**TOTAL:** $50,005.12

### B. INTEREST DUE

- $2,068.41

### C. TOTAL

- $52,073.53

### D. 5% LINE C

- $2,603.68

**SUBTOTAL**

- $54,677.21

### E. FEE

- $0

### F. MISC

- MAILING FEES
  - $38.05

### G. MISC

- 2016/17 TAXES
  - $15,123.70

### H. MISC

- $0

**TOTAL AMOUNT DUE:**

- $69,838.96

---

### CERTIFICATION BY COUNTY COMPTROLLER

I, Christina Cooke, Executive Director of Finance & Taxation for 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.

05-Jan-17

Christina Cooke
Executive Director of Finance & Taxation

**Interest and penalty computed to and including 07/04/17**
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
   DAVID DIAMOND
   0100-152.00-04.00-029.000

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
   2017

10. Typed Name of Preparer
    Signature of Preparer
    Date
    Lori Sklar
    Diane E. Weyer
    5/22/17
    6/8/17
### GENERAL FUND

<table>
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### POLICE DISTRICT AND DISTRICT COURT

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</table>

**NOTES:**

3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office
May 25, 2017

Katie Horst, Intergovernmental Relations
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0100-152 00-04.00-029.000
DAVID DIAMOND

Dear Ms. Horst:

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

Attachment

cc: CE Reso Review (e-copy)
RESOLUTION NO. -2017, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT DOUGLAS TAUSIK N/K/A DOUGLAS TAUSIK RYDER (SCTM NO. 0701-001.00-02.00-028.000)

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 Shelter Island, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0701, Section 001.00, Block 02.00, Lot 028.000, and acquired by tax deed on November 2, 2016, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York and recorded on November 28, 2016, in Liber 12889, at Page 704, and otherwise known and designated by the Town of Shelter Island, as District 0701, Section 001.00, Block 02.00, Lot 028.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on November 2, 2016, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York, and recorded on November 28, 2016 in Liber 12889 at Page 704.

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, DOUGLAS TAUSIK N/K/A DOUGLAS TAUSIK RYDER has made application of said above described parcel and DOUGLAS TAUSIK N/K/A DOUGLAS TAUSIK RYDER has paid the application fee and has paid $1,590.86, 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, 2017; now, therefore be it

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

2nd RESOLVED, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to DOUGLAS TAUSIK N/K/A DOUGLAS TAUSIK RYDER, 8 Gardiner Way, P.O. Box 1247, Shelter Island, NY 11965 to transfer the interest of Suffolk County in the above described property and on the above described terms.
DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

May 15, 2017

Tax Map No.: 0701-001.00-02.00-028.000
Name of Last Legal Fee Owner: DOUGLAS TAUSIK N/K/A DOUGLAS TAUSIK RYDER

COMPTROLLER’S COMPUTATION $1,186.21 ✓
Taxes ........ 2016/2017 $366.60 ✓
Certified Mail Fees .................. $38.05
License Fee Collected .................. OPEN
Repairs .................. OPEN
Other Expenses .................. OPEN

TOTAL .................. $1,590.86 ✓

Monies Received .................. $1,590.86 ✓

RESOLUTION AMOUNT .................. $1,590.86 ✓

APPROVED:

[Signature]
Accounting
5/17/17

PREPARED BY:

[Signature]
Peter Belyea
Redemption Unit
(631)853-5932
A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

<table>
<thead>
<tr>
<th>Year</th>
<th>Village</th>
<th>Town</th>
<th>Combined</th>
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</thead>
<tbody>
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<td>2014</td>
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TOTAL: $1,077.17

B. INTEREST DUE
C. TOTAL
D. 5% LINE C
SUBTOTAL

E. FEE 0
F. MISC MAILING FEES
G. MISC 2016/17 TAXES
H. MISC

TOTAL AMOUNT DUE

$1,186.21

CERTIFICATION BY COUNTY COMPTROLLER

I, Christina Cooke, Executive Director of Finance & Taxation for 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.

21-Mar-17: Christina M. Cooke
Executive Director of Finance & Taxation

**Interest and penalty computed to and including 09/17/17 ks
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
   DOUGLAS TAUSIK N/K/A DOUGLAS TAUSIK RYDER
   0701-001.00-02.00-028.000

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
   Village
   Economic Impact
   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
   2017

10. Typed Name of Preparer        Signature of Preparer        Date
    Peter Belyea                              5/10/17
    Diane E. Weyer                          01/8/17
## FINANCIAL IMPACT
2017 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

### GENERAL FUND

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<tr>
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<th>2017 COST TO AVG TAXPAYER</th>
<th>2017 FEV TAX RATE PER $1000</th>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2017 COST TO AVG TAXPAYER</th>
<th>2017 FEV TAX RATE PER $1000</th>
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### COMBINED

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<tr>
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<td>$0</td>
<td>$0.00</td>
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</tbody>
</table>

NOTES:
3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
May 25, 2017

Katie Horst, Intergovernmental Relations
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0701-001-00-02.00-028.000
DOUGLAS TAUSIK N/K A DOUGLAS TAUSIK RYDER

Dear Ms. Horst:

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

Attachment

cc: CE Reso Review (e-copy)
RESOLUTION NO. -2017, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOHN FRANCO AND DONNA FRANCO, HUSBAND AND WIFE (SCTM NO. 0403-008.00-02.00-016.000)

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 0403, Section 008.00, Block 02.00, Lot 016.000, and acquired by tax deed on October 18, 2016, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York and recorded on October 21, 2016, in Liber 12884, at Page 819, and otherwise known and designated by the Town of Huntington, Lot 3, on a certain map entitled "Map of Hawk Hill", filed in the office of the Clerk of Suffolk County on August 9, 1954 as Map No. 2242; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 18, 2016, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York, and recorded on October 21, 2016 in Liber 12884 at Page 819.

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, JOHN FRANCO AND DONNA FRANCO, HUSBAND AND WIFE have made application of said above described parcel and JOHN FRANCO AND DONNA FRANCO, HUSBAND AND WIFE have paid the application fee and have paid $45,801.54, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2017; now, therefore be it

1st RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQR) 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 SEQR, 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 SEQR 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

2nd RESOLVED, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN FRANCO AND DONNA FRANCO, HUSBAND AND WIFE, 10 Hawk Drive, Lloyd Harbor, NY 11743 to transfer the interest of Suffolk County in the above described property and on the above described
terms.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
May 22, 2017

Tax Map No.: 0403-008.00-02.00-016.000
Name of Last Legal Fee Owner: JOHN FRANCO AND DONNA FRANCO, HUSBAND AND WIFE

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<td>Repairs</td>
<td>OPEN</td>
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<tr>
<td>Other Expenses</td>
<td>OPEN</td>
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<td><strong>TOTAL</strong></td>
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<td>Monies Received</td>
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<tr>
<td><strong>RESOLUTION AMOUNT</strong></td>
<td><strong>$45,801.54</strong></td>
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APPROVED:

PREPARED BY:
Lori Sklar
Redemption Unit
(631)853-5937

Annette Brownlee 5/24/2017
A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

<table>
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TOTAL: $ 16,924.97

B. INTEREST DUE
C. TOTAL
D. 5% LINE C
SUBTOTAL
E. FEE
F. MISC 2017 TAXES
G. MISC MAILING FEES
H. MISC

TOTAL AMOUNT DUE

$ 45,801.54

CERTIFICATION BY COUNTY COMPTROLLER

I, Christina Cooke, Executive Director of Finance & Taxation for 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.

14-Mar-17

Christina M. Cooke
Executive Director of Finance & Taxation

**interest and penalty computed to 09/10/17

ks
1. Type of Legislation
   Resolution X

2. Title of Proposed Legislation
   Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act
   JOHN FRANCO AND DONNA FRANCO, HUSBAND AND WIFE
   0403-008.00-02.00-016.000

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
   Village
   Town
   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
   2017

10. Typed Name of Preparer
    Lori Sklar

    Signature of Preparer
    Date
    6/18/17

    Diane Weyer
    6/18/17
### GENERAL FUND

<table>
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<tr>
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<th>2017 PROPERTY TAX LEVY</th>
<th>2017 COST TO AVG TAXPAYER</th>
<th>2017 RATE PER $1000</th>
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### POLICE DISTRICT AND DISTRICT COURT

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**NOTES:**

3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
May 25, 2017

Katie Horst, Intergovernmental Relations
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0403-008.00-02.00-016.000
    JOHN FRANCO AND DONNA FRANCO, HUSBAND AND WIFE

Dear Ms. Horst:

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: CE Reso Review (e-copy)
RESOLUTION NO. -2017, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT MELODIE B. KRAMER AND ERIC WEBB (SCTM NO. 0800-154.01-01.00-007.000)

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 Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800, Section 154.01, Block 01.00, Lot 007.000, and acquired by tax deed on August 18, 2016, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York and recorded on August 25, 2016, in Liber 12876, at Page 921, and otherwise known and designated by the Town of Smithtown, as Lot No. 7, on a certain map entitled "Map of Honey Hollow Town Houses", filed in the office of the Clerk of Suffolk County on May 5, 1986 as Map No. 8107; 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 18, 2016, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York, and recorded on August 25, 2016 in Liber 12876 at Page 921.

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, MELODIE B. KRAMER AND ERIC WEBB have made application of said above described parcel and MELODIE B. KRAMER AND ERIC WEBB have paid the application fee and will be paying $82,840.91, 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, 2017, now, therefore be it

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

2nd RESOLVED, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to MELODIE B. KRAMER AND ERIC WEBB, 7 Kristen Lane, Hauppauge NY 11787 to transfer the interest of Suffolk County in the above described property and on the above described terms.
DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

May 15, 2017

Tax Map No.: 0800-154.01-01.00-007.000
Name of Last Legal Fee Owner: MELODIE B. KRAMER AND ERIC WEBB

COMPTROLLER’S COMPUTATION........................................... $72,282.28  ✓
Taxes................................................................. 2016/2017 $10,536.24  ✓
Certified Mail Fees................................................................. $22.39
License Fee Collected............................................................... OPEN
Repairs.......................................................... OPEN
Other Expenses................................................................. OPEN

TOTAL................................................................. $82,840.91  ✓

Monies to be Received.......................................................... $82,840.91

RESOLUTION AMOUNT........................................................... $82,840.91  ✓

APPROVED:

[Signature]
Accounting
P.O. Box

PREPARED BY:

[Signature]
Peter Belyea
Redemption Unit
(631)853-5932
<table>
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**TOTAL:** $65,526.28

**B. INTEREST DUE**

**C. TOTAL**

**D. 5% LINE C**

**SUBTOTAL**

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**F. MISC**

**MAILING FEES**

**G. MISC**

**2016/17 TAXES**

**H. MISC**

**TOTAL AMOUNT DUE:**

**CERTIFICATION BY COUNTY COMPTROLLER**

I, Christina Cooke, Executive Director of Finance & Taxation for 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.

30-Dec-16

Christina M. Cooke
Executive Director of Finance & Taxation

---

**Interest and penalty computed to**

**06/28/17**

ks
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 45 of the Suffolk County Tax Act
   MELODIE B. KRAMER AND ERIC WEBB
   0800-154.01-01.00-007.000

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
   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
   2017

10. Typed Name of Preparer
    Peter Belyea

    Signature of Preparer
    Date
    Diane E. Weyer
    5/16/17
    1/18/17
### GENERAL FUND

<table>
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<tr>
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<th>2017 RATE PER $1000</th>
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<th>2017 FEV TAX RATE PER $1000</th>
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<th>2017 FEV TAX RATE PER $1000</th>
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</tbody>
</table>

**NOTES:**


3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.
May 25, 2017

Katie Horst, Intergovernmental Relations
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0800-154.01-01.00-007.000
MELODIE B. KRAMER AND ERIC WEBB

Dear Ms. Horst:

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 A. Thompson
Real Property Management Supervisor

WRT:PB:lag

Attachment

cc: CE Reso Review (e-copy)
RESOLUTION NO. -2017 AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY 1½% DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) FOR THE DIPIERRO PROPERTY – FINES FARM (TOWN OF RIVERHEAD - SCTM#0600-115.00-01.00-004.001 p/o)

WHEREAS, Local Law No. 24-2007, “A Charter Law Extending and Accelerating the Suffolk County 1½% 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. 267-2016 authorized planning steps and Procedural Motion No. 18-2016 authorized the acquisition of farmland development rights of the subject property; and

WHEREAS, pursuant thereto, said acquisition is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation of the Suffolk County Farmland Committee; 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 and/or his designee to negotiate the acquisition of farmland development rights; and

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, for a total purchase price of Five Hundred Fifty One Thousand Two Hundred Dollars ($551,200±), at Fifty Three Thousand Dollars ($53,000) per acre for 10.40± 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 for inclusion in the Suffolk County Purchase of Development Rights Program:
PARCEL:  No. 1
District:  0600
Section:  115.00
Block:  01.00
Lot:  004.001 p/o

SUFFOLK COUNTY
TAX MAP NUMBER:  00-115-01-004.001
ACRES:  10.40±

REPUTED OWNER
AND ADDRESS:
Nicholas J. DiPierro
as Trustee of the
Leo DiPierro Irrevocable Trust
30 Acorn Court
Wading River, NY 11792

; and be it further

2nd RESOLVED, that the Director of Real Estate and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(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 as of December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County’s purchase price of Five Hundred Fifty One Thousand Two Hundred Dollars ($551,200±), at Fifty Three Thousand Dollars ($53,000) per acre for 10.40± acres, subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $551,200±, 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 December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

4th RESOLVED, that the Director of Real Estate and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

5th RESOLVED, that 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 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Purchase of Development Rights Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

DATED:

APPROVED BY:

County Executive of Suffolk County
STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Local Law</th>
<th>Charter Law</th>
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2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Farmland of the DiPierro property (Finks Farm), SCTM#0600-115.00-01.00-004.001 p/o, (Town of Riverhead).

3. Purpose of Proposed Legislation

See No. 2 above

4. Will the Proposed Legislation Have a Fiscal Impact?  YES  NO X

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

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<th>County</th>
<th>Town</th>
<th>Economic Impact</th>
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<td>Village</td>
<td>School District</td>
<td>Other (Specify):</td>
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<td>Library District</td>
<td>Fire District</td>
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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-Farmland

9. Timing of Impact

10. Typed Name & Title of Preparer

Jason Smagin
Acting Director of Real Estate

11. Signature of Preparer

Diane G. Wheeler
Chief Financial Analyst

12. Date

5/25/17

6/8/17

SCIN FORM 175b (10/95)
## GENERAL FUND

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<th>2017 RATE PER $1000</th>
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## POLICE DISTRICT AND DISTRICT COURT

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## COMBINED

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**NOTES:**


3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office.
May 23, 2017

Ms. Katie Horst
Intergovernmental Relations
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Ms. Horst:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the DiPierro property (Finks Farm), in the Town of Riverhead, under the New Suffolk County ¼% Drinking Water Protection Program-Farmland. The purchase price is $551,200.00+ for 10.40+ acres, at $53,000.00 per acre.

Please contact me if you require any additional information.

Sincerely,

Jason Smagin
Acting Director of Real Estate

Theresa Ward, Commissioner, Dept. of Economic Development & Planning (email)
Sarah Lansdale, Director, Division of Planning & Environment (email)
Robert Braun, Deputy Bureau Chief, Municipal Law, Real Estate-Condemnation (email)
Janet M. Longo, Acquisition Supervisor, Real Property Acquisition & Mgmt.
Lauretta Fischer, Chief Environmental Analyst, Division of Planning (email)
Diane Zielinski, Acquisition Agent
CE Reso Review (e-mail copy only)
TITLE OF BILL:
AUTHORIZING ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS
UNDER THE NEW SUFFOLK COUNTY ¾% DRINKING WATER
PROTECTION PROGRAM-FARMLAND COMPONENT- FOR THE DIPIERRO
PROPERTY-FINKS FARM (TOWN OF RIVERHEAD – SCTM# 0600-115.00-
01.00-004.001 p/o

PURPOSE OR GENERAL IDEA OF BILL:
FARMLAND PRESERVATION

SUMMARY OR SPECIFIC PROVISIONS:
PURCHASE OF FARMLAND DEVELOPMENT RIGHTS UNDER NDWPP
FUNDING AVAILABLE IN 525-CAP-8714.211

JUSTIFICATION:
PLANNING STEPS RESOLUTION #267-2016 TO PURCHASE DEVELOPMENT
RIGHTS

FISCAL IMPLICATIONS:
N/A
RESOLUTION NO. 1537-17, APPROVAL OF AUCTION RULES FOR THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT

WHEREAS, the disposition of property acquired through the Suffolk County Tax Act is regulated pursuant to Article A40 of the Administrative Code, Laws of Suffolk County, and Part III, Chapter 1070, Laws of Suffolk County (together hereinafter the "Code"); and

WHEREAS, §A40-4(G) and §1070-6 of the Code pertain to the formulation and adoption of auction rules and procedures; and

WHEREAS, §1070-6 requires the approval by the Suffolk County Legislature of auction rules and regulations formulated by the Department of Economic Development and Planning, Division of Real Property Acquisition and Management; and

WHEREAS, the Department of Economic Development and Planning, Division of Real Property Acquisition and Management, has previously filed a copy of the proposed rules for the auction of surplus County real estate with the County Executive and the Clerk of the Legislature and a copy of said proposed rules is annexed as Exhibit "A"; now, therefore be it

1st RESOLVED, that the auction rules annexed as Exhibit "A" are approved for use immediately on filing of this approved resolution with the Clerk of the Legislature.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
Exhibit "A"

Auction Terms and Conditions - Definitions

Affiliate: A Business Entity in which the Purchaser has, directly or indirectly, a voting, controlling or ownership interest of twenty percent (20%) or more, or which has such an interest in Purchaser.

Assignment: The transfer or conveyance of a right or contract from one person or Business Entity to another.

Business Entity: A legal being, other than an individual, natural person, e.g., a corporation, limited liability company, partnership, joint venture or syndication. A Business Entity must be duly formed in accordance with all applicable provisions of law and have the legal capacity, among other things, to be sued and to own property in the State of New York.

County: The County of Suffolk.

Deed: An instrument in writing, duly executed and delivered, that conveys title to real property.

Default: A failure by the Purchaser to comply with any provision of the Terms and Conditions.

Director: The Director of Real Estate.

Immediate Family: A spouse, issue, including adopted children, sibling or parent.

Lien: A claim or encumbrance of property, e.g., for the payment of a debt.

Landlocked: A parcel of land that has no routes of ingress and egress (by deed, easement or filed map roadways). Note a parcel located on an unopen roadway, a/k/a paper street, is NOT landlocked but is considered inaccessible at present.

Memorandum of Sale: The contract between the County and the Purchaser for the purchase of the Property, which incorporates, by reference, the Terms and Conditions of Sale and any special terms and conditions.

Occupancy/Occupy: The Inhabiting of a parcel improved by a residential structure as a person's sole residence.

Principal: Any individual or Business Entity who participates at the auction through a duly authorized agent.

Property: The particular parcel of County-owned real property and any improvements thereon, sold at public auction to the Purchaser.
**Purchase Price**: The highest bid made and accepted for the Property at the auction.

**Purchaser**: The successful bidder(s) at the auction sale and, where the Purchaser is a Business Entity, then each partner or any director(s), officer(s), or shareholder(s) having a total of twenty percent (20%) or more of the Purchaser’s voting stock, ownership interest or control.

**Third party bidder**: An individual who bids solely as a duly authorized agent of another individual or Business Entity.

**Third party bidding**: Bidding on behalf of a Purchaser/Principal through a duly authorized agent.

**Title Closing**: The transfer of title to or ownership of the Property to the Purchaser; the date upon which such transfer is made.

**Upset Price**: The amount at which bidding starts on the Property.

**AUCTION TERMS AND CONDITIONS**

The public auction of surplus land by the County of Suffolk will be conducted by the Division of Real Property Acquisition and Management pursuant to auction terms and conditions approved by the Suffolk County Legislature. This document contains the terms and conditions which might pertain to such auctions. It may be supplemented by the subsequent approval by the Suffolk County legislature of additional or different terms and conditions.

Each separate auction will be governed by those particular terms and conditions included herein that are determined by the Director of Real Estate to be applicable to said auction. The terms and conditions that pertain to an auction will be published in the Auction Brochure published for that auction.

1. **AUCTION INVENTORY** - Properties that will be auctioned by the County include parcels forfeited by the prior owners as a result of failure to pay taxes. The County’s rights thereto are pursuant to the Suffolk County Tax Act as set forth in Chapter 1195 of the laws of Suffolk County and Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law are believed to have been extinguished by the tax sale proceedings, and/or as a result of forfeiture. Auction parcels may also include parcels acquired by condemnation, but no longer needed as part of the public project. The County reserves the right, in its sole discretion, to withdraw from the auction at any time, any of the properties listed in the Auction Brochure or in any other listing of surplus real property available for auction.

2. **OFFICIAL IDENTIFICATION** - For purposes of the auction, each parcel is identified by a district, section, block and lot number as shown on the Suffolk County Tax Map. No other identification is guaranteed. Descriptions in the auction materials pertaining to any auctioned property, such as the size, exact location, street requirements and
information as to existing structures, are approximate only. Purchasers should verify all information relative to each property.

3. **NOTIFICATION OF AUCTION** - The Notice of Auction will be published in the official newspapers as required by the Suffolk County Code. In addition to said publication, not less than one month prior to each auction, an Auction Brochure which includes both a list of the properties expected to be offered by auction and a document entitled "Terms and Conditions of Sale 2017 Auction(s)" will be published on the internet at [www.suffolkcountyny.gov](http://www.suffolkcountyny.gov). *Copies of the Auction Brochure will be available at the Division of Real Property Acquisition and Management Offices and at the Riverhead County Center, the Offices of the Suffolk County Legislature, each Town Hall and various County offices.

* Internet address will be relocated to Suffolk County Department of Economic Development & Planning, Division of Real Property Acquisition and Management.

4. **TERMS AND CONDITIONS OF SALE** - The "Terms and Conditions of Sale - 2017 Auction(s)" document will specify the rules applicable to the auction for which it is prepared and dated. Failure of the purchaser to comply with the published auction rules, terms and conditions shall constitute a default and may result in cancellation of a sale and forfeiture of both the down payment and the auction fee.

5. **AUCTION RULES** - In addition to those rules and conditions that are set forth in the "Terms and Conditions of Sale - 2017 Auction(s)" all sales of surplus County property will be subject to the following:

a) Approval of the deed and proposed conveyance by the Suffolk County Legislature, which approval may precede the sale or follow it;

b) Any state of facts an accurate survey or personal inspection of the premises would disclose;

c) Applicable zoning/land use/building/health and environmental regulations;

d) Easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale;

e) For the immediate tax year, pro rata real estate taxes; and

f) For assessment purposes, the purchaser shall be deemed to be the owner prior to the next taxable status date following the closing;

g) The rights, if any, of tenants and persons in possession, and;

h) Outstanding water and sewer assessments and other unpaid liens or charges (including, but not limited to, demolition charges, interest and penalties, condominium fees) whether they have been billed or not as of the date of the auction, all as specified in the Auction Brochure;
i) Any covenants, easements or conditions imposed by the County Planning or any other Department and listed in the Auction Brochure, or by the Legislature as part of its approval of the sale;

j) Purchaser's signing a Certification as part of the bid finalization that he or she has read and understood the Terms and Conditions as set forth in the pertinent Auction Brochure;

k) Such additional contract terms and conditions as may be set forth in the Auction Brochure or Memorandum of Sale.

6. NO WARRANTIES - All real property in the auction, including any building thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the physical condition or as to title.

7. REFUNDS - In the event that a sale is cancelled or the bid is rejected by the Suffolk County Legislature, the down payment and other monies paid when the Memorandum of Sale was executed will be refunded without interest.

8. AUCTION PROCEDURES - As determined by the Director to be appropriate or necessary, the following rules or conditions shall be included in the "Terms and Conditions of Sale - 2017 Auction(s)".

a) County general auctions are Public Auctions at which a person must be present to participate as a bidder. Third party bidding may be accepted provided the bidder identifies the purchaser/principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein. No absentee bids are accepted.

b) The County may conduct special auctions, that is, auctions limited to certain properties, based on their type or condition, for example, Brownfield sites; or their potential use, for example, affordable housing sites and commercial properties; or based on any other special circumstance relating to the properties to be auctioned. At special auctions, sealed bids from bidders who are not physically present and third party bidding may be accepted provided the bidder identifies the purchaser/principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein.

c) Registration shall be required prior to any auction. Prior to the auction, each registered bidder will be assigned a bidding number that must be displayed in order to bid.

d) The auction may be divided into Sessions. The auctioneer will accept bids in increments, as described below, until such time as no further bids are entered. Thereupon the parcel is declared, "Sold" to the highest bidder. All successful bids in one Session must be finalized (see the next subsection regarding finalization) before commencement of the next Session, or the underlying sales will be deemed cancelled.

e) Directly after the sale of a parcel, the purchaser or third party bidder, in purchaser's absence, must finalize the sale by signing the Terms and Conditions of
Sale, or Memorandum of Sale, as applicable, and depositing the down payment and the auction fee with the auction cashier. Delay in finalizing the sale may be cause for cancellation. If a purchaser fails to finalize the purchase of any parcel, he, she or it shall not be permitted to bid on any further parcels and the Director may immediately cancel all other sales that took place at the same auction to the same purchaser. In the event of cancellation due to failure to finalize a purchase, the subject parcel(s) may be returned to the auction block or withdrawn from the auction.

9. **PRE-AUCTION INFORMATION** - Collecting and verifying any information in regard to auctioned parcels, including, for example, address, location, zoning and land use restrictions, building or health code requirements, taxes or assessed value is the responsibility of the buyer. Much of this information may be obtained from the Town or Village in which the property is located. The County is not responsible to provide real property information, other than the Suffolk County Tax Map number. Purchaser’s misunderstanding or failure to verify property information is not grounds for rescinding or canceling an auction sale. THE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH ANY AUCTION SALE.

10. **INSPECTION OF PROPERTY** - The Auction Brochure will indicate whether the property may be inspected and how arrangements for inspection can be made. Inspection or entry onto the property may be prohibited by the County due to safety or any other reason. Where inspection is permitted, persons intending to participate at the auction should inspect and investigate the property in which they are interested prior to the auction sale. Inspection of commercial and industrial properties must not interfere with businesses operating thereon. Parcels that are improved by occupied homes may only be inspected on the dates and at the times set by the County in its publications, or on the dates and at the times confirmed in writing by the Division of Real Property Acquisition and Management. Entering onto any auction parcel at any other time will be grounds for disqualification from the auction and may amount to a trespass subject to prosecution.

11. **REGISTRATION OF BIDDERS** - All bidders, except third party bidders, shall be required to register prior to all auctions. In the event of third party bidding, the purchaser/principal shall be required to register prior to the auction. Such registration will be a condition of participation in said auction and shall consist of the execution of a registration form designated for use by the Director and may further require providing an official photographic identification, address, social security number or tax identification number, disclosure statement or other personal or financial documentation that would verify the identity and financial ability of the person or business entity to participate in the auction. As designated by the Director, pre-registration may require filing a bond, deposit or other evidence (as may be required) of financial ability to complete the terms and conditions of the sale at the estimated fair market value.

When third party bidding is permitted, individuals acting on behalf of others, not in attendance at the auction, must produce a “Power of Attorney” or other appropriate
authorizing documentation, duly executed and notarized. Incorporated entities (Inc., Corp., LLC.) are required to provide a corporate resolution prior to the auction authorizing the entity's participation in said auction and prior to the transfer of title a corporate resolution authorizing the purchase of real property [prior to the transfer of title].

12. **FORM OF BIDDING** - Each bidder is responsible to signal his or her bid to the auctioneer. Bids may be signaled either by raising the paddle bearing the unique number issued to him or her for purposes of bidding at the auction or, in auctions not requiring individual bidder paddles, by securing a floor usher to signal the desired bid.

13. **MEMORANDUM OF SALE** - The purchaser's offer and agreement to purchase will be formalized in a "Terms and Conditions of Sale" or "Memorandum of Sale", referred to hereafter jointly as the "Memorandum of Sale", as may be utilized at the particular auction. Purchaser or third party bidder in purchaser's absence is obligated to execute the Memorandum of Sale and pay the down payment and auction fee before the end of the auction session at which the property was sold. As a material condition of the Memorandum of Sale:

   a. Purchaser waives any claim to special, consequential or punitive damages, attorney's fees, reimbursement for any expenses incurred in reliance on completion of the sale, improvements of property, or for license fees already paid should the sale subsequently not be approved or closing not occur; and

   b. Purchaser acknowledges that no property interest, either real or personal, is acquired by purchaser and any and all claims for specific performance and/or any right to file a Notice of Pendency against any property offered for bidding and/or sale should the sale subsequently not be approved or closing not occur are hereby waived.

14. **DOWNPAYMENT** - Following acceptance of the winning bid, and prior to the start of the next auction Session, the purchaser or third party bidder in purchaser's absence shall deposit a down payment in the amount of twenty percent (20%) of the sale price, or as otherwise specified. **ONLY cash, certified checks, bank checks, money orders or traveler's checks are acceptable for the down payment.** If the purchaser fails to produce the acceptable payment, as described, the parcel may be resold at the same auction or withdrawn from the auction, in the sole discretion of the County.

15. **RESTRICTIVE COVENANT ON RESIDENTIALLY-IMPROVED PARCELS** - A parcel offered at auction which is improved by a residential structure, may be offered subject to a restrictive covenant that will be noted in the Auction Brochure and included in the deed conveying the parcel. The covenant requires the owner of the parcel, or his or her children, parents, successors and assigns to occupy said premises. Said restriction requiring owner occupancy shall run with the land for a period of ten (10) years subsequent to the transfer of title from the County of Suffolk. The owner of the parcel may sell the parcel at any time in which case the new owner, his or her children, parents,
successors and assigns shall be required to occupy the premises for the balance of the ten (10) year period. The County shall be given written notice of any transfer of the parcel within said ten (10) year period. The Director shall reserve to the County a right of reverter should this restriction be violated. It is the responsibility of the purchaser to note which parcels are sold subject to the said restrictive covenant.

16. SPECIFICALLY DESIGNATED SMALL LOT PARCELS—In order to promote the development of residential dwellings for first time home buyers and/or occupants, parcels which may not meet minimum zoning code requirements of the municipal zoning district in which the parcel is located shall be offered to convey such parcel to the highest bidder at a special auction who:

(i) agrees, in writing, within sixty (60) days of the date of such auction, to apply for and diligently pursue, using best efforts and at such bidder’s sole cost and expense, a building permit, to allow the construction of a single family residential dwelling on such parcel that substantially conforms in size and appearance to the residential dwellings located within the immediately surrounding residential community; (ii) agrees, in writing, within one hundred eighty (180) days of the date of such auction, to apply for and diligently pursue, using best efforts and at such bidder’s sole cost and expense, any and all variances and/or other relief from such minimum zoning requirements; and (iii) agrees, in writing, to accept title to such parcel subject to the covenants contained in this section.

1.) Upon the granting of any required variance or other relief from the minimum zoning requirements of the municipal zoning district in which the parcel is located; and the issuance of a building permit to construct such single family residential dwelling on such parcel, fee title shall be promptly conveyed to such highest bidder by deed containing the following covenants, which covenants shall run with the land:

a.) "The use of the parcel herein described by the grantee is hereby restricted solely to the development of a single family residential dwelling unit for first time home owners or buyers; with all right, title, and interest reverting back to the County of Suffolk, at the sole option of the County of Suffolk, in the event the grantee, at any time, uses or attempts to use the parcel herein described for any other use or purpose, including, without limitation, no use or purpose. This reverter clause shall also apply to any transferee from the grantee who is not a first time home owner or buyer."

b.) "All right, title, and interest to the parcel herein described shall revert back to the County of Suffolk should any one or more of the following events occur:

[1.] If the grantee, or any transferee from the grantee who is not a first time home owner or buyer, fails to substantially
complete the construction of a single family residential dwelling upon the parcel described herein within three (3) years from the date of transfer to the grantee, unless one or more extensions of time is granted, in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Notwithstanding the foregoing, such extensions shall not exceed, in the aggregate, a period of four (4) years from the date of transfer to the grantee, unless approved by a duly enacted resolution of the County of Suffolk;

[2.] If the income of the first time home owner or buyer, at the time of occupancy of the single family dwelling constructed on the parcel described herein, should exceed 80% of the HUD established median income for the Nassau-Suffolk Primary Metropolitan Statistical Area adjusted by family size;

[3.] If the sale price of the single family dwelling constructed on the parcel described herein exceeds 60% of the median sales price for Suffolk County single family dwellings, based upon the State of New York Mortgage Agency Guidelines;

[4.] If the first time home owner or buyer of the single family dwelling constructed on the parcel described herein fails to occupy such single family dwelling as his and/or her primary residence for a period of ten (10) consecutive years from the time of occupancy of such single family dwelling; provided, however, that the right, title and interest to the parcel herein described shall not revert to the County of Suffolk if:

[a.] the first time home owner or buyer sells to a first time home owner or buyer meeting the income qualifications set forth in paragraph (1.) (b.),[2.], or as amended; and

[b.] any gain realized from such sale up to and including the fifth anniversary of ownership, and declining ratably thereafter to fifty (50%) percent of any realized gain during the sixth year of ownership up to and including the tenth anniversary of ownership, shall be paid to the County of Suffolk; and
[c.] the income qualifications and the formula for recapture of realized gain set forth in this paragraph shall apply to each and every subsequent sale;

[5.] If all or any portion of the single family residential dwelling is rented or leased to any other person, whether or not by written agreement;

[6.] If the grantee fails to certify to the Suffolk County Director of Affordable Housing, (or his or her designee), prior to closing of the title by a first time home buyer, or occupancy by a first time home owner, as the case may be:

[a.] the dates of completion and occupancy of the single family dwelling constructed on the parcel described herein; and

[b.] the total income, from all sources, of all occupants of the single family dwelling constructed on the parcel described herein; and

[c.] in the case of a first time home buyer, the sales price of the single family dwelling constructed on the parcel described herein; and

[d.] the single family dwelling constructed on the parcel described herein meets all applicable building and zoning codes, rules and regulations;

[7.] If the grantee fails to provide the Suffolk County Director of Affordable Housing, (or his or her designee), with a detailed, annual written report no later than December 31 of each year commencing in the year immediately subsequent to the date of this deed, which report shall include any and all information as may be required by the said Director, including, but not limited to, the status of the development and/or sale of the parcel described herein, and an accounting of all sums directly or indirectly attributable to the use of the parcel described herein."

2.) In the event such highest bidder, after using best efforts to apply for and diligently pursue any variance or other relief from such minimum zoning requirements and a building permit, to allow the construction of a single family residential dwelling on such parcel that substantially conforms in size and appearance to the residential dwellings located within the immediately surrounding residential community, does not obtain such
In the event a parcel offered for sale pursuant to the preceding provisions of this Subsection is not sold the first time it is offered at an auction, and the parcel is appraised for less than $50,000, the Commissioner, or his or her designee, shall offer the parcel to appropriate adjoining property owners at not less than the appraised value before offering it for sale by general auction.

In the event a parcel does not meet applicable minimum zoning code requirements in order to be developed, is appraised for less than $50,000, and fails to satisfy the criteria for auction under the provisions of this Subsection, the Commissioner, or his or her designee, shall offer the parcel to appropriate adjoining property owners at not less than the appraised value before offering it for sale by general auction.

The Commissioner, or his or her designee, is authorized to execute and deliver, by a bargain and sale deed without covenants, or by quitclaim deed, for the transfer of any properties which are the subject matter of this section. All deed transfers shall be subject to the express approval of the County Legislature, and all contracts negotiated by the County shall provide that the proposed conveyance is subject to legislative approval and subject to such restrictive covenants as may be provided for by law.

17. PURCHASER IDENTIFICATION - Prior to closing, the purchaser shall provide information necessary to complete forms and documents required for recording the deed in the Suffolk County Clerk's Office, including, among others as may be requested, the NYS Department of Taxation and Finance TP-584 form.

18. FORMER OWNER BIDDING RESTRICTED - The former owner of the property, or his agent, shall not be permitted to [bid on] purchase the property [or purchase same] at the public auction, unless his or her bid amount exceeds the total of tax arrears, penalties and interest, [or] and surcharges that would have been due as of the day of the auction, without regard to limits on the time to redeem. If the former owner or his agent is the successful bidder at auction all other liens existing prior to the foreclosure will be reinstated and added to the auction/sale price.

19. ASSIGNMENT RESTRICTED - A Memorandum of Sale executed at the auction cannot be assigned unless the Director agrees thereto in writing. Assignments shall only be approved upon good cause shown. In the event that an assignment is approved, a fee of no less than $300 can be charged.
20. **BROKERS** - The County of Suffolk will not pay any broker's commissions or fees. If a broker or attorney acting in the capacity of a broker is authorized to bid as the designee or agent of the actual purchaser, it is the sole responsibility of the purchaser to pay any brokerage fees or commissions earned thereby.

21. **PARTICIPATION BY SUFFOLK COUNTY EMPLOYEES PROHIBITED** - County employees and/or their immediate families, whether or not residing with the employees, are not permitted to participate as a purchaser or bidder at a County auction. Purchasers will be required to furnish an affidavit at the closing to the effect that the Purchasers are not employees or immediate family members of any Suffolk County Employee.

22. **SALE SUBJECT TO APPROVAL BY LEGISLATURE** - The Suffolk County Code requires that the disposition of surplus property must be approved by the County Legislature. A list of proposed auction sales will be presented to the Legislature for review and approval. All offers to sell are conditioned on approval from the County Legislature which in its sole discretion, can decline to approve.

23. **SALE SUBJECT TO CANCELLATION BY COUNTY** - At the County's discretion, sales remain subject to cancellation even after legislative approval, but prior to the title closing in the event that insurable title cannot be conveyed, or for other good cause as determined to exist by the Director. In the event that a sale is cancelled due to the purchaser's violation of any of the conditions set forth herein, any monies paid by or on behalf of the purchaser to the County shall be forfeited by purchaser and shall be retained by the County.

24. **RISK OF LOSS** - Damage by fire or other casualty loss that occurs between the sale and the title closing, the repair of which exceeds 10% of the purchase price as determined by the Director in his or her sole discretion, may permit the purchaser to cancel the sale. If the damage is less than 10% of the purchase price, the Division of Real Property Acquisition and Management may cancel the sale, or may reduce the purchase price, after verifying the amount and value of damage by an appraisal by up to 10% in order to induce the purchaser to close.

25. **TITLE CLOSINGS** - Closings can be scheduled only after the legislative resolution approving the sale is filed with the County Clerk. The County will use its best efforts to close within six months of this approval. Closing dates for the sale of properties purchased at auction will be determined by the Director. Notice of a closing date will be sent to the purchaser, at least ten (10) calendar days in advance. The County reserves the right, in its sole discretion, to extend the time for closing or to compel the completion of the sale by an action for specific performance. If an adjournment is requested by the purchaser, then the Director may declare the adjourned date, or any subsequent adjourned date to be the final law date set for closing of title. On purchaser's failure to
accept delivery of the deed on the final law date the sale may be cancelled and all monies paid to date may be retained by the County. In such event, purchaser will have no further rights or any claim regarding the sale or the parcel.

26. METHOD OF PAYMENT - Except for the auction fee (see below) cash, certified checks, bank checks, money orders or traveler's checks are the only forms of payment acceptable for amounts due at auction or closing. At the discretion of the Director, such certified or bank checks, money orders or traveler's checks, if payable to the order of the Purchaser, may be endorsed over to the Division of Real Property Acquisition and Management. The balance of the purchase price together with the pro rata share of taxes for a parcel sold at auction shall be due and payable at the time of the closing of title.

27. AUCTION FEES - In addition to the amount of the accepted winning bid, the purchaser of each parcel must pay an auction administrative fee (generally 1%, or up to 3% of the sales price), but not less than $25, if auction fees are required for the subject auction. The auction fee is separate and apart from the purchase price and must be paid by separate check or cash. Payment of the auction fee may be made by any of the methods mentioned in the immediately prior section or by personal check. There will be a $25 fee imposed as an additional closing cost for checks that are not collectible after one presentation to the bank. Auction fees offset the costs of advertising, printing and other expenses of this auction and may be increased or decreased as appropriate to the auction, but may not exceed 3% of the winning bid without approval of the County Legislature.

Additionally in accordance with Local Law No. 40-2007, a local law to offset the cost of maintaining surplus County Property, there shall be imposed on the purchase of all surplus County property sold at public auction a surcharge for each parcel purchased, in addition to any other fees and/or surcharges imposed, which surcharge shall be collected at closing and in accordance with the Auction Terms and Conditions promulgated by the County Division of Real Property Acquisition and Management, and which surcharge shall be deposited with the Suffolk County Sheriff for the sole purpose of funding the Sheriff's Labor Assistance Program (SLAP) or any successor program thereto. This surcharge shall be collected according to the following schedule:

A) a 0.5% surcharge on winning bids between $0 and $50,000;

B) a 0.75% surcharge on winning bids between $50,001 and $100,000; and

C) a 1% surcharge on winning bids between $100,001 and $250,000, said surcharge to be applied only to the first $250,000 for winning bids exceeding that amount.
28. DEFAULT BY THE PURCHASER - If, due to failure on the part of the purchaser, the sale does not close on any auctioned parcel, the down payment and auction fee are subject to forfeiture as liquidated damages for the County's auction costs, overhead expenses and loss of the transaction. In the event of a default on one parcel, the Defaulting Purchaser may [not be permitted to close be disqualified and forfeited on any other parcel(s) for which he or she is the successful bidder]. If the purchaser fails to pay the balance of the purchase price as herein required, the deposit and auction fee shall be forfeited.

29. UPSET PRICE - Bidding will begin at the upset price as specified in the Auction Brochure.

30. BIDDING INCREMENTS - During the auction, the auctioneer will announce the minimum increments required to advance bidding. A bid will not be accepted unless it meets or exceeds the increment then in effect. The Director may modify the Bidding Increments at any time without notice. Generally, increments will increase as a multiple of each $20,000 that the sale price increases.

   Typical increments are as follows:

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<th>Bid Amount (Range)</th>
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<td>$50,000 to $100,000</td>
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</table>

31. OCCUPANCY PRIOR TO CLOSING - After the close of the Auction, the purchaser of any parcel may contact the Division of Real Property Acquisition and Management to attempt to arrange for a license agreement that would permit inspection or use and occupancy of the auctioned parcel prior to closing. A license agreement may be approved at the discretion of the Director, on such terms as the Director may deem reasonable. No entry onto the auctioned property is permitted without a license agreement.

32. PERSONAL PROPERTY - No personal property is included in the sale of any of the parcels auctioned by Suffolk County, except as may remain on the premises after the closing. The disposition of any personal property, located on any parcel following the closing shall be the responsibility of the purchaser.
33. **DEED FORMAT** - The Auction Brochure will set forth the type of deed approved by the legislature for conveyance of each parcel to the winning bidder. One of three types of deeds may be employed:

   a) Bargain and Sale Deed without Covenants, or with Covenants against Grantor’s Acts;
   
   b) Quitclaim Deed;
   
   c) Directed Deed (from the [Treasurer] Comptroller to the Purchaser.)

34. **QUITCLAIM DEED** - A quitclaim deed issued to convey a parcel sold at auction may contain the following provisions:

   "Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein";

   "Excepting and reserving all the right, title and interest of the County of Suffolk in and to any portion or interest of the lands herein conveyed, which interest was heretofore acquired other than pursuant to the provisions of the Real Property Tax Law of the State of New York".

35. **OTHER DEED/CLOSING CONDITIONS** - If an auctioned parcel is contiguous with other real property owned by the Purchaser, the County may require as a condition of closing that Purchaser request the Town Assessor in writing to combine the two parcels; Purchaser shall not convey either parcel(s) without also conveying the adjoining parcel to the same grantee, unless approved by the local planning board. These restrictions shall run with the land.

36. **CLOSING COSTS** - The Purchaser is responsible to pay all closing costs, unless specific provision was otherwise made in advance and approved by the County Legislature. All closings will take place at the Division of Real Property Acquisition and Management, or the Department of Law, unless otherwise agreed to in writing no less than one week in advance of the closing. If the Purchaser demands a closing in Suffolk County other than at County offices, an attendance fee will be charged at the rate of $250 Base Fee for the first two hours, excluding travel time, plus $150 for every hour, or fraction thereof, thereafter. For closings in Nassau County, the Base Fee will be $350; in New York City or the boroughs thereof, the Base Fee is $450.

37. **TITLE INSURANCE** - All objections to title (including survey objections) must be submitted to the Director within 45 days after the date the sale is approved by the County Legislature or the objections are deemed to be waived. In the instance of a Bargain and Sale Deed without Covenants against Grantor’s Acts, or a Bargain and Sale Deed with Covenants against Grantor’s Acts, the County may, but is not obligated to, deliver such title as a title company licensed in the State of New York and approved to
do business with the County will insure. The County may pre-qualify certain parcels for title insurance. Where it is noted in the brochure that certain parcels have already been examined by a named title company; the Purchaser may choose to use that title company or a different qualifying company.

38. **TITLE OBJECTIONS** - If the purchaser's title company refuses to insure without exceptions, the County may select a different, equally-qualified title company. Purchaser agrees to accept insurance from the alternative insurer, provided no additional cost results thereby, over and above the cost of insurance from the first company. If the purchaser’s title company will not insure title without exceptions, and if the Director chooses not to pursue insurance from an alternative title insurer, the Director may cancel the transaction and return the down payment and auction fee. In such event, the parties will have no further rights one against the other.

39. **DISPUTE RESOLUTION FINAL** - The decision of the Director regarding any dispute related to the auction or the conveyance of auctioned property is final. The Director reserves the right to reject any bid for failure to comply with auction procedures, or for any other reason related to the conduct of the auction, or to cancel an approved sale if the County elects not to proceed or if the purchaser fails to complete his or her obligations in timely fashion.

40. **FORM OF COMMUNICATION** - In connection with a "limited auction", that is, an auction among persons owning property adjacent to the parcel to be sold pursuant to §A40-4(H)(3) or (4), the County will send an "Initial Inquiry Response" to solicit the interest of each such owner in participating in an auction. The form is sent to the owner at the address listed with the County [Treasurer] Comptroller by certified mail, return receipt requested. All subsequent communications or notices may be sent by regular mail. For publicly advertised auctions, all communications with prospective participants or with purchasers will be sent by regular mail to the address that they provide.

41. **NO WARRANTY OF VACANCY** - The County makes no warranty that the premises will be delivered vacant. If an auctioned property becomes occupied following the sale, then following closing and recording of the deed, an eviction, if necessary, will be the responsibility of the Purchaser. The County expects not to place a licensee, other than the prospective purchaser, in any auctioned premises after the auction. However, it will do so in order to safeguard the premises or for other property management reasons.

42. **PERMISSION TO REMOVE SIGN** - The purchaser on each auction parcel may remove the auction sign after signing the Memorandum of Sale and tendering the down payment.
43. INELIGIBILITY TO PURCHASE [No] Any bidder, or purchaser/principal in the event of third party bidding, including, without limitation, any business entity or subsidiary, parent or affiliate thereof, or any trustee(s), director(s), officer(s) or shareholder(s) with voting interests or owning a total of twenty percent (20%) or more of any of the foregoing, who or which is or has been in default in or on any contract, obligation or agreement of any kind or nature whatsoever entered into with the County, or any of its agencies, within a period of five (5) years prior to the date of the auction sale, [will] may be declared [accepted as] an ineligible bidder for any property. Such obligations include, among other things, the obligation to pay in full all Suffolk County property taxes and charges when due. If the purchaser owns, alone or with others, any other property for which outstanding and delinquent taxes are owed to Suffolk County, those delinquent taxes must be paid in full prior to closing on any parcels purchased at auction.

The County reserves the right to deny access to the auction, cancel a sale or exercise its right of reversion herein, if an investigation reveals to the Director’s satisfaction that the registration form is not adequately, properly and/or truthfully completed; if the identification supplied is not sufficient, if the purchaser or bidder is deemed to be financially unqualified; if the purchaser or bidder has been found guilty of any housing code or building code violation which violation resulted in death or personal injury or has been found guilty of any crime or violation under any Federal, State, County, including but not limited to Articles 7 and 12 of the Suffolk County Sanitary Code, Local Law or permit involving the treatment, handling, storage and/or disposal of any toxic and/or hazardous substance, material or waste, or has been found guilty of any predatory and/or discriminatory lending practices involving, but not limited to, violations of the Racketeer Influenced and Corrupt Organization Act, the Equal Credit Opportunity Act, the Federal Fair Housing Act, the Real Estate Settlement Procedures Act, the Federal Truth in Lending Act, the N.Y. General Business Law or the Suffolk County Human Rights Law or if the taking of title and/or occupancy by purchaser will result in a violation of any Federal, State, County or Local Law.

44. FINAL SALE – Except as provided in paragraph 45 hereinafter, all sales shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall Suffolk County be or become liable for any defects in title for any cause whatsoever; no claim, demand or suit of any nature shall exist against Suffolk County in favor of the purchaser, its heirs, success or assigns, arising from this sale.

45. MATERIAL MISREPRESENTATION – If any material misrepresentation, omission or false statement relating to any representation required herein is discovered after the title closing, the County may avail itself of all remedies available to it at law, it being acknowledged that these representations are being relied upon by the County and are material to this transaction. If such misrepresentation, omission or false statement occurs, the purchaser understands that he/she/it may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser and others for cancellation of the transaction. This clause shall survive the title closing. The verified registration statement is a sworn statement and the making of a false representation or intentional omission in it may be punishable as a crime.
46. CERTIFICATION OF NON-AGENCY – The purchaser shall be required to certify [that] if he/she is [not] representing the former owner(s) of the property and to certify that he/she has no intent to defraud Suffolk County of the unpaid taxes, assessment, penalties and charges, which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom Suffolk County foreclosed. If such conveyance occurs, the purchaser understands that he/she may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser, the former owner and others for cancellation of the transaction, and/or any deficiency between the purchase price at auction and such sums as may be owed to Suffolk County as related to the property.

47. JURISDICTION – Bidder and/or purchaser at this auction agrees that the sole forum for any dispute or cause of action arising out of this auction shall be the Supreme Court of the State of New York, County of Suffolk and related Appellate Courts.
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- Approval of Auction Rules for the Disposition of Surplus Property Acquired Under the Suffolk County Tax Act.

3. Purpose of Proposed Legislation
   Annual approval of Auction Rules

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
   Auction revenues

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
   2017/2018

10. Name & Title of Preparer       Signature of Preparer       Date
    Wayne R. Thompson
    Real Property Manager
    Diane E. Weger
    Chief Financial Analyst
    Wayne R. Thompson
    5/26/17
    Diane E. Weger
    6/8/17
### General Fund

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### Police District and District Court

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### Combined

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<tr>
<td>Total</td>
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**Notes:**

1. **Source for Number of Family Parcels and Corresponding Assessed Valuation:** Suffolk County Real Property, 2016.
3. **Source for Equalization Rates:** 2016 County Equalization Rates Established by the New York State Board of Equalization and Assessments.

Page 2 of 2

To be completed by the Executive Budget Office
TITLE OF BILL:

APPROVAL OF AUCTION RULES FOR THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT

PURPOSE OR GENERAL IDEA OF BILL: Yearly approval of Suffolk County Auction Rules.

SUMMARY OF SPECIFIC PROVISIONS: No additions or deletions from 2016 approved auction rules.

JUSTIFICATION: WHEREAS, §1070-6 requires the approval by the Suffolk County Legislature of auction rules and regulations formulated by the Department of Economic Development and Planning, Division of Real Property Acquisition and Management.

FISCAL IMPLICATIONS: Dependent on the number of auction parcels sold - will affect mostly 2018.
May 26, 2016

Katie Horst
Intergovernmental Relations
H. Lee Dennison Bldg. 12th Floor
Hauppauge, New York 11788

Re: RESOLUTION -2017, APPROVAL OF AUCTION RULES FOR THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT

Dear Ms. Horst:

Enclosed herewith for your approval is the original of the proposed resolution with documentation pursuant to:

Yearly Approval of Auction Rules.
Please note changes in rules - additions are underlined.

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

WRT:ks

CE RESO REVIEW (electronic copy)
RESOLUTION NO. - 2017, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF HOME LAND SECURITY AND EMERGENCY SERVICES (DHSES) IN THE AMOUNT OF $50,000 FOR “OPERATION SHIELD 2017” UNDER STATE HOME LAND SECURITY PROGRAM (SHSP FY2015) ADMINISTERED BY THE SUFFOLK COUNTY SHERIFF’S OFFICE IN PARTNERSHIP WITH THE SUFFOLK COUNTY POLICE DEPARTMENT, THE EAST END MARINE TASK FORCE AND VARIOUS OTHER FEDERAL, STATE AND LOCAL AGENCIES, AND TO EXECUTE GRANT RELATED AGREEMENTS

WHEREAS, the New York State Division of Homeland Security and Emergency Services has awarded Suffolk County federal pass-through funds under the SHSP FY2015 program to be implemented by the Suffolk County Sheriff’s Office; and

WHEREAS, the SHSP FY2015 will provide funds to the Suffolk County Sheriff’s Office and the Suffolk County Police Department to support high visibility maritime enforcement for prevention and response to terrorist attacks, and to minimize danger of and support recovery from terrorist attacks; and

WHEREAS, this grant has a start date of 02/01/2017 and ends on 06/30/2018 in which the County will receive 100% grant funding in the amount of $50,000 for Operation Shield 2017 under SHSP FY2015 grant. The funds will provide for a minimum of one operation during the July 4th 2017 period, and

WHEREAS, said funds have not been included in the 2017 Operating Budget; now, therefore be it

1st RESOLVED, the County Comptroller be and they hereby are authorized to accept $50,000 and appropriate said grant fund as follows:

REVENUES:

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<th>Unit</th>
<th>Revenue Code</th>
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<td>003</td>
<td>POL</td>
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ORGANIZATIONS:

Suffolk County Sheriff's Office
OPERATION SHIELD 2017
003-SHF-3700-$25,000

1000-PERSONNEL SERVICES: $20,040

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<th>Budget Type</th>
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Suffolk County Police Department
OPERATION SHIELD 2017
003-POL-3678-$25,000

1000-PERSONNEL SERVICES: $19,949

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Employee Benefits

8000-EMPLOYEE BENEFITS: $4,960

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8000-EMPLOYEE BENEFITS: $5,151

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and be it further
2nd RESOLVED, that the County Executive and County Sheriff are authorized to execute any agreement with the state of New York, as necessary, to secure said grant funds; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

<table>
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<tr>
<th>Resolution</th>
<th>Local Law</th>
<th>Charter Law</th>
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<tr>
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2. Title of Proposed Legislation: Accepting and appropriating federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services (DHSES) in the amount of $50,000 for "OPERATION SHIELD 2017" under State Homeland Security Program (SHSP FY2015) administered by the Suffolk County Sheriff's Office in partnership with the Suffolk County Police Department, the East End Marine Task Force and various other federal, state and local agencies, and to execute grant related agreements with 100% support.

3. Purpose of Proposed Legislation: To accept $50,000 from the New York State Department of Homeland Security and Emergency Services for overtime salaries to support "OPERATION SHIELD 2017." The goal of this mission is to enhance border/waterway security by applying federal, state and local law enforcement assets in strategic locations to comprehensively enforce all applicable statutes.

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

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

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

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact. $50,000 of grant funding will be used to implement and carryout "OPERATION SHIELD 2017."

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

- N/A


10. Typed Name & Title of Preparer
    Anthony G. Paparatto
    Chief Of Staff

11. Signature of Preparer

12. Date: 5/30/17

SCIN FORM 175b (10/95)
2017 INTERGOVERNMENTAL RELATIONS

MEMORANDUM OF SUPPORT

**Title Of Bill:** Accepting and appropriating Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services (DHSES) in the amount of $50,000 for “OPERATION SHIELD 2017” under State Homeland Security Program (SHSP FY2015) administered by the Suffolk County Sheriff’s Office in partnership with the Suffolk County Police Department, the East End Marine Task Force and various other Federal, State and Local agencies to execute grant related agreements with 100% support.

**PURPOSE OR GENERAL IDEA OF BILL:**

To accept a grant award of $50,000 for officer overtime salaries to support specialized maritime patrols while implementing “OPERATION SHIELD 2017” with 100% support. The goal of this mission is to enhance border/waterway security by applying federal, state and local law enforcement in strategic locations to comprehensively enforce all applicable statutes. The intent is to curtail illegal activity by executing a multifaceted enforcement action, arresting offenders and seizing contraband. Further, the enhanced law enforcement presence is intended to disrupt and deter criminal activity. The ultimate goal is to reduce the criminal activity traversing the border/waterway and to enhance the cooperation and coordination of those agencies with border/waterway security responsibilities.

**SUMMARY OF SPECIFIC PROVISIONS:**

The Sheriff’s Office agrees to administer and act in partnerships with the Suffolk County Police Department, the East End Marine Task Force and various other Federal, State and local agencies in Suffolk County to implement “Operation SHIELD 2017” with 100% funding from the SHSP FY2015. Grant funds will support high visibility maritime enforcement patrols for prevention and response to terrorist attacks, and to minimize danger of and support recovery from terrorist attacks. Multiple law enforcement agencies will be deployed for interdiction purposes and inspection of foreign flagged vessels in the waters of Suffolk County.

**JUSTIFICATION:**

The waterways of Suffolk County are subject to certain maritime threats. Our waterways are often traversed by foreign flagged commercial or recreational vessels. These vessels, without proper interdiction; can enter the United States via Suffolk County waterways without following proper reporting procedures, often carrying illegal or threatening cargo.
STATE AGENCY
New York State Division of Homeland Security and Emergency Services
1220 Washington Avenue
Building 7A Suite 710
Albany, NY 12242

GRANTEE/CONTRACTOR: (Name & Address)
Suffolk County
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788

FEDERAL TAX IDENTIFICATION NO: 11-6000464
MUNICIPALITY NO: (if applicable) 470100000000
SFS VENDOR NO: 10000000000
DUN & BRADSTREET NO: 609469190

STATUS:
Contractor is not a sectarian entry.
Contractor is not a not-for-profit organization.

CHARITIES REGISTRATION NUMBER:
N/A
(Enter number of Exempt)

IF "Exempt" is entered above, reason for exemption.
N/A

(r) Contractor has not timely filed with non-Attorney General's Charities Bureau all required periodic or annual written reports.

APPENDIX ATTACHED AND PART OF THIS AGREEMENT

X APPENDIX A1 Agency-specific Clause
X APPENDIX B Budget
X APPENDIX C Payment and Reporting Schedule
X APPENDIX D Program Workplan and Special Conditions

APPENDIX E Modification Agreement Form (to accompany modified appendices for changes in terms or conditions of an existing period or for renewal periods)

X APPENDIX SS Budget Amendment/Grant Extension Request

IN WITNESS WHEREOF, the parties hereto have electronically executed or approved this AGREEMENT on the date of their signatures.

NYS Division of Homeland Security and Emergency Services
BY: , Date:

State Agency Certification: "In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

GRANTEE:
BY: Mr. Dennis M. Cohen, Chief Deputy County Executive Date:

ATTORNEY GENERAL'S SIGNATURE
Title: __________________________________________
Date: ____________

COMPTROLLER'S SIGNATURE
Title: __________________________________________
Date: ____________
To: Lisa Santeramo, Chief of Staff
    Suffolk County Executive’s Office
From: Anthony G. Paparatto, Chief of Staff
      Suffolk County Sheriff’s Office
Date: 05/25/2017
Re: N.Y.S. Division of Homeland Security and Emergency Services,
    State Homeland Security Program (SHSP FY2015)
    “Operation SHIELD 2017” with 100% Support

As you are aware, the New York State Division of Homeland Security and Emergency Services has made $50,000 in funds available to Suffolk County through the State Homeland Security Program (SHSP FY2015) with 100% support, to be administered by the Suffolk County Sheriff’s Office, in partnership with the Suffolk County Police Department, the East End Marine Task Force and various other Federal, State and Local agencies. The SHSP will provide funds for high visibility maritime enforcement for prevention and response to terrorist attacks, and to minimize danger of and support recovery from terrorist attacks. This grant provides funding for a minimum of one operation over the 2017 Fourth of July holiday period. The operational period of this grant is from February 1, 2017 through June 30, 2018.

An e-mail version of the resolution was sent to CE RESO REVIEW, saved under the title “Reso–Sheriff - N.Y.S. Division of Homeland Security and Emergency Services “Operation SHIELD 2017.”

We request that this resolution be laid on the table at your earliest convenience.
Thank you for your consideration in reviewing this draft resolution.
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Local Law</th>
<th>Charter Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
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</tbody>
</table>

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES (DHSES) IN THE AMOUNT OF $50,000 FOR "OPERATION SHIELD 2017" UNDER STATE HOMELAND SECURITY PROGRAM (SHSP FY2015) ADMINISTERED BY THE SUFFOLK COUNTY SHERIFF'S OFFICE IN PARTNERSHIP WITH THE SUFFOLK COUNTY POLICE DEPARTMENT, THE EAST END MARINE TASK FORCE AND VARIOUS OTHER FEDERAL, STATE AND LOCAL AGENCIES, AND TO EXECUTE GRANT RELATED AGREEMENTS.

3. Purpose of Proposed Legislation

See above.

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

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

<table>
<thead>
<tr>
<th>County</th>
<th>Town</th>
<th>Economic Impact</th>
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<tbody>
<tr>
<td>Village</td>
<td>School District</td>
<td>Other (Specify):</td>
</tr>
<tr>
<td>Library District</td>
<td>Fire District</td>
<td></td>
</tr>
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</table>

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

This resolution provides $50,000 for maritime enforcement for prevention and response to terrorist attacks.

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

This grant must be expended between February 1, 2017 and June 30, 2018.

8. Proposed Source of Funding

NYS Division of Homeland Security and Emergency Services.

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer
    Stephanie Rubino
    Assistant Budget Director

11. Signature of Preparer
    [Signature]

12. Date
    June 12, 2017

SCIN FORM 175b (10/95)
## Financial Impact
### 2017 Property Tax Levy
#### Cost to the Average Taxpayer

<table>
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<tr>
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<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FEP Tax Rate per $1000</th>
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<td><strong>TOTAL</strong></td>
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### Police District and District Court

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</tbody>
</table>

### Combined

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<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
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### Notes:
1. Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property, 2016.
3. Source for equalization rates: 2016 County equalization rates established by the New York State Board of Equalization and Assessments.

Page 2 of 2

To be completed by the Executive Budget Office

Stephanie Rubino
6/12/17
Introductory Resolution No. 1539-17

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2017, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976
JOSE R. GARCIA
(SCTM NO. 0100-176.00-03.00-042.000)

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: 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 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 176.00 Block 03.00 Lct 042.000 and acquired by Tax Deed on October 19, 2010 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2010 in Liber 12640 at CP 823 and described as follows, known and designated as Lot 3 and part of Lot No. 4 in Block A on a certain map entitled “Map of Brinckerhoff Manor, Section one” and filed in the Office of the Clerk of the County of Suffolk on July 3, 1906 as Map No. 409,

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, Jose R. Garcia, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $7,700.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 24’ x 100’ x 49’ x 100’ (4,022 square feet) has been appraised at $7,700.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or his designee, has received and deposited the sum of $7,700.00, pursuant to said purchase offer; and

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

1st RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of 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
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

RESOLVED, that the Director of Real Estate, and/or his 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 above described terms to said Jose R. Garcia residing at 2540 Great Neck Road, Copiague, New York 11726.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:
**SUMMARY STATEMENT**

**DIRECT SALE:**
Suffolk County Local Law No. 13-1976
Tax Map No. 0100-176.00-03.00-042.000

<table>
<thead>
<tr>
<th>ADJOINING OWNER</th>
<th>BID</th>
<th>BID</th>
<th>BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jose R. Garcia</td>
<td>$7,700.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2540 Great Neck Road</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Copiague, New York 11726</td>
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<td>0100-176.00-03.00-041.000</td>
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<tr>
<td>Diana &amp; Michael Ramirez</td>
<td>$0</td>
<td></td>
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<tr>
<td>35 Malta Street</td>
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<td></td>
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</table>

**SIZE OF PARCEL:** 24' x 100' x 49' x 100'
**APPRaised VALUE:** $7,700.00
**COMMENT:** Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971
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
   JOSE R. GARCIA
   (SCTM NO. 0100-176.00-03.00-042.000)

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
   2017

10. Name & Title of Preparer
    Signature of Preparer Date
    R.J. Bhatt Land Management Specialist
    Signature
    Diane E. Weyer Chief Financial Analyst
    Signature 5/3/17
    Signature 6/8/17
### 2017 Property Tax Levy

#### General Fund

<table>
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**NOTES:**

3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
May 25, 2017

Katie Horst
Intergovernmental Relations
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
Hauppauge, NY 11788

Re: Tax Map Number: 0100-176.00-03.00-042.000

Dear Ms. Horst:

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

WRT:slb

Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor’s Memo

Copy of Resolution to:
CE Reso Review, (electronic copy)
RESOLUTION NO. -2017, AUTHORIZING USE OF THE
SUFFOLK COUNTY ENVIRONMENTAL CENTER BY THE
ROTARY CLUB OF BAY SHORE FOR ITS FALL KICK-OFF GALA
FUNDRAISER

WHEREAS, the Rotary Club of Bay Shore is a 501(c)(4) organization operating
as a local chapter of Rotary International, having its principal place of business at 1560
Sherman Avenue, Evanston, Illinois; and

WHEREAS, the Rotary Club of Bay Shore would like to use the Suffolk County
Environmental Center in Islip for the purpose of hosting their Fall Kick-off Gala Fundraiser to
raise money for the organization and for Seatuck Environmental Association; and

WHEREAS, the Fall Kick-off Gala is scheduled to be held on Saturday,
September 23, 2017 from 6:00 p.m. to 9:00 p.m.; and

WHEREAS, Seatuck Environmental Association is authorized to charge a
reasonable fee for the utilization of the facilities at the Suffolk County Environmental Center
under its license agreement with the County; and

WHEREAS, a Certificate of Insurance with accompanying declaration page
naming the County of Suffolk as an additional insured will be provided by the Rotary Club of Bay
Shore; now, therefore be it

1st RESOLVED, that the use of the Suffolk County Environmental Center by the Bay
Shore Rotary for the purpose of hosting a Fall Kick-off Gala on Saturday, September 23, 2017
from 6:00 p.m. to 9:00 p.m., is hereby approved pursuant to Section 215(1) of the NEW YORK
STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying
declaration page from the Rotary Club of Bay Shore and the payment of One Thousand Dollars
($1,000) event fee, and subject to such additional terms and conditions as may be required by
the Risk Management and Benefits Division in the County Department of Law; and be it further

2nd RESOLVED, that before this event shall be permitted to occur, the Rotary Club of
Bay Shore must apply for and obtain a permit from the Commissioner of the Department of
Parks, Recreation, and Conservation as required by Section 643-7(B) of the Suffolk County
Code; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks,
Recreation and Conservation is hereby authorized, empowered and directed, pursuant to
Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be
necessary and appropriate to facilitate the hosting of the Fall Kick-off Gala at the Suffolk County
Environmental Center in Islip; and be it further

4th RESOLVED, that the Rotary Club of Bay Shore shall also provide an entertainment
promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell
demonstrate, display or 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
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:
1. **Type of Legislation**
   - Resolution X
   - Local Law __
   - Charter Law __

2. **Title of Proposed Legislation**
   **AUTHORIZING USE OF THE SUFFOLK COUNTY ENVIRONMENTAL CENTER BY THE ROTARY CLUB OF BAY SHORE FOR ITS FALL KICK-OFF GALA FUNDRAISER**

3. **Purpose of Proposed Legislation**
   - Authorize use of County Parkland for fundraising event.

4. **Will the Proposed Legislation Have a Fiscal Impact?**
   - Yes __
   - No X __

5. **If the answer to item 4 is “yes”, on what will it impact? (circle appropriate category)**
   - County
   - Town
   - Economic Impact
   - Village
   - School District
   - Other (Specify):
   - Library District
   - Fire District

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

7. **Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.**
   - N/A

8. **Proposed Source of Funding**
   - N/A

9. **Timing Impact**
   - N/A

10. **Typed Name & Title of Preparer**
    - Emily R. Lauri
    - Community Relations Director
    - Dept. of Parks, Recreation & Conservation

11. **Signature of Preparer**
    - Emily R. Lauri

12. **Date**
    - 6/4/17

---

*SCIN FORM 175b (10/95)*

Page 1 of 1
2017 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL: An act authorizing use of the Suffolk County Environmental Center by the Rotary Club of Bay Shore for its Fall Kick-off Gala Fundraiser.

PURPOSE OR GENERAL IDEA OF THE BILL: The Rotary Club of Bay Shore would like to hold its Annual Fall Kick-off Gala at the Suffolk County Environmental Center in Islip.

SUMMARY OF SPECIFIC PROVISIONS: This legislation authorizes the use of the Suffolk County Environmental Center by the Rotary Club of Bay Shore for the purpose of hosting a fundraiser on Saturday, September 23, 2017, subject to receipt of a Certificate of Insurance and accompanying declaration page by the County of Suffolk from the Rotary Club of Bay Shore, and the payment of One Thousand Dollars ($1,000.00) event fee to Seatuck Environmental Organization, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Law. The Foundation anticipates approximately 200 people in attendance.

JUSTIFICATION: Bay Shore Rotary is dedicated to supporting the mission of Rotary International by creating a fellowship of local business and professional people who are committed to improving the Bay Shore community and the world in which we live. The Bay Shore Rotary Club would like to host their Sixth Annual Fall Kick-off Gala honoring the Suffolk County Environmental Center in Islip, New York on Saturday, September 23, 2015 from 6:00 – 9:00 pm. This event will generate One Thousand Dollars ($1,000.00) in revenue for the Seatuck Environmental Association. The Seatuck Environmental Association is a contracted vendor with the County of Suffolk who maintains the historic facility also known as the Scully Estate with monies generated from events.

FISCAL IMPLICATIONS: There is a nominal fee ($1,000.00) collected by Seatuck Environmental Association for use of the Park.
## GENERAL FUND

<table>
<thead>
<tr>
<th></th>
<th>2017 PROPERTY TAX LEVY</th>
<th>2017 COST TO AVG TAXPAYER</th>
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## POLICE DISTRICT AND DISTRICT COURT

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## COMBINED

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**NOTES:**


3) SOURCE FOR EQUALIZATION RATES: 2015 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
TO: KATIE HORST  
Intergovernmental Relations

FROM: PHILIP A. BERDOLT, Commissioner

DATE: June 1, 2017

RE: AUTHORIZING USE OF THE SUFFOLK COUNTY ENVIRONMENTAL CENTER BY THE ROTARY CLUB OF BAY SHORE FOR ITS FALL KICK-OFF GALA FUNDRAISER

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name “RESO-PKS-Rotary Club of Bay Shore Gala - Seatuck.doc”

Should you require anything further, please contact my office at 4-4984.

Enclosures
RESOLUTION NO. -2017, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL NO. 1046-2017)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature; and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law; and

WHEREAS, the properties represented by the tax item number and/or Suffolk County Tax Map Number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes; then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or years specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated; and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

<table>
<thead>
<tr>
<th>KEY</th>
<th>EXPLANATION</th>
<th>RPTL SEC</th>
<th>LIMITATIONS</th>
</tr>
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<tbody>
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<td>A</td>
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<td>556</td>
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</tr>
<tr>
<td>B</td>
<td>Unlawful Entry</td>
<td>556</td>
<td>3 years</td>
</tr>
<tr>
<td>C</td>
<td>Error in Essential Fact</td>
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<td>3 years</td>
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<td>16/17</td>
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*As Provided and Requested By Town Assessor or Receiver of Taxes*

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
Memorandum

To: Katie Horst, Intragovernmental Relations

From: Penny Wells LaValle, MAI, CCIM, CCD

Date: June 12, 2017

Re: Resolution Control No. 1046-2017

ATTACHED FOR YOUR REVIEW PLEASE FIND CORRECTION OF ERRORS CONTROL NO. 1046-2017
1. Type of Legislation

Resolution  X  Local Law  Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation  Yes  No

SEE NO. 2 ABOVE

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

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

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

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

   N/A

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

   N/A

8. Proposed Source of Funding

   N/A

9. Timing of Impact

   2015

   [Signature]

10. Typed Name & Title of Preparer  11. Signature of Preparer  12. Date
    A. Bartel  RPAT  I  May 26, 2017
Additional back-up material regarding IR 1541 is on file in the

Legislative Clerk's Office, Hauppauge.
RESOLUTION NO. 2017, ADOPTING LOCAL LAW NO.
-2017, A LOCAL LAW TO OPT-OUT OF RIDE-SHARING
SERVICE UNTIL NEW YORK STATE ADDRESSES THE
STATUS OF LEVEL 1 SEX OFFENDERS

WHEREAS, there was duly presented and introduced to this County Legislature
at a meeting held on 2017, a proposed local law entitled, "A LOCAL LAW TO OPT-
OUT OF RIDE-SHARING SERVICE UNTIL NEW YORK STATE ADDRESSES THE STATUS
OF LEVEL 1 SEX OFFENDERS"; now, therefore be it

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

LOCAL LAW NO. -2017, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO OPT-OUT OF RIDE-SHARING SERVICE
UNTIL NEW YORK STATE ADDRESSES THE STATUS OF
LEVEL 1 SEX OFFENDERS

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 New York State Legislature
has approved legislation that will allow mobile ride-sharing services, such as Uber and Lyft
(designated in the legislation as "transportation network companies"), to operate in communities
across the State.

This Legislature further finds that the State legislation does not adequately
address the issue of Level 1 sex offenders and their ability to drive ride-sharing vehicles.

This Legislature also finds that the authorizing State legislation includes a
provision that allow counties to "opt out" and prohibit the pick-up of persons by ride-sharing
services within the County's boundaries.

This Legislature concludes that ride-sharing should be prohibited in Suffolk
County until the State addresses the status of Level 1 sex offenders under the ride-sharing
statute.

Therefore, the purpose of this law is to "opt out" of ride-sharing and prohibit ride-
sharing services from picking up persons within the County of Suffolk until New York State
addresses the status of Level 1 sex offenders.

Section 2. Opt-Out of Ride Sharing.

As authorized by § 182 of NEW YORK GENERAL MUNICIPAL LAW, the County
of Suffolk hereby prohibits the pick-up of any person by a transportation network rental company
within its boundaries.
Section 3. Notification to the Department of Motor Vehicles.

The Clerk of the Suffolk County Legislature shall notify the New York State Department of Motor Vehicles of the enactment of this law and shall provide the Department of Motor Vehicles with a certified copy of this law.

Section 4. Applicability.

This law shall apply to all 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\il-opt-out-ride-sharing-sex-offenders
DATE: JUNE 14, 2017
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2017

TITLE: I.R. NO. -2017; A LOCAL LAW TO OPT-OUT OF RIDE-SHARING SERVICE UNTIL NEW YORK STATE ADDRESSES THE STATUS OF LEVEL 1 SEX OFFENDERS

SPONSOR: LEGISLATOR KENNEDY

DATE OF RECEIPT BY COUNSEL: 6/13/2017  PUBLIC HEARING: 7/25/2017

DATE ADOPTED/NOT ADOPTED:  

CERTIFIED COPY RECEIVED:  

The New York State Legislature has approved legislation that will allow mobile ride-sharing services, such as Uber and Lyft, to operate in the State. The State legislation contained a provision that allows counties to “opt-out” and prohibit ride-sharing services to pick-up passengers within their jurisdictions.

This proposed local law would exercise that “opt-out” option and prohibit ride-sharing services from picking up persons within the County of Suffolk. The legislative intent section of the law expresses the County’s desire that the State adequately address the status of Level 1 sex offenders under the ride-sharing statute.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-opt-out-ride-sharing-sex-offenders
RESOLUTION NO. -2017, AUTHORIZING APPRAISAL OF
LAND UNDER THE SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO.
24-2007, HAMLET PARK COMPONENT, ST. URSULA'S
CENTER - TOWN OF ISLIP (SCTM NO. 0200-984.80-04.00-
018.000)

WHEREAS, the Suffolk County Drinking Water Protection Program, as amended
by Local Law No. 24-2007, authorizes the use of 31.10% of sales and compensating use tax
proceeds generated each year for specific environmental protection, including the acquisition of
land for hamlet parks under Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER in
accordance with specific criteria set forth therein; and

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

WHEREAS, Resolution No. 265-2013 established a new three step land
acquisition process, the first step being an appraisal of any parcel proposed for acquisition; 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, empowered, and directed, pursuant to
Section A35-3(B)(1) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to have the subject
parcel(s) appraised; and be it further

2nd RESOLVED, that the cost of such appraisal shall be paid from the funds to be
appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement,
if necessary, for costs incurred and paid for from other funds or as a direct payment from such
proceeds, as the case may be; and be it further

3rd RESOLVED, the costs associated with the preparation of a title search, survey,
map or environmental assessment of the subject parcel(s), which may be authorized by a
subsequent legislative resolution or procedural motion, shall be paid for from the funds to be
appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement,
if necessary, for costs incurred and paid for from other funds or as a direct payment from such
proceeds, as the case may be; and be it further

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:
<table>
<thead>
<tr>
<th>PARCEL</th>
<th>SUFFOLK COUNTY TAX MAP NUMBER</th>
<th>ACRES</th>
<th>REPUTED OWNER AND ADDRESS</th>
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<td>1</td>
<td>District 0200</td>
<td>8.27</td>
<td>St. Ursula's Center</td>
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<tr>
<td></td>
<td>Section 984.80</td>
<td></td>
<td>186 Blue Point Avenue</td>
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<tr>
<td></td>
<td>Block 04.00</td>
<td></td>
<td>Blue Point, NY 11715</td>
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<tr>
<td></td>
<td>Lot 018.000</td>
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</table>

TOTAL ACREAGE 8.27

EXHIBIT "A"
RESOLUTION NO. - 2017, APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION AND REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES (CP 5048)

WHEREAS, the Commissioner of Public Works has requested funds in connection with Construction and Rehabilitation of Highway Maintenance Facilities; and

WHEREAS, there are sufficient funds within the 2017 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 $750,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(O),(1),(2),(21) and (27) 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, as well as the conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action; adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 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

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

4th RESOLVED, that the proceeds of $750,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP- 5048.115</td>
<td>20</td>
<td>Construction and Rehabilitation of Highway Maintenance Facilities - Planning</td>
<td>$50,000</td>
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</table>
525-CAP-5048.318
(Fund 001-Debt Service) 20 Construction and Rehabilitation of Highway Maintenance Facilities - Construction $700,000

DATE:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date of Approval:
1. Type of Legislation

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Local Law</th>
<th>Charter Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
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</table>

2. Title of Proposed Legislation

**RESOLUTION NO. - 2017, APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION AND REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES (CP 5048)**

3. Purpose of Proposed Legislation

See above.

4. Will the Proposed Legislation Have a Fiscal Impact?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

IT IS ANTICIPATED THAT BONDS WILL BE ISSUED FALL OF 2017 AND DEBT SERVICE WILL COMMENCE FALL 2018. THERE IS NO FISCAL IMPACT IN 2017. EARLIEST DEBT SERVICE FISCAL IMPACT WILL BE IN THE 2018 OPERATING BUDGET. ATTACHED 2018 CAT BASED ON 2017 DATA.

10. Typed Name & Title of Preparer
    Nicholas Paglia
    Principal Budget Examiner

11. Signature of Preparer
    [Signature]

12. Date
    May 16, 2017
### GENERAL FUND

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<th>2018 COST TO AVG TAXPAYER</th>
<th>2018 RATE PER $1000</th>
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<tbody>
<tr>
<td>TOTAL</td>
<td>$60,297</td>
<td>$0.11</td>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2018 COST TO AVG TAXPAYER</th>
<th>2018 FEV TAX RATE PER $1000</th>
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<tr>
<td>TOTAL</td>
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### COMBINED

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<th>2018 PROPERTY TAX LEVY</th>
<th>2018 COST TO AVG TAXPAYER</th>
<th>2018 FEV TAX RATE PER $1000</th>
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<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.11</td>
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</table>

**NOTES:**


3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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<td>11/1/2035</td>
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</table>
## Financial Impact

### 2017 Property Tax Levy

**Cost to the Average Taxpayer**

<table>
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<tr>
<th></th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FEV Tax Rate Per $1000</th>
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<tbody>
<tr>
<td><strong>Total</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
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</table>

### Police District and District Court

<table>
<thead>
<tr>
<th></th>
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<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FEV Tax Rate Per $1000</th>
</tr>
</thead>
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<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
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</table>

### Combined

<table>
<thead>
<tr>
<th></th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FEV Tax Rate Per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Notes:**

1. Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property, 2016.

Page 2 of 2

To be completed by the Executive Budget Office.
MEMORANDUM OF SUPPORT

TITLE OF BILL: A resolution to appropriate funds in connection with Construction and Rehabilitation of Highway Maintenance Facilities (Capital Program Number 5048).

PURPOSE OR GENERAL IDEA OF BILL: To authorize the issuance of Suffolk County Serial Bonds in connection with design services and construction of improvements or replacements of aging Highway Maintenance Facilities.

SUMMARY OF SPECIFIC PROVISIONS: The current projects include design and construction of improvements to the Nicholls Road & Yaphank Salt Storage Facility and the Riverhead Maintenance Garage next to the Cornell Cooperative Extension building.

JUSTIFICATION: These facilities are inadequate and need major improvements to continue beneficial use and provide environmentally acceptable means of storing salt.

FISCAL IMPLICATIONS: Lower equipment operating and maintenance costs will result from improvements as well as environmental compliance to avoid potential fines associated with salt brine ground water pollution.

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER
MEMORANDUM

TO: Jon Schneider, Deputy County Executive
FROM: Gilbert Anderson, P. E. Commissioner
DATE: February 16, 2017
RE: CP 5048 – Construction and Rehabilitation of Highway Maintenance Facilities

Attached for your review is a draft resolution appropriating the sum of $50,000 in planning funds and $700,000 in construction funds for Highway Maintenance Facilities. The funds will be used to design and construct the replacement of the Yaphank dome salt storage facility.

This action is considered a Type II Action under SEQRA in accordance with NYCRR, Part 617.5(c)(1),(2) and (25) since this project 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, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP5048-Constr Rehab Hwy Maint Fac.doc.

GA/KL/ba
Attachments
cc: Thomas G. Vaughn, Deputy Commissioner
    Michael J. Monaghan, P.E., Chief Engineer
    James J. Ingenito, R.A., County Architect
    Keith Larsen, R.A., Capital Projects Manager
    Charles Jaquin, General Services Manager
    Cliff Mitchell, Highway Maintenance Supervisor
    CE RESO Review (e-mail)
RESOLUTION NO. - 2017, APPROPRIATING FUNDS IN CONNECTION WITH UNDERGROUND INJECTION CONTROL (UIC) MANAGEMENT PROGRAM (CP 8220)

WHEREAS, the Commissioner of Public Works has requested funds in connection with construction of the underground injection control (UIC) management program; and

WHEREAS, Environmental Protection Agency (EPA) regulations require registration and possible modifications to all underground injection well systems, whether they be for sanitary systems or for stormwater runoff; and

WHEREAS, this program seeks to develop a database of all required information, such as coordinates of all wells and pools for all County facilities; and

WHEREAS, this program provides funding to make modifications necessary to maintain compliance with EPA regulations; and

WHEREAS, there are sufficient funds within the 2017 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 $225,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C), (1) and (27) of Title 6 of New York Code of Rules and Regulations 6 ("NYCRR"), maintenance or repair involving no substantial changes in an existing structure of facility; adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list; and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-three (63) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of $225,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:
<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-8220.313</td>
<td>20</td>
<td>Underground Injection Control Management Program - Construction</td>
<td>$225,000</td>
</tr>
</tbody>
</table>

DATE:

APPROVED BY:

________________________
County Executive of Suffolk County

Date of Approval:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
Resolution ___X___ Local Law ______ Charter Law ______

2. Title of Proposed Legislation

RESOLUTION NO. - 2017, APPROPRIATING FUNDS
IN CONNECTION WITH UNDERGROUND INJECTION
CONTROL (UIC) MANAGEMENT PROGRAM (CP 8220)

3. Purpose of Proposed Legislation
See above.

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

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS 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 FALL OF 2017 AND DEBT SERVICE WILL
COMMENCE FALL 2018. THERE IS NO FISCAL IMPACT IN 2017. EARLIEST DEBT SERVICE FISCAL
IMPACT WILL BE IN THE 2018 OPERATING BUDGET. ATTACHED 2018 CAT BASED ON 2017 DATA.

10. Typed Name & Title of Preparer
Nicholas Paglia
Principal Budget Examiner

11. Signature of Preparer

12. Date
May 16, 2017

SCIN FORM 175b (10/95)
## Financial Impact
### 2018 Property Tax Levy
#### Cost to the Average Taxpayer

<table>
<thead>
<tr>
<th></th>
<th>2018 Property Tax Levy</th>
<th>2018 Cost to Avg Taxpayer</th>
<th>2018 Rate Per $1000</th>
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<tr>
<td><strong>General Fund</strong></td>
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<tr>
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<td>$0.09</td>
<td>$0.00</td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>2018 Property Tax Levy</th>
<th>2018 Cost to Avg Taxpayer</th>
<th>2018 FEV Tax Rate Per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Police District and District Court</strong></td>
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<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
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</table>

<table>
<thead>
<tr>
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<th>2018 FEV Tax Rate Per $1000</th>
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<tr>
<td>TOTAL</td>
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### Notes:
1. Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property, 2016.
3. Source for equalization rates: 2016 County Equalization rates established by the New York State Board of Equalization and Assessments.

Page 2 of 2

To be completed by the Executive Budget Office
<table>
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<tr>
<th>Date</th>
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<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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### GENERAL FUND

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<th>2017 RATE PER $1000</th>
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<tbody>
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<td>TOTAL $0</td>
<td>$0.00</td>
<td>$0.00</td>
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### POLICE DISTRICT AND DISTRICT COURT

<table>
<thead>
<tr>
<th>2017 PROPERTY TAX LEVY</th>
<th>2017 COST TO AVG TAXPAYER</th>
<th>2017 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL $0</td>
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<td>$0.00</td>
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### COMBINED

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</thead>
<tbody>
<tr>
<td>TOTAL $0</td>
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<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**

1) **SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION:** SUFFOLK COUNTY REAL PROPERTY, 2016.

2) **SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES:** SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2016-2017 AS ESTABLISHED BY RESO. 1059-2016.

3) **SOURCE FOR EQUALIZATION RATES:** 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
MEMORANDUM OF SUPPORT

TITLE OF BILL: A resolution to appropriate funds in connection with Underground Injection Control (UIC) Management Program (Capital Program Number 8220).

PURPOSE OR GENERAL IDEA OF BILL: To authorize issuance of Suffolk County Serial Bonds in connection with construction related to the Underground Injection Control (UIC) Management Program.

SUMMARY OF SPECIFIC PROVISIONS: The project provides for EPA compliance for underground injection wells that permeate sanitary leaching and storm water runoff. Locations of all UICs has been reported and we continue to remediate those which are non-compliant with regulations.

JUSTIFICATION: Compliance with EPA regulations is mandatory and therefore must be executed to avoid associated fines. The corrective work will also improve environmental consequences of non-compliance.

FISCAL IMPLICATIONS: The impact is minimal.
MEMORANDUM

TO: Jon Schneider, Deputy County Executive
FROM: Gilbert Anderson, P.E., Commissioner
DATE: February 16, 2017
RE: CP 8220 – Underground Injection Control (UIC) Management Program

Attached for your review is a draft resolution appropriating the sum of $225,000 in construction to continue with our program to document, register, and mitigate and/or eliminate potential point sources of groundwater contamination. The execution of this program is required by US EPA regulations.

This action is considered a Type II Action under SEQRA in accordance with NYCRR, Part 617.5 (1), (18), (20), (21) and (27) in that the funding will include information gathering and will involve renovations of a minor nature.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP8220-UIC Mgt. Program.doc.

GA/KL/ba
Attachments
cc: Thomas G. Vaughn, Deputy Commissioner
    Michael J. Monaghan, P.E., Chief Engineer
    James J. Ingenito, R.A., County Architect
    KL. Keith Larsen, R.A., Capital Projects Manager
    Charles Jaquin, General Services Manager
    CE RESO Review (e-mail)
RESOLUTION NO. 2017, AUTHORIZING A TWO YEAR EXTENSION FOR THE DEVELOPMENT OF THREE PARCELS OF LAND TRANSFERRED PURSUANT TO THE 72-H AFFORDABLE HOUSING PROGRAM TO THE TOWN OF BABYLON

WHEREAS, Suffolk County Administrative Code § A36-2 (B) sets forth the criteria for New York State General Municipal Law § 72-h transfers for Affordable Housing and that pursuant to § A36-2 (B) (2) (a) (1) (d) and § A36-2 (B) (2) (a) (2) (d) construction must be completed and occupancy established within three years of the date of the transfer; and

WHEREAS, Suffolk County Administrative Code § A36-2 (B) allows for an extension of time for construction and occupancy where the three year period is exhausted; said extension shall not exceed two two-year extensions unless approved by duly enacted resolution; and

WHEREAS, the County of Suffolk transferred three (3) parcels of property, identified in Schedule “A,” annexed hereto, to the Town of Babylon for affordable housing development and occupancy; and

WHEREAS, all time periods for construction and occupancy under § A36-2 (B) have expired; and

WHEREAS, a legislative resolution is necessary in order to further extend the construction and occupancy time for the parcels; and

WHEREAS, the Town of Babylon and its non-profit housing partners are seeking to continue working together to develop affordable housing on these parcels which will benefit the residents of the County; now, therefore be it

1st RESOLVED, the Director of Real Estate, is hereby authorized and empowered to extend the time for construction and occupancy of the parcels identified in Schedule “A” for two years, effective as of the date this Resolution is approved, and to take such other actions as are necessary or desirable to effectuate the purposes and intent of the resolutions contained herein; 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 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 is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.
DATED:

APPROVED BY:

______________________
County Executive of Suffolk County

Date of Approval:
<table>
<thead>
<tr>
<th>Code</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>0100-058.00-04.00-029.000</td>
<td>28 Jackson Street, Wyandanch</td>
</tr>
<tr>
<td>0100-058.00-04.00-030.000</td>
<td>30 Jackson Street, Wyandanch</td>
</tr>
<tr>
<td>0100-118.00-01.00-052.000</td>
<td>30 Lincoln Avenue, Deer Park</td>
</tr>
</tbody>
</table>
1. Type of Legislation
   Resolution X Local Law Charter Law

2. Title of Proposed Legislation
   RESOLUTION NO. -2017, AUTHORIZING A TWO YEAR EXTENSION FOR THE
   DEVELOPMENT OF THREE PARCELS OF LAND TRANSFERRED PURSUANT TO
   THE 72-H AFFORDABLE HOUSING PROGRAM TO THE TOWN OF BABYLON

3. Purpose of Proposed Legislation
   See No. 2 above

4. Will the Proposed Legislation Have a Fiscal Impact? YES NO X

5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)
   County Town Economic Impact
   Village School District Other (Specify):
   Library District Fire District

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
   N/A

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

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   N/A

10. Typed Name & Title of Preparer
    Jason Smagin Acting Director of Real Estate

11. Signature of Preparer
    [Signature]

12. Date
    5/11/17

Diane E. Weyer
Chief Financial Analyst

SCIN FORM 175b (10/95)
### Financial Impact

**2017 Property Tax Levy**

**Cost to the Average Taxpayer**

**Rate per $1,000**

#### General Fund

<table>
<thead>
<tr>
<th></th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
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</tbody>
</table>

#### Police District and District Court

<table>
<thead>
<tr>
<th></th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FEV Tax Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
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#### Combined

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<th>2017 Property Tax Levy</th>
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</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Notes:**

1. Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property, 2016.

Page 2 of 2

To be completed by the Executive Budget Office.
TITLE OF BILL:

RESOLUTION NO. 2017-2017, AUTHORIZING A TWO YEAR EXTENSION FOR THE DEVELOPMENT OF THREE PARCELS OF LAND TRANSFERRED PURSUANT TO THE 72-H AFFORDABLE HOUSING PROGRAM TO THE TOWN OF BABYLON.

PURPOSE OF GENERAL IDEA OF BILL:

This legislation is needed to authorize a two year extension for the development of three parcels previously transferred through the 72-H program to the Town of Babylon.

SUMMARY OF SPECIFIC PROVISIONS:

None.

JUSTIFICATION:

The Town has requested an extension of time be granted for the completion of construction and occupancy of much needed affordable housing. Said extension requires a duly enacted resolution as authorized in Section 36 of the Suffolk County Administrative Code.

FISCAL IMPLICATIONS:

N/A
MEMORANDUM

TO: Lisa Santeramo, Chief of Staff

FROM: Jason Samglin, Acting Director of Real Estate
Department of Economic Development and Planning

DATE: May 15, 2017

RE: RESOLUTION AUTHORIZING A TWO YEAR EXTENSION FOR THE DEVELOPMENT OF THREE PARCELS OF LAND TRANSFERRED PURSUANT TO THE 72-H AFFORDABLE HOUSING PROGRAM TO THE TOWN OF BABYLON

The Department of Economic Development and Planning requests the attached resolution granting a two year extension to land transferred pursuant to the 72-H affordable housing program to be Laid on the Table at the June 6, 2017 General Meeting of the Legislature.

Attached please find the required supporting documentation. Electronic files have been filed as required.

Thank you.
RESOLUTION NO. -2017, AUTHORIZING A TWO YEAR EXTENSION FOR THE DEVELOPMENT OF TEN PARCELS OF LAND TRANSFERRED PURSUANT TO THE 72-H AFFORDABLE HOUSING PROGRAM TO THE TOWN OF BROOKHAVEN

WHEREAS, Suffolk County Administrative Code § A36-2 (B) sets forth the criteria for New York State General Municipal Law § 72-h transfers for Affordable Housing and that pursuant to § A36-2 (B) (2) (a) (1) (d) and § A36-2 (B) (2) (a) (2) (d) construction must be completed and occupancy established within three years of the date of the transfer; and

WHEREAS, Suffolk County Administrative Code § A36-2 (B) allows for an extension of time for construction and occupancy where the three year period is exhausted; said extension shall not exceed two two-year extensions unless approved by duly enacted resolution; and

WHEREAS, the County of Suffolk transferred ten (10) parcels of property, identified in Schedule "A," annexed hereto, to the Town of Brookhaven for affordable housing development and occupancy; and

WHEREAS, all time periods for construction and occupancy under § A36-2 (B) have expired; and

WHEREAS, a legislative resolution is necessary in order to further extend the construction and occupancy time for the parcels; and

WHEREAS, the Town of Brookhaven and its non-profit housing partners are seeking to continue working together to develop affordable housing on these parcels which will benefit the residents of the County; now, therefore be it

1st RESOLVED, the Director of Real Estate, is hereby authorized and empowered to extend the time for construction of and occupancy of the parcels identified in Schedule "A" for two years, effective as of the date this Resolution is approved, and to take such other actions as are necessary or desirable to effectuate the purposes and intent of the resolutions contained herein; 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 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 is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.
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<tr>
<td>0200-960.00-03.00-008.000    831 Bellport Avenue, Bellport</td>
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<td>0200-960.00-03.00-025.000    597 Brookhaven Avenue, Bellport</td>
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<td>0200-973.70-05.00-051.000    533 Donegan Avenue, Patchogue</td>
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<td>0200-973.70-05.00-052.000    521 Donegan Avenue, Patchogue</td>
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<tr>
<td>0200-973.70-06.00-005.000    Scherger Avenue, Patchogue</td>
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</table>
### Statement of Financial Impact
#### of Proposed Suffolk County Legislation

1. **Type of Legislation**
   - Resolution [X] Local Law [ ] Charter Law [ ]

2. **Title of Proposed Legislation**
   
   **Resolution No. 2017-1547**, Authorizing a Two Year Extension for the Development of Ten Parcels of Land Transferred Pursuant to the 72-H Affordable Housing Program to the Town of Brookhaven

3. **Purpose of Proposed Legislation**
   - See No. 2 above

4. **Will the Proposed Legislation Have a Fiscal Impact?**
   - **YES [ ] NO [X]**

5. **If the answer to item 4 is “yes”, on what will it impact?**
   - **(Circle appropriate category)**
     - County
     - Village
     - Library District
     - Town
     - School District
     - Fire District
     - Economic Impact
     - Other (Specify):

6. **If the answer to item 4 is “yes”, Provide Detailed Explanation of Impact:**
   - N/A

7. **Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision:**
   - N/A

8. **Proposed Source of Funding:**
   - N/A

9. **Timing of Impact:**
   - N/A

10. **Typed Name & Title of Preparer**
    - Jason Smagin
    - Acting Director of Real Estate

11. **Signature of Preparer**
    - [Signature]

12. **Date**
    - 5/11/17

---

**SCIN FORM 175b (10/95)**

**Diane G. Weyer**

**Chief Financial Analyst**

[Signature]

6/18/17
## GENERAL FUND

<table>
<thead>
<tr>
<th></th>
<th>2017 PROPERTY TAX LEVY</th>
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### NOTES:


3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
TITLE OF BILL:

RESOLUTION NO. 2017-2017, AUTHORIZING A TWO YEAR EXTENSION FOR THE DEVELOPMENT OF TEN PARCELS OF LAND TRANSFERRED PURSUANT TO THE 72-H AFFORDABLE HOUSING PROGRAM TO THE TOWN OF BROOKHAVEN.

PURPOSE OF GENERAL IDEA OF BILL:

This legislation is needed to authorize a two year extension for the development of ten parcels previously transferred through the 72-H program to the Town of Brookhaven.

SUMMARY OF SPECIFIC PROVISIONS:

None.

JUSTIFICATION:

The Town has requested an extension of time be granted for the completion of construction and occupancy of much needed affordable housing. Said extension requires a duly enacted resolution as authorized in Section 36 of the Suffolk County Administrative Code.

FISCAL IMPLICATIONS:

N/A
MEMORANDUM

TO: Lisa Santeramo, Chief of Staff

FROM: Jason Samgin, Acting Director of Real Estate
Department of Economic Development and Planning

DATE: May 15, 2017

RE: RESOLUTION AUTHORIZING A TWO YEAR EXTENSION FOR THE DEVELOPMENT OF TEN PARCELS OF LAND TRANSFERRED PURSUANT TO THE 72-H AFFORDABLE HOUSING PROGRAM TO THE TOWN OF BROOKHAVEN

The Department of Economic Development and Planning requests the attached resolution granting a two year extension to land transferred pursuant to the 72-H affordable housing program to be Laid on the Table at the June 6, 2017 General Meeting of the Legislature.

Attached please find the required supporting documentation. Electronic files have been filed as required.

Thank you.
RESOLUTION NO. - 2017, APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR THE ENVIRONMENTAL HEALTH LABORATORY EQUIPMENT (CP 4079)

WHEREAS, the Commissioner of Health Services has requested funds for the purchase of Environmental Health Laboratory Equipment; and

WHEREAS, purchases of replacement equipment for the Public & Environmental Health Laboratory are needed to meet the requirements of analytical methods mandated by State and federal laboratory accreditation programs and to keep pace with the current workload; and

WHEREAS, Resolution No. 471-1994 and as amended by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, amortizing the bonds over the period of probable usefulness ("PPU") of the environmental health laboratory equipment may be fiscally beneficial as compared to including the items in the weighted average maturity ("WAM") determined for a typical bond issue; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of $275,000 in Suffolk County Serial Bonds; now, therefore be it

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

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further

3rd RESOLVED, that if it is determined to be fiscally beneficial, the purchase of environmental health laboratory equipment will be finance utilizing the PPU of the project; and be it further

4th RESOLVED, that the proceeds of $275,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<table>
<thead>
<tr>
<th>Project Number</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>525-CAP-4079.528</td>
<td>40</td>
<td>Purchase of Environmental Health Laboratory Equipment</td>
<td>$275,000</td>
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1. Type of Legislation
Resolution X Local Law Charter Law

2. Title of Proposed Legislation
RESOLUTION NO. - 2017, APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR THE ENVIRONMENTAL HEALTH LABORATORY EQUIPMENT (CP 4079)

3. Purpose of Proposed Legislation
See above.

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

5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)
   County Town Economic Impact
   Village School District Other (Specify):
   Library District Fire District

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


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 FALL OF 2017 AND DEBT SERVICE WILL COMMENCE FALL 2018. THERE IS NO FISCAL IMPACT IN 2017. EARLIEST DEBT SERVICE FISCAL IMPACT WILL BE IN THE 2018 OPERATING BUDGET. ATTACHED 2018 CAT BASED ON 2017 DATA.

10. Typed Name & Title of Preparer
Nicholas Paglia
Principal Budget Analyst

11. Signature of Preparer

12. Date
June 7, 2017

SCIN FORM 175b (10/95)
### GENERAL FUND

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**NOTES:**
3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
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<th>Date</th>
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**NOTES:**

1) **SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION:** SUFFOLK COUNTY REAL PROPERTY, 2016.
2) **SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES:** SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2016-2017 AS ESTABLISHED BY RESO. 1059-2016.
3) **SOURCE FOR EQUALIZATION RATES:** 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
2017 Equipment Requests

1. 1 (1) Gas Chromatograph/Mass Spectrometer System (N) - This analytical system will be used to analyze potable water, groundwater and surface water for the presence of volatile organic compounds (VOC’s) such as pesticides, pharmaceuticals, and personal care products. It has been requested by the Suffolk County Legislature that the PEHL order new equipment so that increase the workload for SVOC’s can be increased.................................................. 100,000.00

2. Eight (8) Solid Phase Extractors for SVOC (N) - Eight new solid phase extractors (SPE) are needed to increase the PEHL workload for the detection of semi-volatile organic compounds (SVOC’S) such as pesticides, pharmaceuticals and personal care products in potable water, groundwater and surface water. Samples must go through an extraction process before being analyzed by a GC/MS................................................................. 100,000.00

3. One (1) Solid Phase Extraction System (SPE) (R) – This will replace a system that will be 21 years old in 2017. The present system operates with old floppy discs and a controller which are outdated and obsolete. The replacement SPE will be used for the analysis of potable water for herbicide metabolites by LC/MS/MS................................................................. 60,000.00

4. One (1) Double Door Refrigerator (N) - This refrigerator is needed to store potable water, groundwater and surface water samples submitted to the PEHL for organic analyses including but not limited to SVOC’s and herbicide metabolites................................................................. 8,000.00

5. One (1) Quanititray Sealer (R) – This item will replace a heavily used sealer which is 25 years old and is used for the analysis of beaches, surface and fresh waters. The present unit is not cost effective because it is constantly blowing fuses in need of repair................................................................. 7,000.00

2017 TOTAL ................................................................. $275,000.00
Memorandum

To: Susan Hodosky, Principal Financial Analyst
   Budget/Purchasing

From: Walter Dawydiak, PE
      Director – Division of Environmental Quality

Date: March 9, 2017

Subject: Capital Project Request – Public and Environmental Health Laboratory
        CP 4079 -- $275,000

The division requests appropriation of $275,000 for the 2017 Capital Project 4079 for the following critical items:

1) One (1) Gas Chromatograph/Mass Spectrometer System
   a. The cost is approximately $100,000 which includes installation.
   b. This instrument will replace a system that is 16 years old and whose hard drive is constantly crashing.
   c. The manufacturer can no longer guarantee replacement parts.
   d. This GC/MS will be used for the detection of volatile organic compounds (VOC's) in solid and liquid hazardous waste.
   e. The purchase of this GC/MS system will increase the number of samples that can be submitted for 1,4-dioxane in liquid and solid hazardous waste because the present system does not have the sensitivity to detect this contaminant at the concentrations of concern.

2) Eight (8) Solid Phase Extractors
   a. The cost is estimated to be $100,000 which includes installation.
   b. These extractors are new and will be used in conjunction with a new GC/MS so that the quota for SVOC samples can be increased from 50 to 100 samples per week
   c. Potable water samples must go through an extraction process before they can be analyzed by the GC/MS system.
   d. Without the purchase of these eight extractors, the quota for SVOC’s will remain at 50 samples/wk.
3) One (1) Solid Phase Extraction System
   a. The cost is approximately $60,000 which includes installation.
   b. This would replace a heavily used system that is 21 years old:
      i. The present system operates with floppy discs and a controller which are outdated and obsolete
      ii. The manufacturer can no longer guarantee the availability of replacement parts.
      iii. The frequency of repairs for the present system is increasing.
   c. This extraction system is used to process potable water samples in the determination of herbicide metabolites and PPCP’s:
      i. Advancement in technology and software have improved the performance and capabilities of this new extraction system.
   d. If this system is not replaced, and the frequency of repair continues to increase, it will delay or suspend the processing of critical samples.

4) One (1) Double Door Refrigerator
   a. The cost is approximately $8,000 which includes installation.
   b. With the expected increase in SVOC samples, the purchase of this unit is necessary for storing potable water, groundwater and surface water sample bottles awaiting analysis and data review:
      i. Since SVOC samples must be collected in duplicate, the addition of 50 samples per week will require adequate storage for 100-150 one liter bottles.
   c. If this refrigerator is not purchased, the storage for SVOC sample bottles will be inadequate and the number of samples submitted will have to be restricted:
      i. The accredited SVOC method used by the PEHL dictates how samples must be stored prior to analysis. The method must be strictly adhered to by the laboratory.

5) One (1) Quantitray Sealer
   a. The cost is estimated at $7,000.
   b. This item will replace a heavily used sealer which is 25 years old:
      i. The present unit is constantly blowing fuses, struggles to maintain adequate temperatures, and is in frequent need of repair
   c. This unit is used in the bacteriological analysis of beaches, surface waters and fresh water.
   d. If this unit is not replaced, and the existing unit can no longer be used, bacteriological analyses will have to be suspended.

WD/
C: Christina Capobianco, CPA, Deputy Commissioner
    Barbara Marano, CPA, Deputy Commissioner
    Joette Pavelka, Assistant Chief - PEHL
TITLE OF BILL: Appropriating funds for the purchase of equipment for the Environmental Health Laboratory (CP 4079).

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to appropriate funds to capital project 4079 for the purchase of replacement equipment in the Public & Environmental Health Laboratory.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This legislation is needed for the purchases of replacement equipment for the Public & Environmental Health Laboratory to meet the requirements of analytical methods mandated by State and federal laboratory accreditation programs and to keep pace with the current workload.

FISCAL IMPLICATIONS: $275,000 in Serial bonds and all related debt service.
May 26, 2017

Jon Kaiman, Deputy County Executive
County Executive’s Office, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Kaiman:

I request the introduction of the enclosed Resolution appropriating funds for the purchase of equipment for the Environmental Health Laboratory (CP 4079). These funds will be used to purchase replacement equipment for the Public and Environmental Health Laboratory needed to meet the requirements of analytical methods mandated by State and federal laboratory accreditation programs and to keep pace with the current workload.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Walter Dawydiak at 2-5800. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is “Reso-HSV-CP 4079 PEHL.docx.”

Sincerely,

James L. Tomarken

James L. Tomarken, MD, MPH, MBA, MSW
Commissioner

Enclosures

C: Katie Horst, Director of Intergovernmental Relations
Christina Capobianco, CPA, Deputy Commissioner
Barbara Marano, CPA, Executive Assistant for Finance & Administration
Jennifer Culp, MPA, Assistant to the Commissioner of Health Services
Walter Dawydiak, P.E., Director, Division of Environmental Quality
Susan B. Hodosky, Principal Financial Analyst
RESOLUTION NO.  2017, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND AN ORDER FOR THE MODIFICATION OF THE PLAN OF SERVICE FOR SUFFOLK COUNTY SEWER DISTRICT NO. 5 – STRATHMORE HUNTINGTON (CP 8115)

WHEREAS, Suffolk County Resolution No. 1110-2014 found and determined that it was in the public interest to increase and improve the facilities of Sewer District No. 5 – Strathmore Huntington; and

WHEREAS, additional funds are necessary to complete the work necessary for finishing those increases and improvements; and

WHEREAS, pursuant to New York County Law Section 269, the Suffolk County Sewer Agency has prepared and submitted to the Legislature of the County of Suffolk, New York, amended maps, plans, recommendations and revised cost estimates pertaining to an increase in the maximum amount to be expended for the increase and improvement to facilities at Suffolk County Sewer District No. 5 – Strathmore Huntington; and

WHEREAS, these maps, plans, recommendations and revised cost estimates accompanied Suffolk County Resolution No. 404-2017 and are attached to this Resolution and Order as Exhibit A; and

WHEREAS, the cost of the increase and improvement to the facilities of Sewer District No. 5 – Strathmore Huntington has risen from a cost in 2014 of $0.5 million to an estimated cost of $1.5 million, as set forth in the amended maps, plans, recommendations; and

WHEREAS, this revised cost will be financed utilizing sewer district serial bonds, but there will be no fiscal impact caused to the benefited properties in said District as a direct result of the increase to the costs of the increases and improvements inasmuch as pursuant to the Suffolk County Assessment Stabilization Reserve Fund ("ASRF") all property owners in Suffolk County sewer districts experience a 3% annual increase regardless of any increases or improvements performed; and

WHEREAS, in the case of the property owners in Suffolk County Sewer District No. 5 – Strathmore Huntington, the annual 3% ASRF increase will result in an increase of approximately $30 per year to the typical property within the District, regardless of the additional funds necessary to complete the increases and improvements; and

WHEREAS, pursuant to Suffolk County Resolution No 404-2017 and New York County Law Section 254, the Clerk of the Legislature did duly cause a Notice of Public Hearing regarding the amended maps, plans, recommendations and revised cost estimates pertaining to an increase in the maximum amount to be expended for the increase and improvement to facilities at Suffolk County Sewer District No. 5 – Strathmore
Huntington to be published at least once in each of the official newspapers of the County and proof thereof has been presented to the County Legislature; and

WHEREAS, pursuant to such Notice of Public Hearing, a public hearing was held by the Legislature of the County of Suffolk in Hauppauge, New York in said County on June 6, 2017 at 2:30 p.m., Prevailing Time; and

WHEREAS, since there are electors residing in Suffolk County Sewer District No. 5 – Strathmore Huntington, Sections 256 and 269 of Article 5-A of the New York County Law require that the increases in the maximum amount to be expended on increases and improvements to Suffolk County Sewer District No. 5 – Strathmore Huntington shall be subject to permissive referendum; and

WHEREAS, by this Resolution, it is the intent of the Suffolk County Legislature to submit the findings and order regarding the increase in the maximum amount to be expended for the increases and improvements to Suffolk County Sewer District No. 5 – Strathmore Huntington in order to subject such findings and order to permissive referendum; and

WHEREAS, said County Legislature has duly considered the amended map, plan, recommendations, and revised estimate of cost for the increases and improvements to Suffolk County Sewer District No. 5 – Strathmore Huntington, as well as evidence given at the public hearing held on June 6, 2017; now therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act ("SEQRA") Lead Agency, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Title 6 NYCRR Part 617.5 (C) (20) and (27) as the proposal involves the adoption of regulations, policies, procedures, and local legislative decisions in connection with routine or continuing agency administration and management; and be it further

2nd RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence presented at the aforesaid public hearing and after due consideration of the amended maps, plans, reports, recommendations, and revised estimate of costs filed with the Legislature of the County of Suffolk and attached to this Resolution and Order as Exhibit A, it is hereby found and determined that the revised total cost for the increases and improvements to Suffolk County Sewer District No. 5 – Strathmore Huntington shall be set at a maximum of $1.5 million, which shall be financed using sewer district serial bonds.

Section 2. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid amended maps, plans, reports, recommendations and revised estimate of costs it is hereby found and determined that the increase to the costs of the increases and improvements to Suffolk County Sewer District No. 5 – Strathmore Huntington, as set forth in such amended maps, plans, reports, recommendations and revised estimate of costs, is necessary, convenient, and desirable.

Section 3. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid amended maps, plans, reports, recommendations and
revised estimate of costs, it is hereby further found and determined that the proposed work involving the increases and improvements to Suffolk County Sewer District No. 5 – Strathmore Huntington is adequate and appropriate and the cost thereof will not constitute an undue burden on the properties in said District and that no properties in said District will be excluded from the benefit of the increases and improvements.

Section 4. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid amended maps, plans, reports, recommendations, and revised cost estimates, it is further found and determined that it is in the public interest to expend a maximum amount of $1.5 million on the increases and improvements to Suffolk County Sewer District No. 5 – Strathmore Huntington, as set forth in such amended maps, plans, reports, recommendations and revised estimate of costs.

3rd RESOLVED, IT IS HEREBY ORDERED, by the County Legislature of the County of Suffolk, New York as follows:

Section 1. The increase to the amount to be expended on the increases and improvements to Suffolk County Sewer District No. 5 – Strathmore Huntington, as more particularly described in the amended maps, plans, reports, recommendations, and revised estimate of costs attached as Exhibit A, are hereby approved.

Section 2. Upon the effective date of this Resolution and Order, the Suffolk County Department of Public Works and the Administrative Head of Suffolk County Sewer District No. 5 – Strathmore Huntington are hereby authorized and directed to carry out the increases and improvements to said District as more particularly described in the amended maps, plans, reports, recommendations and revised estimate of costs attached as Exhibit A.

Section 3. The Clerk of this Legislature is hereby authorized and directed to cause a certified copy of this Resolution and Order to be recorded in the Office of the Clerk of the County of Suffolk, New York, within ten days of the effective date of this Resolution and Order in accordance with the provisions of New York County Law Sections 253-b and 259.

4th RESOLVED, that this Resolution and Order authorizing the increase to the maximum amount to be expended on the increases and improvements for Suffolk County Sewer District No. 5 – Strathmore Huntington, shall not take effect until at least forty-five (45) days after its adoption, or until approved by the affirmative vote of the majority of the qualified electors who are resident within Suffolk County Sewer District No. 5 – Strathmore Huntington voting on a proposition for its approval if within forty-five (45) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against the passage of this Resolution and Order in conformity with the provisions of Section 257 of the New York County Law.
DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
Exhibit 'A'
COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

DARNELL TYSON, P.E.
DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS G. VAUGHN
DEPUTY COMMISSIONER

April 12, 2017

Honorable DuWayne Gregory, Presiding Officer
Suffolk County Legislature
725 Veterans Memorial Hwy
Smithtown, NY 11787

RE: Proposed Increase and Improvement to the Facilities of Suffolk County
Sewer District No. 5 – Strathmore Huntington – Improvements (CP 8115)
Amended Map and Plan

Presiding Officer Gregory:

In connection with the above captioned matter, I herewith submit to you a report together with the recommendations relative thereto. Pursuant to Article 5-A of New York State County Law, a public hearing is to be held for the project. The total 2017 cost of this project is $1,500,000. Prior appropriations in 2014 are insufficient to implement the project. An amendment to the 2014 Map and Plan is therefore required. The Assessment Stabilization Reserve Fund (ASRF) is the means of financing this project. The project will provide site evaluation and remediation of an abandoned lagoon that has the potential for soil contamination. When evaluating the project, we conclude that even though the use of the ASRF limits the annual increase to 3%, and, therefore, there is no fiscal impact due to the project.

If you wish any further information or details, please contact Ben Wright, P.E., Principal Civil Engineer, Division of Sanitation, at 631-852-4184.

Sincerely,

Gilbert Anderson, P.E.
Commissioner
Administrative Head of
Suffolk County Sewer District No. 5

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Deputy County Executive/Chief of Staff
Peter Scully, Deputy County Executive
Theresa Ward, Commissioner, Economic Development
Connie Corso, Budget Director
Debra Kolyer, Principal Financial Analyst
Dennis Brown, Esq., County Attorney
Robert Braun, Esq., County Attorney
Marisa Schifano, Esq., Assistant County Attorney
Suffolk County Legislators
Tom Vaughn, Deputy Commissioner, Public Works
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation
H:\SANITATION\Sewer districts\Ad05 - Huntington\CP 8115 2017\ga-bw4-12-17 ad5 Strathmore Huntington CP 8115 Improvements Ltr to SC Leg DGregory.doc
County of Suffolk

Department of Public Works

Amended
Report and Recommendations
for the
Proposed Improvements to Facilities of

SUFFOLK COUNTY SEWER DISTRICT NO. 5 - STRATHMORE HUNTINGTON

(CP 8115 - SITE EVALUATION AND REMEDIATION)

GILBERT ANDERSON, P.E.
COMMISSIONER

August 2014

Amended April 2017
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B. Environmental Approval
C. Repayment Schedule ($1,500,000)
D. 2017 Adopted Rate and Individual Parcel Assessed Value
E. Summary of Increased Rate

FIGURES

No. 1 Site Plan
No. 2 Schedule
Introduction

In accordance with Chapter 254 of the County Law and by Resolutions Nos. 494-1965 and 518-1965, the Suffolk County Board of Supervisors formed the Suffolk County Sewer Agency in September 1965. The County Legislature, as the successors to the Board of Supervisors, by Resolution No. 407-1970 authorized the Chairman of the Agency to execute agreements with subdividers and developers. Thereafter, by Resolution No. 212-1973, the County Legislature again directed the Agency with the assistance of the Department of Environmental Control acting as its staff, to prepare the necessary maps, plans, specifications, and other relevant material for the formation, extension or improvement of County sewer districts.

Therefore, in accordance with those resolutions and pursuant to Article 5A of the County Law, the Agency has caused the Department of Public Works as the successors to the Department of Environmental Control, to prepare and herewith respectfully submit the necessary information and data relating to the improvements to Suffolk County Sewer District No. 5 - Strathmore Huntington.

The District was formed during 1974. The County’s responsibilities include operation and maintenance of the wastewater treatment facility and the sewer collection system in public roads or in connecting easements, including five pumping stations.

District Population and Service Area

Suffolk County Sewer District No. 5 Strathmore - Huntington is located in the area known as Half Hollow Hills which is situated at the southerly end of the Town of Huntington, County of Suffolk, New York. The district comprises an area of about 520 acres containing approximately 832 single family dwellings plus several park areas. The total population is estimated at around 3,000 persons. The development was constructed during 1966-1970.
and the sewage treatment plant became operational in June 28, 1968. After a period of operation by a Transportation Corporation known as Huntington Sanitary Corporation, the Homeowner’s Association requested the County to acquire and operate the system. After the legal and other requirements were met, it was purchased from Huntington Sanitary Corporation and became a County district on December 23, 1974 by Legislative Resolution No. 238-1974. Figure No. 1 includes the site plan.

**Technical Considerations**

The wastewater treatment and disposal facilities were designed, constructed, and are permitted for an average flow of 236,000 gallons per day. The plant currently has a flow averaging very close to that amount. The treatment process includes equalization, sequencing batch reactor biological treatment, and disinfection. Chemicals are provided for pH adjustment and, if necessary, the denitrification process. Residual sludge is aerated and hauled to disposal. Open recharge beds are utilized for discharge of the treated effluent. An abandoned lagoon has been idle for over 30 years. A cursory sampling in 1997 led to a 2009 soil probe sampling program of the lagoon bottom. The results concluded that contamination was present by both volatile organic compounds and heavy metals. The findings led to the conclusion that the extent of any vertical or horizontal contamination should be explored with recent meetings with NYSDEC concerning a remediation work plan. This report addresses the need for that work. Exhibit 'A' describes the project.

Engineering assistance is necessary to provide the recommendations on the investigative and remediation work. In accordance with a NYSDEC work plan, contract documents will be prepared.

**Environmental Approval**

Contact with NYSDEC led to a submittal to the Suffolk County Council on Environmental Quality. A Conditional Negative Declaration was recommended and indicated in Exhibit 'B'. The approval is conditional on compliance with a NYSDEC work plan and end-point sampling and revisiting environmental impacts if any changes in the project develop.
Capital Cost and Schedule

The estimated cost for the engineering assistance and remediation is $1,500,000. The 2014 appropriation of $500,000 is available with $1,000,000 in the 2017 capital program. It is anticipated that the engineering will be completed during early 2018 and remediation will begin in 2018 and continue early into 2019.

Annual Operation and Maintenance Costs and Charges

An evaluation of the operation and maintenance budget for the existing facility as it compares to the proposed improvements indicates that there should be no impact as the lagoon is not in use. The operation and maintenance cost will not change due to this project.

Proposed Financial Plan and Cost to Homeowners

A. Federal and State Aid

There is no expectation of receipt of Federal or State funds.

B. User Charges

The district is ad valorem and has two zones of assessment due to the fact that the original district had to pay for its collection system but the Huntington Hills area had its collection system dedicated to the district by the developer. It was determined at the time of County acquisition that 40% of the acquisition price would be allotted to treatment plant and pumping stations and the remaining 60% to the collection system. The original district (Zone A), and the Huntington Hills area (Zone B) must share the 40% share of the debt service for the plant and pumping stations but the remaining 60% of the debt service on the collection system must be paid by the original district (Zone A alone).

Regardless of the zones of assessment and conventional financial evaluation, the use of the ASRF results in a 3% increase in rates on an annual basis. For the purpose of notifying the State Comptroller, it is necessary to compare the actual rate of increase of 3% to the cost of the project if no subsidy existed. Therefore, the evaluation of
the mode value for all properties within the district indicates that it falls within Zone A. Therefore, the financial plan is based on the assessed value of the mode property and the adopted rate for Zone A, which is $5,000. What follows is an evaluation of the unsubsidized cost if the ASRF was not available.

The debt service schedule which was contained in Exhibit ‘C’ indicates that amortization over 18 years at approximately 4.00% interest rate could result in an average annual repayment of $116,278. Based on the project schedule, it is estimated that the first level debt payment could be made during 2019. The method of financing is level debt and, therefore, the 2019 debt will be equal throughout the financing period. This amount will be utilized with the total district assessed value and the mode assessed value of the individual lots within the district to develop the annual cost associated with the project without any ASRF subsidy.

The typical property assessed value is $5,000 which was obtained from the Town of Huntington. The assessed value of each lot within the district was used to obtain the mode, Exhibit ‘D’. Also within Exhibit ‘D’ is the adopted 2017 Sewer District No. 5 rate which indicates that for Zone A the rate would be $196.7788 per $1,000 of assessed value. It is also noted that the total assessed value of the district is $4,655,280. Exhibit ‘E’ provides a summary of the increased rate. Utilizing the information that was discussed above and developed in Exhibit ‘D’, the cost per typical property during 2017 is approximately $984. The unsubsidized project cost impact is $124.90. However, the district is eligible for and does receive subsidy from the Assessment Stabilization Reserve Fund which increases the rates in County sewer districts by 3% per year in order to stabilize their rates with the use of the ASRF fund. The 3% increase, therefore, indicated in Exhibit ‘E’ is approximately $30. This dollar value is above the State Comptroller’s threshold, however, recognizing there is no fiscal impact due to the ASRF subsidy, a notification will be submitted to that agency. It is noted, however, that if this project was not being implemented the 3% increase would still be in effect in order to stabilize rates and minimize the potential for a rate shock due to a large capital project.
Recommendations, Comments and Findings

As has been indicated above, the District’s facilities and the environment will be enhanced by the recommended improvements. This project is to eliminate any future impact of contamination in the abandoned lagoon. Implementation of the project will have no impact on the rates of the District since the rates will continue to rise by 3% per year in order to have the ASRF available to stabilize the rate.

I respectfully recommend that authorization be given to proceed immediately.

Respectfully submitted,

Gilbert Anderson, P.E.
Commissioner of the
Suffolk County
Department of Public Works, Chairman of the
Suffolk County Sewer Agency, and
Administrative Head of All Suffolk County Sewer Districts
EXHIBIT A

CP 8115

Summary with Preliminary Report
An abandoned lagoon formerly used for recharging sewage treatment effluent is on the Sewer District No. 5 site (refer to Attachment No. 1). It presents both a safety problem as well as a potential for soil contamination that if required, must be remediated. In order to supplement a 1997 sampling program, a soil probe sampling program was conducted during 2009 (refer to Attachment No. 2 for probe locations). The conclusions of that report indicated that there is a potential for soil contamination and that further work would be necessary to determine if there is a horizontal or vertical extent of that potential soil contamination. A report prepared by Cameron Engineering and Associates dated October 23, 2009 was used as a reference and is the focus of the next step.

A meeting with NYSDEC’s Material Management Section (solid waste staff) resulted in the need for a comparison of the sampling results to DEC’s criteria for restricted and unrestricted use of soil cleanup sites (attached as Attachment No. 3). Options discussed included capping the lagoon, reviewing portions deemed to be contaminated or remediating the entire lagoon with any contaminated material being disposed of off Long Island at an approved site. All tasks would incorporate a work plan and end-point sampling program.
ATTACHMENT 1

Facility Map
Strathmore Sewage Treatment Plant Facility Map

ATTACHMENT 2 -
Soil Probe Sampling Locations
ATTACHMENT 3 -

Soil Probe Results & NYSDEC Criteria
# TABLE 1

**Suffolk County Department of Public Works, Sewer District No. 5, Southwark Huntington**

**Former Lagoon Soil Probe Sampling Program**

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Notes:
- "U" indicates below the method detection limit.
- "<" indicates values less than the method detection limit.
- "mg/kg" is used for concentrations per kilogram (kg).
- " ug/kg" is used for micrograms per kilogram (ug).

**Table 1 (cont.)**

Suffolk County Department of Public Works, Sewer District No. 5 - Straphume Huntington
Former Lagoon Soil Probe Sampling Program

**VOCALOTHE ORGANIC COMPOUNDS**
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Page 4 of 9
| Compound          | Probe #1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | U | 10 | 11 | U | 12 | 13 | U | 14 | 15 | U | 16 | 17 | U | 18 | U | 19 | 20 | U | 21 | U | 22 | U | 23 | U | 24 | U |
|-------------------|-----------|----|----|----|----|----|----|----|----|---|----|----|---|----|----|---|----|----|---|----|----|---|----|----|---|----|----|---|----|----|---|----|----|---|----|----|
| Phenol            | <5        | U  | U  | U  | U  | U  | U  | U  | U  | U | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  |
| 2,4,5-Trichloroanil | <5        | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  |
| 2,4-Dichloroanil  | <5        | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  |
| 2,4-Dinitroanil   | <5        | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  |
| 2-Chlorophenol    | <5        | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  |
| 2-Methyl-4,6-dinitroanil | <5 | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U |
| 2-Methylphenol (o-cresol) | <5 | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U |
| 2-Nitrophenol     | <5        | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  |
| 4-Chloro-2-nitrophenol | <5 | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U |
| 4-Dinitrophenol   | <5        | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  |
| Pentachlorophenol (mp) | <5 | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U |
| Phenol            | <5        | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  | U  |

**Note:**

ug/kg: micrograms per kilogram (ug/kg)
## TABLE 3

**Suffolk County Department of Public Works, Sewer District No. 5 - Strathmore Huntington**

**Former Lagoon Soil Probe Sampling Program**

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**Notes:**
- ppm/Kg: parts per million per kilogram (ppm)
### Table 4

**Suffolk County Department of Public Works, Sewer District No. 5 - Shirley-East Huntington**

**Former Lagoons Soil Probe Sampling Program**

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**Notes:**
- [**1**] Value exceeds criteria.
- **μg/kg**: micrograms per kilogram (ppb)

**Criteria:**
- **NYSDOH**: New York State Department of Health
- **NYSDERG**: New York State Department of Environmental Conservation

**Criteria Values:**
- **Surface**: 100
- **Sub-Surface**: 100

---

Page 7 of 9
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<th>Sample Site</th>
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<th>0.12</th>
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<td>Chromium as Cr</td>
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<td>5.7</td>
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<td>24</td>
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<td>36</td>
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<td>Silver as Ag</td>
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<td>Thallium as Tl</td>
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Notes:
- U: Value exceeds criteria.
- mg/kg: milligrams per kilogram (ppm)

Page 8 of 9
### TABLE 6
Suffolk County Department of Public Works, Sewer District No. 5—Strathmore Huntington
Former Lagoons Soil Probe Sampling Program

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<th>20-29 cm</th>
<th>30-39 cm</th>
<th>40-49 cm</th>
<th>50-59 cm</th>
<th>60-69 cm</th>
<th>70-79 cm</th>
<th>80-89 cm</th>
<th>90-99 cm</th>
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<th>SYDREC THD Values</th>
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**Notes:**
- mg/kg: milligrams per kilogram (ppm)
EXHIBIT B

Environmental Approval
CEQ RESOLUTION NO. 15-2017, RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION AND DETERMINATION FOR THE PURPOSES OF CHAPTER 450 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED SUFFOLK COUNTY SEWER DISTRICT #5, STRATHMORE HUNTINGTON, LAGOON REMEDIATION, CP 8115, TOWN OF HUNTINGTON

WHEREAS, at its March 24, 2017 meeting, the Suffolk County Council on Environmental Quality (CEQ) reviewed the EAF and associated information submitted by the Suffolk County Department of Public Works who is the applicant for the proposed project; and

WHEREAS, a presentation regarding the project was given at the meeting by Ben Wright, Principal Civil Engineer, Suffolk County Department of Public Works; and

WHEREAS, the project involves the environmental remediation of the abandoned lagoon on the site of the Sewer District No. 5 -- Strathmore Huntington Wastewater Treatment Facility; and

WHEREAS, the proposed project will be coordinated with NYSDEC and include an approved NYSDEC work plan and endpoint sampling program; now, therefore, be it

1st RESOLVED, that based on the information received and presented, a quorum of the CEQ hereby recommends to the Suffolk County Legislature and County Executive that the proposed project be classified as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

2nd RESOLVED, that based on the information received, a quorum of the CEQ conditionally recommends to the Suffolk County Legislature and County Executive, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, that the proposed action will not have significant adverse impacts on the environment for the following reasons and conditions:

Reasons:

1. The proposed action, as presented to the CEQ and the Suffolk County Legislature, will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment as demonstrated in the Environmental Assessment Form;

2. The project entails investigation and remediation of the abandoned lagoon on the site of the Sewer District No. 5 -- Strathmore Huntington Wastewater Treatment Facility in accordance with NYSDEC regulations and work plan requirements;

3. All toxic and hazardous materials remediated will be disposed of in accordance with State and Federal Requirements;

4. The action only involves clean-up of the site and no new development is proposed;

5. The project will result in beneficial environmental impacts;
Condition:

1. Should circumstances related to the environmental remediation of the abandoned lagoon on the site of the Sewer District No. 5 – Strathmore Huntington Wastewater Treatment Facility and the related regulatory requirements necessitate significant changes that exceed the threshold criteria of 6 NYCRR Section 617.7(c) the Suffolk County Department of Public Works (project applicant) shall re-submit the project to the CEQ/Suffolk County Legislature (project Lead Agency) for an updated SEQRA review and an amended project SEQRA determination (see 6 NYCRR, Sections 617.7 (d)(e)(i)).

3rd RESOLVED, that it is the recommendation of the Council that the Legislature and County Executive adopt a Conditional Negative Declaration (CND) SEQRA determination.

DATED: 3/24/2017
EXHIBIT C

Repayment Schedule

(1.5 Million)
### Suffolk County
SD#5 - Strathmore Huntington CP 8115
Level Debt

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Total: $1,500,000.00 | $593,008.77 | $2,093,008.77 | $2,093,008.77
EXHIBIT D

2017 Adopted Rate

and

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1/2/2017

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2017 Adopted Sewer District Rates w contractees.xls
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**MODE**

SD5 2017

CP 8115
EXHIBIT E

Summary of Increased Rate
Summary of Increased Rate

The adopted annual operating budget for Sewer District No. 5 establishes the 2017 rates. Due to the need to proceed with the project and recognizing the past 3% annual rate increase, the rate used are those of the projected budget for 2019. The adopted rate is typically used to compare the actual project cost with the subsidy that is available with the Assessment Stabilization Reserve Fund. This project, however, uses the ASRF as the funding source. Due to the notification required to the State Comptroller, an evaluation of the impact of a $1,500,000 project will be presented as if the ASRF was not available.

District Total Assessed Value = $4,655,280

Maximum Repayment Year without subsidy (Refer to Exhibit 'B')

2019  $116,278

2017 Adopted Rate
   Zone A - $196.7788 per $1,000 of assessed value
   Zone B - $146.3545 per $1,000 of assessed value

It is noted that the mode assessed value of the parcels in the district (Exhibit C) is $5,000 and that parcel is within Zone A and, therefore, the Zone A rate will apply to the comparison.

Rate per $1,000 Full Value = $196.7788/$1,000

Typical Property Value = $5,000

Current 2017 cost per typical property = $196.7788 x $5,000/$1,000 = $983.89

Project cost impact = $116,278/$4,655,280 = $24.98/$1,000

Project cost per typical property = $24.98 x $5,000/$1,000 = $124.90

Actual Increase is based on a 3% increase per the Assessment Stabilization Reserve Fund results in the project increase from 2017 to 2019.

$983.89 x .03 = $29.52 (2018) and $30.40 (2019) (exceeds the State Comptroller 2017 threshold of $14)

A notification will be provided to the State Comptroller.
Figure 1

Site Plan
Strathmore Sewage Treatment Plant
Site Location Map
Figure 2

Schedule
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<td>II. Construction Phase</td>
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<td>A. Advertise &amp; Construction Period</td>
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1. **Type of Legislation**
   - Resolution **X**
   - Local Law ________
   - Charter Law ________

2. **Title of Proposed Legislation**
   A resolution making certain findings and determinations and an order for the modification of the plan of service for Suffolk County Sewer District No. 5 – Strathmore Huntington (CP 8115).

3. **Purpose of Proposed Legislation**
   To make certain findings and determinations for the remediation of an abandoned lagoon.

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 $1.5 million project will be funded by the district residents using serial bonds, stabilized by the ASRF.

7. **Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.**
   Rates are stabilized by the ASRF, therefore, a 3% increase per year resulting in the typical property increase being $30 per year.

8. **Proposed Source of Funding**
   Serial Bonds, supported by ASRF

9. **Timing of Impact**
   2018-2036 (See No. 7)

10. **Typed Name & Title of Preparer**
    - Ben Wright, P.E.
    - Principal Civil Engineer, Sanitation

11. **Signature of Preparer**
    - Signature

12. **Date**
    - 5-25-17
## GENERAL FUND

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## POLICE DISTRICT AND DISTRICT COURT

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### NOTES:

3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
TITLE OF BILL — Making Certain Findings and Determinations and an Order for the Modification of the Plan of Service for Suffolk County Sewer District No. 5 — Strathmore Huntington (CP 8115).

PURPOSE OR GENERAL IDEA OF BILL — Making certain findings and determinations in relation to a public hearing as a prerequisite to requesting appropriations. This resolution is subject to a required permissive referendum.

SUMMARY OF SPECIFIC PROVISIONS — Provides the findings of the public hearing on an improvement project and costs for SCSD #5 — Strathmore Huntington. Meets the requirements of NYS County Law, Article 5-A.

JUSTIFICATION — The findings of the public hearing will be subject to a permissive referendum and will allow appropriations to be made in accordance with the adopted budget.

FISCAL IMPLICATIONS — Sewer district costs are stabilized by the ASRF. The annual increase of 3% is approximately $30 per year per typical property.
MEMORANDUM

TO: Lisa Santeramo, Deputy County Executive/Chief of Staff
FROM: Gilbert Anderson, P.E., Commissioner
SUBJECT: A Resolution Making Certain Findings and Determinations and an Order for the Modification of the Plan of Service for Suffolk County Sewer District No. 5 – Strathmore Huntington (CP 8115)
DATE: May 26, 2017

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW SD 5 – Strathmore Huntington CP 8115 Improvements 5-26-17 and backup filed as Backup-DPW SD 5 – Strathmore Huntington CP 8115 Improvements 5-26-17 for the findings resolution of the improvement of Sewer District No. 5 – Strathmore Huntington which is subject to a permissive referendum. The project is to provide funds for the remediation of an abandoned lagoon. The construction project requires an additional $1.0 million using serial bonds supported by the ASRF. The total cost associated with the project is approximately $1.5 million.

We appreciate the resolution being laid on the table such that the appropriations can be adopted as soon as necessary.

GA:BW:ni
Attachment
cc: John Donovan, P.E., Chief Engineer, Sanitation
    Ben Wright, P.E., Principal Civil Engineer, Sanitation
    CE Reso Review
H:\SANITATION\resolutions\2017 Resolutions\ga-bw5-26-17 Backup-DPW sd5-Strathmore Huntington Findings CP 8115 memo to L.Santeramo.doc

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE YAPHANK, N.Y. 11980

(631) 852-4010 FAX (631) 852-4150
RESOLUTION NO. - 2017, A RESOLUTION
MAKING CERTAIN FINDINGS AND DETERMINATIONS
AND AN ORDER FOR THE MODIFICATION OF THE
PLAN OF SERVICE FOR SUFFOLK COUNTY SEWER
DISTRICT NO. 11 – SELDEN (CP 8117)

WHEREAS, Suffolk County Resolution Nos. 954-2015 and 485-2016 found
and determined that it was in the public interest to increase and improve the facilities of
Sewer District No. 11 – Selden; and

WHEREAS, additional funds are necessary to complete the work
necessary for finishing these increases and improvements; and

WHEREAS, pursuant to New York County Law Section 269, the Suffolk
County Sewer Agency has prepared and submitted to the Legislature of the County of
Suffolk, New York, amended maps, plans, recommendations and revised cost estimates
pertaining to an increase in the maximum amount to be expended for the increase and
improvement to facilities at Suffolk County Sewer District No. 11 – Selden; and

WHEREAS, these maps, plans, recommendations and revised cost
estimates accompanied Suffolk County Resolution No. 403-2017 and are attached to this
Resolution and Order as Exhibit A; and

WHEREAS, the cost of the increase and improvement to the facilities of
Sewer District No. 11 – Selden has risen from a cost in 2016 of $3.0 million to an
estimated cost of $10.75 million, as set forth in the amended maps, plans,
recommendations; and

WHEREAS, this revised cost will be financed utilizing sewer district serial
bonds, but there will be no fiscal impact caused to the benefited properties in said District
as a direct result of the increase to the costs of the increases and improvements
inasmuch as pursuant to the Suffolk County Assessment Stabilization Reserve Fund
("ASRF") all property owners in Suffolk County sewer districts experience a 3% annual
increase regardless of any increases or improvements performed; and

WHEREAS, in the case of the property owners in Suffolk County Sewer
District No. 11 – Selden, the annual 3% ASRF increase will result in an increase of
approximately $14 per year to the typical property within the District, regardless of the
additional funds necessary to complete the increases and improvements; and

WHEREAS, pursuant to Suffolk County Resolution No 403-2017 and New
York County Law Section 254, the Clerk of the Legislature did duly cause a Notice of
Public Hearing regarding the amended maps, plans, recommendations and revised cost
estimates pertaining to an increase in the maximum amount to be expended for the
increase and improvement to facilities at Suffolk County Sewer District No. 11 – Selden to
be published at least once in each of the official newspapers of the County and proof
thereof has been presented to the County Legislature; and
WHEREAS, pursuant to such Notice of Public Hearing, a public hearing was held by the Legislature of the County of Suffolk in Hauppauge, New York in said County on June 6, 2017 at 2:30 p.m., Prevailing Time; and

WHEREAS, since there are electors residing in Suffolk County Sewer District No. 11 – Selden, Sections 256 and 269 of Article 5-A of the New York County Law require that the increases in the maximum amount to be expended on increases and improvements to Suffolk County Sewer District No. 11 – Selden shall be subject to permissive referendum; and

WHEREAS, by this Resolution, it is the intent of the Suffolk County Legislature to submit the findings and order regarding the increase in the maximum amount to be expended for the increases and improvements to Suffolk County Sewer District No. 11 – Selden in order to subject such findings and order to permissive referendum; and

WHEREAS, said County Legislature has duly considered the amended map, plan, recommendations, and revised estimate of cost for the increases and improvements to Suffolk County Sewer District No. 11 – Selden, as well as evidence given at the public hearing held on June 6, 2017; now therefore be it

1st

RESOLVED, that this Legislature, being the State Environmental Quality Review Act (“SEQRA”) Lead Agency, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Title 6 NYCRR Part 617.5 (C) (20) and (27) as the proposal involves the adoption of regulations, policies, procedures, and local legislative decisions in connection with routine or continuing agency administration and management; and be it further

2nd

RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence presented at the aforesaid public hearing and after due consideration of the amended maps, plans, reports, recommendations, and revised estimate of costs filed with the Legislature of the County of Suffolk and attached to this Resolution and Order as Exhibit A, it is hereby found and determined that the revised total cost for the increases and improvements to Suffolk County Sewer District No. 11 – Selden shall be set at a maximum of $10.75 million, which shall be financed using sewer district serial bonds.

Section 2. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid amended maps, plans, reports, recommendations and revised estimate of costs it is hereby found and determined that the increase to the costs of the increases and improvements to Suffolk County Sewer District No. 11 – Selden, as set forth in such amended maps, plans, reports, recommendations and revised estimate of costs, is necessary, convenient, and desirable.

Section 3. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid amended maps, plans, reports, recommendations and revised estimate of costs, it is hereby further found and determined that the proposed work involving the increases and improvements to Suffolk County Sewer District No. 11 – Selden is adequate and appropriate and the cost thereof will not constitute an undue
burden on the properties in said District and that no properties in said District will be excluded from the benefit of the increases and improvements.

Section 4. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid amended maps, plans, reports, recommendations, and revised cost estimates, it is further found and determined that it is in the public interest to expend a maximum amount of $10.75 million on the increases and improvements to Suffolk County Sewer District No. 11 – Selden, as set forth in such amended maps, plans, reports, recommendations and revised estimate of costs.

3rd RESOLVED, IT IS HEREBY ORDERED, by the County Legislature of the County of Suffolk, New York as follows:

Section 1. The increase to the amount to be expended on the increases and improvements to Suffolk County Sewer District No. 11 – Selden, as more particularly described in the amended maps, plans, reports, recommendations, and revised estimate of costs attached as Exhibit A, are hereby approved.

Section 2. Upon the effective date of this Resolution and Order, the Suffolk County Department of Public Works and the Administrative Head of Suffolk County Sewer District No. 11 – Selden are hereby authorized and directed to carry out the increases and improvements to said District as more particularly described in the amended maps, plans, reports, recommendations and revised estimate of costs attached as Exhibit A.

Section 3. The Clerk of this Legislature is hereby authorized and directed to cause a certified copy of this Resolution and Order to be recorded in the Office of the Clerk of the County of Suffolk, New York, within ten days of the effective date of this Resolution and Order in accordance with the provisions of New York County Law Sections 253-b and 259.

4th RESOLVED, that this Resolution and Order authorizing the increase to the maximum amount to be expended on the increases and improvements for Suffolk County Sewer District No. 11 – Selden, shall not take effect until at least forty-five (45) days after its adoption, or until approved by the affirmative vote of the majority of the qualified electors who are resident within Suffolk County Sewer District No. 11 – Selden voting on a proposition for its approval if within forty-five (45) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against the passage of this Resolution and Order in conformity with the provisions of Section 257 of the New York County Law.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
March 31, 2017

Honorable DuWayne Gregory, Presiding Officer
Suffolk County Legislature
725 Veterans Memorial Hwy
Smithtown, NY 11787

RE: Proposed Increase and Improvement to the Facilities of
Suffolk County Sewer District No. 11 – Selden (CP 8117)
Amended Map & Plan

Presiding Officer Gregory:

In connection with the above captioned matter, I herewith submit to you a report together with the recommendations relative thereto. Pursuant to Article 5-A of New York State County Law, we have requested a resolution calling for a public hearing. The Adopted Capital Program & Budget contains sewer district serial bonds in 2017 and 2018. Prior related plans were subject to appropriations in 2015 and 2016 and due to additional funds required, an amended plan is needed. This report will address the impact of the project. The total cost of this project is $10.75 million when amortized, will exceed the 3% stabilized cap, however, there is no fiscal impact due to the stabilization of rates by the ASRF. The project involves the repair and/or replacement of the sewerage system including engineering, pump stations, force mains and sanitary sewers in Sewer District No. 11.

If you wish any further information or details, please contact John Donovan, P.E., Chief Engineer, Division of Sanitation, at 631-852-4204.

Sincerely,

Gilbert Anderson, P.E.
Commissioner
Administrative Head of
Suffolk County Sewer District No. 11

GA:BW:ni
Attachment
cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Deputy County Executive/Chief of Staff
Peter Scully, Deputy County Executive
Theresa Ward, Commissioner, Economic Development
Connie Corso, Budget Director
Debra Kolyer, Principal Financial Analyst
Dennis Brown, Esq., County Attorney
Robert Braun, Esq., County Attorney
Marisa Schifano, Esq., Assistant County Attorney
Suffolk County Legislators
Thomas Vaughn, Deputy Commissioner, Public Works
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation

if:SANITATION\Sewer-districts\ed11 - Selden\CP 8117 2017\ga-bw3-31-17 ed11 Selden CP 8117 Ltr to SC Leg DGregory.doc

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■
(631) 852-4010 FAX (631) 852-4150
COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS

Report and Recommendations
for the Proposed Improvements to
the Facilities of

SUFFOLK COUNTY
SEWER DISTRICT NO. 11 - SELDEN
(CP 8117)

GILBERT ANDERSON, P.E.
COMMISSIONER

FEBRUARY 2016
AMENDED MARCH 2017
# Table of Contents

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General Description

Suffolk County Sewer District No. 11 - Selden is located in the unincorporated hamlets of North Selden, Coram, Terryville, and Mount Sinai in the Town of Brookhaven, County of Suffolk, New York. The district covers an area of approximately ten square miles and lies in the center of the Town. Exhibit 'A' depicts the district boundaries.

Historical Background

Pursuant to Section 270 of Article 5A of the County Law, Suffolk County Sewer District No. 11 - Selden was established by Suffolk County Legislative Resolution No. 1029-1977 effective November 17, 1977. After receiving the approvals from all the necessary governmental agencies, the sewage treatment plant and collection system which had been owned by a transportation corporation known as Selden Sanitary Corp. was acquired by the District on January 16, 1978.

The original treatment plant was built to treat sewage flows from 1,200 homes with a design average daily flow of 360,000 gallons per day. Four expansions have taken place in 1972, 1973, 1992, and 2005. The plant's capacity has been increased to 2.36 mgd with tertiary treatment available to meet groundwater standards in 2005.

Prior hearings and appropriations in 2015 and 2016 made appropriations of $3 million in serial bonds available. Due to additional funds being required, an amended Map and Plan is needed.

Technical Considerations

The existing sewage conveyance system includes approximately 20 miles of gravity sewers and 23 pumping stations with force mains. The sewers range in size from 8" to 18" in diameter. The force mains are 4" to 12" in diameter. The pumping stations range in capacity from 100 gallons per minute to 1,500 gallons per minute. The majority of this system was installed 30 to 40 years ago with some of the material being asbestos cement which is more subject to deterioration than the newer materials. This project is to rehabilitate and replace portions of the gravity and force main piping that has experienced problems in the past and has led to emergency response and overtime costs. In addition to prior appropriations, the project will have the remaining required funding available in 2017 and 2018. Engineering assistance is necessary for a portion of the work with a combination of bid projects with contractor assistance and in-house construction will take place.
Environmental Approval

A presentation was made to Suffolk County Council on Environmental Quality to describe the proactive approach taken to improve the conveyance system. A determination was made that the project was a Type II and a resolution was adopted by the County Legislature as lead agency and is attached as Exhibit ‘B’.

Improvement Costs

During 2015 and 2016, $3 million was appropriated for the project. The Adopted Capital Program and Budget has $5.25 million identified in 2017 and $2.5 million in 2018. This level of funding is anticipated to address the problems that are currently identified. Extending the useful life of the deteriorated portions of the sewage conveyance system will reduce the potential for an emergency response which often occurs in non-working hours and, therefore, on an overtime basis. A planned and proactive approach is more efficient in resolving the problem. A large portion of the funding will address the need to replace nearly 4,000 feet of force main from Pump Station No. 3 to the WWTP. Exhibit ‘C’ includes a project schedule. Minor appropriations have been expended, however, the 2016-2018 appropriations are to be used after 2017.

Proposed Financial Plan

The district is ad valorem and has two zones of assessment. Additionally, it has a small portion of land which is tax exempt and, therefore, pays only for capital costs. The new capital improvements will affect all the lands assessed for capital costs and, therefore, the new bond issues will be paid by all lands in the district on a pro-rata basis according to the ad valorem assessments along with those connections that are outside the boundaries and under contract with the County.

The Adopted Capital Program and Budget includes $5.25 million in 2017 and $2.5 million in 2018. Prior appropriations are $3 million. A review of the schedule indicates that funds will be used in 2018-2020 and, if the ARLF were used, results in the maximum debt in 2021. A comparison of the Assessment Stabilization Reserve Fund to amortization of sewer district serial bonds is made. The actual increase in annual sewer charge will be the ARLF (3%). In order to establish what the cost is to the district, the debt service schedule for the appropriation was evaluated. The scheduling of the project indicates that the year following the appropriation would be the year where the first payment will be paid assuming the level debt concept continues. Following this sequence for the appropriation, the maximum amount in any one year is level and during 2021 is $833,328. In evaluating the impact of this rate, two factors are important, that
being the use of the Assessment Stabilization Reserve Fund that increases the rate by 3% per year regardless of any project that is initiated. The second element is a comparison to the mode assessed value within the district along with the total district assessed valuation. Likewise, the maximum repayment with an unsubsidized concept can be compared to these values.

As indicated above, a proactive approach will reduce overtime costs. Aside from this factor, there is no other impact on the operating budget and, therefore, it is assumed not to change because of the project.

The financing currently utilized for the County sewer district capital projects is approximately 4% over 18 years. It is assumed that this financing concept will be utilized. As can be seen in Exhibit ‘D’ the Financial Evaluation, the typical property is paying approximately $436 per year during 2017 and with a 3% increase per year the 2021 rate would be nearly $491 per year. If no subsidy was available, the current cost of $436 would increase to nearly $635 by 2021. The conclusion is that regardless of any concept used, the current law stipulates that a 3% increase per year would be applied to the district and, therefore, the rate will increase by that amount reaching nearly $491 during 2021, or approximately $14/year/typical property.

Conclusions and Recommendations

As has been indicated above, the District's sewage conveyance facilities are in need of the recommended improvements. The current condition is inefficient due to the need for an emergency response to failure and the use of overtime labor or contractor service at a premium cost. Implementation of the project will reduce the cost of emergency response to failure. The rate, however, will continue to rise by 3% per year in order to have the ASRF available to stabilize the rate.

I respectfully recommend that authorization be given to proceed immediately.

Respectfully submitted,

[Signature]

For: Gilbert Anderson, P.E.
Commissioner of Public Works
and Administrative Head of
Suffolk County Sewer District
No. 11 - Selden

H:\SANITATION\Sewer-districts\sd11 - Selden\CP 8117 2017\ga-bw3-31-17 sd11 R&R for Propsd Improv to facilities CP 8117.doc
Exhibit 'A'

Sewer District No. 11 - Selden

District Boundary
Exhibit 'B'

SEQR A
RESOLUTION NO. 512-2012, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED IMPROVEMENTS TO SEWER DISTRICT NO. 11 - SELDEN (CP 8117), TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Improvements to Sewer District No. 11 - Selden (CP 8117), Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves replacing the portions of the sewage conveyance system prior to emergency response or failure; and

WHEREAS, at its May 16, 2012 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2)(20) and (27) and Chapter 450 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated May 16, 2012 of said recommendations; and

WHEREAS, Section 450-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Improvements to Sewer District No. 11 - Selden (CP 8117), Town of Brookhaven constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2)(20) and (27) and Chapter 450 of the Suffolk County Code, as the project involves the repair and/or replacement of facilities in-kind; and be it further

2nd RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 450-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County.

Date:
Exhibit 'C'

Project Schedule
## Sewer District No. 11 - Selden
CP 8117 - Sewers

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Exhibit 'D'

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**MODE**
2700

**SUM**
15631328
Exhibit D
Sewer District No. 11 – Selden
Financial Evaluation

Total Project Cost $10.75 million
2017 Adopted Rate = $161,4313/$1,000 Assessed Value
Assessed
Mode Value = $2,700
2017 Charge = $161,4313/$1,000 x $2,700 = $435.86/year

Project Cost
1. Using ASRF @ 3% increase
   2018 & 2019 & 2020 & 2021 charges = $448.94 & $462.41 & $476.28 & $490.57
   respectively, (increase of ~$13.00-$14.00/year)

2. Without ASRF – amortize @ 4%, 18 years,
   Annual debt service = $833,328 (1)
   Total district AV = 15,631,328
   Rate = $833,328/15,631,328 = $53.31/$1,000 AV
   Increase = $53.31/$1,000 x $2,700 = $143.94/year
   2021 rate = $634.51 ($490.57 + $143.94)

Due to the use of the ASRF, there is no fiscal impact. The rate will increase by 3% regardless of
the project.

(1) Sum of three bonds which are at level debt from 2021 on.
### Suffolk County

SD 11 - Selden CP 8117
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| Total      |        | $2,250,000.00 | $889,513.16 | $3,139,513.16 | $3,139,513.16 |

Amount to Bond: $52,250,000
### Suffolk County
**SD 11 Selden**  
**Level Debt**

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<th>Coupon</th>
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<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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| Amount to Bond | $6,000,000.00 | $2,372,035.10 | $8,372,035.10 | $8,372,035.10 |
### Suffolk County

**SD 11 Selden**

**Level Debt**

<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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</thead>
<tbody>
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**Amount to Bond:** $2,500,000.00

**Total Debt Service:** $988,347.96

**Fiscal Debt Service:** $3,488,347.96
1. **Type of Legislation**
   - Resolution **X**
   - Local Law
   - Charter Law

2. **Title of Proposed Legislation**
   A resolution making certain findings and determinations and an order for the modification of the plan of service for Suffolk County Sewer District No. 11 – Selden (CP 8117).

3. **Purpose of Proposed Legislation**
   To make certain findings and determinations for the improvement to the sewer collection system.

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 $10.75 million project will be funded by the district residents using serial bonds, stabilized by the ASRF.

7. **Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.**
   Rates are stabilized by the ASRF, therefore, a 3% increase per year resulting in the typical property increase being $14 per year.

8. **Proposed Source of Funding**
   Serial Bonds, supported by ASRF

9. **Timing of Impact**
   2018-2036 (See No. 7)

10. **Typed Name & Title of Preparer**
    Ben Wright, P.E.
    Principal Civil Engineer, Sanitation

11. **Signature of Preparer**
    Ben Wright

12. **Date**
    5-25-17
# FINANCIAL IMPACT
**2017 PROPERTY TAX LEVY**
**COST TO THE AVERAGE TAXPAYER**

## GENERAL FUND

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<th>2017 COST TO AVG TAXPAYER</th>
<th>2017 RATE PER $1000</th>
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## POLICE DISTRICT AND DISTRICT COURT

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<th>2017 FEV TAX RATE PER $1000</th>
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## COMBINED

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<th>2017 FEV TAX RATE PER $1000</th>
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<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

## NOTES:
3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
TITLE OF BILL – Making Certain Findings and Determinations and an Order for the Modification of the Plan of Service for Suffolk County Sewer District No. 11 – Selden (CP 8117).

PURPOSE OR GENERAL IDEA OF BILL – Making certain findings and determinations in relation to a public hearing as a prerequisite to requesting appropriations. This resolution is subject to a required permissive referendum.

SUMMARY OF SPECIFIC PROVISIONS – Provides the findings of the public hearing on an improvement project and costs for SCSD #11 – Selden. Meets the requirements of NYS County Law, Article 5-A.

JUSTIFICATION – The findings of the public hearing will be subject to a permissive referendum and will allow appropriations to be made in accordance with the adopted budget.

FISCAL IMPLICATIONS – Sewer district costs are stabilized by the ASRF. The annual increase of 3% is approximately $14 per year per typical property.
MEMORANDUM

TO: Lisa Santeramo, Deputy County Executive/Chief of Staff
FROM: Gilbert Anderson, P.E., Commissioner
SUBJECT: A Resolution Making Certain Findings and Determinations and an Order for the Modification of the Plan of Service for Suffolk County Sewer District No. 11 – Selden (CP 8117)
DATE: May 26, 2017

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW SD 11 – Selden CP 8117 Improvements 5-26-17 and backup filed as Backup-DPW SD 11 – Selden CP 8117 Improvements 5-26-17 for the findings resolution of the improvement of Sewer District No. 11 – Selden which is subject to a permissive referendum. The project is to provide funds for the improvements to the sewer collection system. The construction project is designed and requires an additional $7.75 million using serial bonds supported by the ASRF. The total cost associated with the project is approximately $10.75 million.

We appreciate the resolution being laid on the table such that the appropriations can be adopted as soon as necessary.
RESOLUTION NO. - 2017, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND ISSUING AN ORDER IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 21 – SUNY (CP 8121)

WHEREAS, pursuant to New York County Law Section 268, the Suffolk County Sewer Agency has prepared and submitted to the Legislature of the County of Suffolk, New York maps, plans, recommendations and cost estimates pertaining to an increase and improvement to facilities at Suffolk County Sewer District No. 21 – SUNY; and

WHEREAS, such maps, plans, recommendations and cost estimates addressed increases and improvements related to, among other things, Improvements to the sewer system for Suffolk County Sewer District No. 21 – SUNY; and

WHEREAS, these maps, plans, recommendations and cost estimates accompanied Suffolk County Resolution No. 405-2017 and are attached to this Resolution and Order as Exhibit A; and

WHEREAS, the total estimated cost for the increases and improvements to Suffolk County Sewer District No. 21 – SUNY is $1.0 million; and

WHEREAS, this cost will be financed utilizing sewer district serial bonds but there will be no fiscal impact caused to the benefited properties in said District as a direct result of the cost of the increases and improvements inasmuch as, pursuant to the ASRF, all property owners in Suffolk County sewer districts experience a 3% annual increase regardless of any increases or improvements performed; and

WHEREAS, in the case of the property owners in Suffolk County Sewer District No. 21 – SUNY, the annual 3% ASRF increase will result in an increase of approximately $7.00 to the typical property (mode) within the District, regardless of the increase or improvement to facilities; and

WHEREAS, pursuant to Suffolk County Resolution No. 405-2017 and New York County Law Section 254, the Clerk of the Legislature did duly cause a Notice of Public Hearing regarding such increases and improvements to Suffolk County Sewer District No. 21 – SUNY to be published at least once in each of the official newspapers of the County and proof thereof has been presented to the County Legislature; and

WHEREAS, pursuant to such Notice of Public Hearing, a public hearing was held by the Legislature of the County of Suffolk in Hauppauge, New York in said County on June 6, 2017 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map, plan, recommendations, and estimate of cost for the increases and improvements to Suffolk County Sewer District No. 21 – SUNY, as well as evidence given at the public hearing held on June 6, 2017; now therefore be it
1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act ("SEQRA") Lead Agency, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Title 6 NYCRR Part 617.5 (C) (20) and (27) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; as the proposal involves the adoption of regulations, policies, procedures, and local legislative decisions in connection with routine or continuing agency administration and management; and be it further

2nd RESOLVED, by the Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence presented at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and estimate of costs filed with the Legislature of the County of Suffolk and attached to this Resolution and Order as Exhibit A, it is hereby found and determined that the total cost for the increases and improvements to Suffolk County Sewer District No. 21 – SUNY shall be set at a maximum of $1.0 million, which shall be financed using sewer district serial bonds.

Section 2. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid maps, plans, reports, recommendations and estimate of costs it is hereby found and determined that the increases and improvements to Suffolk County Sewer District No. 21 – SUNY, as set forth in such maps, plans, reports, recommendations and estimate of costs, are necessary, convenient, and desirable.

Section 3. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid maps, plans, reports, recommendations and estimate of costs, it is hereby further found and determined that the proposed work involving the increases and improvements to Suffolk County Sewer District No. 21 – SUNY is adequate and appropriate and the cost thereof will not constitute an undue burden on the properties in said District and that no properties in said District will be excluded from the benefit of the increases and improvements.

Section 4. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid maps, plans, reports, recommendations, and cost estimates, it is further found and determined that it is in the public interest to expend a maximum amount of $1.0 million on the increases and improvements to Suffolk County Sewer District No. 21 – SUNY as set forth in such maps, plans, reports, recommendations and estimate of costs.

3rd RESOLVED, IT IS HEREBY ORDERED, by the Legislature of the County of Suffolk as follows:

Section 1. The increase and improvements to Suffolk County Sewer District No. 21 – SUNY, as more particularly described in the maps, plans, reports, recommendations, and estimate of costs attached as Exhibit A, are hereby approved.

Section 2. Upon the effective date of this Resolution and Order, the Suffolk County Department of Public Works and the Administrative Head of Suffolk County Sewer District No. 21 – SUNY are hereby authorized and directed to carry out the increases and
improvements to said District as more particularly described in the maps, plans, reports, recommendations and estimate of costs attached as Exhibit A.

Section 3. The Clerk of this Legislature is hereby authorized and directed to cause a certified copy of this Resolution and Order to be recorded in the Office of the Clerk of the County of Suffolk, New York, within ten days of the effective date of this Resolution and Order in accordance with the provisions of New York County Law Section 259.

4th RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
1. Type of Legislation
   Resolution **X**  Local Law  Charter Law

2. Title of Proposed Legislation
   A resolution making certain findings and determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 21 – SUNY (CP 8121).

3. Purpose of Proposed Legislation
   To make certain findings and determinations for the improvements to the sewer system SCSD No. 21 – SUNY.

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

5. If the answer to Item 4 is "yes," on what will it impact?  (circle appropriate category)
   - County
   - Village
   - Library District
   - Town
   - School District
   - Fire District
   - Economic Impact
   - Other (Specify): Sewer District

6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact
   $1.0 million will be financed using sewer district serial bonds supported by the ASRF.

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

8. Proposed Source of Funding
   Serial bonds and ASRF.

9. Timing of Impact
   2019

10. Typed Name & Title of Preparer
    Ben Wright, P.E.
    Principal Civil Engineer
    Sanitation

11. Signature of Preparer
    [Signature]

12. Date
    5-25-17
Exhibit ‘A’
Honorable DuWayne Gregory, Presiding Officer
Suffolk County Legislature
725 Veterans Memorial Hwy
Smithtown, NY 11787

RE: Proposed Improvement to the Facilities of Suffolk County
Sewer District No. 21 – SUNY (CP 8121)

Presiding Officer Gregory:

In connection with the above captioned matter, I herewith submit to you a report together with the recommendations relative thereto. Pursuant to Article 5-A of New York State County Law, we have requested a resolution calling for a public hearing. It is noted that the SD #21 - SUNY facility serves Suffolk County SD #10 – Stony Brook and SD #19 – Haven Hills which are the focus of the financial evaluation and hearing as well as Brookhaven Sewer District No #1 which has capacity created by SUNY. The total 2017 cost of this project is $1.0 million, $200,000 for SD #10 and SD #19 and $800,000 for SD #21 when amortized and considering the ASRF subsidy, the project will raise the rates in SD #10 by approximately $18 for the average home and less than $7 for the mode. In SD #19, the mode will be raised by less than $7. The State Comptroller’s threshold for an application is $14 per year, however due to the use of ASRF, there is no fiscal impact and, therefore, an application to the State Comptroller will not be required.

If you wish any further information or details, please contact John Donovan, P.E., Chief Engineer, Division of Sanitation, at 652-4204.

Sincerely,
Gilbert Anderson, P.E.
Commissioner
Administrative Head of
Suffolk County Sewer District No. 21

GA:BW:ni
Attachment
cc:
Dennis Cohen, Chief Deputy County Executive
Lisa Santeramo, Deputy County Executive/Chief of Staff
Peter Scully, Deputy County Executive
Theresa Ward, Commissioner, Economic Development
Connie Corso, Budget Director
Debra Kelsey, Principal Financial Analyst
Dennis Brown, Esq., County Attorney
Robert Bruns, Esq., County Attorney
Marissa Schifano, Esq., Assistant County Attorney
Suffolk County Legislators
Tom Vaughn, Deputy Commissioner, Public Works
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE  YAPHANK, N.Y. 11980
(631) 852-4010  FAX (631) 852-4150
County of Suffolk

Department of Public Works

Report and Recommendations
for the
Improvements to Facilities of

SUFFOLK COUNTY SEWER DISTRICT 21 - SUNY

(INCLUDING SD 10 - STONY BROOK AND SD 19 - HAVEN HILLS
AND BROOKHAVEN SEWER DISTRICT NO. 1)

(CP 8121)

GILBERT ANDERSON, P.E.
COMMISSIONER

April 2017
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D. Public Hearing Financing

FIGURES

No. 1 District Boundaries
No. 2 Project Schedule
Improvements to Facilities of Suffolk County
Sewer District No. 21 - SUNY (Including SD 10 - Stony Brook and
SD 19 - Haven Hills and Brookhaven Sewer District No. 1)
CP 8121

Summary

Sewer District No. 21 - SUNY provides the wastewater
treatment capabilities to serve the campus as well as
Suffolk County Sewer Districts No. 10 - Stony Brook,
Suffolk County Sewer District No. 19 - Haven Hills, and
Brookhaven Sewer District No. 1. The facility requires
enhancements due to the loss of service to an influent
screen and reliability issues with some electrical systems.
The improvements that are the focus of this report will
provide firm capacity in the headworks and upgraded
electrical systems. The improvements which will be
initiated during 2017 will cost $1.0 million. An
application will not be made to the New York State
Comptroller. The focus of the report is on the financial
impacts to Suffolk County Sewer District No. 10 and Sewer
District No. 19 where the conclusion is that with the
financial plan, the cost per typical property within those
sewer districts will be more than the State Comptroller's
threshold of $14 per typical property per year, those costs
being approximately $18 for the average and $7 for the mode
in Sewer District No. 10 and $7 in Sewer District No. 19.
Due to the use of the ASRF, there is no fiscal impact.

Introduction

Suffolk County Sewer District No. 21 was created on
December 18, 1984 through state legislation (Chapter 984 of
1984) in order to receive federal and state construction
grants funding with the facility being operational in March
of 1989. As a result of a review of a myriad of
alternatives, the facility was sized to incorporate not
only the campus but the sewage generated by Sewer District
No. 10 - Stony Brook and Sewer District No. 19 - Haven
Hills. Following the creation of the district, SUNY
allocated 60,000 gallons per day to the Brookhaven Research
and Development Park which was subsequently created as
Brookhaven Sewer District No. 1. The Suffolk County Sewer
Agency acting as the staff of the Suffolk County Sewer
District No. 21 - SUNY and other districts is responsible
for the operation and maintenance of the facilities.
**District Population**

The various areas of the sewer service area include the SUNY campus with a population equivalent of approximately 32,000. Sewer Districts No. 10 and No. 19 have a total of 2,163 parcels with an estimated population of approximately 7,000. Sewer District No. 10 and Sewer District No. 19 are predominately residential in nature with some commercial connections. Sewer District No. 10 is paid for based on assessed value of the district residents and connections and Sewer District No. 19 is a benefit district being charged an annual rate adjusted accordingly. Brookhaven Sewer District No. 1 is a research and commercial area with a population equivalent of approximately 250.

**General Boundary Description**

The District boundaries are shown on Figure No. 1. The District is located in the central portion of the Town of Brookhaven and the County of Suffolk. The district is approximately 3.2 square miles including the various sewer districts described above.

In addition to the gravity sewer system for each of the service areas, there are also eight remote pumping stations that convey sewage that eventually reaches the wastewater treatment facility and pumping facilities on the SUNY campus. There is also equalization facilities located at both Brookhaven Sewer District No. 1 and the Sewer District No. 10 site. SD 10 formerly contained an outdated wastewater treatment facility that was abandoned in 1989.

**Wastewater Treatment Facilities**

The SUNY Wastewater Treatment Facility is capable of treating 2.5 million gallons per day through an oxidation ditch biological system. The process flow train includes pumping, influent screening, biological treatment in the oxidation ditch, secondary sedimentation, denitrification filtration, disinfection, effluent pumping, and discharge to Port Jefferson Harbor and Long Island Sound. Residuals such as screenings and waste sludge are removed and
disposed of elsewhere. Auxiliary systems exist for the major processes.

**Technical Considerations and Project Status**

In order to continue to meet the various limitations of discharge to Long Island Sound, improvements are necessary. The 2017 improvements are the focus of this report and include electrical and influent screening enhancements in the existing process. Exhibit 'A' includes a summary of the project.

**Legal and Environmental Considerations**

Continual compliance with the NYSDEC permit is mandated thus requiring improvements proposed by this project. Consideration is given to the sewer district formation and various service area responsibilities (Exhibit 'B'). Exhibit 'C' includes the Sewer Agency and Legislative SEQRA Resolutions.

**Project Schedule**

The overall project has a schedule impacted by financing, stakeholder input and environmental and regulatory approvals. The 2017 improvements, the focus of this report, have a schedule attached as Figure No. 2.

**Improvement Costs**

The costs of $1.0 million are allocated between the various users within the service area including Sewer District No. 10 and Sewer District No. 19. The Adopted Capital Program and Budget includes $800,000 in 'other' funds (SD #21 - SUNY) and $200,000 in sewer district serial bonds (SD #10 & SD #19).

**Plan Implementation and Funding**

The project is considered mandated due to the permit of the facility. The majority of the cost of the project is through the financial contributions from SUNY (including Brookhaven Sewer District No. 1) with the remaining being sewer district serial bonds from Suffolk County Sewer District No. 10 and Sewer District No. 19. It is anticipated that SUNY may make a one-time initial payment. The County districts will finance the project with bonds.
amortized at 4% over 18 years, however, due to use of the ASRF, no fiscal impact is linked to this project.

**Proposed Financial Plan and Cost to Homeowner**

Sewer District No. 21 was formed by State Legislation which is attached as Exhibit 'B'. Suffolk County Sewer Districts No. 10, No. 19, and Brookhaven Sewer District No. 1 were created through New York State County and Town Law. Sewer District No. 10 was acquired by Suffolk County, being formally created on November 15, 1977 and Sewer District No. 19 was created on January 8, 1986. All properties in the County districts, with the exception of tax exempt properties in Sewer District No. 10, will have their allocated project costs based on their Assessed Value (SD 10) or their sewage flows of the project (SD 19). Sewer District No. 21 is billed for prior debt expenditures along with the percent allocation of use while Sewer District No. 10 and Sewer District No. 19 are the focus of the financial plan and cost to the homeowners. Currently, Sewer District No. 10 residents pay approximately $589 and $221 per year based on the assessed value of residential property for the average and mode of parcels, respectively, while all Sewer District No. 19 residents pay $232 per year as a benefit district.

The financing for the CP 8121 improvement project will be through the sale of 18 year bonds issued at an interest rate of 4.0% on an amount of $200,000. The average cost for the project allocated to Sewer District No. 10 and Sewer District No. 19 based on these conditions is $15,503.77. The payments will begin in 2019. The basis of reimbursement for the project is based on the Adopted Capital Program and Budget. The facility ultimate flow is 2.8 million gallons per day of which 0.5 mgd is allocated to Sewer District No. 10 and Sewer District No. 19. As indicated in Exhibit 'D', the mode of Sewer District No. 10 is $1,118 while the average and median are $3,104 and $3,080. The mode is due to condominiums in the district and may not be truly representative of the impact on the users. The average and mode values are included herein. SD #19 is a small benefit district. The rate established by $200,000 being allocated to Sewer District No. 10 and Sewer District No. 19 results in a cost increase of approximately $7.14 per year for the typical property in Sewer District No. 10 for construction if the ASRF is not used. However, the subsidy by the ASRF is an increase of 3% or $7 and $18 per typical property (mode and average, respectively) for Sewer District No. 10 and $7 per typical property for Sewer District No. 19. The
focus of this report is Sewer District No. 10 and Sewer District No. 19 due to the typical property occurring within the residential service area. The typical property is of significance due to either a notification or application to the New York State Comptroller.

As indicated in Exhibit 'D' the cost responsibility of SD 21 - SUNY (including BSD#1) is $800,000.

In addition to the repayment of capital cost, the improvements will not increase the operation and maintenance cost.

The total annual cost per average Sewer District No. 10 property based on ASRF funds is above the $14 per year which is the threshold of the New York State Department of Audit and Control requiring an application. The mode, however, is $7 per typical property. An application to that agency will not be made since the increase is due to the ASRF, not the project financing. The notification to the Comptroller will include the unsubsidized cost to the typical property of $7.14.

**Recommendations, Comments and Findings**

Due to the use of the ASRF being factors in the project financing, the district's tax increase will not be appreciably affected by this project. The improvements are necessary in order to continue to meet the permit limitations of NYSDEC. It is, therefore, imperative that the proposal be implemented as soon as possible and, therefore, I respectfully request and recommend the authorization be given to proceed immediately.

Respectfully submitted,

Gilbert Anderson, P.E.
Commissioner and
Administrative Head of
Sewer Districts
EXHIBIT A

CP 8121 Summary
Capital Project 8121

Improvements to SD #21 – SUNY

Suffolk County Sewer District No. 21 (S.C.S.D. 21) – SUNY is located on the campus of the State University of Stony Brook. This capital project is to provide the design and construction of the necessary improvements to the wastewater treatment plant. SD #21 serves the properties within the district boundaries that is the SUNY Stony Brook campus as well as remote SD #10 and SD #19 and the Brookhaven Sewer District No. 1.

The WWTP was constructed in late 1989 with upgrades recently completed. It is necessary to improve the original plant influent screen area through the purchase and installation of screening devices. Additionally, electrical repairs and enhancements are needed. It is necessary to continue the rehabilitation and improvements to extend the useful life and to insure the regulated permit limits are met. Rehabilitation of buildings, tanks, piping and mechanical-electrical components may be addressed. All work is in-kind replacement and rehabilitation.
EXHIBIT B

SD #21 Formation Legislature

&

Agreement
Amendment of Agreement

As Revised 3-19-97

This Agreement is made as of the 19th day of March, 1997, by, between and among:

THE STATE UNIVERSITY OF NEW YORK, an educational corporation duly organized under, and existing by virtue of, the laws of the State of New York, with its principal offices at State University Plaza, Albany, New York 12246, hereinafter referred to as "State University," on behalf of the STATE UNIVERSITY OF NEW YORK AT STONY BROOK, hereinafter referred to as the "College," and

SUFFOLK COUNTY SEWER DISTRICT NO. 1 - PORT JEFFERSON, having offices at the Yaphank County Center, 335 Yaphank Avenue, Yaphank, New York 11980, hereinafter referred to as "DISTRICT 1," and

SUFFOLK COUNTY SEWER DISTRICT NO. 10 - STONY BROOK, having offices at the Yaphank County Center, 335 Yaphank Avenue, Yaphank, New York 11980, hereinafter referred to as "DISTRICT 10," and

SUFFOLK COUNTY SEWER DISTRICT NO. 21 - SUNY, having offices at the Yaphank County Center, 335 Yaphank Avenue, Yaphank, New York 11980, hereinafter referred to as "DISTRICT 21," and

SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS, a Department of the County government of Suffolk County, New York, having offices at the Yaphank County Center, 335 Yaphank Avenue, Yaphank, New York 11980, hereinafter referred to as "DPW," and

SUFFOLK COUNTY SEWER AGENCY, a unit of the County Government of Suffolk County, New York, having offices at the Yaphank County Center, 335 Yaphank Avenue, Yaphank, New York 11980, hereinafter referred to as the "AGENCY," and

COUNTY OF SUFFOLK, through the Chairman of the Suffolk County Sewer Agency, acting on behalf of the County, having offices at the Suffolk County Center, Riverhead, New York 11901, hereinafter referred to as the "COUNTY," and
Amendment of Agreement  

The BROOKHAVEN SEWER DISTRICT, a special improvement district duly formed under, and existing by virtue of, the laws of the State of New York, having offices at 3233 Route 112, Medford, New York 11763, hereinafter referred to as the "BSD."

WITNESSETH:

WHEREAS, Chapter 994 of the Laws of 1984, as amended by Chapter 431 of the Laws of 1985, created DISTRICT 21, and, *inter alia*, authorized DISTRICT 21 to treat the sewage conveyed to within its boundaries from DISTRICT 10, and authorized the execution of an agreement in furtherance of the intent of said legislation, and

WHEREAS, the parties hereto (with the exception of the BSD) entered into an agreement (the "1985 agreement"), dated July 1985 and bearing New York State Comptroller contract number C000280, which provides for the construction of a sewage treatment plant and attendant facilities ("the sewerage facilities") to serve DISTRICT 10 and DISTRICT 21, and

WHEREAS, the 1985 agreement apportions debt service costs and operation & maintenance costs for the sewerage facilities among the College and DISTRICT 10, and

WHEREAS, Chapters 220 and 710 of the Laws of 1993 granted authorization to DISTRICT 21 to treat the sewage conveyed to within its boundaries from SUFFOLK COUNTY SEWER DISTRICT NO. 19 – HAVEN HILLS ("DISTRICT 19") and the STONY BROOK TECHNOLOGY CENTER (the "SBTC"), in addition to the sewage from DISTRICT 10, and

WHEREAS, the Town of Brookhaven, New York, has formed the BROOKHAVEN SEWER DISTRICT, a special improvement district incorporating the STONY BROOK TECHNOLOGY CENTER, and

WHEREAS, in light of the connection of DISTRICT 19 and the BSD to DISTRICT 10, for conveyance of the sewage therefrom to DISTRICT 21, it is necessary to amend the 1985 agreement to allocate a portion of the debt service costs and operation & maintenance costs to DISTRICT 19 and the BSD,
NOW THEREFORE, in consideration of the individual and mutual covenants, promises and representations herein contained, the parties hereto do hereby agree as follows:

(I) Paragraph (3) of the 1985 agreement is hereby amended to read as follows:

(3) Debt Service. The parties hereto agree that the debt service costs of the NCSSSF shall be borne and paid for in the following manner:

(a) The College shall pay seventy-seven and six-tenths percent (77.6%) and the BSD shall pay two and four-tenths percent (2.4%) of the funds to be raised for debt service for the NCSSSF, based upon a combined design flow of 2.0 MGD against a total plant design flow of 2.5 MGD.

(b) DISTRICT 10 and DISTRICT 19 shall pay twenty percent (20%) of the funds to be raised for debt service for the NCSSSF, based upon a combined design flow of 0.5 MGD against a total plant design flow of 2.5 MGD.

(c) The College, DISTRICT 10, DISTRICT 19 and the BSD shall be billed for the amounts to be paid by them pursuant to subparagraphs (a) and (b) above.

(II) Paragraph (4) of the 1985 agreement is hereby amended to read as follows:

(4) Operation and Maintenance. The parties hereto agree that the operation and maintenance costs of the NCSSSF shall be borne and paid for in the following manner:

(a) The College shall pay to DISTRICT 21, in such manner as the Administrative Head of DISTRICT 21 shall determine, a portion of said operation and maintenance costs, which portion shall be determined by multiplying the total an-
annual operation and maintenance costs by the percentage figure obtained by dividing the actual total annual sewage flow generated by the College by the actual total annual sewage flow of the NCSSSF.

(b) DISTRICT 10 shall pay to DISTRICT 21, in such manner as the Administrative Head of DISTRICT 21 shall determine, a portion of said operation and maintenance costs, which portion shall be determined by multiplying the total annual operation and maintenance costs by the percentage figure obtained by dividing the actual total annual sewage flow generated by DISTRICT 10 by the actual total annual sewage flow of the NCSSSF.

(c) DISTRICT 19 shall pay to DISTRICT 21, in such manner as the Administrative Head of DISTRICT 21 shall determine, a portion of said operation and maintenance costs, which portion shall be determined by multiplying the total annual operation and maintenance costs by the percentage figure obtained by dividing the total actual annual sewage flow generated by DISTRICT 19 by the actual total annual sewage flow of the NCSSSF.

(d) The BSD shall pay to DISTRICT 21, in such manner as the Administrative Head of DISTRICT 21 shall determine, a portion of said operation and maintenance costs, which portion shall be determined by multiplying the total annual operation and maintenance costs by the percentage figure obtained by dividing the actual total annual sewage flow generated by the BSD by the actual total annual sewage flow of the NCSSSF.

(III) Paragraph (7) of the 1985 agreement is hereby amended to read as follows:

(7) For purposes of this agreement, there shall be no expansion of the boundaries of DISTRICT 10, DISTRICT 19 or the BSD as described in
Amendment of Agreement

Chapters 220 and 710 of the Laws of 1993 or as constituted on the date of this Agreement.

(IV) Paragraph (17) of the 1985 agreement is hereby amended to read as follows:

(17) The State University, the College, DISTRICT 1, DISTRICT 10, DISTRICT 19, DISTRICT 21, DPW, the AGENCY, the COUNTY and the BSD shall comply with all of the rules and regulations of the New York State Commissioner of Health, the New York State Department of Environmental Conservation and the United States Environmental Protection Agency, as well as with any and all other federal, state and local laws, pertaining to sewage treatment and disposal. Each of said entities shall pay its share of the cost of any such compliance.

(V) The sewage flow from the BSD shall not exceed sixty thousand gallons per day (60,000 GPD). The sewage flow from the BSD shall be monitored by a calibrated flow meter, acceptable to District 21, which shall be installed by the BSD at the BSD’s sole cost, expense and effort. District 21 shall inform the College, based on average monthly flow, of any incidence of sewage flow from the BSD in excess of the 60,000 GPD maximum. In the event of such excess flow, the BSD shall pay to the College the operation and maintenance costs attributable to such excess flow, plus a penalty of ten percent (10%) of such amount. The College reserves the right to commence an action for breach of contract for non-compliance with the terms of this paragraph (V).

(VI) This Agreement is subject to the approval and ratification of the Suffolk County Legislature and shall not become effective until such approval and ratification has been given.

(VII) The State University and the College represent and warrant that neither the State University nor the College, nor any official, officer, employee, etc., of the State University or the College, has offered or given any gratuity to any official, employee or agent of Suffolk County, New York State or any political party with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement, or the making of any determinations with respect to the performance of an agreement, and that the State University and the College have read and are familiar with the provisions of Suffolk County Local Law Number 32-1980.
(VIII) If any section, subsection, paragraph, clause, phrase or provision of this Agreement shall, by a court of competent jurisdiction, be adjudged or determined to be illegal, unlawful, invalid or unconstitutional, the same shall not affect the validity of this Agreement as a whole, or any part or provision hereof, other than the part so adjudged or determined to be illegal, unlawful, invalid or unconstitutional.

(IX) The parties hereto have duly executed this Agreement in counterparts, any one of which may be considered an original.

(X) The amendments of the 1985 agreement pertaining to the BSD as set forth herein shall become effective upon the connection of the BSD to District 21. The amendments of the 1985 agreement pertaining to District 19 as set forth herein shall become effective upon the connection of District 19 to District 21.

(XI) In all other respects, the terms and conditions of the 1985 agreement remain in full force and effect.

-End of Text-
Amendment of Agreement

As Revised 3-19-97

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the date hereinabove set forth:

AGENCY CODE: ____________________________

CONTRACT NUMBER: _______________________

Contract Dated: ____________________________

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.”

STATE UNIVERSITY OF NEW YORK:

By: ________________________________

Name: Richard L. Mann
Title: Vice President
Administration

SUFFOLK COUNTY SEWER DISTRICT
NO. 1 – PORT JEFFERSON, SUFFOLK
COUNTY SEWER DISTRICT NO. 10 –
STONY BROOK, SUFFOLK COUNTY
SEWER DISTRICT NO. 21 – SUNY, SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS and SUFFOLK COUNTY SEWER AGENCY

BY:

CHARLES J. BARTHA, P.E. Date
Acting Administrative Head of Suffolk County Sewer District Nos. 1, 10 and 21, Acting Commissioner of the Suffolk County Department of Public Works and Acting Chairman of the Suffolk County Sewer Agency

COUNTY OF SUFFOLK

By: ________________________________

ERIC A. KOPP Date
Chief Deputy County Executive

Page 7
Amendment of Agreement

BROOKHAVEN SEWER DISTRICT

By: 

PATRICIA STREBEL
Commissioner

Date

BROOKHAVEN SEWER DISTRICT

By: 

GEORGE A. DAVIS
Commissioner

Date

BROOKHAVEN SEWER DISTRICT

By: 

EDWARD J. HENNESSEY
Commissioner

Date

BROOKHAVEN SEWER DISTRICT

By: 

JOSEPH MACCHIA
Commissioner

Date

APPROVED AS TO FORM
NYS ATTORNEY GENERAL

MAY 26, 1998

STEPHEN J. HENNEL
ASSOCIATE ATTORNEY

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Amendment of Agreement

As Revised 3-19-97

BROOKHAVEN SEWER DISTRICT
By:

FELIX J. GEBCOI, JR. Date
Commissioner

BROOKHAVEN SEWER DISTRICT
By:

JOHN GAY LAVALLE Date
Commissioner

BROOKHAVEN SEWER DISTRICT
By:

EUGENE GERRARD Date

APPROVED AS TO FORM
NYS ATTORNEY GENERAL
MAY 26 1998

Page 8A
Amendment of Agreement

As Revised 3-19-97

APPROVED AS TO FORM

NEW YORK STATE DIVISION OF THE BUDGET
By:

RECOMMENDED BY:

CHARLES J. BARTHA, P.E.
Chief Deputy Commissioner
Department of Public Works

DATE

APPROVED AS TO FORM
NOT REVIEWED AS TO EXECUTION

ROBERT J. CIMINO
Suffolk County Attorney
By:

DATE

APPROVED AS TO FORM

DENNIS C. VACCO
Attorney General of the State of New York
By:

H. CARL McCALL
Comptroller of the State of New York
By:

Page 9
Amendment of Agreement

ACKNOWLEDGMENT

STATE OF NEW YORK  )
    ss:
COUNTY OF SUFFOLK  )

On the 23rd day of September, 1997, before me personally came
CHARLES J. BARTHA, to me known, who, being by me duly sworn, did depose and say that he
resides at East Moriches, New York, that he is the Acting Administrative Head of Suffolk County
Sewer District Nos. 1 – Port Jefferson, 10 – Stony Brook, and 21 – SUNY, the Acting Commis-
sioner of the Suffolk County Department of Public Works and the Acting Chairman of the Suffolk
County Sewer Agency, the Districts, Department and Agency described in, and which executed,
the foregoing Agreement, that he is authorized to sign the foregoing Agreement on behalf of said
entities, and that he signed his name thereto on their behalf.

[Signature]
Notary Public

[Signature]
NOTARY PUBLIC, State of New York
No. 4756029, Suffolk County
Term Expires March 30, 1999
ACKNOWLEDGMENT

STATE OF NEW YORK )
   ) ss:
COUNTY OF SUFFOLK )

On the 21st day of NOVEMBER, 1997, before me personally came
ERIC A. KOPP, to me known, who, being by me duly sworn, did depose and say that he resides at
_____________________________, New York, that he is the Chief Deputy County Executive of the County of Suffolk, the County described in, and which executed, the foregoing Agreement, that he is authorized to sign the foregoing Agreement on behalf of said County, and that he signed his name thereto on its behalf.

_____________________________
Notary Public

C. READ VAIL
Notary Public, State of New York
No. 01446952
Qualified in Suffolk County
Commission Expires July 31, 1997
ACKNOWLEDGMENT

STATE OF NEW YORK )
COUNTY OF SUFFOLK ) ss:

On the day of April, 1998, before me personally came

Richard L. Mann

to me known, who, being by me duly sworn, did depose and say that he resides at

20 Dickerson Court, Port Jefferson, NY 11777
New York, that he is the Vice President Administration
of the STATE UNIVERSITY OF NEW YORK, the educational corporation described in, and
which executed, the foregoing Agreement, that he knows the seal of said corporation, that the seal
affixed to the said Agreement is such corporation's seal, that it was so affixed by order of the
Board of Directors of said corporation, and that he signed his name thereto by like order.

Notary Public

JUDITH FRIEDLANDER
NOTARY PUBLIC, STATE OF NEW YORK.
NO. 485726.
QUALIFIED IN SUFFOLK COUNTY
COMMISSION EN ENG. NO. 5.

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ACKNOWLEDGMENTS

STATE OF NEW YORK )
 ) ss:
COUNTY OF SUFFOLK )

On the 15th day of April 1997, before me personally came PATRICIA STREBEL, to me known, who, being by me duly sworn, did depose and say that she resides at 123 Main Street, New York, that she is a Councilperson of the Town of Brookhaven and a Commissioner of the Brookhaven Sewer District, the special improvement district described in, and which executed, the foregoing Agreement, that she is authorized to sign the foregoing Agreement on behalf of the BROOKHAVEN SEWER DISTRICT, and that she signed her name thereto on behalf of said special improvement district.

Mary C. Budd
Notary Public

STATE OF NEW YORK )
 ) ss:
COUNTY OF SUFFOLK )

On the 10th day of April 1997, before me personally came EDWARD J. HENNESSEY, to me known, who, being by me duly sworn, did depose and say that he resides at 456 Maple Street, New York, that he is a Councilperson of the Town of Brookhaven and a Commissioner of the Brookhaven Sewer District, the special improvement district described in, and which executed, the foregoing Agreement, that he is authorized to sign the foregoing Agreement on behalf of the BROOKHAVEN SEWER DISTRICT, and that he signed her name thereto on behalf of said special improvement district.

Mary C. Budd
Notary Public
ACKNOWLEDGMENTS

STATE OF NEW YORK )
COUNTY OF SUFFOLK ) ss:

On the 10th day of April, 1997, before me personally came GEORGE A. DAVIS, to me known, who, being by me duly sworn, did depose and say that she resides at 234 Rainbow Ave, New York, that he is a Councilperson of the Town of Brookhaven and a Commissioner of the Brookhaven Sewer District, the special improvement district described in, and which executed, the foregoing Agreement, that he is authorized to sign the foregoing Agreement on behalf of the BROOKHAVEN SEWER DISTRICT, and that he signed her name thereto on behalf of said special improvement district.

[Signature]
Notary Public

MARY C. BUDD
NOTARY PUBLIC, State of New York
No. 409253
Qualified in Suffolk County
Commission Expires: 01/31/97

STATE OF NEW YORK )
COUNTY OF SUFFOLK ) ss:

On the 10th day of April, 1997, before me personally came JOSEPH MACCHIA, to me known, who, being by me duly sworn, did depose and say that he resides at 123 Maple Ave, New York, that he is a Councilperson of the Town of Brookhaven and a Commissioner of the Brookhaven Sewer District, the special improvement district described in, and which executed, the foregoing Agreement, that he is authorized to sign the foregoing Agreement on behalf of the BROOKHAVEN SEWER DISTRICT, and that he signed her name thereto on behalf of said special improvement district.

[Signature]
Notary Public

MARY C. BUDD
NOTARY PUBLIC, State of New York
No. 409253
Qualified in Suffolk County
Commission Expires: 01/31/97
Amendment of Agreement

STATE OF NEW YORK )
COUNTY OF SUFFOLK ) ss:

On the 10th day of April, 1997, before me personally came MARTIN J. KERINS, to me known, who, being be by duly sworn, did depose and say that he resides at _____, New York, that he is the Deputy Supervisor of the Town of Brookhaven and a Commissioner of the Brookhaven Sewer District, the special improvement district described in, and which executed, the foregoing Agreement, that he is authorized to sign the foregoing Agreement on behalf of the BROOKHAVEN SEWER DISTRICT, and that he signed his name thereto on behalf of said special improvement district.

MARY C. BUDD
Notary Public

MARY C. BUDD
NOTARY PUBLIC, State of New York
No. 4899253
Qualified in Suffolk County
Commission Expires: 06/06/07

STATE OF NEW YORK )
COUNTY OF SUFFOLK ) ss:

On the 10th day of April, 1997, before me personally came EUGENE GERRARD, to me known, who, being be by duly sworn, did depose and say that he resides at _____, New York, that he is a Councilperson of the Town of Brookhaven and a Commissioner of the Brookhaven Sewer District, the special improvement district described in, and which executed, the foregoing Agreement, that he is authorized to sign the foregoing Agreement on behalf of the BROOKHAVEN SEWER DISTRICT, and that he signed his name thereto on behalf of said special improvement district.

MARY C. BUDD
Notary Public

MARY C. BUDD
NOTARY PUBLIC, State of New York
No. 4899253
Qualified in Suffolk County
Commission Expires: 06/06/07
Amendment of Agreement

STATE OF NEW YORK )
COUNTY OF SUFFOLK ) ss:

On the 10th day of April, 1997, before me personally came JOHN JAY LaVALLE, to me known, who, being be by duly sworn, did depose and say that he resides at __________, New York, that he is a Councilperson of the Town of Brookhaven and a Commissioner of the Brookhaven Sewer District, the special improvement district described in, and which executed, the foregoing Agreement, that he is authorized to sign the foregoing Agreement on behalf of the BROOKHAVEN SEWER DISTRICT, and that he signed his name thereto on behalf of said special improvement district.

MARY C. BUDD
Notary/Public

MARY C. BUDD
NOTARY PUBLIC, State of New York
No. 4899253
Qualified in Suffolk County
Commission Expires: 12/31/2017

Page 148
SENATE—ASSEMBLY

June 26, 1984

IN SENATE -- Introduced by Sens. IAVALLE, LACK -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Rules -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee and committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee.

IN ASSEMBLY -- Introduced by COMMITTEE ON RULES -- (at request of M. of A. Hochbrueckner) -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee.

AN ACT authorizing the creation of a Suffolk County Sewer District consisting of the lands of the people of the state of New York located at the campus of the state university of New York at Stony Brook and authorizing the commissioner of general services to convey certain lands of the state of New York located in the town of Brookhaven and county of Suffolk and under jurisdiction of the trustees of the state university of New York to the county of Suffolk to form Suffolk county sewer district No. 21-Stony Brook consisting solely of the campus of the state university of New York at Stony Brook.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1. Section 1. There is hereby created, pursuant to chapter eight hundred eighty-seven of the laws of nineteen hundred seventy, a Suffolk county sewer district No. 21-Stony Brook, to read as follows:

SUFFOLK COUNTY SEWER DISTRICT NO. 21-STONY BROOK

Section 1. Site conveyance.

Section 2. Sewer district formation.

3. Authorization to enter agreement.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD16369-D5-4
Section 1. Site conveyance. (a) The commissioner of general services is hereby authorized to convey to the county of Suffolk, under such terms and conditions including consideration as the commissioner of general services may fix and determine with the approval of the trustees of the state university of New York and director of the division of the budget, the land described in subdivision (d) of this section, now owned by the state of New York, under jurisdiction of the trustees of the state university of New York including easements associated with such pipeline facilities connecting state university property and Suffolk county sewer district No. 1-Port Jefferson properties.

(b) The state university of New York shall cause to be made an accurate survey and description of said lands which may be used in the conveyance thereof.

(c) If federal and state construction grant funds are not approved and/or construction of sewerage facilities other than that proposed under section two of this act is no longer anticipated, the lands so conveyed pursuant to this act shall revert to the people of the state of New York under jurisdiction of the trustees of the state university of New York and any consideration paid shall be returned to the county.

(d) The land referred to in subdivision (a) of this section as may be more accurately determined by subsequent survey is generally described as follows:

ALL THAT CERTAIN PLOT PIECE OR PARCEL OF LAND situate lying and being in the hamlet of Stony Brook, Town of Brookhaven, Suffolk County, New York, being and intended to be a part or portion of the lands of the state university of New York, Stony Brook, said parcel being more particularly described as follows:

BEGINNING at the northeasterly corner thereof at the southerly line of the Long Island Railroad (Fort Jefferson branch) at its intersection with the westerly line of Nicolls Road, County road 97 (assumed symmetric width of 150 feet) and proceeding the following 5 (five) courses and distances:

(1) Southerly along the westerly line of said Nicolls Rd. as it bends and turns 1120.00 feet to a point.

(2) Thence southeasterly at right angles to the last mentioned course 120 feet more or less to the easterly line of Loop Road. (assumed symmetric width of 50 feet)

(3) Thence northerly along the last mentioned easterly side of said Loop Road as it bends and turns 1380 feet more or less to a point.

(4) Thence northerly at right angles to the next succeeding course a distance of 90 feet more or less to the first mentioned southerly line of lands of Long Island Railroad.

(5) Thence easterly 850.00 feet along the last mentioned boundary as it bends and turns to the point or place of beginning. Excepting from the above described parcel all the lands lying within the bed of Sheep Pasture Road containing approximately 10 acres.

Land by which easements containing pipeline facilities held by the State shall have all rights and responsibility conveyed to Suffolk County, these lands, with covenant and restriction, being more particularly described by State University Construction Fund Project Map #19-907, authorization 4, dated 12/16/75.

§ 2. Sewer district formation. (a) A Suffolk County Sewer District, No. 21—Stony Brook, encompassing the land described in subdivision (b) of this section is hereby created. All district sewerage facilities for treatment and disposal shall be owned, operated, and maintained by this district and act. This district is hereby authorized to create a sewer district in the State of New York under subdivision (a) of this section. The boundaries of the district are as follows:

The entire sewerage system of the district shall consist of:

- The entire interceptor sewer and disposal system of the district
- The entire interceptor sewer and disposal system of the district
- The entire interceptor sewer and disposal system of the district
- The entire interceptor sewer and disposal system of the district

§ 3. Authority. The State is hereby authorized to create a sewer district in the State of New York under subdivision (a) of this section. The boundaries of the district shall consist of:

- The entire interceptor sewer and disposal system of the district
- The entire interceptor sewer and disposal system of the district
- The entire interceptor sewer and disposal system of the district
- The entire interceptor sewer and disposal system of the district

§ 4. This act
district and shall be financed as described in section three of this act. This district is hereby authorized and empowered to acquire from the state of New York or the county of Suffolk, each of which is hereby authorized to convey for nominal consideration, such land and interests as are described in subdivisions (a) and (d) of section one of this act.

(b) The Suffolk County Sewer District No. 21-Stony Brook created by subdivision (a) of this section shall consist of the land described in subdivision (d) of section one of this act and all other plots, pieces or parcels of land which constitute the campus of the state university of New York at Stony Brook lying and being in the hamlet of Stony Brook, Town of Brookhaven, Suffolk County, New York, to include any lands hereinafter acquired contiguous to and as part of the campus of the state university of New York at Stony Brook, and deleting therefrom any lands subsequently conveyed from the existing lands of the state university of New York at Stony Brook.

(c) The components of the sewer district include the sewer collection system of the campus, the pumping and treatment facilities located on the conveyed land described in this act, and the disposal facilities. The entire sewer collection system including house/building sewers, interceptor sewers, manholes, appurtenances, all conveyances, treatment and disposal systems shall be the operating and maintenance responsibility of the district created herein.

(d) The Suffolk County Sewer District No. 21-Stony Brook, created in subdivision (a) of this section is authorized to treat the sewage conveyed to within its boundaries from Suffolk County Sewer District No. 10-Stony Brook and to undertake the treatment and disposal of the combined sewage therein.

(e) The capital costs and operation and maintenance costs will be distributed to the users based on the use of facility and/or percentage of sewage flow.

§ 3. Authorization to enter agreement. The state university of New York is authorized to enter into or modify all agreements necessary to proceed with the formation of the sewer district, the budgeting of funds, and meeting discharge requirements as determined by the New York state department of environmental conservation, for the proper conveyance, treatment and disposition of the combined sewage generated by the state university of New York at Stony Brook campus and Suffolk county sewer district No. 10-Stony Brook.

§ 2. This act shall take effect immediately.
EXHIBIT C

Sewer Agency and SEQRA Resolution
WHEREAS, the wastewater treatment plant (WWTP) at SD No. 21 – SUNY was constructed in late 1989 and upgrades have recently been completed. It is necessary to improve the original plant influent screen area through the purchase and installation of screening devices, and

WHEREAS, additionally, electrical repairs and enhancements are needed. It is necessary to continue the rehabilitation and improvements to extend the useful life and to insure the regulated permit limits are met. Rehabilitation of buildings, tanks, piping and mechanical-electrical components will be addressed, and

WHEREAS, Capital Project 8121 will provide for the design and construction of the necessary improvements to the WWTP, and

WHEREAS, Pursuant to Title 6 NYCRR Part 617.5(c) (11) and (20), this action 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;

NOW, THEREFORE, IT IS

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

2nd RESOLVED, that the Suffolk County Sewer Agency direct its attention and staff to take the steps necessary to obtain the approvals needed to perform rehabilitation and improvements to the sewer system in Suffolk County Sewer District No. 21 – SUNY.

(Suffolk County Sewer Agency Meeting – February 6, 2017)
RESOLUTION NO. 11/7/2017, MAKING A SEQURA DETERMINATION IN CONNECTION WITH THE PROPOSED DESIGN AND CONSTRUCTION OF IN-KIND REPLACEMENT AND REHABILITATION IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 21 – SUNY, (CP 8121), TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) reviewed a project designated as the "Proposed Design and Construction of In-Kind Replacement and Rehabilitation Improvements to Suffolk County Sewer District No. 21 – SUNY, (CP 8121), Town of Brookhaven", pursuant to Local Law No. 22-1985, which project involves the design and construction of the necessary improvements to the wastewater treatment plan; and

WHEREAS, said wastewater treatment plant improvements include improvements to the influent screen area, electrical enhancements and the rehabilitation of buildings, tanks, piping and mechanical-electrical components; and

WHEREAS, at its January 18, 2017 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II Action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2)(20) and (27) and Chapter 450 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 18, 2017 of said recommendations; and

WHEREAS, Section 450-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQURA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Design and Construction of In-Kind Replacement and Rehabilitation Improvements to Suffolk County Sewer District No. 21 – SUNY, (CP 8121), Town of Brookhaven, constitutes a Type II Action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2)(20) and (27) and Chapter 450 of the Suffolk County Code, as the action involves maintenance, repair, replacement, rehabilitation or reconstruction of a structure or facility, in-kind, on the same site, that does not meet or exceed any thresholds in Title 6 NYCRR Part 617.4; and be it further

2nd RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 450-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is
hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
EXHIBIT D

Public Hearing Financing
Public Hearing Financing

Project – Treatment Plant Electrical and Influent Headworks Enhancement

Details

1. Project cost $1.0 million district debt
2. 2017 Adopted Capital Program and Budget includes $200,000 sewer district serial bonds (SD #10 & SD #19) and $800,000 other funds (SD #21)
3. Public hearing needed for County SD #10 – Stony Brook and SD #19 – Haven Hills
4. SD #10 – 2,172 lots, mixed use, 6 lots exempt 2017 rate based on AV = $3,104 (average) is $589.19
5. Use of the mode AV ($1,118) results in a 2017 rate of $212.21
6. SD #19 – 73 lots, residential 2017 rates $232/unit
7. Total AV - $6,741,411

Project Financing

4% 18 year financing

$0.2 million local cost principal (SD #10 and SD #19)

Annual cost = $15,503.77

Unsubsidized cost SD 10 (average) $15,503.77 x $3,104 = $7.14/yr (2019) $6,741,411

Unsubsidized cost SD 10 (mode) $15,503.77 x $1,118 = $2.57/yr (2019) $6,741,411

Subsidized Cost in 2019
SD #10 (average) = 2017 rate x 1.03 x 1.03 = $625/yr
SD #10 (mode) = 2017 rate x 1.03 x 1.03 = $225/yr
SD #19 = 2017 rate x 1.03 x 1.03 = $246/yr

SUNY Cost (including Brookhaven SD #1)

$800,000

The method of SD #21 payment schedule is being developed but has no bearing on the impact on SD #10 and SD #19

1) The mode of SD #10 is based on the number of similar condominium units ($1,118). The average and median are similar ($3,104 and $3,080, respectively) and represents a more typical property. All are discussed in the report. A review of the median and average concludes that due to the number of condominiums in the SD #10 service area, the mode is low. All three values are included. Additionally, SD #19 is a benefit district with the 2017 rate being $232 per unit.

2) The ASRF increase ($18 for SD #10 and $7 for SD #19) is more than the project financing through serial bonds, however, the ASRF stabilizes cost increases over the long term. The project has no fiscal impact.
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821 - Flood Control Water Pipeline 650 SET23 - STONY BROOK TXEX
963 - Government owned Public Parks 200 SET23 - STONY BROOK TXEX

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MEDIAN 3080
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SD#10 Stony Brook 2017
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Figure No. 2
FINANCIAL IMPACT  
2017 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER  

GENERAL FUND

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POLICE DISTRICT AND DISTRICT COURT

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COMBINED

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NOTES:
3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

(1) Please limit this suggestion form to ONE proposal.
(2) Describe in detail
(3) Attach all pertinent backup material.

<table>
<thead>
<tr>
<th>Submitting Department (Dept. Name &amp; Location):</th>
<th>Department Contact Person (Name &amp; Phone No.):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Public Works</td>
<td>Ben Wright, P.E., Principal Civil Engineer,</td>
</tr>
<tr>
<td>335 Yaphank Avenue</td>
<td>Sanitation</td>
</tr>
<tr>
<td>Yaphank, NY 11980</td>
<td>631-852-4184</td>
</tr>
</tbody>
</table>

Suggestion Involves:

- Technical Amendment
- Grant Award
- New Program X
- Contract
- Rev.

Summary of Problem: (Explanation of why this legislation is needed.)

A findings determination will lead to providing additional funds to improvement of SCSD #21 – SUNY.

Proposed Changes in Present Statute: (Please specify section when possible.)

The findings resolution and statement involves the improvements to the SCSD #21 – SUNY.

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN Form 175a (10/95) Prior editions of this form are obsolete.
TITLE OF BILL – Making Certain Findings and Determinations and Issuing an Order in Relation to the Increase and Improvement of Facilities for Sewer District No. 21 – SUNY (CP 8121).

PURPOSE OR GENERAL IDEA OF BILL – Making certain findings and determinations in relation to a public hearing as a prerequisite to requesting appropriations.

SUMMARY OF SPECIFIC PROVISIONS – Provides the findings of the public hearing on an improvement project and costs for SCSD No. 21 – SUNY. Meets the requirements of NYS County Law, Article 5-A.

JUSTIFICATION – The findings of the public hearing will allow appropriations to be made in accordance with the adopted budget.

FISCAL IMPLICATIONS – Sewer district costs are financed by the use of sewer district serial bonds, as supported by the ASRF.
MEMORANDUM

TO: Lisa Santeramo, Deputy County Executive/Chief of Staff
FROM: Gilbert Anderson, P.E., Commissioner
SUBJECT: A Resolution Making Certain Findings and Determinations and Issuing an Order in Relation to the Increase and Improvement of Facilities for Sewer District No. 21 – SUNY (CP 8121)
DATE: May 26, 2017

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8121 - SD 21 – SUNY Improvements 5-26-17 and backup filed as Backup-DPW CP 8121 - SD 21 – SUNY Improvements 5-26-17 for the findings resolution of the increase and improvement of Sewer District No. 21 – SUNY. The improvement project includes improvements to the wastewater treatment facility. The total cost associated with the project is $1.0 million which uses sewer district serial bonds supported by the ASRF.

We appreciate the resolution being laid on the table such that the appropriations can be adopted in 2017.

GABW:ni
Attachment
cc: John Donovan, P.E., Chief Engineer, Sanitation
    Ben Wright, P.E., Principal Civil Engineer, Sanitation
    CE Reso Review
    H:\SANITATION\resolutions\2017 Resolutions\ga-bw5-26-17 Backup-DPW sd21 SUNY Findings CP 8121 memo to LSanteramo.doc

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER
RESOLUTION NO. 2017, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND ISSUING AN ORDER IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 1 – PORT JEFFERSON (CP 8122)

WHEREAS, pursuant to New York County Law Section 268, the Suffolk County Sewer Agency has prepared and submitted to the Legislature of the County of Suffolk, New York maps, plans, recommendations and cost estimates pertaining to an increase and improvement to facilities at Suffolk County Sewer District No. 1 – Port Jefferson; and

WHEREAS, such maps, plans, recommendations and cost estimates addressed increases and improvements related to, among other things, Improvements to the sewer system for Suffolk County Sewer District No. 1 – Port Jefferson; and

WHEREAS, these maps, plans, recommendations and cost estimates accompanied Suffolk County Resolution No. 406-2017 and are attached to this Resolution and Order as Exhibit A; and

WHEREAS, the total estimated cost for the increases and improvements to Suffolk County Sewer District No. 1 – Port Jefferson is $2.0 million; and

WHEREAS, this cost will be financed utilizing sewer district serial bonds but there will be no fiscal impact caused to the benefited properties in said District as a direct result of the cost of the increases and improvements inasmuch as, pursuant to the ASRF, all property owners in Suffolk County sewer districts experience a 3% annual increase regardless of any increases or improvements performed; and

WHEREAS, in the case of the property owners in Suffolk County Sewer District No. 1 – Port Jefferson, the annual 3% ASRF increase will result in an increase of approximately $6.00 to the typical property (mode) within the District, regardless of the increase or improvement to facilities; and

WHEREAS, pursuant to Suffolk County Resolution No. 406-2017 and New York County Law Section 254, the Clerk of the Legislature did duly cause a Notice of Public Hearing regarding such increases and improvements to Suffolk County Sewer District No. 1 – Port Jefferson to be published at least once in each of the official newspapers of the County and proof thereof has been presented to the County Legislature; and

WHEREAS, pursuant to such Notice of Public Hearing, a public hearing was held by the Legislature of the County of Suffolk in Hauppauge, New York in said County on June 6, 2017 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map, plan, recommendations, and estimate of cost for the increases and improvements to Suffolk
County Sewer District No. 1 – Port Jefferson, as well as evidence given at the public hearing held on June 6, 2017; now therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act ("SEQRA") Lead Agency, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Title 6 NYCRR Part 617.5 (C) (20) and (27) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; as the proposal involves the adoption of regulations, policies, procedures, and local legislative decisions in connection with routine or continuing agency administration and management; and be it further

2nd RESOLVED, by the Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence presented at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and estimate of costs filed with the Legislature of the County of Suffolk and attached to this Resolution and Order as Exhibit A, it is hereby found and determined that the total cost for the increases and improvements to Suffolk County Sewer District No. 1 – Port Jefferson shall be set at a maximum of $2.0 million, which shall be financed using sewer district serial bonds.

Section 2. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid maps, plans, reports, recommendations and estimate of costs it is hereby found and determined that the increases and improvements to Suffolk County Sewer District No. 1 – Port Jefferson, as set forth in such maps, plans, reports, recommendations and estimate of costs, are necessary, convenient, and desirable.

Section 3. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid maps, plans, reports, recommendations and estimate of costs, it is hereby further found and determined that the proposed work involving the increases and improvements to Suffolk County Sewer District No. 1 – Port Jefferson is adequate and appropriate and the cost thereof will not constitute an undue burden on the properties in said District and that no properties in said District will be excluded from the benefit of the increases and improvements.

Section 4. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid maps, plans, reports, recommendations, and cost estimates, it is further found and determined that it is in the public interest to expend a maximum amount of $2.0 million on the increases and improvements to Suffolk County Sewer District No. 1 – Port Jefferson as set forth in such maps, plans, reports, recommendations and estimate of costs.

3rd RESOLVED, IT IS HEREBY ORDERED, by the Legislature of the County of Suffolk as follows:

Section 1. The increase and improvements to Suffolk County Sewer District No. 1 – Port Jefferson, as more particularly described in the maps, plans, reports, recommendations, and estimate of costs attached as Exhibit A, are hereby approved.
Section 2. Upon the effective date of this Resolution and Order, the Suffolk County Department of Public Works and the Administrative Head of Suffolk County Sewer District No. 1 – Port Jefferson are hereby authorized and directed to carry out the increases and improvements to said District as more particularly described in the maps, plans, reports, recommendations and estimate of costs attached as Exhibit A.

Section 3. The Clerk of this Legislature is hereby authorized and directed to cause a certified copy of this Resolution and Order to be recorded in the Office of the Clerk of the County of Suffolk, New York, within ten days of the effective date of this Resolution and Order in accordance with the provisions of New York County Law Section 259.

4th
ger

RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

________________________________________
County Executive of Suffolk County

Date of Approval:
Exhibit 'A'
Honorable DuWayne Gregory, Presiding Officer  
Suffolk County Legislature  
725 Veterans Memorial Hwy  
Smithtown, NY 11787

RE: Proposed Improvement to the Facilities of Suffolk County  
Sewer District No. 1 – Port Jefferson (CP 8122)

Presiding Officer Gregory:

In connection with the above captioned matter, I herewith submit to you a report together with the recommendations relative thereto. Pursuant to Article 5-A of New York State County Law, we have requested a resolution calling for a public hearing. The project is to construct a 16 inch force main from an upgraded main pumping station to the north side of 25A at Beach Street. The total cost of this request is $2.0 million. Sewer District Serial Bonds are the means of financing this project, however, the use of the ASRF will result in no fiscal impact to the benefited properties.

If you wish any further information or details, please contact Ben Wright, P.E., Principal Civil Engineer, Division of Sanitation, at 631-852-4184.

Sincerely,

Gilbert Anderson, P.E.  
Commissioner  
Administrative Head of  
Suffolk County Sewer District No. 1

Attachment
GA:BW:ni
cc: Dennis M. Cohen, Chief Deputy County Executive  
Lisa Santeramo, Deputy County Executive/Chief of Staff  
Peter Scully, Deputy County Executive  
Theresa Ward, Commissioner, Economic Development  
Connie Corso, Budget Director  
Debra Kolley, Principal Financial Analyst  
Dennis Brown, Esq., County Attorney  
Robert Braun, Esq., County Attorney  
Marisa Schifano, Esq., Assistant County Attorney  
Suffolk County Legislators  
Tom Vaughn, Deputy Commissioner, Public Works  
John Donovan, P.E., Chief Engineer, Sanitation  
Ben Wright, P.E., Principal Civil Engineer. Sanitation  
H:\SANITATION\Sewer-districts\sd01 - Port Jefferson\CP 8122 2017\ga-bw4-12-17 sd1-Port Jefferson CP 8122 Ltr to SC Leg  
DGregory.docx
County of Suffolk

Department of Public Works

Report and Recommendations

for the

Proposed Improvements to Facilities of

SUFFOLK COUNTY SEWER DISTRICT NO. 1 - PORT JEFFERSON

SEWER SYSTEM

(CP 8122 - IMPROVEMENTS)

GILBERT ANDERSON, P.E.
COMMISSIONER

April 2017
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EXHIBITS

A. CP 8122 Summary
B. Force Main Route and Lawrence Aviation Plume
C. SEQRA
D. Full Value - District Mode and Existing Rate
E. Level Debt ($2.0 million) & Summary of Increased Rate

FIGURES

No. 1 District Boundaries
No. 2 Project Schedule
Improvements to Facilities of Suffolk County
Sewer District No. 1 - Port Jefferson
Pump Station and Force Main Improvements
CP 8122

Summary

An essential component of the Port Jefferson Sewer District is the main pumping station that conveys all sewage to the wastewater treatment plant. During Superstorm Sandy, the flood surge approached the pumping station structure and covered much of the sewer system. That situation involved additional flows into the system that could have resulted in raw sewage being backed up into homes or overflowing into the Port Jefferson Harbor. Although proactive steps have been taken to minimize or reduce infiltration and inflow in the system, the selected alternative to support a cost effective solution is to install a larger force main from the pumping station to the plant and upgrade the pumping capacity within the pumping station. An issue involved with this project is the Lawrence Aviation Plume that is below one of the roadways where the force main will be installed. Consultations with USEPA and NYSDEC have resulted in a plan to minimize dewatering and involvement of the plume. Additional meetings with NYSDOT and the Village of Port Jefferson address the construction in the Village roadways and the jacking under 25 A. Two ($2.0) million dollars is included in the 2017 Adopted Capital Program and Budget with the financial evaluation based on the use of the Assessment Stabilization Reserve Fund and stabilized rates. The increase in the typical property charge for 2020 would be approximately $5.60 regardless of this or any other capital projects and, therefore, there is no fiscal impact due to this project.

Introduction

In accordance with Article 5-A of New York State County Law and by Resolution Nos. 494-1965 and 518-1965, the Suffolk County Board of Supervisors formed the Suffolk County Sewer Agency in September 1965. The County Legislature, as the successors to the Board of Supervisors, by Resolution No. 407-1970, authorized the Chairman of the Agency to execute agreements with developers. Thereafter,
by Resolution No. 212-1973, the County Legislature again directed the Agency, with the assistance of the Department of Environmental Control acting as its staff, to prepare the necessary maps, plans, specifications, and other relevant material for the formation, extension or improvement of County Sewer Districts.

Therefore, in accordance with those resolutions and pursuant to Article 5A of the County Law, the Agency has caused the Department of Public Works, as the successors to the Department of Environmental Control, to prepare and herewith respectfully submit the necessary information and data relating to the proposed improvements to the Suffolk County Sewer District No. 1 - Port Jefferson.

On January 1, 1970 the Port Jefferson Sewer District became Suffolk County Sewer District No. 1. The wastewater treatment facility is located on Beach Street at an elevated height and, therefore, all sewage is conveyed by force main to that wastewater treatment facility by Pumping Station No. 1 which is located in the Village Park off Barnum Avenue.

**District Population**

The district's sewage treatment plant receives an average daily flow of 0.70 million gallons per day (mgd). Using the standard average equivalent of 75 gallons per day per capita, this equates to a population of 10,000 people. This district is one established prior to December 27, 1977, when the EPA changed the manner of assessing district residents for their services. This district is paid for from ad valorem property tax assessments of the District residents and contractees to the District. This is discussed in greater detail below.

**General Boundary Description**

The District boundaries are shown on Figure No. 1. The District boundaries do not show the locations of any contractees to the district, but any additional rate increases to the District residents would also be assessed to any contractees/contractees. The District is located in the northwestern part of the Town of Brookhaven and within portions of the Village of Port Jefferson.
Since the time of the original construction, contractees to the District have constructed sewer extensions to service a wide array of locations outside of the district boundaries. In addition to the in-district connections, there have been approximately 260 additional out-of-district connections, the majority being a residential community. The largest flow contributors are the St. Charles and Mather Hospitals. This gallonage and equivalent population is included in the above-mentioned District Population and these contractees pay the District at the same rate as the in-district connections with an additional 5% charge for administrative fees.

Sewer System

The Port Jefferson sewers are aging being installed some as long as 80 years ago and in many areas the manholes and sewers have had infiltration into them through cracks and other damage. Suffolk County has entered into programs to insert manhole seals to eliminate water from entering the system through the manhole covers and it also performed work on sealing and lining much of the sewer system. Regardless of this proactive approach, much of the sewers in the downtown Village of Port Jefferson are subject to infiltration during storm flows. Much of the system was covered with storm surge from Superstorm Sandy. The system contains over 50,000 feet of sewers ranging in size from 8 to 15 inches all of which enter the main pumping station on Barnum Avenue where sewage is pumped through approximately 6,000 feet of 10 inch force main to the plant. An alternative that has been described within this report to replace the 10-inch force main with a 16-inch force main does provide additional capacity in the event that strong storm surges are once again realized.

The pumping station currently has (3) 700 gallon per minute, 41 horsepower pumps that are sufficient for the original design. With two pumps operating, it is anticipated that each pump will be doubled in capacity to 1,400 gallons per minute with 88 horsepower motors and with two operating will provide 2,400 gallons per minute of capacity. The force main size limits the frictional loss and, therefore, required horsepower at the pumping station. This additional capacity will only be utilized when and if the storm surge necessitates it. Excerpts from an engineering report describing the project are contained in Exhibit 'A'.
Wastewater Treatment Facilities

The general wastewater treatment flow schematic includes the influent wastewater being pumped to the treatment plant site and going through a Headworks building where screens remove coarse materials followed by an equalization tank, the sequencing batch reactor process, post equalization and ultraviolet disinfection with discharge to Port Jefferson Harbor. The residuals or sludge are held in an aerated tank and processed by a gravity thickener which leads to the thickened sludge being transported to another facility for further treatment and disposal.

Technical & Environmental Considerations & Project Status

Refer to Exhibit ‘A’ for a capital project summary. Exhibit ‘B’ includes the force main route and information on the Lawrence Aviation Plume. The force main route from the pumping station to the wastewater treatment plant is through the Village of Port Jefferson Park to Barnum Avenue, to Caroline Avenue, and Brook Road prior to being jacked under 25 A. Although the roadways have been disturbed in the past, groundwater is high and the Lawrence Aviation Plume could be involved. The plume is 10 feet below ground surface while the force main will be installed at approximately six foot in depth. Directional drilling with tight sheeting boxes and internal well points will be used to minimize the dewatering rate. Soil borings are necessary to determine the hydraulic conductivity of the soil and dewatering rates. Although calculations under assumed soil conditions for two directional drilling pits open at one time would be less than 100 gpm, this must be confirmed. Preparation of plans and specifications will be initiated once financial approvals are gained, and engineering assistance is in place. Exhibit ‘C’ contains the SEQRA approval along with the CEQ’s determination of a Conditional Negative Declaration, Unlisted Action.

Project Schedule

The project has a schedule impacted by financing, engineering design, and regulatory approvals. A schedule is attached (Figure No. 2) indicating that the project will require 28 months to complete once the design is complete.
Improvement Costs

The project is estimated to cost two ($2.0) million dollars. The project elements include the items discussed above and in Exhibit 'A' with approximately 20% of the cost related to the pumping station upgrade and 80% to the force main.

Plan Implementation and Funding

There is not expectation of receipt of any subsidy funds from the federal or state government for this capital improvement. The annual operation and maintenance cost and charges and the operation and maintenance budget for the facility will not be changed due to the replacement of the force main and pump station upgrade. Conventional financing with subsidy from the ASRF is to be used.

Proposed Financial Plan and Cost to Homeowner

The estimated construction cost for the rehabilitation project is $2.0 million. The project will be subsidized by the ASRF for any funding above an annual 3% increase to the service area users. Exhibit 'D' includes the district value, typical property (mode) and existing rate. Exhibit 'E' is the level debt and summary of increased rate. The evaluation that took place (See Exhibit 'E') includes the impact of the project if conventional financing using district serial bonds that is contained in the Adopted Capital Program and Budget took place as compared to the stabilization of the sewer district rates by the Assessment Stabilization Reserve Fund. The evaluation indicates that financing is at 4% over 18 years using district serial bonds which would increase the typical property annual charge for approximately $25. The use of the ASRF, however, caps the annual increase to 3% and indicates that the cost per typical property will be increased by approximately $5.60 each year. The 2017 rate is approximately $182 and that rate would increase to approximately $198 by 2020.
Recommendations, Comments and Findings

This project should be implemented due to the reliability and efficiency that is necessary to process improvements at the Port Jefferson WWTP. It is expected that operation and maintenance costs could be reduced by the project but cannot be quantified while redundancy and improved protection of processes downstream of the influent Headworks will take place. Therefore, I respectfully request the recommended project receive authorization immediately.

Respectfully submitted,

Gilbert Anderson, P.E.
Commissioner of the Suffolk County Department of Public Works, Chairman of the Suffolk County Sewer Agency and Administrative Head of All Suffolk County Sewer Districts
EXHIBIT A

CP 8122 Summary*

*Portions of March 2014 report attached without report attachments
Section 1 - Project Planning

Suffolk County Sewer District No. 1 – Port Jefferson serves a large percentage of the Village of Port Jefferson (See Figure No. 1) located on Port Jefferson Harbor and adjacent to Long Island Sound. The district also contains numerous out of district connections, all of which are conveyed to a treatment facility which discharges to the surface waters. As a result of storm conditions, significant increases in flows have resulted in the need to address the capacity of the conveyance systems. The issue was exacerbated during Super Storm Sandy resulting in a need to plan for a project to alleviate impacts on the infrastructure, including treatment system and the environment. Resiliency and hardening are needed.

Section 2 - Existing Facilities

The Flood Mitigation Project focuses on the existing pumping station and force main. These facilities convey all sewage generated within a service area to a treatment facility located on Beach Street. The pumping and conveyance system includes three 47 horsepower, 700 gallon per minute pumps with variable frequency drives and a firm capacity of 1,250 gpm designed to handle the peak flow (See Figure Nos. 2 and 3). The 10-inch diameter force main of nearly 4,000 feet discharges to the treatment facility. The facilities were constructed and went online during 1988 and have been the focus of proactive operation and maintenance since that time. The pumping station is located in an area within the Village of Port Jefferson with the floor elevation of 13.0 exterior ground elevation of approximately 9.0 and all critical equipment above elevation 13.5 (See Appendix “A”).

Section 3 - Need for Project

During storm events, storm water infiltrates into the sewer system causing the main pumping station to receive flows in excess of the design capacity. The potential exists during storm conditions for sanitary sewer overflows to be created. These increased flows were saline in nature and impacted the treatment process. The district is located on Port Jefferson Harbor and the village economic and environmental well-being thrives on the harbor water quality and could be in jeopardy. Super Storm Sandy had created a surge impact that approached the pump station site (See appendix “B”) and elevated flows that approached the capacity of the system. It was necessary for the operational staff to have standby tanker vehicles available in order to provide back-up conveyance to the local treatment plant. A loss of the station capacity will result in the overflow of raw sanitary wastewater into the Village of Port Jefferson and the surrounding surface waters.
The elevation of the Pumping Station was evaluated against the Storm Mitigation Loan Program standards to protect the station from flooding. Refer to Appendices “B” through “D” regarding the Flood Insurance Study and FEMA Flood Insurance Rate Map. The SMLP has three standards that must be considered against flooding and the highest elevation from the three standards, listed in Appendix “D”, must be met to be eligible for funding. Since the first floor is at elevation 13.0 (NAVD 88) and all critical equipment is above 13.5, the SMLP requirements are met.

Section 4 - Alternatives Considered and Selection of an Alternative

The logical alternative to minimize infiltration and inflow into the system is to eliminate any direct connections whether it is sump pumps in individual basements, or install water tight manhole covers, and provide a rehabilitation project for the sewer system. These alternatives had been implemented in the past and although successfully completed, have not ameliorated the increased flow or flood level impacts associated with storms. During Super Storm Sandy, the surge approached the pumping station structure. Although this did not occur, flows were significantly increased to stress the overall system including the treatment process. Alternatives included changing pumps capacity and varying force main sizes. The option selected is to upgrade the pumping station by increasing capacity and replace the 10-inch force main with a new 16 inch force main from the pumping station.

Section 5 - Proposed Project

The selected alternative will be implemented. The three 700 gallon per minute pumps will be replaced with higher horsepower 1,400 gallon per minute pumps including upgraded variable frequency drives and emergency generator. The firm capacity with two operating pumps is 2,395 gpm and with three pumps 2,970 gpm. It is noted that the 10-State Standards pumping rate is achieved with two operating pumps and during storm conditions the third pump may be necessary. A 16 inch diameter DR 18 force main designed at a C =120 per standards (Refer to Appendix “F”) with appropriate drain manholes, blow-off manholes and joint restraints to be installed (See Appendix “F”) and considered water hammer. It is noted that portions of the larger force main were installed due to paving that was to take place in the Village of Port Jefferson. The remaining force main length is approximately 2,450 feet and includes jacking beneath Route 25A with some dewatering. See Figure No. 4 for the force main routing.

Additional work to further reduce infiltration and inflow is also proposed where possible and appropriate. The improvement concepts to be revisited focus on watertight inserts in low lying areas and disconnection of sump pumps. The proposed project is estimated to cost $1.75 million (See Appendix “G” for costs and Appendix “H” for the project schedule).
Section 6 - Conclusions and Recommendations

It is the conclusion of the Department of Public Works with assistance from Cashin Associates that the increased capacity in the pumping station and force main are necessary to eliminate the impacts of storms and floods on the conveyance and treatment system and thus protect the environment. Only due to current low sanitary flows in the service area was the additional flows due to the storm able to be stored and treated at the treatment facility rather than having partially untreated waste enter Port Jefferson Harbor and Long Island Sound. It is recommended that the remainder of the larger force main be installed and the design be completed on the upgrading of the facility as this project application. It is noted that the Environmental and State Historic Presentation Office submittals are prepared and it is expected that approvals would take place by mid-June and mid-May, respectively. Refer to Appendices “T” and “J” for the SHPO and Environmental status, respectively. Although capacity is being increased to resolve the situation, the Smart Growth Assessment Form does not conclude that the project will result in an increase of the State Pollution Discharge Elimination System Permitted Flow Capacity for the existing systems (Refer to Appendix “K”).
EXHIBIT B

Force Main Route

and

Lawrence Aviation Plume
EXHIBIT C

SEQRA
Exhibit 'C'
SEQRA

Under the State Environmental Quality Review Act Environmental Conservational Law Article 8, "Unlisted Action" means all actions not identified as a Type I or Type II action. The construction of the force main and pumping station upgrade site was not determined to be a Type I or Type II Action. The attached Council of Environmental Quality memorandum recommends this project be an Unlisted action with a conditional negative declaration (CND).

As indicated in the report, meetings and communication with USEPA and NYSDEC resulted in the need to define certain project tasks that will be confirmed in the permit process. Additionally, the Village of Port Jefferson and NYSDOT will have input into the highway and jacking portions. Although the project path is clear, (reduce dewatering, address the involvement of the Lawrence Avaiton Plume, abide by permit conditions) the CEQ recommended that the Legislature confirm a CND.
CEQ RESOLUTION NO. 14-2017, RECOMMENDATION CONCERNING A
SEQRA CLASSIFICATION AND DETERMINATION FOR THE PURPOSES OF
CHAPTER 450 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED
SUFFOLK COUNTY SEWER DISTRICT #1, PORT JEFFERSON, PUMP
STATION FORCE MAIN, CP 8122, VILLAGE OF PORT JEFFERSON AND
TOWN OF BROOKHAVEN

WHEREAS, at its March 24, 2017 meeting, the Suffolk County Council on Environmental
Quality (CEQ) reviewed the EAF and associated information submitted by Suffolk County
Department of Public Works who is the applicant for the proposed project; and

WHEREAS, a presentation regarding the project was given at the meeting by Ben
Wright, Principal Civil Engineer, Suffolk County Department of Public Works; and

WHEREAS, the project involves the rehabilitation of Suffolk County Sewer District No. 1
– Port Jefferson pumping station and connecting force main to handle the extreme flows that
occur in this Sewer District during storm conditions; and

WHEREAS, the project involves installing larger pumps at the main pump station located
on Barnum Avenue in the Village of Port Jefferson and replacing the existing connecting 10 inch
diameter force main with a large 16 inch diameter capacity line; now, therefore, be it

1st RESOLVED, that based on the information received and presented, a quorum of the
CEQ hereby recommends to the Suffolk County Legislature and County Executive that the
proposed project be classified as an Unlisted Action under the provisions of Title 6 NYCRR Part
617 and Chapter 450 of the Suffolk County Code; and, be it further

2nd RESOLVED, that based on the information received, a quorum of the CEQ
conditionally recommends to the Suffolk County Legislature and County Executive, pursuant to
Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, that the proposed action
will not have significant adverse impacts on the environment for the following reasons and
condition:

Reasons:

1. The proposed action, as presented to the CEQ and the Suffolk County Legislature,
will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth
thresholds for determining significant effect on the environment as demonstrated in
the Environmental Assessment Form;

2. The proposal does not significantly threaten any unique or highly valuable
environmental or cultural resources as identified in or regulated by the Environmental
Conservation Law of the State of New York or the Suffolk County Charter and Code;

3. All work will be performed on the grounds of the existing pump station and in existing
right of ways which are areas that have previously been disturbed;
4. All required regulatory permits and approvals will be obtained including all applicable approvals from the New York State Department of Environmental Conservation (NYSDEC) and the United States Environmental Protection Agency (EPA) related to the Lawrence Aviation Plume;

5. The project will insure that the main pumping station for Suffolk County Sewer District # 1 – Port Jefferson has the pumping capacity to handle the extreme flow events that occur during storm events;

**Condition:**

1. Should circumstances related to the Lawrence Aviation groundwater plume and the related regulatory requirements necessitate significant changes to the described project construction procedure that exceed the threshold criteria of 6 NYCRR Section 617.7(c) the Suffolk County Department of Public Works (project applicant) shall re-submit the project to the CEO/Suffolk County Legislature (project Lead Agency) for an updated SEQRA review and an amended project SEQRA determination (see 6 NYCRR, Sections 617.7 (d)(e)(f)).

3rd RESOLVED, that it is the recommendation of the Council that the Legislature and County Executive adopt a Conditional Negative Declaration (CND) SEQRA determination.

DATED: 3/24/2017
EXHIBIT D

Full Value - District Mode and Existing Rate
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>484</td>
<td>1 Story Small - Single Occ</td>
<td>3700</td>
</tr>
<tr>
<td>631</td>
<td>Telephone-Land, building, plant, lines etc.</td>
<td>15000</td>
</tr>
<tr>
<td>433</td>
<td>Auto Body, tire, other related auto sales</td>
<td>2200</td>
</tr>
<tr>
<td>433</td>
<td>Auto Body, tire, other related auto sales</td>
<td>1400</td>
</tr>
<tr>
<td>433</td>
<td>Auto Body, tire, other related auto sales</td>
<td>4160</td>
</tr>
<tr>
<td>311</td>
<td>Residential Vacant Land</td>
<td>300</td>
</tr>
<tr>
<td>330</td>
<td>Commercial Vacant Land</td>
<td>50</td>
</tr>
<tr>
<td>434</td>
<td>Automatic Car Wash</td>
<td>14340</td>
</tr>
<tr>
<td>483</td>
<td>Converted Residence</td>
<td>1100</td>
</tr>
<tr>
<td>330</td>
<td>Commercial Vacant Land</td>
<td>150</td>
</tr>
<tr>
<td>485</td>
<td>1 Story Small - Multi Occ</td>
<td>5300</td>
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<tr>
<td>653</td>
<td>Government Parking Lots</td>
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</tr>
<tr>
<td>439</td>
<td>Small Garage for Parking</td>
<td>3100</td>
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<tr>
<td>411</td>
<td>Apartments other than Condo &amp; Co-ops</td>
<td>6250</td>
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<td>465</td>
<td>Professional Bldg</td>
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<td>821</td>
<td>Flood Control Water Pipeline</td>
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<tr>
<td>847</td>
<td>Petroleum pipelines for utilities</td>
<td>370</td>
</tr>
<tr>
<td>620</td>
<td>Religious</td>
<td>2000</td>
</tr>
<tr>
<td>681</td>
<td>Cultural Facilities</td>
<td>6500</td>
</tr>
<tr>
<td>215</td>
<td>One Family Res w/ Accessory Apt</td>
<td>4750</td>
</tr>
<tr>
<td>210</td>
<td>One Family Year-Round Residence</td>
<td>4100</td>
</tr>
<tr>
<td>210</td>
<td>One Family Year-Round Residence</td>
<td>3660</td>
</tr>
<tr>
<td>210</td>
<td>One Family Year-Round Residence</td>
<td>4850</td>
</tr>
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<td>210</td>
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<td>3915</td>
</tr>
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<td>210</td>
<td>One Family Year-Round Residence</td>
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</tr>
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</tr>
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<td>4000</td>
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<td>210</td>
<td>One Family Year-Round Residence</td>
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</tr>
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<td>210</td>
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<td>4750</td>
</tr>
<tr>
<td>210</td>
<td>One Family Year-Round Residence</td>
<td>3755</td>
</tr>
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**MODE**

**AVERAGE**

**MEDIAN**

**SUM**

3000
21366.914
2880
18482381

SD#1 - Port Jefferson 2017
<table>
<thead>
<tr>
<th>FUND NO.</th>
<th>SEWER DISTRICT NO.</th>
<th>NAME</th>
<th>Note</th>
<th>EQUAL RATE</th>
<th>RATE TYPE</th>
<th>RATE PER $1,000</th>
<th>TOTAL ASSESSED VALUE</th>
<th>FULL EQUALIZED VALUE</th>
<th>OTHER</th>
<th>ANNUAL CONTRACTED RATE</th>
<th>QUARTERLY CONTRACTED RATE</th>
<th>QUARTERLY RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>201</td>
<td>1</td>
<td>Port Jefferson</td>
<td></td>
<td>0.91%</td>
<td>Per 1000</td>
<td>0.0000</td>
<td>0.5210</td>
<td>0.5507</td>
<td>N/A</td>
<td>63.85</td>
<td>1.56 PER 1000</td>
<td>159.75</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Port Jefferson (Contr, only)</td>
<td></td>
<td></td>
<td></td>
<td>4.1016</td>
<td>0.0373</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>202</td>
<td>2</td>
<td>Talmadge Woods</td>
<td>(A)</td>
<td>0.91%</td>
<td>Per Unit</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>635.00</td>
<td>670.86 167.74 $ 159.75</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8.6800</td>
<td>1.1000</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>203</td>
<td>3</td>
<td>Southwest - Islip</td>
<td></td>
<td>12.70%</td>
<td>Per 1000</td>
<td>0.0000</td>
<td>93.3900</td>
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<td>N/A</td>
<td>164.85 41.21 $ 39.25</td>
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<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Southwest - Babylon</td>
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<td>1.10%</td>
<td>Per 1000</td>
<td>0.0000</td>
<td>93.3900</td>
<td>1.1000</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Southwest - Per Parcel Charge</td>
<td></td>
<td></td>
<td>Per Parcel</td>
<td>N/A</td>
<td>N/A</td>
<td>35.76</td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td>Southwest - User Fee</td>
<td></td>
<td></td>
<td>Per SFE</td>
<td>N/A</td>
<td>N/A</td>
<td>157.00</td>
<td>157.00</td>
<td>178.81 171.25</td>
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<tr>
<td>204</td>
<td>4</td>
<td>Smithtown Gallery</td>
<td>(E)</td>
<td>1.32%</td>
<td>Per SFE</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>685.00</td>
<td></td>
<td></td>
<td></td>
</tr>
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<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>0.0000</td>
<td>196.7788</td>
<td>1.5726</td>
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<tr>
<td>205</td>
<td>5</td>
<td>Huntington Strath (Zone A)</td>
<td></td>
<td>0.85%</td>
<td>Per 1000</td>
<td>0.0000</td>
<td>148.3545</td>
<td>1.2440</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Huntington Strath (Zone B)</td>
<td></td>
<td></td>
<td>Per 1000</td>
<td>0.0000</td>
<td>148.3545</td>
<td>1.2440</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>206</td>
<td>6</td>
<td>Kings Park</td>
<td></td>
<td>1.32%</td>
<td>Per 1000</td>
<td>0.0000</td>
<td>11.2538</td>
<td>0.1486</td>
<td>N/A</td>
<td>33.92 134.48</td>
<td></td>
<td></td>
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</tbody>
</table>

*2016 real contract rate=32.84/yr
2016 comm contract rate=130.66/yr
Flat rate
Level Debt ($2.0 million) and Summary of Increased Rate
Level Debt ($2.0 million) and Summary of Increased Rate

The existing rate information and the cost estimates and level debt repayment schedules could allow a full value rate and rate increase to be established. Due to the use of the ASRF, the rates are stabilized at 3% per year. The estimated rate for the project duration is included below.

**CP 8122**

2017 SD 1 Rate Per Typical (Mode) Parcel (AV)

AV Charge

<table>
<thead>
<tr>
<th>Mode of parcels</th>
<th>Rate per $1,000 assessed value</th>
<th>$3,000 x $60.5210/$1,000 =</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$3,000</td>
<td>$60.5210</td>
</tr>
<tr>
<td></td>
<td>$181.56</td>
<td></td>
</tr>
</tbody>
</table>

Total Annual Charge Per Typical Parcel 2017 $181.56

Projected Future Charge 2020

w/ASRF Stabilization @ 3%/year

2020 Subsidized increase per year = $5.60

Annual Level Debt $155,038
Sum of AV $18,482,381
Rate per $1,000 AV $155,038/$18,482,381 = $8.388
Project Increase $8.388 x $3,000/$1,000 AV = $25.17

2020 Charge w/out ASRF $198.40 + $25.17 = $223.57
## Suffolk County
### SD# 1 - Port Jefferson CP 8122
#### Level Debt

**Term of Bonds Amount to Bond:**

<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/1/2020</td>
<td>5%</td>
<td>$79,653.07</td>
<td>$75,884.62</td>
<td>$155,037.69</td>
<td>$155,037.69</td>
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<tr>
<td>3/1/2021</td>
<td>4%</td>
<td>$82,655.38</td>
<td>$36,191.15</td>
<td>$118,846.53</td>
<td>$155,037.69</td>
</tr>
<tr>
<td>3/1/2022</td>
<td>4%</td>
<td>$85,770.85</td>
<td>$34,633.42</td>
<td>$120,404.27</td>
<td>$155,037.69</td>
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<tr>
<td>3/1/2023</td>
<td>4%</td>
<td>$89,003.75</td>
<td>$33,016.97</td>
<td>$122,020.72</td>
<td>$155,037.69</td>
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<tr>
<td>3/1/2024</td>
<td>4%</td>
<td>$92,358.51</td>
<td>$31,339.59</td>
<td>$123,698.10</td>
<td>$155,037.69</td>
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<tr>
<td>3/1/2025</td>
<td>4%</td>
<td>$95,839.72</td>
<td>$29,598.99</td>
<td>$125,438.70</td>
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<tr>
<td>3/1/2026</td>
<td>4%</td>
<td>$99,452.14</td>
<td>$27,792.76</td>
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<tr>
<td>3/1/2027</td>
<td>4%</td>
<td>$103,200.72</td>
<td>$25,918.49</td>
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<tr>
<td>3/1/2028</td>
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<td>$107,090.59</td>
<td>$23,973.55</td>
<td>$131,064.14</td>
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<tr>
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<td>$111,127.08</td>
<td>$21,955.30</td>
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<td>$115,315.72</td>
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<td>3/1/2031</td>
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<td>$119,662.23</td>
<td>$17,667.73</td>
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<td>3/1/2032</td>
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<td>$124,172.58</td>
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<td>3/1/2033</td>
<td>4%</td>
<td>$128,852.93</td>
<td>$13,092.38</td>
<td>$141,945.31</td>
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<td>3/1/2034</td>
<td>4%</td>
<td>$133,709.69</td>
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<td>$144,373.69</td>
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<td>3/1/2035</td>
<td>4%</td>
<td>$138,749.52</td>
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<tr>
<td>3/1/2036</td>
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<td>$143,979.31</td>
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<tr>
<td>3/1/2037</td>
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<td>$149,406.22</td>
<td>$2,815.73</td>
<td>$152,221.95</td>
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</tbody>
</table>

| Total   |        | $790,678.37 | $2,790,678.37 | $2,790,678.37 | $2,790,678.37 |

$2,000,000.00
Figure No. 1
Figure No. 2
1. **Type of Legislation**
   - Resolution [X]
   - Local Law [Blank]
   - Charter Law [Blank]

2. **Title of Proposed Legislation**
   A resolution making certain findings and determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 1 – Port Jefferson (CP 8122).

3. **Purpose of Proposed Legislation**
   To make certain findings and determinations for the improvements to the sewer system SCSD No. 1 – Port Jefferson.

4. **Will the Proposed Legislation Have a Fiscal Impact?**
   - Yes [Blank]
   - No [X]

5. **If the answer to Item 4 is "yes," on what will it impact?** (circle appropriate category)
   - County
   - Town
   - Economic Impact
   - Village
   - School District
   - Other (Specify): Sewer District
   - Library District
   - Fire District

6. **If the answer to item 4 is "yes," Provide Detailed Explanation of Impact**
   $2.0 million will be financed using sewer district serial bonds supported by the ASRF.

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

8. **Proposed Source of Funding**
   - Serial bonds and ASRF.

9. **Timing of Impact**
   2020

10. **Typed Name & Title of Preparer**
    - Ben Wright, P.E.
    - Principal Civil Engineer
    - Sanitation

11. **Signature of Preparer**
    - [Signature]

12. **Date**
    - 5/25/17
## Financial Impact
### 2017 Property Tax Levy
#### Cost to the Average Taxpayer

<table>
<thead>
<tr>
<th></th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
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</table>

### Police District and District Court

<table>
<thead>
<tr>
<th></th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FEV Tax Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
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</table>

### Combined

<table>
<thead>
<tr>
<th></th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FEV Tax Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### Notes:
1. Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property, 2016.
3. Source for equalization rates: 2016 county equalization rates established by the New York State Board of Equalization and Assessments.

To be completed by the Executive Budget Office.
TITLE OF BILL – Making Certain Findings and Determinations and Issuing an Order in Relation to the Increase and Improvement of Facilities for Sewer District No. 1 – Port Jefferson (CP 8122).

PURPOSE OR GENERAL IDEA OF BILL – Making certain findings and determinations in relation to a public hearing as a prerequisite to requesting appropriations.

SUMMARY OF SPECIFIC PROVISIONS – Provides the findings of the public hearing on an improvement project and costs for SCSD No. 1 – Port Jefferson. Meets the requirements of NYS County Law, Article 5-A.

JUSTIFICATION – The findings of the public hearing will allow appropriations to be made in accordance with the adopted budget.

FISCAL IMPLICATIONS – Sewer district costs are financed by the use of sewer district serial bonds, as supported by the ASRF.
MEMORANDUM

TO: Lisa Santeramo, Deputy County Executive/Chief of Staff
FROM: Gilbert Anderson, P.E., Commissioner
SUBJECT: A Resolution Making Certain Findings and Determinations and Issuing an Order in Relation to the Increase and Improvement of Facilities for Sewer District No. 1 – Port Jefferson (CP 8122)
DATE: May 26, 2017

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8122 - SD 1 – Port Jefferson Improvements 5-26-17 and backup filed as Backup-DPW CP 8122 - SD 1 – Port Jefferson Improvements 5-26-17 for the findings resolution of the increase and improvement of Sewer District No. 22 – Port Jefferson. The improvement project includes improvements to the pumping and force main system. The total cost associated with the project is $2.0 million which uses sewer district serial bonds supported by the ASRF.

We appreciate the resolution being laid on the table such that the appropriations can be adopted in 2017.
RESOLUTION NO. - 2017, A RESOLUTION
MAKING CERTAIN FINDINGS AND DETERMINATIONS
AND AN ORDER FOR THE MODIFICATION OF THE
PLAN OF SERVICE FOR SUFFOLK COUNTY SEWER
DISTRICT NO. 9 – COLLEGE PARK (CP 8163)

WHEREAS, Suffolk County Resolution Nos. 784-2006, 894-2009, 747-
2013 and 1109-2014 found and determined that it was in the public interest to increase
and improve the facilities of Sewer District No. 9 – College Park; and

WHEREAS, additional funds are necessary to complete the work
necessary for finishing these increases and improvements; and

WHEREAS, pursuant to New York County Law Section 269, the Suffolk
County Sewer Agency has prepared and submitted to the Legislature of the County of
Suffolk, New York, amended maps, plans, recommendations and revised cost estimates
pertaining to an increase in the maximum amount to be expended for the increase and
improvement to facilities at Suffolk County Sewer District No. 9 – College; and

WHEREAS, these maps, plans, recommendations and revised cost
estimates accompanied Suffolk County Resolution No. 402-2017 and are attached to this
Resolution and Order as Exhibit A; and

WHEREAS, the cost of the increase and improvement to the facilities of
Sewer District No. 9 – College Park has risen from a cost in 2014 of $1.85 million to an
estimated cost of $2.35 million, as set forth in the amended maps, plans,
recommendations; and

WHEREAS, this revised cost will be financed utilizing sewer district serial
bonds, but there will be no fiscal impact caused to the benefited properties in said District
as a direct result of the increase to the costs of the increases and improvements
inasmuch as pursuant to the Suffolk County Assessment Stabilization Reserve Fund
("ASRF") all property owners in Suffolk County sewer districts experience a 3% annual
increase regardless of any increases or improvements performed; and

WHEREAS, in the case of the property owners in Suffolk County Sewer
District No. 9 – College Park, the annual 3% ASRF increase will result in an increase of
approximately $17 per year to the typical property within the District, regardless of the
additional funds necessary to complete the increases and improvements; and

WHEREAS, pursuant to Suffolk County Resolution No 402-2017 and New
York County Law Section 254, the Clerk of the Legislature did duly cause a Notice of
Public Hearing regarding the amended maps, plans, recommendations and revised cost
estimates pertaining to an increase in the maximum amount to be expended for the
increase and improvement to facilities at Suffolk County Sewer District No. 9 – College
Park to be published at least once in each of the official newspapers of the County and
proof thereof has been presented to the County Legislature; and
WHEREAS, pursuant to such Notice of Public Hearing, a public hearing was held by the Legislature of the County of Suffolk in Hauppauge, New York in said County on June 6, 2017 at 2:30 p.m., Prevailing Time; and

WHEREAS, since there are electors residing in Suffolk County Sewer District No. 9 – College Park, Sections 256 and 269 of Article 5-A of the New York County Law require that the increases in the maximum amount to be expended on increases and improvements to Suffolk County Sewer District No. 9 – College Park shall be subject to permissive referendum; and

WHEREAS, by this Resolution, it is the intent of the Suffolk County Legislature to submit the findings and order regarding the increase in the maximum amount to be expended for the increases and improvements to Suffolk County Sewer District No. 9 – College Park in order to subject such findings and order to permissive referendum; and

WHEREAS, said County Legislature has duly considered the amended map, plan, recommendations, and revised estimate of cost for the increases and improvements to Suffolk County Sewer District No. 9 – College Park, as well as evidence given at the public hearing held on June 6, 2017; now therefore be it

1st
RESOLVED, that this Legislature, being the State Environmental Quality Review Act ("SEQRA") Lead Agency, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Title 6 NYCRR Part 617.5 (C) (20) and (27) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; as the proposal involves the adoption of regulations, policies, procedures, and local legislative decisions in connection with routine or continuing agency administration and management.

2nd
RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence presented at the aforesaid public hearing and after due consideration of the amended maps, plans, reports, recommendations, and revised estimate of costs filed with the Legislature of the County of Suffolk and attached to this Resolution and Order as Exhibit A, it is hereby found and determined that the revised total cost for the increases and improvements to Suffolk County Sewer District No. 9 – College Park shall be set at a maximum of $2.35 million, which shall be financed using sewer district serial bonds.

Section 2. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid amended maps, plans, reports, recommendations and revised estimate of costs it is hereby found and determined that the increase to the costs of the increases and improvements to Suffolk County Sewer District No. 9 – College Park, as set forth in such amended maps, plans, reports, recommendations and revised estimate of costs, is necessary, convenient, and desirable.

Section 3. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid amended maps, plans, reports, recommendations and revised estimate of costs, it is hereby further found and determined that the proposed work involving the increases and improvements to Suffolk County Sewer District No. 9 –
College Park is adequate and appropriate and the cost thereof will not constitute an undue burden on the properties in said District and that no properties in said District will be excluded from the benefit of the increases and improvements.

Section 4. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid amended maps, plans, reports, recommendations, and revised cost estimates, it is further found and determined that it is in the public interest to expend a maximum amount of $2.35 million on the increases and improvements to Suffolk County Sewer District No. 9 – College Park, as set forth in such amended maps, plans, reports, recommendations and revised estimate of costs.

3rd RESOLVED, IT IS HEREBY ORDERED, by the County Legislature of the County of Suffolk, New York as follows:

Section 1. The increase to the amount to be expended on the increases and improvements to Suffolk County Sewer District No. 9 – College Park, as more particularly described in the amended maps, plans, reports, recommendations, and revised estimate of costs attached as Exhibit A, are hereby approved.

Section 2. Upon the effective date of this Resolution and Order, the Suffolk County Department of Public Works and the Administrative Head of Suffolk County Sewer District No. 9 – College Park are hereby authorized and directed to carry out the increases and improvements to said District as more particularly described in the amended maps, plans, reports, recommendations and revised estimate of costs attached as Exhibit A.

Section 3. The Clerk of this Legislature is hereby authorized and directed to cause a certified copy of this Resolution and Order to be recorded in the Office of the Clerk of the County of Suffolk, New York, within ten days of the effective date of this Resolution and Order in accordance with the provisions of New York County Law Sections 253-b and 259.

4th RESOLVED, that this Resolution and Order authorizing the increase to the maximum amount to be expended on the increases and improvements for Suffolk County Sewer District No. 9 – College Park, shall not take effect until at least forty-five (45) days after its adoption, or until approved by the affirmative vote of the majority of the qualified electors who are resident within Suffolk County Sewer District No. 9 – College Park voting on a proposition for its approval if within forty-five (45) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against the passage of this Resolution and Order in conformity with the provisions of Section 257 of the New York County Law.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
Exhibit 'A'
March 31, 2017

DuWayne Gregory, Presiding Officer
Suffolk County Legislature
725 Veterans Memorial Hwy
Smihtown, NY 11787

RE: Proposed Increase and Improvement to the Facilities of Suffolk County
Sewer District No. 9 - College Park (CP 8163)
Amended Map and Plan

Dear Presiding Officer Gregory:

In connection with the above captioned matter, I herewith submit to you a report together with the recommendations relative thereto. Pursuant to Chapter 254 of County Law, we have requested a resolution calling for a public hearing. This public hearing will be an amendment to the plan of 2014. The total project cost of $2,350,000 uses a mix of funding sources. Sewer District Bonds amount to $1.75 million with $600,000 being ASRF funds. Bonds have been authorized in 2013 with additional ASRF funds appropriated in 2014 and the amended report the subject of this proceeding will lead to appropriations in 2017.

If you wish any further information or details, please contact Ben Wright, P.E., Principal Civil Engineer, Division of Sanitation, at 631-852-4184.

Sincerely,

Gilbert Anderson, P.E.
Commissioner
Administrative Head of
Suffolk County Sewer District No. 9

GA:BW:ni
Attachment
cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Deputy County Executive/Chief of Staff
Peter Scully, Deputy County Executive
Theresa Ward, Commissioner, Economic Development
Connie Corso, Budget Director
Debra Kolyer, Principal Financial Analyst
Dennis Brown, Esq., County Attorney
Robert Braun, Esq., County Attorney
Marisa Schiavo, Esq., Assistant county attorney
Suffolk County Legislators
Thomas Vaughn, Deputy Commissioner, Public Works
John Donovan, P.E., Chief Engineer, Sanitation
Ben Wright, P.E., Principal Civil Engineer, Sanitation

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE  ■  YAPHANK, N.Y. 11980  ■  (631) 852-4010
FAX (631) 852-4150
COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS

DIVISION OF SANITATION

SEWER DISTRICT NO. 9 - COLLEGE PARK

REPORT TO NYS COMPTROLLER'S OFFICE
FOR APPROVAL TO PROCEED WITH
CAPITAL BUDGET PROGRAM

GILBERT ANDERSON, P.E.
COMMISSIONER

MARCH 2006
MODIFIED APRIL 2009
MODIFIED APRIL 2013
AMENDED AUGUST 2014
AMENDED MARCH 2017
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## EXHIBITS

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<td>SCHEDULE</td>
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Introduction

In accordance with Chapter 254 of the County Law and by Resolution Nos. 494-1965 and No. 518-1965, the Suffolk County Board of Supervisors formed the Suffolk County Sewer Agency in September 1965. The County Legislature, as the successors to the Board of Supervisors, by Resolution No. 407-1070, authorized the Chairman of the Agency to execute agreements with subdividers and developers. Thereafter, by Resolution No. 212-1973, the County Legislature again directed the Agency, with the assistance of the Department of Environmental Control acting as its staff, to prepare the necessary maps, plans, specifications, and other relevant material for the formation, extension or improvement of County Sewer Districts.

Therefore, in accordance with those resolutions and pursuant to Article 5A of the County Law, the Agency has caused the Department of Public Works, as the successors to the Department of Environmental Control, to prepare and herewith respectfully submit the necessary information and data relating to the proposed improvements to the Suffolk County Sewer District No. 9 - College Park.

Public hearings were held in 2006, 2009, 2013 and 2014. The project cost has increased and, therefore, an amended plan subject to a public hearing is required. This amended map and plan is prepared for the new public hearing and cost increase.

General Boundary Description

The District boundaries are shown on the attached Exhibit 'A'. The District boundaries include all the parcels from the original development, which built the sewage treatment plant and dedicated the same to the County to create the District. The District is located in the hamlet of Farmingville, Town of Brookhaven. It consists of approximately 92 acres.

District Population

The District's sewage treatment plant received a day average flow of 30,000 gallons per day from 206 single family homes with a permitted capacity of 45,000 gpd. Using the standard average equivalent of 75 gallons per day per capita, this equates to a population of at least 600 people. This District is one established prior to December 27, 1977, when the EPA changed the manner of assessing district residents for their services. This District is paid for from ad valorem property tax assessments of the District residents.
Brief District History

This subdivision was approved for construction on April 26, 1971, and was substantially built out by the date of dedication to the County, January 1, 1977. The development was a 204 unit subdivision that provided its own sewers and treatment plant and was dedicated to the County for the creation of the Suffolk County Sewer District No. 9 - College Park. Two residential contractees are also served by the District bringing the total connections to 206.

Wastewater Treatment and Disposal Facilities

The treatment facility removes nitrogen to permit effluent limitations. Due to the soil conditions on the site and the suspended solids in the effluent, difficulty in recharging effluent has been experienced over the past few years. Although emergency modifications were made to the leaching pools, effluent filtration to enhance the current discharge would assist in extending the life of the recharge facilities and minimizing emergency maintenance procedures.

The effluent filtration system would be housed in a building extension approximately 20' x 40' on the westerly side of the building as indicated in Exhibit 'B'. The building extension would include ventilation, heating, and electrical requirements that are consistent with the existing facility and would not infringe on the buffer distances necessary to the nearby habitable dwellings. The filtration system would include backwash capabilities with a return of the backwash water to the influent end of the treatment plant. Due to the average flows of the facility being below those of the design capabilities, this return would not interfere with the treatment capacity. Exhibit 'C' contains a SEQRA document indicating the project is Unlisted with a Negative Declaration.

Capital Costs

The Capital Program & Budget requests include $135,000 for engineering and $1,715,000 for the filtration system including the building extension and recharge pool rehabilitation. The project was bid and the bid price was above the available funds requiring an additional $500,000 to complete the project. A change in the approach for the project also took place where the Suffolk County DPW staff would purchase materials, provide construction and installation, and will also utilize annual on call contractors for certain portions of the work. An additional $500,000 is the purpose of this report thus requiring an amendment to prior map and plans. The total project cost is $2.35 million.

Proposed Financial Plan and Costs to Homeowners

A. Federal and State Aid

There is no expectation of receipt of any Federal or State funds for the formation of this District.
B. Annual Operation and Maintenance Costs and Charges

Minimal additional operations and maintenance are associated with the filtration system. It is estimated that personal services including fringe benefits would be $1,700 per year, supplies and materials would be $2,500 per year, and utilities would be $3,300 per year. The total additional O&M costs are, therefore, $7,500 per year. Although not documented, it is probable that the current operation and maintenance costs associated with the effluent leaching facilities would exceed the O&M cost of the filtration. Additional attention to effluent quality and response to the possibility of leaching pool failures could be significant.

C. Typical of all County Sewer Districts, the financial plan is to compare conventional financing for the project to the stabilization of rates with a maximum increase of 3% per year. The 3% per year criterion allows the Assessment Stabilization Reserve Fund to be utilized. A description of the reserve fund is included in Exhibit 'D'.

Exhibits 'E', 'F', and 'G' include the AV by the parcels within the district which has a mode of $3,075; the adopted 2017 rate; and the annual cost comparison. It is noted that the mix of funds for the project being serial bonds and Assessment Stabilization Reserve Fund recognizes that the bonding will be for the serial bonds in an amount of $1,750,000 while the remaining funds which are not to be bonded, amount to $600,000. As indicated in Exhibit 'D', the ASRF is a loan to the district and would be repaid during those time periods where the 3% increase per year exceeds the debt service and other expenses of the district.

In order to establish the year in which the maximum rate is due and considering the possibility of varying interest rate and financing periods, the current 18 years at 4.125% establishes the level debt annual cost to the district during and after 2019. The amount to be amortized with principal and interest would be $135,658 as indicated in Exhibit 'G'. The additional annual operation and maintenance cost for the filtration system is estimated at $7,500 as described above. Therefore, the total cost of the conventional financing including additional operation and maintenance cost is $143,158 in the maximum year of 2019. Using the assessed value of the mode of the district parcels, the increase without considering the stabilization would be nearly $701. The stabilized 2017 cost is $591.57 and, therefore, the annual 3% increase using the ASRF would amount to an increase of approximately $17.00 per home for 2018 and 2019. Regardless of this Capital Project, the 2019 rate would be $557.61 as compared to a projected rate without the opportunity to use the ASRF $1,292.45. The project schedule is in Exhibit 'H'.
Taxable and Non-Taxable Real Property in the District

The district includes three exempt parcels, a flood control pipeline, government owned public park, and the sewage treatment plant site. There is no agricultural land within the proposed District.

Recommendations

As indicated above, the District facilities and the operations and maintenance will be enhanced by these recommended approvals. The reduction of suspended solids in the effluent as well as the elimination of emergency response is beneficial to the District. Implementation of the project will have no impact on the rates of the District since the rates will continue to rise by 3% per year in order to have the Assessment Stabilization Reserve Fund available to stabilize the rates. I respectfully recommend that authorization be given to proceed with this project.

Respectfully submitted,

[Signature]

for Gilbert Anderson, P.E.
Commissioner of the Suffolk County
Department of Public Works, Chairman
of the Suffolk County Sewer Agency and
Administrative Head of All Suffolk County
Sewer Districts
EXHIBIT "A"

DISTRICT BOUNDARIES
EXHIBIT 'B'

BUILDING EXTENSION
EXHIBIT 'C'

SEQRA
RESOLUTION NO. 370 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SAFETY AND SECURITY IMPROVEMENTS, CP #8103, AND IMPROVEMENTS TO TREATMENT FACILITY, CP #8163, SEWER DISTRICT NO. 9, COLLEGE PARK, FARMINGVILLE, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the “Proposed Safety and Security Improvements, CP #8103, and Improvements to Treatment Facility, CP #8163, Sewer District No. 9, and College Park, Farmingville, Town of Brookhaven”, pursuant to Section 6 of Local Law No. 22-1985 which project involves the construction of a fence around a 30,000 sq. ft. portion of plant site with 0.1 acres disturbed, for the safety and security of the plant. The project also involves the replacement of the biological treatment process for the referenced treatment plant. A process tank, in an addition of approximately 20’ x 40’, is to be installed adjacent to the existing treatment plant to provide reliable treatment for an extended life at the treatment facility; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its March 15, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEO has advised the County Legislature and the County Executive by memo dated March 20, 2006 of said recommendations; and

WHEREAS, Section 279-5(h) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the “Proposed Safety and Security Improvements, CP #8103, and Improvements to Treatment Facility, CP #8163, Sewer District No. 9, College Park, Farmingville, Town of Brookhaven” constitutes an unlisted action under the provisions of Title 6 NYCCRR Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposal 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 or the Suffolk County Charter and the Suffolk County Code;

2.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes); and

http://www.co.suffolk.ny.us/legis/resos2006/i1454-06.htm 5/5/2009
3.) The project will improve the plant security and treatment process; and be it further

2nd RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: May 18, 2008

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: May 18, 2006
EXHIBIT 'D'

ASSESSMENT STABILIZATION RESERVE FUND
Assessment Stabilization Reserve Fund

Resolution No. 110-1998 adopted Local Law No. 35-1999, establishing a “Common Sense Tax Stabilization Plan for Sewers, Environmental Protection, and County Taxpayers.” The program provides long-term sewer district tax rate stabilization for both debt service and operation and maintenance costs.

Resolution No. 650-2000 re-imposed an additional one-quarter percent sales tax for the period beginning December 1, 2000, through December 31, 2013. An extension of this program was adopted in 2007 and allocated 25% of the additional sales tax to an Assessment Stabilization Reserve Fund (ASRF) for sewers through 2030.

Two funds exist, the ASRF for the smaller districts (Fund 404) and the Southwest Sewer District (Sewer District 3) (Fund 405).

The intent of the ASRF is to stabilize sewer district tax rates beyond 2030 and to protect taxpayers in sewer districts from significant rate increases in a single budget year. Increases above 3% allow the ASRF to be utilized. The use of the Assessment Stabilization Reserve Fund therefore, limits the impact of any capacity project to 3%.
EXHIBIT ‘E’

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SD 9 2017
EXHIBIT ‘F’

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<td>N/A</td>
<td>100.40</td>
<td>4.76</td>
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<td>1.6602</td>
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<td>PER 1000</td>
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<td>D</td>
<td>188.8162</td>
<td>1.7273</td>
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<td></td>
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<td>188.8162</td>
<td>1.7273</td>
<td>N/A</td>
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<td></td>
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<td></td>
<td></td>
<td>Stony Brook (Const. only)</td>
<td>Per 1000</td>
<td>D</td>
<td>0.0000</td>
<td>0.0000</td>
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<td>Selden (Zone A)</td>
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<td>0.91%</td>
<td>Per 1000</td>
<td>D</td>
<td>161.4313</td>
<td>1.4660</td>
<td>N/A</td>
<td>169.50</td>
<td>4.24</td>
<td>PER 1000</td>
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<td>T</td>
<td>161.4313</td>
<td>1.4660</td>
<td>N/A</td>
<td>169.50</td>
<td>4.24</td>
<td>PER 1000</td>
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<td>Selden (Zone B)</td>
<td>Per 1000</td>
<td>D</td>
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<td>1.4660</td>
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<td>161.4313</td>
<td>1.4660</td>
<td>N/A</td>
<td>169.50</td>
<td>4.24</td>
<td>PER 1000</td>
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<td>Per 1000</td>
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<td>0.0000</td>
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<td>N/A</td>
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<td>212</td>
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<td>Birchwood/Hallbrook</td>
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<td>D</td>
<td>93.3408</td>
<td>0.8940</td>
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<td>T</td>
<td>93.3408</td>
<td>0.8940</td>
<td>N/A</td>
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<td>2.46</td>
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<tr>
<td>213</td>
<td>13</td>
<td>Windwatch</td>
<td>(B) 12.70%</td>
<td>% of Use</td>
<td>Per 1000</td>
<td>D</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>629.00</td>
<td>660.45</td>
<td>$ 157.25</td>
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<td>629.00</td>
<td>660.45</td>
<td>$ 157.25</td>
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</table>
EXHIBIT 'G'

ANNUAL COST COMPARISON
Sewer District No. 9 - College Park (1)
CP 8163
Annual Cost Comparison

2017 Rate (See Exhibit 'F') $181.3363/1000 AV
Mode AV/home $3075

Projected 2019 Rate (2) $591.57
Cost/home 2017 $557.61
2018 $574.34
2019 $591.57
CP 8163 Cost (Bonds) $1,750,000
Serial bonds $135,658/year
O&M Increase (3) $7,500/year
Total Increase $143,158/year

District = $628,084
Rate Increase (2019) = $143,158/$628,084 = $227.93/1000 AV
Per Cost increase = $227.93 x 3.075 = $700.88/year

Projected 2019 rate without ASRF = $1,292.45 ($700.88 + $591.57)
Projected 2019 rate with ASRF = $591.57 (4)

Regardless of CP 8163, the 2019 Rate is $591.57/house

(1) 206 Single family homes
(2) ASRF stabilizes rates at 3% per year
(3) Additional process adds minor labor, power, materials
(4) The increase from 2017 to 2019 would be approximately $17.00/lot/year
<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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<tr>
<td>3/1/2019</td>
<td>3.00%</td>
<td>$69,696.44</td>
<td>$65,961.54</td>
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<td>3/1/2020</td>
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<td>$72,323.46</td>
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<td>3/1/2021</td>
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<td>3/1/2023</td>
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<td>$80,813.70</td>
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<td>4.00%</td>
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<td>4.00%</td>
<td>$100,901.25</td>
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<td>$116,995.98</td>
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<td>$121,405.83</td>
<td>$7,126.07</td>
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<td>4.125%</td>
<td>$125,981.90</td>
<td>$4,838.04</td>
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<td>4.25%</td>
<td>$130,730.44</td>
<td>$2,463.77</td>
<td>$133,194.21</td>
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$1,750,000.00  $691,843.57  $2,441,843.57  $2,441,843.57
EXHIBIT 'H'

SCHEDULE
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<tr>
<td>I. Final Design Phase</td>
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<tr>
<td>A. Final Design In-Progress</td>
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<tr>
<td>B. Final Design Complete</td>
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<tr>
<td>C. Financial Approval on Final Design</td>
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<tr>
<td>II. Construction Phase</td>
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<td>In-house and bid work elements</td>
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## FINANCIAL IMPACT
### 2017 PROPERTY TAX LEVY
#### COST TO THE AVERAGE TAXPAYER

### GENERAL FUND

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<th>2017 RATE PER $1000</th>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2017 COST TO AVG TAXPAYER</th>
<th>2017 FEV TAX RATE PER $1000</th>
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### COMBINED

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<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**

3. SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
1. **Type of Legislation**

| Resolution | X | Local Law | Charter Law |

2. **Title of Proposed Legislation**

A resolution making certain findings and determinations and an order for the modification of the plan of service for Suffolk County Sewer District No. 9 – College Park (CP 8163).

3. **Purpose of Proposed Legislation**

To make certain findings and determinations for the improvement to the wastewater treatment facility.

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)

<table>
<thead>
<tr>
<th>County</th>
<th>Town</th>
<th>Economic Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village</td>
<td>School District</td>
<td>Other (Specify):</td>
</tr>
<tr>
<td>Library District</td>
<td>Fire District</td>
<td></td>
</tr>
</tbody>
</table>

6. **If the answer to item 4 is "yes," Provide Detailed Explanation of Impact**

The $2.35 million project will be funded by the district residents using serial bonds, stabilized by the ASRF.

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

Rates are stabilized by the ASRF, therefore, a 3% increase per year resulting in the typical property increase being $17 per year.

8. **Proposed Source of Funding**

Serial Bonds, supported by ASRF

9. **Timing of Impact**

2018-2036 (See No. 7)

10. **Typed Name & Title of Preparer**

Ben Wright, P.E.
Principal Civil Engineer, Sanitation

11. **Signature of Preparer**

Ben Wright

12. **Date**

5-25-17
REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

(1) Please limit this suggestion form to ONE proposal.
(2) Describe in detail
(3) Attach all pertinent backup material.

<table>
<thead>
<tr>
<th>Submitting Department</th>
<th>Department Contact Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Dept. Name &amp; Location):</td>
<td>(Name &amp; Phone No.):</td>
</tr>
<tr>
<td>Department of Public Works</td>
<td>Ben Wright, P.E.</td>
</tr>
<tr>
<td>335 Yaphank Avenue</td>
<td>Principal Civil Engineer, Sanitation</td>
</tr>
<tr>
<td>Yaphank, NY 11980</td>
<td>631-852-4184</td>
</tr>
</tbody>
</table>

Suggestion Involves:

- Technical Amendment
- Grant Award
- New Program X
  - Contract
    - New
    - Rev.
    - Other

Summary of Problem: (Explanation of why this legislation is needed.)

A findings determination will lead to providing funds for the improvements to the wastewater treatment facility. This resolution is subject to the required permissive referendum.

Proposed Changes in Present Statute: (Please specify section when possible.)

The findings resolution involves the improvements to the SCSD No. 9 – College Park, CP 8163, that is subject to a permissive referendum.

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN Form 175a (10/95) Prior editions of this form are obsolete.
2017 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL – Making Certain Findings and Determinations and an Order for the Modification of the Plan of Service for Suffolk County Sewer District No. 9 – College Park (CP 8163).

PURPOSE OR GENERAL IDEA OF BILL – Making certain findings and determinations in relation to a public hearing as a prerequisite to requesting appropriations. This resolution is subject to a required permissive referendum.

SUMMARY OF SPECIFIC PROVISIONS – Provides the findings of the public hearing on an improvement project and costs for SCSD #9 – College Park. Meets the requirements of NYS County Law, Article 5-A.

JUSTIFICATION – The findings of the public hearing will be subject to a permissive referendum and will allow appropriations to be made in accordance with the adopted budget.

FISCAL IMPLICATIONS – Sewer district costs are stabilized by the ASRF. The annual increase of 3% is approximately $17 per year per typical property.
Substance:

☐ Request Letter
☐ Draft Resolution
☐ SEQRA Determination
☐ SCIN 175a
☐ SCIN 175b
☐ e-Copies Sent to CE RESO REVIEW (copy Dept. Head)
☐ 1 Hard Copy: (Deputy County Executive for Intergovernmental Relations)

Form:

☐ e-Copy with Proper Title
☐ Proper Sponsorship Line
☐ Proper Resolution Format
☐ Numbered "RESOLVED" Clauses
☐ Proofread Resolution
☐ Preparer's Initials

Background Documentation:

☐ Award Letter (to accept a grant)
☐ Copy of Grant Agreement (if available)
☐ Required "RESOLVED" Clause* (if grant establishes a position)
☐ Other Background Documentation (resume for an app't, etc.)
☐ Memorandum of Support

If this is a CM Request:

☐ Requesting Letter
☐ Rationale (the "Because Clause")

*WHEREAS, Chapter 255 of the Suffolk County Code requires that no vehicle shall be purchased or leased unless explicit approval for the acquisition of such vehicle via lease or purchase, has been granted via a duly enacted resolution of the Suffolk County Legislature; now, therefore be it

**RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the positions created by this resolution at the conclusion of the grant funding provider for such position created by said grant.
MEMORANDUM

TO: Lisa Santeramo, Deputy County Executive/Chief of Staff
FROM: Gilbert Anderson, P.E., Commissioner
SUBJECT: A Resolution Making Certain Findings and Determinations and an Order for the Modification of the Plan of Service for Suffolk County Sewer District No. 9 – College Park (CP 8163)
DATE: May 26, 2017

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW SD 9 – College Park CP 8163 Improvements 5-26-17 and backup filed as Backup-DPW SD 9 – College Park CP 8163 Improvements 5-26-17 for the findings resolution of the improvement of Sewer District No. 9 – College Park which is subject to a permissive referendum. The project is to provide funds for the improvements of the wastewater treatment facility and district. The wastewater treatment plant construction project is designed and requires an additional $0.5 million using serial bonds supported by the ASRF. The total cost associated with the project is approximately $2.35 million.

We appreciate the resolution being laid on the table such that the appropriations can be adopted as soon as necessary.

GA:BW:ni
Attachment
cc: John Donovan, P.E., Chief Engineer, Sanitation
    Ben Wright, P.E., Principal Civil Engineer, Sanitation
    CE Reso Review
    H:\SANITATION\resolutions\2017 Resolution\agu-bw5-26-17 Backup-DPW sd9-College Park Findings CP 8163 memo to LSanteramo.doc
RESOLUTION NO. -2017, IDENTIFYING COUNTY PURCHASING PERSONNEL PURSUANT TO NEW YORK GENERAL MUNICIPAL LAW SECTION 104-b(2)(f)

WHEREAS, pursuant to section 104-b(2)(f) of the General Municipal Law the County of Suffolk is required to identify the individual or individuals responsible for purchasing, including their respective titles; and

WHEREAS, General Municipal Law Section 104-b(2)(f) also requires that such information be updated biennially; now, therefore be it

1st RESOLVED, that the following County personnel are responsible for purchasing and are hereby authorized, empowered and directed to implement County procurement policies and procedures:

a.) Tom Malanga, Principal Contracts Examiner, Department of Public Works;
b.) Gilbert Anderson, Commissioner, Department of Public Works;
c.) Philip Berdoldt, Commissioner, Department of Parks, Recreation and Conservation;
d.) Anita S. Katz, Commissioner, Board of Elections; and
e.) Nick LaLota, Commissioner, Board of Elections;

and be it further;

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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
## STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

<table>
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<tr>
<th>1. Type of Legislation</th>
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<td>IDENTIFYING COUNTY PURCHASING PERSONNEL PURSUANT TO NEW YORK GENERAL MUNICIPAL LAW SECTION 104-b(2)(f)</td>
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<table>
<thead>
<tr>
<th>3. Purpose of Proposed Legislation</th>
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<tbody>
<tr>
<td>SEE #2 ABOVE.</td>
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<tr>
<th>4. Will the Proposed Legislation Have a Fiscal Impact?</th>
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<table>
<thead>
<tr>
<th>5. If the answer to item 4 is &quot;yes&quot;, on what will it impact? (circle appropriate category)</th>
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<tbody>
<tr>
<td>County ___________ Town ___________ Economic Impact ___________</td>
</tr>
<tr>
<td>Village ___________ School District ___________ Other (specify): ___________</td>
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<td>Library District ___________ Fire District ___________</td>
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<table>
<thead>
<tr>
<th>6. If the answer to item 5 is &quot;yes&quot;, Provide Detailed Explanation of Impact.</th>
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<tbody>
<tr>
<td>THERE IS NO FISCAL IMPACT FOR THIS RESOLUTION. THIS RESOLUTION IDENTIFIES COUNTY PERSONNEL WHO ARE RESPONSIBLE FOR PURCHASING AND ARE AUTHORIZED, EMPOWERED AND DIRECTED TO IMPLEMENT COUNTY PROCUREMENT POLICIES AND PROCEDURES.</td>
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<tr>
<th>7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision.</th>
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<tr>
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<tr>
<th>10. Typed Name &amp; Title of Preparer</th>
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<tr>
<td>THERESA LOLLO PRINCIPAL FINANCIAL ANALYST</td>
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<th>11. Signature of Preparer</th>
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<th>12. Date</th>
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<tr>
<td>June 14, 2017</td>
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<th>2017 FV TAX RATE PER $1000</th>
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<tr>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2017 PROPERTY TAX LEVY</th>
<th>2017 COST TO AVG TAXPAYER</th>
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<tr>
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<th>2017 PROPERTY TAX LEVY</th>
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<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
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</tbody>
</table>

**NOTES:**

3) SOURCE FOR EQUALIZATION RATES: 2015 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
RESOLUTION NO. – 2017, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW ENHANCED SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM 2014 REFERENDUM – LAND PURCHASES FOR OPEN SPACE PRESERVATION (CP 8732.210) – FOR THE SOCIETY OF ST. FRANCIS, AMERICAN PROVINCE, INC. PROPERTY – LITTLE PORTION FRIARY II (TOWN OF BROOKHAVEN - SCTM# 0200-067.00-01.00-007.001 P/O)

WHEREAS, Local Law No. 31-2014, a Charter Law Amending the ¼% Suffolk County Drinking Water Protection Program (DWPP) for Enhanced Water Quality Protection, Wastewater Infrastructure and General Fund Property Tax Relief for Suffolk County, created the 2014 Enhanced Suffolk County Water Quality Protection Program, codified in Suffolk County Charter Article XlIA; and

WHEREAS, in November of 2014, two-thirds of Suffolk County voters approved Proposition No. 5-2014, enacting the provisions of Resolution No. 579-2014. Local Law No. 31-2014, “A Charter Law Amending the ¼% Suffolk County Drinking Water Protection Program (DWPP) for Enhanced Water Quality Protection, Wastewater Infrastructure and General Property Fund Tax Relief for Suffolk County” this Proposition recognized the essential nature of the Drinking Water Protection Program to the well-being of the County’s drinking water supply and required $29.4 million in serial bonds be issued through the Capital Program for water quality protection program projects; and

WHEREAS, the 2016 Adopted Capital Budget contained three water quality protection 2014 Referendum capital projects totaling $29.4 million; CP 8732 for land purchases ($20.0 million), CP 8733 for water quality projects ($4.7 million), CP 8734 for sewer improvement projects ($4.7 million); and

WHEREAS, this capital project provides $20 million in serial bond funding for the acquisition by the County, by fee, lease or easement, of interests in land associated with the Suffolk County Drinking Water Protection Program; and

WHEREAS, Resolution No. 915-2008 and Resolution No. 466-2016, authorized planning/appraisal steps for the acquisition of said property; and

WHEREAS, the Town of Brookhaven ("Town") has approved Resolution No. 2017-0056 on January 10, 2017 authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and
WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Estate and/or his designee and approved as to legality form by the Office of the County Attorney; now, therefore, be it:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of One Million Six Hundred Fifty-Three Thousand Three Hundred Dollars ($1,653,300+), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling One Million Two Hundred Thirty-Nine Thousand Nine Hundred Seventy-Five Dollars ($1,239,975+), for a seventy-five percent (75%) undivided interest; and the Town’s share, totaling Four Hundred Thirteen Thousand Three Hundred Twenty-Five Dollars ($413,325+), for a twenty-five percent (25%) undivided interest, at One Hundred Ten Thousand Dollars ($110,000) per acre, for 15.03+ 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:

<table>
<thead>
<tr>
<th>PARCEL:</th>
<th>TAX MAP NUMBER:</th>
<th>ACRES:</th>
<th>REPUTED OWNER AND ADDRESS:</th>
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</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>District 0200</td>
<td>15.03+</td>
<td>Society of St. Francis, American Province, Inc. c/o Twomey, Lathan, Shea, Kelley, Dublin, &amp; Quarataro, LLP 33 West Second Street P.O. Box 9398 Riverhead, NY 11901-9398</td>
</tr>
</tbody>
</table>

; and, be it further

2nd RESOLVED, that the Director of Real Estate and/or his 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 Enhanced Suffolk County Drinking Water Protection Program, effective June 14, 2016, Section C12A-2(B)(1) of the SUFFOLK COUNTY CHARTER, for the County’s 75% share of One Million Two Hundred Thirty-Nine Thousand Nine Hundred Seventy-Five Dollars ($1,239,975+), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller is hereby authorized to reserve and to pay $1,239,975+, subject to a final survey, from previously appropriated funds in capital project 525-CAP-8732.210 for the New Enhanced Suffolk County Drinking Water Protection Program, 2014 Referendum, effective as of June 14, 2016, pursuant to the new Article XIIA of the SUFFOLK COUNTY CHARTER, Section C12A-2(B)(1); and, be it further

4th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, the County owning and undivided 75% interest and the Town owning an undivided 25% interest; and, be it further

5th RESOLVED, that the Director of Real Estate and/or his designee; the Division of Planning and Environment; 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

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(B)(1) of the SUFFOLK COUNTY CHARTER:

d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County; (LICMP)

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

9th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) the proposed use of the subject parcel(s) is passive park; and

3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

10th RESOLVED, that in accordance with Section 450-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
1. Type of Legislation

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Local Law</th>
<th>Charter Law</th>
</tr>
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<tbody>
<tr>
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2. Title of Proposed Legislation

**RESOLUTION NO.** - 2017, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW ENHANCED SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM 2014 REFERENDUM - LAND PURCHASES FOR OPEN SPACE PRESERVATION (CP 8732.210) - FOR THE SOCIETY OF ST. FRANCIS, AMERICAN PROVINCE, INC. PROPERTY - LITTLE PORTION PRIORY II (TOWN OF BROOKHAVEN - SCTM# 0200-067.00-01.00-007.001 P/O)

3. Purpose of Proposed Legislation

See above.

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

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS 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

SUFFOLK COUNTY SERIAL BONDS PER LOCAL LAW 31-2014, a Charter Law Amending the 94% Suffolk County Drinking Water Protection Program (DWPP) for Enhanced Water Quality Protection, Wastewater Infrastructure and General Fund Property Tax Relief for Suffolk County, created the 2014 Enhanced Suffolk County Water Quality Protection Program, codified in Suffolk County Charter Article XII A.

9. Timing of Impact

IT IS ANTICIPATED THAT BONDS WILL BE ISSUED FALL OF 2017 AND DEBT SERVICE WILL COMMENCE FALL 2018. THERE IS NO FISCAL IMPACT IN 2017. EARLIEST DEBT SERVICE FISCAL IMPACT WILL BE IN THE 2018 OPERATING BUDGET. ATTACHED 2018 CAT BASED ON 2017 DATA.

10. Typed Name & Title of Preparer
Nicholas Paglia
Principal Budget Examiner

11. Signature of Preparer

12. Date
June 13, 2017
## FINANCIAL IMPACT

**2018 PROPERTY TAX LEVY**

**COST TO THE AVERAGE TAXPAYER**

### GENERAL FUND

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<th>2018 FEV TAX RATE PER $1000</th>
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<td>$0.12</td>
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### NOTES:

1) **SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION:** SUFFOLK COUNTY REAL PROPERTY, 2016.

2) **SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES:** SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2016-2017 AS ESTABLISHED BY RESQ. 1059-2016.

3) **SOURCE FOR EQUALIZATION RATES:** 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
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$1,239,975.00  $682,192.77  $1,922,167.77  $1,922,167.77
### GENERAL FUND

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**NOTES:**
3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
May 23, 2017

Ms. Katie Horst
Intergovernmental Relations
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Ms. Horst:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Society of St. Francis, American Province, Inc. property (Little Portion Friary II), in the Town of Brookhaven, under the New Enhanced Suffolk County Drinking Water Protection Program-Open Space. The purchase price is $1,653,300.00+ for 15.03+ acres, at $110,000.00 per acre. This is a partnership with the Town of Brookhaven, with the County’s 75% share totaling ($1,239,975.00) and the Town’s 25% share totaling $413,325.00+.

Please contact me if you require any additional information.

Sincerely,

[Signature]

Jason Smagin
Acting Director of Real Estate

CC: Theresa Ward, Commissioner, Dept. of Economic Development & Planning (email)
    Sarah Lansdale, Director, Division of Planning & Environment (email)
    Robert Braun, Deputy Bureau Chief, Municipal Law, Real Estate-Condemnation (email)
    Janet M. Longo, Acquisition Supervisor, Real Property Acquisition & Mgmt.
    Lauretta Fischer, Chief Environmental Analyst, Division of Planning (email)
    Phyllis J. Benincasa, Acquisition Agent
    CE Reso Review (e-mail copy only)
TITLE OF BILL:  
AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW ENHANCED SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM 2014 REFERENDUM-LAND PURCHASES FOR OPEN SPACE PRESERVATION (CP 8732.210)-FOR THE SOCIETY OF ST FRANCIS, AMERICAN PROVINCE, INC. (LITTLE PORTION FRIARY II)-TOWN OF BROOKHAVEN-SCTM#0200-067.00-01.00-007.001 p/o

PURPOSE OR GENERAL IDEA OF BILL:  
OPEN SPACE/DRINKING WATER PRESERVATION. THIS PROPERTY IS ADJACENT TO LITTLE PORTION FRIARY I WHICH WAS PURCHASED BY THE COUNTY AND TOWN IN 2014.

SUMMARY OR SPECIFIC PROVISIONS:  

JUSTIFICATION:  
PLANNING STEPS RESOLUTION NO.918-2008 AND 466-2016 TO PURCHASE AS OPEN SPACE WITH TOWN OF BROOKHAVEN AS PARTNER.

FISCAL IMPLICATIONS:  
N/A
RESOLUTION NO. - 2017, AUTHORIZING THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SUPPLEMENTAL ENVIRONMENTAL PROJECT FOR LAND ACQUISITION (CP 8735)- FOR THE MATRIX RESIDENTIAL HOLDINGS, LLC PROPERTY – SWAN RIVER (TOWN OF BROOKHAVEN – SCTM# 0200-982.50-04.00-003.000)

WHEREAS, Suffolk County has entered into a Consent Judgment ("Consent Judgment") with the United States Environmental Protection Agency ("EPA") concerning underground storage tanks and universal waste (United States of America v. County of Suffolk (E.D.N.Y. Civ. Action No. CV-13-7183); and

WHEREAS, this Consent Judgment was authorized via Suffolk County Resolution No. 1183-2013, Authorizing Execution of a Consent Judgment with the United States Environmental Protection Agency Concerning County Underground Storage Tanks and Universal Waste; and

WHEREAS, the Consent Judgment stipulated that the County of Suffolk would pay a Two Million Dollar ($2,000,000) penalty; and

WHEREAS, of the Two Million Dollar ($2,000,000) penalty required by the Consent Judgment, payment of the monetary part of the penalty (Five Hundred Thousand Dollars $500,000) was authorized by Resolution No. 1196-2013, Amending the 2013 Operating Budget and Appropriating Funds In Connection With Bonding for a Consent Judgment in Partial Settlement with the United States Environmental Protection Agency Concerning County Underground Storage Tanks and Universal Waste, leaving a remaining balance of One Million Five Hundred Thousand Dollars($1,500,000); and

WHEREAS, the Consent Judgment specified that One Million Five Hundred Thousand Dollars ($1,500,000) shall be expended by Suffolk County upon a Supplemental Environmental Project ("SEP") involving land acquisition which will be environmentally beneficial to Suffolk County residents and which will benefit and protect the ground, drinking and surface waters of Suffolk County; and

WHEREAS, under the terms of the Consent Judgment, the County shall be responsible for all expenses necessary to fully implement the SEP, including any non-creditable expenses such as the cost of title policies, appraisals and environmental audits; and

WHEREAS, Resolution No. 1101-2015 Authorizing the Balance for a Consent Judgment Settlement with the United States Environmental Protection Agency and Amending the 2015 Capital Budget and Program in Connection with the Suffolk County Supplemental Environmental Project for Land Acquisition (CP 8735), appropriated the funds for the subject acquisition, subject to a further resolution of the County Legislature to approve the specific land purchase and a corresponding bond resolution; and

WHEREAS, the deadline for the acquisition is February 23, 2018; and

WHEREAS, pursuant to the Consent Judgment, "This project was undertaken in connection with the settlement of an enforcement action, United States v. County of Suffolk,
taken on behalf of the United States Environmental Protection Agency under the Resource Conservation and Recovery Act; and

WHEREAS, Resolution No. 621-2004, Approving Master List of Environmentally Sensitive, Farmland, and Recreationally important Land Acquisitions and Implementing Planning Steps, authorized planning steps, and Procedural Motion No. 3-2017, Setting Land Acquisition Priorities In Accordance With “AAA Program” Requirements (2017 - Phase I), authorized the acquisition of said property; and

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

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

WHEREAS, a contract to acquire said property was prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Estate and/or his designee, and approved as to form by the Office of the County Attorney; and

WHEREAS, on November 20, 2007, Suffolk County, as State Environmental Quality Review Act (“SEQRA”) Lead Agency, in Resolution 1083-2007, classified the action as a Type I action and issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,330,380 in Suffolk County Serial Bonds now, therefore be it;

1st

RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Supplemental Environmental Project (SEP), as required by the Consent Judgment (Civil Action No. CV-13-7183), for a total purchase price of One Million Three Hundred Thirty Thousand Three Hundred Eighty Dollars ($1,330,380), at Sixty Thousand Dollars ($60,000) per acre, for 22.173± 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:

<table>
<thead>
<tr>
<th>PARCEL:</th>
<th>SUFFOLK COUNTY</th>
<th>ACRES:</th>
<th>REPUTED OWNER</th>
<th>AND ADDRESS:</th>
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<tr>
<td>No. 1</td>
<td>TAX MAP NUMBER:</td>
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<td>Matrix Residential Holdings, LLC</td>
<td>c/o Russo, Karl Widmaier &amp; Cordano, PLLC</td>
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<td></td>
<td>District: 0200</td>
<td></td>
<td>400 Town Line Road, Suite 170</td>
<td>Hauppauge, NY 11788</td>
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<td></td>
<td>Lot: 003.00</td>
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RESOLVED, that the Director of Real Estate and/or his designee, is hereby authorized, empowered, and directed to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Supplemental Environmental Project (SEP) Project, Consent Judgment Civil Action No. CV-13-7183, for the County’s purchase price of One Million Three Hundred Thirty Thousand Three Hundred Eighty Dollars ($1,330,380), subject to a final survey; and be it further

RESOLVED, that the County Comptroller is hereby authorized to reserve and to pay $1,330,380, subject to a final survey, from previously appropriated funds in capital project 525-CAP-8735 under the Suffolk County Supplemental Environmental Project (SEP) Project, Consent Judgment Civil Action No. CV-13-7183 for this acquisition; and be it further

RESOLVED, that the Director of Real Estate and/or his designee, the County Department of Economic Development and Planning, 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

RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same;

b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study; and, be it further

RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

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 6 NYCRR Sections 617.5 (C) (20) and (27) of the New York Code of Rules and Regulations, since such actions are legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which a SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

[Signature]
County Executive of Suffolk County

Date of Approval:
1. Type of Legislation

<table>
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<th>Resolution</th>
<th>Local Law</th>
<th>Charter Law</th>
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2. Title of Proposed Legislation

**RESOLUTION NO. - 2017, AUTHORIZING THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SUPPLEMENTAL ENVIRONMENTAL PROJECT FOR LAND ACQUISITION (CP 8735)- FOR THE MATRIX RESIDENTIAL HOLDINGS, LLC PROPERTY - SWAN RIVER (TOWN OF BROOKHAVEN - SCTM# 0200-982.50-04.00-003.000)**

3. Purpose of Proposed Legislation

See above.

4. Will the Proposed Legislation Have a Fiscal Impact?  Yes [X]  No __

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

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

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 FALL OF 2017 AND DEBT SERVICE WILL COMMENCE FALL 2018. THERE IS NO FISCAL IMPACT IN 2017. EARLIEST DEBT SERVICE FISCAL IMPACT WILL BE IN THE 2018 OPERATING BUDGET. ATTACHED 2018 CAT BASED ON 2017 DATA.

10. Typed Name & Title of Preparer
    Nicholas Paglia
    Principal Budget Examiner

11. Signature of Preparer
    [Signature]

12. Date
    June 13, 2017

SCIN FORM 175b (10/95)
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### POLICE DISTRICT AND DISTRICT COURT

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**NOTES:**

1) **SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION:** SUFFOLK COUNTY REAL PROPERTY, 2016.
2) **SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES:** SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2016-2017 AS ESTABLISHED BY RESO. 1069-2016.
3) **SOURCE FOR EQUALIZATION RATES:** 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office
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$1,330,380.00 $731,930.58 $2,062,310.58 $2,062,310.58
## FINANCIAL IMPACT

### 2017 PROPERTY TAX LEVY
### COST TO THE AVERAGE TAXPAYER

### GENERAL FUND

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### POLICE DISTRICT AND DISTRICT COURT

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<th>2017 FEV TAX RATE PER $1000</th>
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</tbody>
</table>

### NOTES:


3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
May 25, 2017

Ms. Katie Horst
Intergovernmental Relations
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Ms. Horst:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Matrix Residential Holdings, LLC property (Swan River Addition), in the Town of Brookhaven, under the Suffolk County Supplemental Environmental Project for Land Acquisition Program. The purchase price is $1,330,380.00+ for 22.173+ acres, at $60,000.00 per acre.

Please contact me if you require any additional information.

Sincerely,

Jason Smagin
Acting Director of Real Estate

JS:pd
Att.
CC: Theresa Ward, Deputy County Executive & Commissioner, Dept. of Economic Development & Planning
Sarah Lansdale, Director, Division of Planning & Environment (email)
Robert Braun, Deputy Bureau Chief, Municipal Law, Real Estate-Condemnation (email)
Janet M. Longo, Acquisition Supervisor, Real Property Acquisition & Mgmt.
Lauretta Fischer, Chief Environmental Analyst, Division of Planning (email)
Phyllis J. Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)
2017 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL:
AUTHORIZING THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SUPPLEMENTAL ENVIRONMENTAL PROJECT FOR LAND ACQUISITION (CP 8735) FOR THE MATRIX RESIDENTIAL HOLDINGS, LLC PROPERTY-SWAN RIVER-TOWN OF BROOKHAVEN-SCTM#0200-982.50-04.00-003.000

PURPOSE OR GENERAL IDEA OF BILL:
THIS ACQUISITION OF OPEN SPACE IS TO BE UNDERTAKEN IN CONNECTION WITH THE SETTLEMENT OF AN ENFORCEMENT ACTION TAKEN ON BEHALF OF THE US EPA. SUFFOLK COUNTY HAS AGREED TO A CONSENT JUDGEMENT WITH THE US EPA CONCERNING UNDERGROUND STORAGE TANKS AND UNIVERSAL WASTE. AS PER THE AGREEMENT, SUFFOLK COUNTY WILL EXPEND $1.5 MILLION AS PART OF A SUPPLEMENTAL ENVIRONMENTAL PROJECT ("SEP") INVOLVING LAND ACQUISITION WHICH IS ENVIRONMENTALLY BENEFICIAL TO SUFFOLK COUNTY RESIDENTS AS IT WILL BENEFIT AND PROTECT THE GROUND, DRINKING AND SURFACE WATERS OF THE COUNTY.

SUMMARY OR SPECIFIC PROVISIONS:
ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SUPPLEMENTAL ENVIRONMENTAL PROJECT FOR LAND ACQUISITION FUNDING AVAILABLE IN 525-CAP-8735

JUSTIFICATION:
PLANNING STEPS RESOLUTIONS:
621-2004
1183-2013
1196-2013

FISCAL IMPLICATIONS:
N/A
RESOLUTION NO. 2017, RESCINDING RESOLUTION NO. 984-2016 AND 985-2016 AND AUTHORIZING CONSTRUCTION FOR THE NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF), WETLAND RESTORATION IN SUFFOLK COUNTY (NY) PROJECT, USING THE NEW ENHANCED SUFFOLK COUNTY WATER QUALITY PROTECTION PROGRAM FUNDS (CP 8733)

WHEREAS, Resolutions No.'s 984-2016 and 985-2016 were adopted by the Suffolk County Legislature on November 22, 2016; and

WHEREAS, Resolution No. 984-2016 appropriated $250,000 into Capital Project 8733 that will enable the Suffolk County Department of Parks, Recreation and Conservation to implement the Scully Estate Salt Marsh Restoration Project at the Suffolk County Scully Preserve; and

WHEREAS, Resolution No. 985-2016 authorized the issuance of $250,000 bonds to finance capital costs associated with the Scully Estate Salt Marsh Restoration Project in the Town of Islip; and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds during a meeting held on October 8, 2015; and

WHEREAS, The Departments of Economic Development and Planning and Public Works discussed and determined that the funding would not be able to be utilized within the time constraints of the New Enhanced Suffolk County Water Quality Protection Program – 2014 Referendum, Water Quality Projects component; and

WHEREAS, The Departments of Economic Development and Planning and Public Works discussed and determined that the required design and engineering work could not be funded by the New Enhanced Suffolk County Water Quality Protection Program – 2014 Referendum, Water Quality Projects component; and

WHEREAS, there has not been planning and/or implementation work by the Town of Islip to replace the existing culverts under South Bay Avenue with larger culverts to increase the natural tidal exchange to the marsh and restore the marsh within the project area, which is necessary for this marsh restoration; and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, recommended that the funding for this program be transferred to the National Fish and Wildlife Foundation (NFWF), Wetland Restoration in Suffolk County (NY), project during a meeting held on May 12, 2017; and

WHEREAS, The Department of Parks and Recreation, as project applicant, and the Seatuck Environmental Association, as project partner, have agreed to redirect this funding
to the National Fish and Wildlife Foundation (NFWF), Wetland Restoration in Suffolk County (NY), project; and

WHEREAS, this funding will be expended within two years of the adoption of this resolution; now, therefore be it

1st

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (SEQRA), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (C), (20), (21) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-019 (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; routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action; adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list; and be it further

2nd

RESOLVED, that it is hereby determined that the project, National Fish and Wildlife Foundation (NFWF), Wetland Restoration in Suffolk County (NY), with a priority ranking of sixty-nine (69), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd

RESOLVED, pursuant to the new Article XIIA of the Suffolk County Charter, CP 8733.310 funding shall be used for water quality protection and restoration program and land stewardship initiatives projects as set forth in Section C12-2(B) of the Suffolk County Charter, exclusive of Suffolk County personnel costs; and be it further

4th

RESOLVED, that the County Comptroller is hereby authorized to reserve and to pay $250,000 from the appropriated fund in Capital Project 525-CAP-8733.310 for the New Enhanced Suffolk County Water Quality Protection Program – 2014 Referendum, Water Quality Projects component, Section C12-2(B) of the Suffolk County Charter, for this water quality restoration project; and be it further

5th

RESOLVED, that Resolutions No. 984-2016 and 985-2016 are hereby repealed in their entirety.

DATED:

APPROVED BY:

__________________________________________
County Executive of Suffolk County

Date of Approval:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ___ Charter Law ___

2. Title of Proposed Legislation

RESOLUTION NO. 000-2017, RESCINDING RESOLUTION NO. 984-2016 AND 985-2016 AND AUTHORIZING CONSTRUCTION FOR THE NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF), WETLAND RESTORATION IN SUFFOLK COUNTY (NY) PROJECT, USING THE NEW ENHANCED SUFFOLK COUNTY WATER QUALITY PROTECTION PROGRAM FUNDS (CP 8733)

3. Purpose of Proposed Legislation

See above.

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

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

<table>
<thead>
<tr>
<th>County</th>
<th>Town</th>
<th>Economic Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village</td>
<td>School District</td>
<td>Other (Specify):</td>
</tr>
<tr>
<td>Library District</td>
<td>Fire District</td>
<td></td>
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</table>

6. If the answer to item 5 is "yes", Provide Detailed Explanations 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

SUFFOLK COUNTY SERIAL BONDS PER LOCAL LAW 31-2014, a Charter Law Amending the 1/4% Suffolk County Drinking Water Protection Program (DWPP) for Enhanced Water Quality Protection, Wastewater Infrastructure and General Fund Property Tax Relief for Suffolk County, created the 2014 Enhanced Suffolk County Water Quality Protection Program, codified in Suffolk County Charter Article XII A.

9. Timing of Impact

IT IS ANTICIPATED THAT BONDS WILL BE ISSUED FALL OF 2017 AND DEBT SERVICE WILL COMMENCE FALL 2018. THERE IS NO FISCAL IMPACT IN 2017. EARLIEST DEBT SERVICE FISCAL IMPACT WILL BE IN THE 2018 OPERATING BUDGET. ATTACHED 2018 CAT BASED ON 2017 DATA.

10. Typed Name & Title of Preparer
    Nicholas Paglia
    Principal Budget Examiner

11. Signature of Preparer

12. Date
    June 8, 2017
<table>
<thead>
<tr>
<th></th>
<th>2018 PROPERTY TAX LEVY</th>
<th>2018 COST TO AVG TAXPAYER</th>
<th>2018 FEV TAX RATE PER $1000</th>
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<td>GENERAL FUND</td>
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<tr>
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<td>$0.000</td>
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<tr>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>POLICE DISTRICT AND DISTRICT COURT</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
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<td>$0.00</td>
<td>$0.000</td>
</tr>
<tr>
<td></td>
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<tr>
<td>COMBINED</td>
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<tr>
<td>TOTAL</td>
<td>$9</td>
<td>$0.10</td>
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**NOTES:**
3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office
### Suffolk County
#### General Obligation Serial Bonds
##### Level Debt Service

<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon principal</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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<td>11/1/2018</td>
<td>$48,039.60</td>
<td>$5,000.00</td>
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11/1/2024
11/1/2025
11/1/2026
11/1/2027
11/1/2028
11/1/2029
11/1/2030
11/1/2031
11/1/2032
11/1/2033
11/1/2034
11/1/2035
# Financial Impact

## 2017 Property Tax Levy Cost to the Average Taxpayer

### General Fund

<table>
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<tr>
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<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 Rate per $1000</th>
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<tr>
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### Police District and District Court

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<thead>
<tr>
<th></th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FEV Tax Rate per $1000</th>
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</thead>
<tbody>
<tr>
<td>TOTAL</td>
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### Combined

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<tr>
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<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FEV Tax Rate per $1000</th>
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</thead>
<tbody>
<tr>
<td>TOTAL</td>
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<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

## Notes:

1. Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property, 2016.
3. Source for equalization rates: 2016 County Equalization Rates established by the New York State Board of Equalization and Assessments.

Page 2 of 2

To be completed by the Executive Budget Office.
**COMMENTS (must contain justification/brief background summary for document signature):**

<table>
<thead>
<tr>
<th>APPROVALS:</th>
<th>Name</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Manager:</td>
<td>Camilo Salazar</td>
<td>[Signature]</td>
<td>6/1/17</td>
</tr>
<tr>
<td>Division Head:</td>
<td>Frank Castelli</td>
<td>[Signature]</td>
<td>6/1/17</td>
</tr>
<tr>
<td>Department Head:</td>
<td>Theresa Ward</td>
<td>[Signature]</td>
<td>6/1/17</td>
</tr>
<tr>
<td>Return Document(s) To:</td>
<td>Michell</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
June 1, 2017

Ms. Katie Horst  
Director of Intergovernmental Relations  
H. Lee Dennison Building, 12th Floor  
Hauppauge, NY 11788-0099

Dear Ms. Horst:

Enclosed for your consideration and submission is the proposed resolution pursuant to:

RESOLUTION NO. 2017, AUTHORIZING CONSTRUCTION FOR THE NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF), WETLAND RESTORATION IN SUFFOLK COUNTY (NY) PROJECT, USING THE NEW ENHANCED SUFFOLK COUNTY WATER QUALITY PROTECTION PROGRAM FUNDS (CP 8733)

It was recommended at the May 12, 2017 meeting of the WQPRP Review Committee that the funding appropriated by adopted resolution 984-2016 for the Scully Estate Salt Marsh Restoration Project to be diverted to the NFWF south shore wetlands restoration project. It was deemed by the Committee to be a prudent and beneficial use of Enhanced Suffolk County Water Quality Protection Program Funds due to the fact that the Scully Estate project was not actively moving forward at this time.

After your examination, please place this on the Legislative Agenda. If you have any questions or concerns, please feel free to contact me.

Sincerely,

[Signature]

Theresa Ward  
Deputy County Executive and Commissioner  
Suffolk County Department of Economic Development and Planning

cc: Sarah Lansdale  
Louis Bekofsky
Title of Resolution:
RESOLUTION NO. 2017, AUTHORIZING CONSTRUCTION FOR THE NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF), WETLAND RESTORATION IN SUFFOLK COUNTY (NY) PROJECT, USING THE NEW ENHANCED SUFFOLK COUNTY WATER QUALITY PROTECTION PROGRAM FUNDS (CP 8733)

PURPOSE OR GENERAL IDEA OF BILL:
To authorize the use of Enhanced Suffolk County Water Quality Protection Program Funding in CP 8733.310 for the National Fish and Wildlife Foundation (NFWF) grant-funded project.

SUMMARY OF SPECIFIC PROVISIONS:
The purpose of the project is to complete restoration of selected south shore marshes.

JUSTIFICATION:
The funding for the Scully Estate Salt Marsh Restoration Project was recommended at the May 12, 2017 meeting of the WQPRP Review Committee to be diverted to the NFWF project. It was deemed by the Committee to be a prudent and beneficial use of Enhanced Suffolk County Water Quality Protection Program Funds due to the fact that the Scully Estate project was not actively moving forward at this time.

FISCAL IMPLICATIONS
There is no fiscal impact to the General Fund. All funding will come from the Enhanced Suffolk County Water Quality Protection Program Fund.
1. **Type of Legislation**

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Local Law</th>
<th>Charter Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. **Title of Proposed Legislation:**

RESOLUTION NO. 2017, AUTHORIZING CONSTRUCTION FOR THE NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF), WETLAND RESTORATION IN SUFFOLK COUNTY (NY) PROJECT, USING THE NEW ENHANCED SUFFOLK COUNTY WATER QUALITY PROTECTION PROGRAM FUNDS (CP 8733)

4. **Will the Proposed Legislation Have a Fiscal Impact?**

   - YES ___
   - NO X

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

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

6. **If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:**

   N/A

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

   N/A

8. **Proposed Source of Funding**

   This resolution redirects Enhanced Suffolk County Water Quality Protection Program funds from the Scully Estate Salt Marsh Restoration Project to the National Fish and Wildlife Foundation (NFWF), Wetland Restoration in Suffolk County (NY), project.

9. **Timing of Impact**

   N/A

10. **Typed Name & Title of Preparer**

    Theresa Ward
    Deputy County Executive and Commissioner
    Dept. of Eco. Dev. & Planning

11. **Signature of Preparer**

    [Signature]

12. **Date**

    June 1, 2017

**SCIN FORM 175b (10/95)**
RESOLUTION NO. -2017, AUTHORIZING USE OF OLD FIELD FARM FOR THE THREE VILLAGE CHAMBER OF COMMERCE'S 18TH ANNUAL FAMILY BEACH BARBECUE

WHEREAS, the Three Village Chamber of Commerce is hosting its 18th Annual Family Beach Barbeque at West Meadow Beach; and

WHEREAS, the Chamber of Commerce would like to use the parking lot at Old Field Farm in connection with their annual family beach barbeque on Wednesday, August 2, 2017 from 4:00 p.m. to 9:00 p.m. to accommodate approximately 40 cars/vans; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured will be provided by the Three Village Chamber of Commerce; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of One Hundred Eighty-Five Dollars and 00/100 ($185.00), payment of which shall be guaranteed by the Three Village Chamber of Commerce; now, therefore be it

1st RESOLVED, that the use of County-owned property, i.e., Old Field Farm, in consideration of the payment of One Hundred Sixty Dollars and 00/100 ($160.00) and an application fee of Twenty-Five Dollars and 00/100 ($25.00), for the purpose of using Old Field Farm's parking lot to accommodate approximately 40 cars/vans on Wednesday, August 2, 2017 between the hours of 4:00 p.m. and 9:00 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 Three Village Chamber of Commerce, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Law; and be it further

2nd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUF 90 COUNTY CHARTER and Section 643-7 of the SUF 90 COUNTY CODE to issue a permit to Three Village Chamber of Commerce. The Department of Parks, Recreation and Conservation is further authorized, empowered and directed to take such measures as shall be necessary and appropriate to facilitate the use of Old Field Farm’s parking lot; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.
RESOLUTION NO. 1559-17

AMENDING THE
SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN
IN CONNECTION WITH A NEW POSITION TITLE
IN THE DEPARTMENT OF PUBLIC WORKS:
ASSISTANT DIRECTOR OF COUNTY FLEET SERVICES

WHEREAS, the Department of Civil Service/Human Resources has completed a review of the duties and responsibilities of a position in the Department of Public Works; and

WHEREAS, on the basis of this review has determined that a new title of Assistant Director of County Fleet Services be created; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the Department of Public Works to cover the cost; now, therefore be it

RESOLVED, that the Suffolk County Classification and Salary Plan and the Department of Public Works' Operating Budget be and they are hereby amended as follows:

ADDITION TO CLASSIFICATION AND SALARY PLAN

<table>
<thead>
<tr>
<th>Spec No.</th>
<th>JC</th>
<th>Position Title</th>
<th>Grade</th>
<th>BU</th>
</tr>
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<tbody>
<tr>
<td>7204</td>
<td>C</td>
<td>Assistant Director of County Fleet Services</td>
<td>29</td>
<td>02</td>
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</table>

AMENDMENT TO OPERATING BUDGET

ADDITION

<table>
<thead>
<tr>
<th>Position No.</th>
<th>Spec No.</th>
<th>JC</th>
<th>Position Title</th>
<th>Grade</th>
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<tr>
<td>16-5130-2100-0005</td>
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<td>C</td>
<td>Assistant Director of County Fleet Services</td>
<td>29</td>
<td>02</td>
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DELETION

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<td>Assistant Fleet Service Manager</td>
<td>26</td>
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and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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; and be it further

RESOLVED, that the provisions of the within resolution shall take effect within the first pay period immediately succeeding its adoption.

DATED:          

APPROVED BY:    

County Executive of Suffolk County

Date:
DISTINGUISHING FEATURES OF THE CLASS

Under general supervision, an employee in this class performs responsible administrative and supervisory work in assisting the Director of County Fleet Services. Supervision is exercised over a large staff of administrative, clerical, and maintenance personnel. The nature of the work is such that the employee is expected to exercise considerable judgment and initiative in the performance of assigned duties. This includes the responsibility for the administration and coordination of the County motor vehicle operations, maintenance and fueling facilities. Work is reviewed by the Director of County Fleet Services through conferences and written reports. Does related work as required.

TYPICAL WORK ACTIVITIES

Assists the Director in all administrative matters, including budget preparation, personnel selection/assignment and development of appropriate management procedures;
Assists the Director in coordinating the activities of County motor vehicle operations, maintenance and fueling facilities;
Supervises the development of various division programs;
Assists in developing policies and procedures for implementation and providing administrative services;
Prepares recommendations for improved methods of fleet preventive maintenance and inventory control;
Prepares and reviews budgets for vehicle acquisition;
Prepares, reviews and approves specifications for vehicle acquisitions;
Distributes all acquired vehicles to all County departments/divisions;
Oversees compliance of all DEC regulated underground storage tanks;
Acts as Department liaison and in the absence of the Director represents the division at meetings regarding fleet services.

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS

Thorough knowledge of the principles, practices and techniques of office management, organization and supervision; good knowledge of the principles, practices, methods and techniques of public finance and budgeting; good knowledge of operating principles and maintenance needs of fleet vehicles; good knowledge of effective supervisory techniques; good knowledge of occupational hazards and necessary safety precautions in the operation of fleet vehicles and equipment; ability to analyze facts and exercise sound judgment in arriving at conclusions; ability to plan, direct and supervise the activities of a substantial staff of professional, technical and clerical employees in a manner conducive to full performance and high morale, ability to establish and maintain effective working relationships with others; ability to prepare, submit and analyze reports; ability to express oneself clearly and concisely, both orally and in writing; physical condition commensurate with the demands of the position.

MINIMUM QUALIFICATIONS

OPEN COMPETITIVE
Either:
(a) Graduation from a college with a federally-authorized accreditation or registration by NY State with a Bachelor's Degree in Automotive Engineering, Mechanical Engineering, Electrical Engineering or Business Administration and three (3) years of experience in the management of fleet operations and maintenance, which includes coordination of work through subordinate supervisory staff; or,
(b) Graduation from a standard senior high school or possession of a high school equivalency diploma, and seven (7) years of experience in the management of fleet operations and maintenance, which includes coordination of work through subordinate supervisory staff; or,
(c) An equivalent combination of education and experience as defined by the limits of a) and b).

PROMOTIONAL
One (1) year of permanent competitive status as a Fleet Service Manager; or,
Two (2) years of permanent competitive status as an Assistant Fleet Service Manager.

NECESSARY SPECIAL REQUIREMENT
At the time of appointment, and during employment in this title, employees will be required to possess a valid license to operate a motor vehicle in New York State and must possess a Class A certificate to operate underground storage tanks issued by New York State Department of Environmental Conservation.

Date
SUFFOLK COUNTY
Competitive
interoffice memorandum

TO: Office of County Executive
Intergovernmental Relations

FROM: Cynthia DiStefano, Director of Classification

DATE: May 18, 2017

RE: Request for Addition to Classification and Salary Plan

A draft of a resolution to amend the Classification and Salary Plan to add the title of Assistant Director of County Fleet Services is attached. We have determined that this new title is needed for a position in the Department of Public Works because there is no existing title appropriate for duties that have County-wide responsibilities relating to vehicle purchasing, and coordination of vehicle operations and maintenance facilities. Public Works has a Director of County Fleet Services, created to cover a broader range of responsibilities than the Fleet Service Manager and Assistant Fleet Service Manager titles now utilized in the Police Department for duties associated with equipment specific to police cars. Creation of the Assistant Director of County Fleet Services will provide an appropriate title for the person in Public Works who assists the Director with County-wide fleet responsibilities.

Please initiate this resolution to add the new title to the Classification and Salary Plan. A draft of our proposed specification is attached for your reference.

An e-mail version of the resolution has been sent to CE RESO REVIEW saved under the title “Reso-DPW-Asst Dir of Cty Fleet Svcs 5-17.”

Attachments
TITLE OF BILL: A Resolution amending the Suffolk County Classification and Salary Plan in Connection with a new position title in the Department of Public Works: Assistant Director of County Fleet Services

PURPOSE OR GENERAL IDEA OF BILL: To provide an appropriate title for the responsibilities of the position in the Department of Public Works.

SUMMARY OF SPECIFIC PROVISIONS: This Resolution adds the new title of Assistant Director of County Fleet Services to the County's Classification and Salary Plan and adds an Assistant Director of County Fleet Services position to the Operating Budget of the Department of Public Works while simultaneously deleting an Assistant Fleet Service Manager position.

JUSTIFICATION: This position serves as an assistant to the Director of County Fleet Services, who directs and administers County-wide fleet services in the Department of Public Works. Duties of the assistant position involve vehicle purchasing and coordination of vehicle operations and maintenance facilities. Duties of this position are therefore broad in scope and the existing titles of Fleet Service Manager and Assistant Fleet Service Manager are not appropriate because they are used in the Police Department for more limited responsibilities concentrated on the purchasing and installation of equipment specific to police cars.

FISCAL IMPACT: None

Note: The incumbent's salary will increase by $2,793 on an annual basis, based on current rates.

May 18, 2017
RESOLUTION NO. 2017, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE ENVIRONMENTAL PROTECTION AGENCY THROUGH THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION FOR A GREEN INNOVATION GRANT PROGRAM (GIGP) ENTITLED, “CAMPUS GREEN ROOFS INITIATIVE”, 90% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has received a grant award in the amount of $203,708, from the Environmental Protection Agency through the New York State Environmental Facilities Corporation for a Green Innovation Grant Program (GIGP) entitled “Campus Green Roofs Initiative”, for the period of May 22, 2017 through November 24, 2017; and

WHEREAS, this project will use GIGP funds to convert portions of two conventional roofs into green roofs on The William J. Lindsay Life Sciences (Ammerman Campus) and the Learning Resource Center (Michael J. Grant Campus) buildings, and install a green roof on a portion of a new building located on the Peconic Building (Eastern Campus). The project is defined by the feasibility study entitled “Campus Green Roofs Initiative” prepared by RDA Landscape Architecture, PC; and

WHEREAS, this Campus Green Roofs Initiative will result in the conversion of 4,565 square feet of conventional roofs into green roofs, will establish 575 cubic feet of total stormwater storage volume that addresses approximately 438 cubic feet of storm water runoff per year, and will reduce peak storm water discharge by 97-100%; and

WHEREAS, pursuant to the terms of the grant award, ten percent (10%) matching funds not to exceed $22,634 are required; and

WHEREAS, the College has reviewed the list of SEQRA Type II actions identified in Title 6 NYCRR Part 616.5, and recommends that the Green Roofs Initiative with respect to the Peconic Building and William J. Lindsay Building be classified as a Type II Action, pursuant to 6 NYCRR §617.5(c)(2), because it involves the “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site,”; and

WHEREAS, by a resolution adopted on August 26, 1994 the Board of Trustees determined that the College’s Comprehensive Master Plan which includes the Learning Resource Center on the Michael J. Grant Campus, would not have a significant effect on the environment and accordingly, issued a Negative Declaration under SEQRA (See Attachment II); and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant on March 17, 2016 by Resolution No. 2016.22 and on March 17, 2016 by Resolution No. 2016.23; and

WHEREAS, the College anticipates spending the $203,708, in accordance with the terms of said grant award before November 24, 2017; now therefore be it

RESOLVED, that the Board of Trustees of Suffolk County Community College has authorized an appropriation of a minimum of 10% local matching funds of the total actual project costs, which local share shall not exceed $22,634, based upon a total estimated maximum project cost of $226,342, as required by the Green Innovation Grant Program (GIGP) for the Campus Green Roofs Initiative; now therefore be it further

1st
2nd RESOLVED, that the source of the local match, and any amount in excess of the match, shall be the College’s operating budget; now therefore be it further

3rd RESOLVED, that the Board of Trustees finds and determines that the GIGP Campus Green Roofs Initiative be constructed at the Ammerman and Michael J. Grant Campuses constitute a Type II Action, pursuant to a 6 NYCRR § 617.5(c)(2), because it involves the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site; now therefore be it further

4th RESOLVED, that as a Type II Action, no further review under SEQRA is required; now therefore be it further

5th RESOLVED, that said grant award, in the amount of $203,708 from the Environmental Protection Agency through the New York State Environmental Facilities Corporation for a Green Innovation Grant Program (GIGP) entitled “Campus Green Roofs Initiative”, for the period of May 22, 2017 through November 24, 2017, be accepted and appropriated for the operation of the project as follows:

REVENUES:  
Federal Grant- GIGP: Campus Green Roofs Initiative  
GC88-GC8817-544265-G000  
AMOUNT:  
$203,708

APPROPRIATIONS:  
GIGP: Campus Green Roofs Initiative 16-17:  
GC88-GC8817  
AMOUNT:  
$203,708

Suffolk County Community College  
Green Innovation Grant Program (GIGP)  
Campus Green Roofs Initiative  
GC88-GC8817

713000-Supplies Materials & Other Expenses  
713100-Instructional Supplies  
713500-Other: Unclassified  
713650-Repairs Building and Grounds  
AMOUNT:  
$203,708  
3,500  
18,204  
182,004

DATED:  

APPROVED BY:  

County Executive of Suffolk County
TITLE OF BILL: Accepting and Appropriating a Grant Award from the Environmental Protection Agency through the New York State Environmental Facilities Corporation for a Green Innovation Grant Program (GIGP) entitled “Campus Green Roofs Initiative”, 90% Reimbursed by Federal Funds at Suffolk County Community College

PURPOSE OR GENERAL IDEA OF BILL: To accept and appropriate a grant award from the Environmental Protection Agency through the New York State Environmental Facilities Corporation for a Green Innovation Grant Program (GIGP) entitled “Campus Green Roofs Initiative”, during the 2016-2017 through the 2017-18 fiscal year.

SUMMARY OF SPECIFIC PROVISIONS: This legislation will increase the operating budget for Suffolk County Community College by accepting and appropriating the grant award from the Environmental Protection Agency through the New York State Environmental Facilities Corporation for a Green Innovation Grant Program (GIGP) entitled “Campus Green Roofs Initiative”, in the amount of $203,708.

JUSTIFICATION: The Campus Green Roofs Initiative Project will use GIGP funds to convert portions of two conventional roofs into green roofs on The William J. Lindsay Life Sciences (Ammerman Campus) and the Learning Resource Center (Michael J. Grant Campus) buildings, and install a green roof on a portion of a new building located on the Peconic Building (Eastern Campus). The project is defined by the feasibility study entitled “Campus Green Roofs Initiative” prepared by RDA Landscape Architecture, PC.

FISCAL IMPLICATIONS: The project total is $226,342, which is comprised of the GIGP award of $203,708 plus a 10% match in College funds of $22,634. The matching funds are included in the 2016-17 College operating budget and will be met by the in house costs for the administration and oversight of the grant, design and construction.
# Statement of Financial Impact

## Of Proposed Suffolk County Legislation

1. **Type of Legislation**
   - Resolution **X**
   - Local Law _____
   - Charter Law _____

2. **Title of Proposed Legislation**
   Accepting and Appropriating a Grant Award from the Environmental Protection Agency through the New York State Environmental Facilities Corporation for a Green Innovation Grant Program (GIGP) entitled "Campus Green Roofs Initiative", 90% Reimbursed by Federal Funds at Suffolk County Community College

3. **Purpose of Proposed Legislation**
   To accept and appropriate a grant award from the Environmental Protection Agency through the New York State Environmental Facilities Corporation for a Green Innovation Grant Program (GIGP) entitled "Campus Green Roofs Initiative", during the 2016-2017 through the 2017-18 fiscal year

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

5. **If the answer to item 4 is "yes," on what will it impact?**
   - (Circle appropriate category)
   - County _____
   - Town _____
   - 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**
   The project total is $226,342, which is comprised of revenue from the award of $203,708 from the Environmental Protection Agency through the New York State Environmental Facilities Corporation for a Green Innovation Grant Program (GIGP) entitled "Campus Green Roofs Initiative", which will provide for operating costs during the 2016-2017 fiscal year and a 10% match in College funds of $22,634. The matching funds are included in the 2016-17 College operating budget and will be met by the in house costs for the administration and oversight of the grant, design and construction.

7. **Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdiv.**
   Not Applicable

8. **Proposed Source of Funding:**
   - Environmental Protection Agency
   - Pass-Through Entity:
   - New York State Environmental Facilities Corporation

9. **Timing of Impact:**
   May 22, 2017 through November 24, 2017

10. **Name & Title of Preparer**
    Henrietta Ytuarte
    Senior Accountant

11. **Signature of Preparer**
    [Signature]

12. **Date**
    May 26, 2017

---

SCIN FORM 175A (10/95)
RESOLUTION NO. 2016.23 - ACCEPTING A GRANT AWARD FROM THE NYS ENVIRONMENTAL FACILITIES CORPORATION - GREEN INNOVATION GRANT PROGRAM

WHEREAS, Suffolk County Community College has been granted a Green Innovation Grant Program (GIGP) award from the New York State Environment Facilities Corporation in the amount of $203,708 for a Campus Green Roofs Initiative, which will enable construction of green roofs on three College buildings in order to reduce storm water impacts on the Ammerman, Eastern and Michael J. Grant Campuses and provide engaging living laboratories for students and demonstration sites for municipal officers, business and community representatives, and the residents of Suffolk County, and

WHEREAS, this Campus Green Roofs Initiative will result in the conversion of 4,565 square feet of conventional roofs into green roofs, will establish 575 cubic feet of total stormwater storage volume that addresses approximately 438 cubic feet of storm water runoff per year, and will reduce peak storm water discharge by 97-100%, and

WHEREAS, pursuant to the terms of the grant award, ten percent (10%) matching funds are required, be it therefore

RESOLVED, that the College President, or his designee, is authorized and empowered to execute a Grant Agreement with the NYS Environmental Facilities Corporation, in such form as shall be approved by the College General Counsel, and any and all other documentation necessary to bring about the project and to fulfill Suffolk County Community College’s obligations under the GIGP Grant Agreement, and be it further

RESOLVED, that the Board of Trustees hereby authorizes an appropriation of a minimum of 10% local matching funds ($22,634), as required by the Green Innovation Grant Program for the Campus Green Roofs Initiative.

Project Director: Nicholas Palumbo, Executive Director of Sustainability Programs
Note: No additional full-time personnel

Bryan Lilly
Secretary

Central Administration
533 College Road
Selden, NY 11784-2899
(631) 451-4112

Ammarman Campus
533 College Road
Selden, NY 11784-2899
(631) 451-4119

Western Campus
Crooked Hill Road
Brentwood, NY 11717-1092
(631) 851-5700

Eastern Campus
227 Setauket-Riverhead Road
Riverhead, NY 11901-3499
(631) 548-2500
RESOLUTION 2016.22 - MAKING A SEQRA DETERMINATION FOR THE GREEN INNOVATION GRANT PROGRAM (GIGP) GREEN ROOFS INITIATIVE ON THE AMMERMANN, MICHAEL J. GRANT AND EASTERN CAMPUSSES

WHEREAS, the College Board of Trustees serves as Lead Agency for determinations issued pursuant to the State Environmental Quality Review Act ("SEQRA") (NYS Environmental Conservation Law, Article 8) and its implementing regulations at Title 6 NYCRR Part 617, and

WHEREAS, the College has been granted a Green Innovation Grant Program (GIGP) award from the New York State Environment Facilities Corporation in order to improve certain College buildings with green roof technologies, and

WHEREAS, this project will incorporate green roofs on the Peconic Building (Riverhead), William J. Lindsay Building (Ammernann) and the Learning Resource Center (under construction on the Michael J. Grant Campus), in order to reduce storm water impacts on these campuses and provide engaging living laboratories for students and demonstration sites for municipal officers, business and community representatives, and the residents of Suffolk County, and

WHEREAS, the College has reviewed the list of SEQRA Type II actions identified in Title 6 NYCRR Part 616.5, and recommends that the Green Roofs Initiative with respect to the Peconic Building and William J. Lindsay Building be classified as a Type II Action, pursuant to 6 NYCRR §617.5(c)(2), because it involves the "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site," and

WHEREAS, by a resolution adopted on August 26, 1994, the Board of Trustees determined that the College’s Comprehensive Master Plan, which includes the Learning Resource Center on the Michael J. Grant Campus, would not have a significant effect on the environment and, accordingly, issued a Negative Declaration under SEQRA (See Attachment II), be it therefore
RESOLVED, that the Board of Trustees hereby finds and determines that the GIGP Green Roofs Initiative with respect to the Peconic Building and William J. Lindsay Building be classified as a Type II Action, pursuant to 6 NYCRR §617.5(c)(2), because it involves the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site," and be it further

RESOLVED, that the Green Roofs Initiative with respect to the Learning Resource Center, which is currently under construction on the Michael J. Grant Campus, will not have a significant effect on the environment, as evidenced by the Negative SEQRA Declaration issued by the Board of Trustees with respect to the College's Comprehensive Master Plan.

Bryan Lilly
Secretary
MEMORANDUM

To: Louis Petrizzo, College General Counsel
Nicholas Palumbo, Executive Director, College Sustainability Programs

From: Jon DeMaio, Administrative Director of Educational Facilities
Alicia O’Connor, Deputy General Counsel

Date: March 9, 2016

Re: SEQRA Determination for College GlGP Green Roofs Initiative

SCCC’s Campus Green Roofs Initiative will deploy sustainable infrastructure to significantly reduce the impact of storm water runoff on local and regional groundwater resources, while providing engaging living laboratories for students and demonstration sites for municipal officers, business and community representatives, and the residents of Suffolk County.

As is required by law, we carefully reviewed the regulations promulgated pursuant to the State Environmental Quality Review Act (SEQRA) in order to determine whether this project should be classified as a Type I, Type II or Unlisted Action. In particular, we focused on whether the project meets the requirements of a Type II action, pursuant to 6 NYCRR §617.5(c)(2), which involves the “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site.”

We also looked to the NYS Department of Environmental Conservation’s “SEQRA Handbook” for guidance. In pertinent part, the SEQRA Handbook provides:

Type II actions are those actions, or classes of actions, which have been found categorically to not have significant adverse impacts on the environment, or actions that have been statutorily exempted from SEQRA review. They do not require preparation of an Environmental Assessment Form, a negative or positive declaration, or an Environmental Impact Statement. Any action or class of actions listed as Type II in 617.5 requires no further processing under SEQRA.
The SEQRA Handbook further indicates that “replacement in kind refers to function, size and footprint. Stick for stick replacement is not needed to qualify as replacement in kind.”

This project will convert 4,565 square feet of conventional roofs into green roofs, representing a portion of the space on three College buildings: The William J. Lindsay Life Sciences Building (Ammeman Campus), the Learning Resource Center (Michael J. Grant Campus), and the Peconic Building (Eastern Campus). The project will establish 575.19 cubic feet of total storm water storage volume to address the 437.65 cubic feet of water quality volume calculated for the three sites, and is expected to reduce peak storm water discharge by 97-100%. Beyond addressing storm water remediation, this GIGP project will advance the regional water quality, sustainability and workforce development objectives envisioned by SCCC and the LIREDSC Five-Year Strategic Plan by enabling the College to: incorporate real-world green technologies into various college curricula, such as Construction Technology, Engineering Technology, Geology, Environmental Science and Biology; integrate the project into SCCC’s ongoing STEM collaborations with five regional high schools, Stony Brook University, and Brookhaven National Lab; and provide opportunities for students, professionals and community members to learn about the effectiveness of green roofs and their role in protecting the Long Island environment.

There will be no significant increase to the size of the roofs on the Lindsay and Peconic buildings, and drainage functionality will be greatly improved. Accordingly, we recommend that this scope of work included in this project with respect to the Lindsay and Peconic buildings be classified as a Type II Action, pursuant to 6 NYCRR §617.5(c)(2), because it involves the “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site.”

As for the Learning Resource Center on the Michael J. Grant Campus, this building is included in the College’s Comprehensive Master Plan which underwent SEQRA review in 1994. By a resolution adopted by the Board of Trustees on August 26, 1994, the Board issued a Negative Declaration, finding that the Master Plan, college-wide, would not have a significant effect on the environment. This finding is applicable to the construction of the Grant Campus Learning Resource Center.

Furthermore, a review of questions from the environmental assessment checklists used to determine environmental impacts under SEQRA support the conclusion that this project will not have a negative environmental impact, including:

- The proposed action is a permitted use under the zoning regulations.
- The proposed action is consistent with the predominant character of the existing built or natural landscape.
- The proposed action will not result in a substantial increase in traffic above present levels.
- The proposed action does not create a material conflict with an adopted land use plan.
- The proposed action does not result in a change in the use or intensity of use of land.
• The proposed action does not impair the character or quality of the existing community.

• The proposed action does not cause an increase in the use of energy.

• The proposed action will result in a decrease in the potential for erosion, flooding or drainage problems.

If we can provide any further information on this issue, please feel free to contact us. Thank you.
May 22, 2017

Mr. Shaun L. McKay  
President  
Suffolk County Community College  
533 College Road  
Seiden, NY 11784

Re: Suffolk County Community College  
Campus Green Roofs Initiative  
GIGP #: 1296  
CWSRF #: C1-9207-03-00

Dear Mr. McKay:

Enclosed please find a fully executed Green Innovation Grant Program (GIGP) Agreement between the New York State Environmental Facilities Corporation (EFC) and the Suffolk County Community College for the above referenced project.

We look forward to receiving your requests for disbursement. A GIGP Disbursement Preparation Guide can be found on our website within the Recipient Toolbox (www.efc.ny.gov/GreenGrants/RecipientToolbox). Pre-populated forms will be provided to aid you in the preparation of payment requests. Note we must have executed contracts in place prior to payment release for costs claimed.

Please contact your GIGP Project Coordinator with any questions at 518-402-6924.

Sincerely,

Brian Hahn  
Manager of  
Green Infrastructure Projects

BH:LM

Enclosure

c: (w/o enc.)  
Alicia S. O’Connor, Attorney
Agreement letter for GIGP grant with instructions on draw down.

From: Shaun McKay  
Sent: Monday, May 22, 2017 10:58 AM  
To: Paul Cooper <cooperp@sunysuffolk.edu>; Gail Vizzini <vizzing@sunysuffolk.edu>; Louis Petrizzo <petrizl@sunysuffolk.edu>; Jon DeMaio <demaioj@sunysuffolk.edu>  
Subject: Fwd: GIGP #1296, Suffolk County Community College

FYI

Get Outlook for iOS

From: Mariano, Louise (EFC) <louise.mariano@ecf.ny.gov>  
Sent: Monday, May 22, 2017 9:16 AM  
Subject: GIGP #1296, Suffolk County Community College  
To: Shaun McKay <mckays@sunysuffolk.edu>, Alicia O'Connor <oconnoa@sunysuffolk.edu>

Greetings,

Please see the attached letter for your files regarding GIGP #1296, Suffolk County Community College.

Mr. McKay, a hard copy of this letter with the enclosures are being mailed to you for your convenience.

Thank you!  
Louise Mariano  
Administrative Assistant II  

NYS Environmental Facilities Corporation  
625 Broadway, Albany, New York 12207-2997  
518.402.6924 (p) | 518.402.6954 (f) | louise.mariano@ecf.ny.gov

www.ecf.ny.gov

For News and Updates on EFC:
CLEAN WATER STATE REVOLVING FUND
(GREEN INNOVATION GRANT PROGRAM)
(NON-POINT SOURCE PROJECTS)

SUFFOLK COUNTY COMMUNITY COLLEGE

and

NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION

GRANT AGREEMENT
SRF PROJECT NO.: C1-9207-03-00
GIGP APPLICATION NO.: 1296

Dated as of May 22, 2017
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Exhibit E Form of Opinion of Counsel to the Recipient
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Exhibit G Form of Requisition Form
Exhibit H Form of Certification Regarding Lobbying
Exhibit I Required Terms for Project Contracts and Subcontracts
Exhibit J Clean Water State Revolving Fund Subaward Identification and Information
This GRANT AGREEMENT, dated as of the date set forth on the cover page hereof, between the Recipient identified on the cover page hereof and the Corporation.

WITNESSETH:

WHEREAS, the United States of America, pursuant to the Clean Water Act, requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the State as a condition to its receipt of capitalization grants under the Clean Water Act; and

WHEREAS, the State, pursuant to the State Act, has established the Revolving Fund to be used for purposes of satisfying the requirements of the Clean Water Act; and

WHEREAS, the Corporation has the responsibility, together with the DEC, to administer the Revolving Fund and to provide financial assistance from the Revolving Fund to eligible recipients for the construction of eligible projects, as provided in the State Act and the Clean Water Act; and

WHEREAS, the provisions of the Clean Water Act authorize funding for projects to address green infrastructure, water or energy efficiency improvements or other environmentally innovative activities under the Revolving Fund; and

WHEREAS, the Corporation has determined that it is desirable and necessary to establish a program to be implemented through the Revolving Fund in order to carry out the objectives of the Clean Water Act set forth above (the "Green Innovation Grant Program"); and

WHEREAS, the Recipient has submitted to the Corporation an application for financial assistance from the Revolving Fund, for the purpose of funding the planning, design, acquisition, construction and installation of the Project, and the Corporation has reviewed and approved the funding of the Project; and

WHEREAS, on the basis of such application and the representations, warranties and covenants set forth herein, the Corporation proposes to make funding available to the Recipient, pursuant to Article IV, to fund, or to reimburse the Recipient for costs incurred in connection with the Project, and the Recipient desires to receive such funding upon the terms and conditions set forth in this Grant Agreement, the Act, and

WHEREAS, if the Recipient has received, or will receive, a commitment from a Third-Party Funding Entity (as defined herein) for Third-Party Funding, that amount, together with other funds available or expected to be available to the Recipient, is expected to be sufficient to pay all costs of the Project; and

WHEREAS, required approval of engineering or facilities plans or reports with respect to the Project has been obtained by the Recipient from DEC, subject to the provisions of applicable State environmental standards set forth in law, rules and regulations;

NOW THEREFORE, in consideration of the premises and the representations, covenants and agreements herein set forth, the Recipient and the Corporation, each binding itself, its successors and assigns, promise, covenant and agree as follows:
ARTICLE I
DEFINITIONS

Section 1.1 Definitions.

Unless stated otherwise, each capitalized term used in this Grant Agreement has the meaning specified for it in Exhibit C.

Section 1.2 Rules of Construction.

Unless the context clearly indicates to the contrary, the following rules shall apply to the construction of this Grant Agreement:

(a) Number. Words importing the singular number shall include the plural number and vice versa.

(b) Approvals and Consents. All approvals, consents, determinations and acceptances required to be given or made by any person or party hereunder shall be at the sole discretion of the person or party whose approval, consent, determination or acceptance is required.

(c) References. All references herein to particular articles, sections or exhibits without reference to a specific document are references to articles or sections of or exhibits to this Grant Agreement. The terms "hereby", "hereof", "hereto", "herein", "hereunder" and any similar terms, as used in this Grant Agreement, refer to this Grant Agreement in its entirety; and the term "hereafter" means after, and the term "heretofore" means before, the date set forth on the cover page.

(d) Headings. The captions and headings and table of contents herein are solely for convenience of reference and shall not constitute part of this Grant Agreement, nor shall they affect its meaning, construction or effect.

Section 1.3 Exhibits and Appendices Incorporated.

All exhibits and appendices to this Grant Agreement, including any amendments and supplements hereto, are hereby incorporated herein and made a part of this Grant Agreement.
ARTICLE II

REPRESENTATIONS AND WARRANTIES

Section 2.1 Representations and Warranties of the Recipient.

As of the date set forth on the cover page and as of each date subsequent to the date hereof on which certain of the following representations and warranties are required to be restated, the Recipient represents and warrants as follows:

(a) Authority. The Recipient is an entity duly organized and existing under the laws of the State and has full legal right, power and authority to (i) conduct its business and own its properties, (ii) enter into this Grant Agreement and to comply with the terms hereof, (iii) adopt the Resolution, and (iv) carry out and consummate, by contract or otherwise, all other transactions contemplated by each of the aforesaid documents.

(b) Approvals and Consents. The Recipient has duly approved the execution and delivery of this Grant Agreement for purposes of funding the planning, design, acquisition, construction and installation of the Project; and any and all consents, authorizations and approvals of any third party required with respect thereto have been obtained.

(c) Capacity. The Recipient certifies that it has the legal, institutional, managerial, contractual and financial capability to ensure adequate construction, operation, and maintenance of the Project, including the proper budgeting of revenues and expenditures sufficient to meet its expenses and debt service, if any, related to the Project.

(d) Binding Obligation. This Grant Agreement has been duly authorized, executed and delivered by the Recipient and constitutes a legal, valid and binding obligation of the Recipient; the defense of sovereign immunity is not available to the Recipient in any proceedings by the Corporation to enforce any of the obligations of the Recipient under this Grant Agreement.

(e) No Action. There is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, public board or body, pending or known to be threatened against the Recipient, nor is there any basis therefor (i) affecting the creation, organization or existence of the Recipient or the title of its officers to their respective offices, (ii) seeking to prohibit, restrain or enjoin the execution of this Grant Agreement or (iii) in any way contesting or affecting the validity or enforceability of this Grant Agreement, the Resolution, or the execution of this Grant Agreement, or any agreement or instrument relating thereto or (iv) affecting the ability of the Recipient to fulfill the terms and conditions of this Grant Agreement.

(f) No Default. The Recipient is not in default under any loan agreement, note, bond, mortgage or other instrument evidencing or securing indebtedness. The Recipient is not, in any respect material to the transactions contemplated by this Grant Agreement, in breach of or in default under any applicable law or administrative regulation of the State or the United States of America or any applicable judgment or decree or any other agreement or instrument to which the Recipient is a party or by which it or any of its properties are bound, and no event has occurred which with the passage of time, the giving of notice or both would constitute such a breach or default. The execution and delivery of this Grant Agreement and the adoption of the Resolution and compliance with the respective provisions thereof will not conflict with or constitute a breach of or default under any applicable law or administrative regulation of the State or the United States of America or any applicable judgment or decree or any agreement or other instrument to which the Recipient is a party or by which it or any of its property is bound.

(g) Resolution. The Resolution has been duly adopted by the Recipient and remains in full force and effect.
(h) Project Approvals. The Recipient has obtained all necessary approvals from any and all governmental agencies requisite to the completion of the Project and is in compliance with all federal, State and local laws, ordinances and regulations applicable thereto.

(i) Description of the Project. The description of the project set forth in Exhibit A is an accurate description of the scope of activities to be financed, in whole or in part, pursuant to the terms of this Grant Agreement.

(j) Estimate of Costs. The Estimated Project Costs as shown in Exhibit B represent a reasonable estimate of the costs actually incurred or expected to be incurred for the Project.

(k) Commitment of Third-Party Funding Entity. If applicable, the Recipient has received a written commitment from the Third-Party Funding Entity for the Third-Party Funding, as specified in Exhibit D.

(l) Eligibility for Third-Party Funding. The Recipient is eligible to receive the full amount of the Third-Party Funding specified in Exhibit D, if any, and knows of no existing fact, condition or circumstance that might act to vitiate such eligibility.

(m) SEQRASERP. The Recipient certifies with respect to the Project that it has complied with all requirements of the State Environmental Quality Review Act ("SEQRA") and the State Environmental Review Process ("SERP"). The Recipient certifies that it has notified DEC and the Corporation of all actions proposed for complying with the environmental review requirements imposed by SERP and approved by EPA for Revolving Fund projects.

(n) Leases. Except as disclosed to the Corporation in writing in connection with the Recipient's application for the Grant, the Recipient has not entered into any lease agreements in connection with the Project and does not intend to lease the Project.

(o) Intermunicipal and Other Agreements. Except as disclosed to the Corporation in writing in connection with the Recipient's application for the Grant, the Recipient has not entered into any intermunicipal agreements or any other contract for the payment, use, management or operation of the Project in connection with the Grant and does not intend to enter into any other intermunicipal agreements or any other contract for the payment, use, management or operation of the Project.

(p) Procurement, Suspension and Debarment. The Recipient is not a debarred or suspended party under 2 CFR Part 180 and 2 CFR 1532. Further, neither the Recipient nor any of its contractors have contracted with any debarred or suspended party under 2 CFR Part 180 and 2 CFR 1532 or with any party that has been determined to be ineligible to bid under Section 316 of the Executive Law.

(q) Restrictions on Lobbying. The Recipient represents that it has not expended appropriated federal funds to pay any person for influencing or attempting to influence an officer or employee of any agency, Member of Congress, officer or employee of Congress or any employee of any Member of Congress in connection with any grant or financing.

(r) General Representations. The Recipient certifies that all documentation and information provided to the Corporation in connection with this Grant Agreement is accurate in all respects and acknowledges that the Corporation is executing and delivering this Grant Agreement and making this Grant in reliance upon the accuracy of said documentation and information.
ARTICLE III

AGREEMENT TO PROVIDE FINANCIAL ASSISTANCE

Section 3.1 Agreement to Provide Financial Assistance for Project Costs from the Revolving Fund.

(a) Financial Assistance. The Corporation agrees to provide financial assistance to the Recipient pursuant to this Grant Agreement, solely from the sources and to the extent specified in Section 3.2, in an amount not greater than the GIGP Award identified in Exhibit B (as it may be amended in accordance with the terms hereof) as the amount requested or available for Grant. The Grant proceeds will be advanced to the Recipient in accordance with the terms of Article IV. The Corporation agrees to provide financial assistance to the Recipient for an amount not to exceed 90% of all Project Costs as set forth in Exhibit B, but in no event will the Corporation provide financial assistance to the Recipient for Project Costs that exceed the GIGP Award.

(b) Retainage. The Recipient acknowledges that the Corporation may hold back as retainage up to five percent (5%) of each Advance made to the Recipient. The total accumulated retainage, if any, shall be paid to the Recipient within thirty (30) days after the Corporation approves the Project as complete. The Project shall be deemed complete upon (i) receipt and acceptance by the Corporation of a Certificate of Substantial Completion for the Project, which must carry the seal or stamp of a New York State licensed engineer or engineering firm and set forth the following: that the Project was constructed in accordance with all approved plans and specifications, that any and all equipment was installed as designed and specified, that the Project is sufficiently complete in accordance with all Project construction contracts and that the Project can be utilized for its intended purposes; and (ii) receipt and acceptance by the Corporation of a certificate of an Authorized Person stating that the Project has been completed in accordance with this Grant Agreement and the approved plans and specifications and approved amendments thereto. The Corporation shall have the right to a final review and inspection of the Project before releasing any retainage.

(c) Disapproval of Requisition Request. The Recipient agrees that, in addition to the remedies set forth in Article VII of this Grant Agreement, the Corporation retains the specific remedy to reject, correct or withhold any or all requests for financial assistance where the Corporation, in its sole discretion, determines that the costs requested for reimbursement are not Eligible Costs or the Recipient has not properly documented the costs in its request for reimbursement.

Section 3.2 Sources of Funding: Nature of Obligations.

(a) Sources of Funding. The Corporation shall have no obligation to make any Advance pursuant to Section 4.2, except from the sources within the Revolving Fund provided for in this Section 3.2. Notwithstanding anything to the contrary in this Grant Agreement, the Recipient acknowledges and agrees that the Corporation's funding of any Advance of the Grant as provided in Section 4.2 of this Grant Agreement, is subject to the receipt by the Corporation of moneys in an amount equal to the aggregate amount of such Advance from moneys available under the ASAP account unless the Corporation determines to provide other available Revolving Fund moneys for such purpose.

(b) Conditions for Advances. The obligation of the Corporation to make any Advance of the Grant proceeds shall be subject to the terms and conditions of this Grant Agreement.
ARTICLE IV
GRANT PROVISIONS

Section 4.1 Grant Clauses.

(a) Advances. Subject to the conditions and in accordance with the terms of this Grant Agreement (including but not limited to Section 4.2), the Corporation hereby agrees to provide the Grant by making advances of funds ("Advances") to the Recipient from time to time, for a period not to exceed two (2) years from the date set forth on the cover page for costs related to construction, and for a period not to exceed five (5) years for eligible monitoring costs as reflected on Exhibit B, in an aggregate funding amount not to exceed the GIGP Award. The Corporation shall have no obligation to make Advances more frequently than once every thirty (30) days. Grant funds shall remain in the custody and control of the Corporation and will only be made available to the Recipient upon, and to the extent of, documented request of Project Costs and approval thereof by the Corporation. Subject to the Recipient complying with the terms and provisions of this Grant Agreement, the Corporation will advance funds to the Recipient within thirty (30) days of a properly completed requisition form.

In the event the Recipient shall, at any time, receive any funds in respect of the project for Project Costs from any Third-Party Funding Entity, the Recipient must draw down, in full, any Third-Party Funding prior to requesting any Advance of Grant proceeds hereunder. If the Recipient is unable to draw down in full any Third-Party Funding, the Recipient must provide a written explanation and accompanying documentation to the Corporation satisfactorily substantiating its need for the release of Grant proceeds prior to the full draw down of any Third-Party Funding.

(b) Eligible Cost Invoices and Proof of Payment. The Recipient shall provide the Corporation with eligible cost invoices and proof of payment of such invoices within forty-five (45) days of Advances to the Recipient. Proof of payment submitted by the Recipient shall be sufficient to allow the Corporation to document that billings and invoices were paid, such as copies of invoices, purchase orders, cancelled checks, payroll and machinery use records certified by the Recipient and such other forms of cost documentation as may reasonably be requested by the Corporation. Where the Corporation determines that the Recipient has provided inadequate documentation or has utilized prior Advances for ineligible costs, the Corporation may take any action permitted hereunder or under applicable law, including making adjustments by deducting an appropriate amount from subsequent Advances to the Recipient in subsequent disbursements.

Section 4.2 Procedures for Advances of Grant Proceeds.

(a) Request for Advance. Advances of Grant proceeds shall be made pursuant to requests for Advances set forth in Requisition Forms submitted by the Recipient to, and approved by, the Corporation as follows: copies of each Requisition Form shall be delivered to the Corporation in accordance with this Grant Agreement (including Exhibit F). Bills, invoices, evidence of payment or other evidence that Project Costs for which an Advance is requested have been incurred by the Recipient shall be delivered to the Corporation in accordance with Exhibit F.

(b) Change Orders. Advances of Grant proceeds shall not be made for costs related to any change orders in connection with the Project unless and until the change order has been approved and accepted by the Corporation. The Recipient shall certify, in each requisition submitted, that the disbursement requested does not include any costs for change orders which have not been accepted by the Corporation.
ARTICLE V
COVENANTS

Section 5.1 Compliance with Laws and Agreements.

The Recipient agrees that at all times during the Term of any Grant the Recipient shall cause the Project to be in compliance with all applicable Federal, State and local laws, regulations and enforcement orders.

(a) Compliance. The Recipient shall construct and operate the Project (or cause the Project to be constructed and operated) in compliance at all times with all applicable federal, state and local laws and regulations (including, without limitation, the Act, the Water Quality Act and Sections 204(d)(2) and 513 of the Clean Water Act, 2 CFR Part 200 and the Federal Funding Accountability and Transparency Act), ordinances, rules, regulations, Executive Orders and this Grant Agreement, and in compliance with all other applicable laws and regulations to the extent necessary to ensure the availability of the Project for its intended purposes and to ensure the safety of the public. The Recipient agrees to ensure that the Project will effectively protect water quality, employ good management practices and fulfill all federal and State requirements, all requirements of this Grant Agreement and all applicable instructions issued by the Commissioner to ensure that these requirements are met.

The Recipient further agrees that if its Project is determined by the Corporation, to be subject to the federal audit requirements of the Single Audit Act of 1984 (31 USC 7501 et seq.), it will comply with such requirements and all laws and regulations implementing same including without limitation 2 CFR Part 200, all as amended from time to time. The Recipient agrees, as applicable, to provide the Corporation with a copy of the Single Audit for its review.

(b) Enforcement. Regardless of acceptance by DEC or the Corporation of a certification by the Recipient that a Project requirement has been met, the Recipient shall permit DEC or the Corporation to take any actions necessary to confirm the accuracy of such certification. The making of Advances by the Corporation shall not constitute an acknowledgment or agreement by the Corporation that the Recipient is in compliance with the terms and conditions of this Grant Agreement.

(c) Affirmative Action, Equal Employment Opportunity, Minority and Women's Business Enterprises and Disadvantaged Business Enterprises. The Recipient acknowledges that contracts for the Project that are paid for with funds provided pursuant to this Grant Agreement, including, but not limited to, construction, engineering, architectural, legal and fiscal services thereto, shall be subject to the requirements and provisions of Article 15-A of the Executive Law (Article 15-A) and 5 NYCRR 140-145 (the Regulations) and, for such purposes, any such contract shall be considered a State Contract as defined therein. The Recipient agrees that it shall comply, and it shall require its authorized representatives, contractors, subcontractors and consultants paid with funds provided pursuant to this Grant Agreement to comply, with all federal and State laws, regulations, and executive orders applicable to this Project, including but not limited to Article 15-A of the Executive Law (Article 15-A) and 5 NYCRR 140-145 (the “Regulations”), as well as MWBE participation goals. Recipient acknowledges, and agrees to advise all contractors, subcontractors and consultants with contracts for the project that are paid for with funds provided pursuant to this Grant Agreement, that the MWBE goals in effect at the time of execution of each contract shall be applied to the GIGP Award. The Recipient agrees that it shall provide to the Corporation such documentation as it receives from contractors, subcontractors and consultants, including quarterly periodic reports, as may be required by law or requested by the Corporation regarding affirmative action, equal employment opportunity (“EEO”), minority and women's business enterprises (“MWBE”) and disadvantaged business enterprises (“DBE”). The Recipient agrees that it will require all contractors, subcontractors and consultants to submit no later than execution of contracts: (i) an MWBE Utilization Plan (prime contractors only); (ii) an EEO policy statement and (iii) an acceptable EEO workforce staffing plan for service provider (non-construction) contracts. Upon receipt, the Recipient shall submit to the

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Corporation all reports and documentation required pursuant to this paragraph. The Recipient’s approval of a Utilization Plan or waiver request is subject to the prior consent of the Corporation. If required by the law, the Recipient shall document and submit to the Corporation information received from the Recipient’s contractors, subcontractors and consultants regarding all good faith efforts made by them to comply with the MWBE participation goals as set forth in Article 15-A and the Regulations, including any waiver requests. The Recipient agrees to cause the provisions set forth in Exhibit I attached hereto to be included in all State Contracts entered into on and after October 13, 2010 which are to be paid with funds provided pursuant to this Grant Agreement. The requirements of this paragraph shall be limited to the laws and requirements in effect on the date of each respective contract, without regard to the date of any amendments to construction contracts. The Recipient agrees that it shall require all contractors and subcontractors to have instituted grievance procedures to assure the prompt and fair resolution of complaints when a violation of Title VI of the Civil Rights Act of 1964 or Title 40 CFR Part 5 or 7 is alleged.

(d) Special Project Conditions. The Recipient agrees to comply with any and all special Project conditions set forth in Exhibit D.

(e) Receipt. The Recipient shall notify the Corporation promptly of the date scheduled for the Recipient’s receipt of any Third-Party Funding and shall permit representatives of the Corporation to attend any meeting held for that purpose between the Recipient and any Third-Party Funding Entity regardless of whether or when any proceeds of any Third-Party Funding are actually received by the Recipient.

(f) Project Approvals. The Recipient shall obtain all necessary approvals from any and all governmental agencies requisite to the completion of the Project and compliance with all federal, State and local laws, ordinances and regulations applicable thereto.

(g) SEQRA/SERP. The Recipient certifies that it shall continue to notify DEC and the Corporation of all actions proposed for complying with the environmental review requirements imposed by SERP and approved by EPA for Revolving Fund projects.

(h) NEPA. If the Commissioner determines that, in addition to all such requirements of SEQRA and SERP, there are additional requirements associated with a National Environmental Protection Act ("NEPA") environmental review, the Recipient shall comply with those additional requirements. The Recipient agrees to provide copies of all environmental documents as may be required by DEC and the Corporation.

(i) Procurement, Suspension and Debarment. The Recipient shall ensure that no sub-award, contract or agreement for the purchase of goods or services shall be made with any debarred or suspended party under 2 CFR Part 180 and 2 CFR 1532 or with a party determined to be ineligible to bid under Section 316 of the Executive Law.

(j) Restrictions on Lobbying. The Recipient represents that it will not expend appropriated federal funds to pay any person for influencing or attempting to influence an officer or employee of any agency, Member of Congress, officer or employee of Congress or any employee of any Member of Congress in connection with any grant or financing. Furthermore, the Recipient agrees to execute the attached certification in substantially the form of Exhibit H. The Recipient agrees to obtain a certification from each contractor and subcontractor with which it has a contract for this Project which exceeds $100,000 and to have such contractor and subcontractor execute a certification in substantially the form of Exhibit H and to maintain the same in its records and to forward to the Corporation such certifications.

(k) Prevailing Wage Requirements. If this is a public work contract covered by Article 8 of the New York State Labor Law the Recipient agrees to comply, in all applicable respects, with the prevailing wage requirements under such statute.
Public Bidding Requirements. The Recipient certifies that it has complied, or will comply, with all applicable public bidding requirements in connection with the Project including, but not limited to, the requirements of General Municipal Law Section 101.

Local Match. The Recipient agrees to provide at least 10% of all Project Costs as its local match requirement under the Green Innovation Grant Program as set forth in Exhibit B. The Corporation agrees that the local match requirement may be met with local funds or in-kind contributions from the Recipient, from State funds, or from any non-federal Third-Party Funding.

Section 5.2 Plans and Specifications.

Design and Construction. The Recipient shall cause this Project to be designed and constructed in accordance with plans and specifications delivered to, and approved by, DEC and consistent with Exhibit A. The Recipient shall proceed with the acquisition and expeditious construction of the Project in conformity with law, with this Grant Agreement and with all applicable requirements of governmental authorities having jurisdiction with respect thereto, subject to such modifications of plans and specifications as may be approved by DEC as necessary or advisable to effectuate the purposes of the Act.

Performance Standards. The Recipient agrees to take any corrective action necessary to bring the Project into compliance with the Project performance standards contained in the approved engineering report or facilities plan for this Project.

Section 5.3 Construction of Project.

Contracts and Security Bonds. DEC and the Corporation have the right to review all contracts for services and construction funded pursuant to this Grant Agreement in order to determine eligibility for funding hereunder and to determine compliance with all relevant plans and terms of this Grant Agreement. Recipient agrees to provide the Corporation with all executed prime contracts funded pursuant to this Grant Agreement. Whenever a security bond is posted by a successful bidder for the faithful performance of a contract funded pursuant hereto, the name and address of the bonding company or person issuing the security bond, the number of such bond, and such other information as may be required by DEC or the Corporation shall be transmitted to the requesting party for review prior to award of such contract. The original of such bond shall remain in the office of the Recipient.

Inspection. The Recipient agrees to provide competent and adequate inspection of all Project construction by a professional engineer licensed in the State, and to notify the Corporation in advance of the date of such inspection in order to provide the Corporation with the opportunity to participate in the walkthrough and inspection. The Recipient shall direct such engineer to inspect work necessary for the construction of this Project and to determine whether the construction conforms to the approved plans and specifications. At the completion of construction, the engineer shall be required to certify to the Recipient, DEC and the Corporation that the construction is in accordance with the approved plans and specifications or approved amendments thereto. The Recipient shall cause any work not completed in accordance with approved plans and specifications to be remedied, unless such noncompliance is waived in writing by the Corporation and DEC.

The Recipient agrees to require a determination by the Project construction manager or design professional (landscape architect, architect or engineer) of 30%, 60%, and 90% of Project completion. At 30%, 60%, and 90% of Project completion, Recipient shall provide to the Corporation photographic documentation satisfactory to the Corporation, evidencing the progress of construction.

Change Orders. The Recipient agrees to submit all change orders to the Corporation within thirty (30) days following the date they are accepted. The Recipient agrees that change orders which will materially alter the Project will not be accepted without prior written approval by DEC or the Corporation.
(d) **Completion Certificate.** **Within seven (7) Business Days following completion of the Project,** the Recipient shall deliver to the Corporation a certificate of an Authorized Person stating that the Project has been completed in accordance with this Grant Agreement, and providing photographic documentation adequate to evidence 100% of Project completion.

(e) **Required Approvals and Permits.** Upon completion of the Project, the Recipient shall obtain from appropriate authorities all permits and authorizations, if any, required for operation and use of the Project as contemplated by this Grant Agreement.

(f) **Project Insurance.** The Recipient agrees that it will require each Project consultant, Project contractor and Project subcontractor to secure and deliver to the Recipient appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. The policies must name both the Recipient and the Corporation as additional insured/loss payee parties and shall cover the contractor’s public liability and property damage insurance, contractor’s contingent liability insurance, “all-risk” insurance and worker’s compensation for the Project. The Recipient shall require that copies of the applicable insurance policies be made available to the Corporation for review upon request. In addition, the Recipient shall secure at its own expense, property insurance in such amounts as required by the Corporation provided by the insurance companies licensed in the State of New York covering the equipment and facilities funded with Grant proceeds.

Section 5.4 **Ownership, Operation and Maintenance.**

(a) **Notice of Beginning Operation.** Within thirty (30) days following the completion of the Project, the Recipient agrees to so notify DEC and the Corporation in writing.

(b) **Operation and Maintenance.** The Recipient agrees to ensure proper and efficient operation and maintenance of this Project satisfactory to the Corporation and to retain a sufficient number of qualified staff to cause performance of required tests and compliance with all other requirements. After completion of the Project, the Recipient shall at all times operate the Project, or otherwise cause the Project to be operated, properly and in a sound and economical manner and shall maintain, preserve and keep the Project, or cause the Project to be maintained, preserved and kept, in good repair, working order and condition and shall make, or cause to be made, all necessary and proper repairs, replacements and renewals from time to time, so that at all times, the Project is operated properly in a manner consistent with the project performance standards contained in the engineering report or facilities plan for the Project, with this Grant Agreement and with the requirements of any related State permit.

(c) **Continued Ownership and Operation.** Unless authorized by the Commissioner or the Corporation to cease operations or dispose of the Project, the Recipient shall own, operate and maintain the Project during the Term of this Grant Agreement. Without the approval of the Corporation, the Recipient shall not discontinue operation of, or sell or otherwise dispose of, the Project, except for portions of the Project sold, or otherwise disposed of, in the course of ordinary repair and replacement of obsolete or worn out parts. Except as authorized in writing by the Corporation and the Commissioner, there shall be no alterations to the Project which would materially affect the Project in any manner. In addition, no improvements, structures or appurtenances shall be placed, constructed or developed on the site of the Project (the “Project Site”) in such a way as to interfere with the express purpose of the Project.

(d) **Title.** The Recipient shall obtain and maintain such title, estate or interest in the Project Site, including easements and rights-of-way, as may be necessary to ensure undisturbed use and possession for the purposes of constructing, operating and maintaining the Project during the Term of this Grant Agreement.
Section 5.5 Accounting and Records.

(a) Establishment of Project Accounts. The Recipient shall maintain Project accounts in accordance with generally accepted government accounting standards and any instructions issued by the Commissioner or the Corporation.

(b) Access to Records. The Recipient shall: (i) permit EPA, DEC, the State Comptroller, and the Corporation, or their authorized representatives to review or audit all records relative to this Project; (ii) produce or cause to be produced all records relating to any work performed under the terms of this Grant Agreement for examination at such times as may be designated by any of them or their authorized representatives; (iii) permit extracts and copies of Project records to be made by them or their authorized representatives; and (iv) promptly fulfill information requests by any of them or their authorized representatives.

(c) Access to Project and Work. The Recipient shall permit agents, consultants and representatives of DEC, the Comptroller of the State and the Corporation to have access to the Project and its components at all reasonable times. All contracts of the Recipient for construction or operation of all or any portion of the Project shall contain provisions that permit such access to the Project, and shall ensure that the contractor shall provide proper facilities for such access and inspection and shall permit extracts and copies of Project records to be made by the foregoing agents, consultants and representatives.

(d) Record Retention. The Recipient shall retain all files and records relating to the construction of the Project for at least six (6) years after Project completion and retain all other Project files and records for the Term of this Grant Agreement. As-built plans and specifications for the Project shall be retained by the Recipient for the Term of this Grant Agreement. The Recipient shall make available to the Administrator of the EPA or representatives of the Administrator any files or records necessary to determine compliance with the Clean Water Act.

Section 5.6 Application of Grant Proceeds.

The Recipient shall apply the proceeds of the Grant solely for Project Costs in accordance with this Grant Agreement and shall reimburse the Revolving Fund in the event that it fails so to apply such proceeds.

Section 5.7 Payment of Additional Project Costs.

In the event that Grant proceeds are not sufficient to pay the costs of this Project in full, the Recipient shall nonetheless complete the Project and pay such portion of the Project Costs as may be in excess of available Grant proceeds, and the Recipient shall not be entitled to any reimbursement or funding therefor from the Corporation.

Section 5.8 Third-Party Funding.

(a) Necessary Actions. The Recipient shall take, in a timely fashion, all actions required or necessary to enable it to obtain the full anticipated proceeds of any Third-Party Funding.

(b) Compliance with Conditions and Requirements. The Recipient shall comply with all stated conditions to any Third-Party Funding commitment, as the same may be amended and supplemented by any Third-Party Funding Entity, and all applicable present and future eligibility requirements of such Third-Party Funding commitment.
(c) Prompt Notice. The Recipient shall promptly, and in any event within five (5) days after having notice or knowledge thereof, inform the Corporation in writing of any anticipated failure on its part to (i) meet all eligibility requirements of any Third-Party Funding Entity, (ii) be qualified to receive any Third-Party Funding proceeds in an amount at least equal to such Third-Party Funding Entity commitment, or (iii) receive the proceeds of such Third-Party Funding.

(d) Documentation. Where the Recipient has failed to submit documentation and/or vouchers required to obtain any Third-Party funding, the Recipient shall permit the Corporation, at its option, to prepare and submit to such documentation and/or vouchers on its behalf. The Recipient shall cooperate fully with the Corporation by providing necessary data for preparing, executing and submitting such documentation. The Recipient further authorizes any Third-Party Funding Entity to release any information respecting such assistance to the Corporation.

Section 5.9 Further Assurances.

The Recipient, at the request of the Corporation, shall authorize, execute, acknowledge and deliver such further certifications, resolutions, conveyances, transfers, assurances, financing statements and other instruments as may be necessary or desirable, in the sole discretion of the Corporation, for better assuring, conveying, granting, assigning and confirming the rights, representations and agreements granted or intended to be granted by or set forth in this Grant Agreement, including without limitation, any such certifications, resolutions, conveyances, transfers, assurances, financing statements and other instruments as may be requested by the Corporation in connection with the issuance of this Grant. In addition, the Recipient shall furnish the Corporation with such additional information concerning the condition of the Project as the Corporation may reasonably request from time to time.

Section 5.10 Covenant Against Discrimination.

The Recipient in the performance of this Grant Agreement shall not discriminate or permit discrimination against any person or group of persons on the grounds of age, race, creed, color, religion, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status or domestic violence victim status in any manner prohibited by the laws of the United States of America or of the State.

Section 5.11 Leases, Intermunicipal and Other Agreements.

The Recipient covenants and agrees that (i) in the event that it has entered into one or more leases, intermunicipal agreements or other contracts relating to the Project for its use, management or operation, it will not renew, extend or amend the lease, intermunicipal agreement or other contract, and (ii) it will not enter into any new lease or contract for the use, management or operation of the Project, in either case without notifying the Corporation in writing and receiving written consent to said action. The Recipient may deem the Corporation's consent to have been provided if the Corporation fails to respond to a written request for consent, and such failure continues for sixty (60) days.

Section 5.12 Indemnification.

To the fullest extent permitted by law, the Recipient agrees to indemnify, defend and hold harmless the Corporation against any loss or liability arising out of any claim or action brought against the Corporation for death, injury or damage to persons or property occurring in connection with the planning, design, construction, operation or maintenance of the Project. In each case, such obligation of the Recipient shall be conditioned upon (i) prompt written notice, by the Corporation to the Recipient, of the institution of any such claim or action and (ii) the assignment, by the Corporation to the Recipient, of the right to conduct the defense of any such claim or action, provided that such defense shall be undertaken by counsel reasonably satisfactory to the Corporation, and provided further that, absent the Corporation's prior written consent, no
settlement, compromise or other voluntary resolution shall be entered into which would impose any liability or obligation on the Corporation. To the fullest extent permitted by law, the Recipient agrees to pay and discharge any judgment or award entered or made against the Corporation with respect to any such claim or action and any settlement, compromise or other voluntary resolution thereof.

ARTICLE VI

EVENTS OF DEFAULT

Section 6.1  Events of Default.

The occurrence of any of the following shall be considered an Event of Default:

(a) Misrepresentation, Etc. Any warranty, representation or other statement made: (i) by or on behalf of the Recipient in, pursuant to, or in connection with this Grant Agreement; (ii) in connection with any other financing made by the Corporation to the Recipient; or (iii) by or on behalf of the Recipient in the application filed in connection therewith, is false, incorrect or misleading in any respect.

(b) Sale or Transfer. A sale, transfer or other disposition of the Project.

(c) Default Under Indebtedness. The Recipient defaults in the performance of any term, covenant, condition or agreement of any indebtedness.

(d) Failure to Remedy Default. The Recipient fails to correct any breach of this Grant Agreement. The Recipient fails to rectify within thirty (30) days of written notification from the Corporation a breach of any of the terms and conditions of Article V of this Grant Agreement.

(e) Other Failure to Perform. The Recipient fails to perform and/or comply with any covenant or condition, including any special condition set forth in Exhibit D, required under this Grant Agreement.

ARTICLE VII

REMEDIES

Section 7.1  Remedies.

Upon the occurrence of an Event of Default, as defined in Article VI hereof, the Corporation may take whatever action at law or in equity may appear necessary or desirable to remedy such default, in addition to the remedies below. Failure by the Corporation to exercise, or delay in exercising, any right or remedy under this Article VII shall not operate as a waiver of such right or remedy.

(a) Reimbursement of Revolving Fund. Notwithstanding anything herein to the contrary, upon the occurrence of an Event of Default, the Recipient agrees that the Corporation may at its election, upon written notice to the Recipient, require the Recipient to immediately repay to the Corporation all Advances of Grant funds made to the Recipient, together with all other sums owed to the Corporation. Upon such notification, such advanced Grant funds shall become immediately due and repayable, despite anything to the contrary in this Grant Agreement.

(b) Rejection or Adjustment of Advances. The Corporation is under no obligation to make any Advances of Grant proceeds upon the occurrence of and during the continuance of, an Event of Default by Recipient.
(c) Nonexclusive Remedy. If the Corporation or DEC determines that the Recipient or any authorized representative is not complying with federal or State laws, regulations or requirements or instructions of the Corporation or DEC relating to the Project or terms of this Grant Agreement, the Corporation may, and at the direction of the Commissioner shall, in addition to exercising any or all of the remedies described herein, exercise any or all the remedies otherwise provided by federal or State Law or regulations executed subsequent hereto; at law or in equity, including but not limited to rights to seek injunctive relief or specific performance with respect to the obligations hereunder.

(d) Right to Remedial Action. Nothing in this Grant Agreement affects the right of DEC or the Corporation to take remedial action including but not limited to administrative enforcement action and actions for breach of contract if the Recipient fails to carry out its obligations under this Grant Agreement.

(e) Costs of Default. The Recipient agrees to pay to the Corporation, as such expenses are incurred, the amount of any expenses (including but not limited to the reasonable fees and expenses of the Corporation and attorneys representing the Corporation) incurred as a result of the Recipient's failure to comply with the terms of this Grant Agreement.

ARTICLE VIII
MISCELLANEOUS

Section 8.1 No Obligation of State.

Nothing in this Grant Agreement shall constitute a commitment of the State to appropriate or reappropriate any Federal or State funds.

Section 8.2 Term.

This Grant Agreement shall remain in full force and effect during the Term of this Grant Agreement, which shall commence upon the date set forth on the cover of this Grant Agreement and continue through the estimated useful life of the Project as set forth in Exhibit D; provided, however, that the terms of Article V and Article VII shall survive any termination of this Grant Agreement. The estimated useful life of the Project shall commence upon the date of construction completion as set forth in Exhibit A to this Grant Agreement.

Section 8.3 Severability.

If any provision of this Grant Agreement is held illegal, invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate, render unenforceable or otherwise affect any other provision hereof.

Section 8.4 Amendment of Grant Agreement.

This Grant Agreement may not be amended except by an instrument in writing signed by each of the parties hereto.
Section 8.5 Execution in Counterparts.

This Grant Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 8.6 Applicable Law.

This Grant Agreement shall be governed by and construed in accordance with the laws of the State, including the Act.

Section 8.7 Benefit of Grant Agreement.

The rights of the Corporation to enforce the duties, covenants, obligations and agreements of the Recipient set forth in this Grant Agreement may at any time, in whole or in part, be assigned and pledged by the Corporation and thereafter such duties, covenants, obligations and agreements so assigned and pledged shall be for the benefit of and enforceable by the Corporation and such assignee.

Section 8.8 Consent to Jurisdiction.

To the fullest extent permitted by law, the Recipient consents to the initiation of any such proceedings in any court of competent jurisdiction and, if applicable, agrees not to assert the defense of sovereign immunity in any such proceedings.

Section 8.9 No Warranty Regarding Condition, Suitability or Cost of Funded Project.

Neither the Corporation nor DEC makes any warranty, express or implied, as to the Project or its condition or that it will be suitable for the Recipient's purposes or needs, or that the proceeds of the Grant will be sufficient to pay the costs of the Project. Review or approval of engineering reports, facilities plans, design drawings and specifications or other documents, or the inspection of Project construction by DEC or the Corporation, does not relieve the Recipient of its responsibility to plan, design, and build the Project properly, and to operate and maintain the Project effectively, as required by laws, regulations, permits and good management practices. The Recipient acknowledges and agrees that DEC and the Corporation or their representatives are not responsible for increased costs resulting from defects in the plans, design drawings and specifications or other Project documents. Nothing in this section prohibits a Recipient from requiring more assurances, guarantees, or indemnity or other contractual requirements from any party performing Project work.

Section 8.10 Grant Agreement Supersedes Prior Agreements.

This Grant Agreement supersedes any other prior or contemporaneous agreements or understandings, written or oral, between the parties relating to the funding of the Project.
Section 8.11 Notices.

All notices, certificates or other communications hereunder shall be sufficiently given, and shall be deemed given, when delivered in writing to the address, facsimile number, or e-mail (if expressly permitted in the provision requiring such communication) of the identified party or parties set forth below, or to such other address, facsimile number, or e-mail as the appropriate party may hereafter designate by notice in writing given to the others.

(a) Corporation:
New York State Environmental Facilities Corporation
625 Broadway
Albany, New York 12207-2997
Attn.: Manager of Green Policy, Planning, and Infrastructure Unit
Facsimile No.: (518) 402-6954
E-Mail Address: GIGP@efc.ny.gov

With a copy of such communications delivered to the attention of the General Counsel at the address set forth above.

(b) Corporation’s Paying Agent:
Manufacturers and Traders Trust Company
One M & T Plaza
Buffalo, New York 14240
Attn.: Corporate Trust Department
Facsimile No.: (716) 842-5905

(c) Recipient:
At the address specified on the signature page of this Agreement.

Section 8.12 Signs.

In recognition of the financial assistance provided hereunder for this Project, the Recipient agrees that a Project sign will be posted for the Project. Such Project sign, or as appropriate in the discretion of the Recipient, multiple signs, shall be designed, rendered and thereupon erected on or near the Project in order to communicate educational narratives and graphics to help members of the public learn about the specifics of the Project, Project components and the reason(s) such Project is considered an innovative green practice. The sign(s) shall incorporate information concerning funding acknowledgments, contact information and maintenance information and shall be sufficiently durable to provide 10 years of service toward the objective of informing the public about the Project and its green innovation objectives. Guidance for the design and fabrication of the Project sign(s) is available at: http://www.efc.ny.gov/Default.aspx?tabid=445.

Section 8.13 Project Promotion.

In order to spur green innovation, build green capacity and facilitate technology transfer throughout the State, the Recipient agrees and consents to the Corporation using images, descriptions and depictions of the Project for promotional and education presentations, outreach and publications.
IN WITNESS WHEREOF, the Recipient and the Corporation have each caused this Grant Agreement to be executed and delivered as of the date first written above.

SUFFOLK COUNTY COMMUNITY COLLEGE

[Signature]
Shaun L. McKay
President

Notice Address:
Suffolk County Community College
533 College Road
Selden, NY 11784
mckays@sunysuffolk.edu

NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION

[Signature]
Sabrina M. Ty
President and CEO
EXHIBIT A

PROJECT DESCRIPTION and CONTRACT EXECUTION SCHEDULE

SRF Project No.: C1-9207-03-00
GIGP Application No.: 1296
Recipient: Suffolk County Community College
County: Suffolk

PROJECT DESCRIPTION

The Campus Green Roofs Initiative Project will use GIGP funds to convert portions of two conventional roofs into green roofs on The William J. Lindsay Life Sciences (Ammerman Campus) and the Learning Resource Center (Michael J. Grant Campus) buildings, and install a green roof on a portion of a new building located on the Peconic Building (Eastern Campus). The project is defined by the feasibility study entitled "Campus Green Roofs Initiative" prepared by RDA Landscape Architecture, PC.

CONSTRUCTION SCHEDULE

| Construction Commencement | September 11, 2017 |
| Construction Completion    | November 24, 2017  |
### EXHIBIT B

**ESTIMATED PROJECT COSTS**

**SRF Project No.: C1-9207-03-00**  
**GIGP Application No.: 1296**  
**Recipient: Suffolk County Community College**  
**County: Suffolk**

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| ENGINEERING          |            |             |
| Planning             |            |             |
| Design               | $22,634.00 |             |
| Administrative       |            |             |
| Other                | **MATCH**  | **22,634.00** |

| EQUIPMENT            |            |             |
|                      | $3,500.00  |             |
|                      | **7731**   | **3,500.00** |

| LEGAL                |            |             |
|                      |            | $0.00       |

| ADMINISTRATIVE FORCE |            |             |
|                      |            | $0.00       |

| ACCOUNT              |            |             |
|                      |            | $0.00       |

| TECHNICAL FORCE ACCOUNT |            |             |
|                        |            | $0.00       |

| CONTINGENCY           |            |             |
|                      | $18,204.00 |             |
|                      | **73500**  | **18,204.00** |

**GIGP Eligible Project Total** $226,342.00  
**Maximum Sum GIGP Award (not to exceed)** $203,708.00  
**Local Share (minimum 10% of Total Project)** $22,634.00  
**Other Sources of Funding (please specify)** $0.00
EXHIBIT C

DEFINITIONS

Capitalized terms used in this Grant Agreement have the meanings set forth in this Exhibit C or, if not defined herein, have the meanings set forth in the Regulations.

"Act" means the NYSEFC Act and the State Act.

"Advance" or "Advances" has the meaning set forth in Section 4.1.

"ASAP" means the Automated Standard Application for Payments system established by EPA to make capitalization grant payments to the State under the Water Quality Act, which payments are allocated by the Corporation as a source of funding the Grant.

"Authorized Person" means the person so authorized to act on behalf of the Recipient in connection with the delivery of the Requisition Forms by the Recipient.

"Business Day" means any day on which State offices are open to conduct business.

"Clean Water Act" means the Federal Water Pollution Control Act, as amended.

"Commissioner" means the Commissioner of DEC.

"Corporation" means the New York State Environmental Facilities Corporation established under the NYSEFC Act, and any entity which may succeed to its rights and duties respecting the Revolving Fund.

"DEC" means the New York State Department of Environmental Conservation and any entity which may succeed to its rights and duties respecting the Revolving Fund.

"EPA" means the United States Environmental Protection Agency and any entity which may succeed to the administration of the program.

"Estimated Project Costs" means the projected costs to the Recipient that are eligible for funding by the Corporation under the State Act; that are allowable costs under the Regulations and that are reasonable, necessary and allocable by the Recipient to the Project under generally accepted government accounting standards, as set forth in the application of the Recipient, which projections are set forth in Exhibit B.

"Event of Default" means an event described in Article VI.

"Grant" means financial assistance provided by the Corporation to a Recipient under the Revolving Fund.

"Grant Agreement" means this Grant Agreement, as it may be amended and supplemented in accordance with the terms hereof.

"GI GP Award" means the amount of Grant, as set forth in Exhibit D.
"NYSEFC Act" means the New York State Environmental Facilities Corporation Act, constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York, as from time to time amended and supplemented.

"Project" means the green infrastructure, water or energy efficiency improvements or other environmentally innovative activities, certified as eligible by DEC and the Corporation and subject to the approval of Corporation described in Exhibit A, as such exhibit may be amended and supplemented in accordance with the terms hereof.

"Project Costs" means the incurred project costs of the Recipient which are eligible for financial assistance from the Revolving Fund under the State Act, which are allowable costs under the Regulations and which are reasonable, necessary and allocable by the Recipient to the funded Project under generally accepted governmental accounting standards.

"Recipient" means the entity named on the cover page of this Grant Agreement.

"Regulations" means the regulations of the Corporation and/or DEC promulgated pursuant to the State Act, constituting 21 NYCRR Part 2602 and 6 NYCRR Part 649, respectively, as such may be amended from time to time.

"Requisition Form" means a document, in substantially the form of Exhibit G, executed by an Authorized Person and delivered in order to obtain an Advance.

"Resolution" means the ordinances and resolutions of the Recipient authorizing the undertaking of the Project, the local match, any applicable borrowing, the execution and delivery of this Grant Agreement and the receipt of the Grant proceeds.

"Revolving Fund" means the Clean Water State Revolving Fund established pursuant to the State Act.

"State" means the State of New York.


"State Contract" shall have the meaning set forth in Article 15-A of the Executive Law.

"Term" means the period commencing on the date set forth on the cover of this Grant Agreement and continuing through the estimated useful life of the Project as set forth in Exhibit D.

"Third-Party Funding" means any grant, loan or other proceeds which are intended to be used to pay any costs of the Project which have been funded with the Grant made pursuant to this Grant Agreement, including, without limitation, the Third-Party Funding specified in Exhibit D.

"Third-Party Funding Entity" shall mean any entity, including, without limitation, the Corporation, the New York State Department of Environmental Conservation, the United States Department of Housing and Urban Development, the New York State Empire State Development Corporation, and/or Rural Development of the United States Department of Agriculture, or their agents, successors and assigns, which provides any Third-Party Funding for the Project; the term shall include, without limitation, any entity which is specified in Exhibit D.

"User Fees" means rates, rentals, fees and other charges of the Recipient in accordance with applicable provisions of law.
"Utilization Plan" shall have the meaning set forth in Article 15-A of the Executive Law.

EXHIBIT D

SCHEDULE OF ADDITIONAL PROVISIONS

SRF Project No.: CI-9207-03-00
GIGP Application No.: 1296
Recipient: Suffolk County Community College
County: Suffolk

I. Definitions.

The "GIGP Award" shall be equal to $203,708.00

Capitalized terms used but not otherwise defined in this Exhibit D or elsewhere in this Grant Agreement shall have the meanings set forth in the Regulations.

II. Additional Covenant Respecting Third-Party Funding (if applicable).

Not applicable.

III. Requests for Advances.

The Recipient hereby certifies that the person or persons from time to time holding the office listed below is the Authorized Person of the Recipient and is authorized to execute disbursement requests on behalf of the Recipient:

TITLE: President

IV. Estimated Useful Life of the Project.

The estimated useful life of the Project is 25 years, as determined by the Corporation, commencing on the date of construction completion.

V. Special Project Conditions.

This Grant Agreement shall be subject to the following special Project conditions, contained herein:

A. Special Condition Regarding Plans and Specifications to be Approved or Eligible after the Date Hereof in Connection with the Project.

The Recipient acknowledges that the Recipient has not, as of the date hereof, received DEC or Corporation approval or acceptance of certain plans and specifications, relating to certain element(s) of the Project.

The Recipient agrees that, notwithstanding anything herein to the contrary, proceeds will not be advanced for construction costs of the Project, other than planning and design, unless and until the plans and specifications have been approved or accepted by DEC or the Corporation.
B. Special Condition Regarding Professional Services Agreements to be Furnished after the Date Hereof in Connection with the Project.

The Recipient acknowledges that the Recipient has not, as of the date hereof, furnished to the Corporation certain professional services agreements relating to certain element(s) of the Project.

The Recipient agrees that, notwithstanding anything herein to the contrary, proceeds will not be advanced for costs incurred pursuant to such professional services agreements unless and until the Corporation has reviewed such agreements and determined to its satisfaction that such professional services were consistent with the scope of work for the Project. The Recipient shall certify, in each requisition submitted, that the Advance requested does not include any costs incurred pursuant to any professional services agreements which have not been furnished to the Corporation.

C. Special Condition Regarding Engineering Services During Project Planning to be Reviewed and Accepted after the Date Hereof in Connection with the Project.

The Recipient acknowledges that the Recipient has not, as of the date hereof, submitted to the Corporation certain professional services agreements pertaining to Project planning services.

The Corporation expressly reserves the right to review professional services agreements pertaining to the planning of the Project. The Recipient understands and agrees that, anything herein to the contrary notwithstanding, proceeds will not be disbursed for costs incurred pursuant to professional services agreements pertaining to planning services unless and until the Corporation has reviewed such professional services agreements and determined to its satisfaction that the services provided thereunder were consistent with the Project's scope of work. The Recipient shall certify, in each requisition submitted, that the disbursement requested does not include any costs incurred pursuant to any professional services agreement pertaining to planning services related to the Project which has not been reviewed and accepted by the Corporation.

D. Special Condition Regarding Engineering Services During Project Design to be Reviewed and Accepted after the Date Hereof in Connection with the Project.

The Recipient acknowledges that the Recipient has not, as of the date hereof, submitted to the Corporation certain professional services agreements pertaining to design services related to the Project.

The Corporation expressly reserves the right to review professional services agreements pertaining to the design of the Project. The Recipient understands and agrees that, anything herein to the contrary notwithstanding, proceeds will not be disbursed for costs incurred pursuant to professional services agreements pertaining to design services unless and until the Corporation has reviewed such professional services agreements and determined to its satisfaction that the services provided thereunder were consistent with the Project's scope of work. The Recipient shall certify, in each requisition submitted, that the disbursement requested does not include any costs incurred pursuant to any professional services agreement pertaining to design services related to the Project which has not been reviewed and accepted by the Corporation.

E. Special Condition Regarding Engineering Services During Project Construction to be Reviewed and Accepted after the Date Hereof in Connection with the Project.

The Recipient acknowledges that the Recipient has not, as of the date hereof, submitted to the Corporation certain professional services agreements pertaining to inspection and engineering services during construction of the Project.
The Corporation expressly reserves the right to review professional services agreements pertaining to inspection and engineering services during construction to determine whether the services provided thereunder will ensure competent and adequate inspection of project construction. The Recipient understands and agrees that, anything herein to the contrary notwithstanding, proceeds will not be disbursed for costs incurred pursuant to professional services agreements pertaining to inspection and engineering services during construction, or for construction costs of the Project, unless and until the Corporation has reviewed such professional services agreements and determined to its satisfaction that the services provided thereunder were consistent with the Project's scope of work and constituted competent and adequate inspection of project construction. The Recipient shall certify, in each requisition submitted, that the disbursement requested does not include any costs incurred pursuant to any professional services agreement pertaining to inspection and engineering services during construction of the Project which has not been reviewed and accepted by the Corporation.

F. Special Condition Regarding Equal Employment Opportunity, Affirmative Action and Small, Minority and Women's Business Enterprises Requirements to be Approved or Accepted after the Date Hereof in Connection with the Project.

The Recipient acknowledges that as of the date hereof the Recipient has not received approval or acceptance by the Corporation of a completed Utilization Plan for one or more contracts relating to the Project, or has not furnished to the Corporation sufficient documentation to comply with the EEO, Affirmative Action and/or S/M/WBE requirements in connection with the Project.

The Recipient agrees, notwithstanding anything herein to the contrary, that the Corporation is not obligated to disburse proceeds pursuant to Section 4.2 for costs of construction or for costs of services, unless and until the Utilization Plan and EEO policy statement, and staffing plan as appropriate, concerning such work has been approved by the Corporation. Following such approval, the Corporation may withhold a disbursement pursuant to Section 4.2 for costs of the Project unless such documentation as may be required by the Corporation to verify compliance with EEO, Affirmative Action and/or S/M/WBE requirements is provided to the Corporation.
EXHIBIT E

[FORM OF OPINION OF COUNSEL TO THE RECIPIENT]

May 22, 2017

Suffolk County Community College
533 College Road
Selden, NY 11784
mckays@sunysuffolk.edu

New York State Environmental
Facilities Corporation
625 Broadway
Albany, New York 12207
GIGP@efc.ny.gov

Re: Suffolk County Community College
$203,708.00 Grant Agreement:
SRF Project No.: C1-9207-03-00
GIGP Application No.: 1296

Ladies and Gentlemen:

I, the undersigned, hereby certify that:

I am counsel to the Suffolk County Community College (the "Recipient"), am admitted to practice in the State of New York and have acted as counsel to the Recipient in connection with its entering into the Grant Agreement dated as of May 22, 2017 (the "Grant Agreement") with the New York State Environmental Facilities Corporation (the "Corporation"). Any term used but not otherwise defined herein shall have the meaning set forth in such Grant Agreement.

I have reviewed certain resolutions of the Recipient, the Grant Agreement, in the form executed by the Recipient, the descriptions of the Project and other documents to be delivered pursuant to the Grant Agreement and such other documents as I have deemed necessary in the rendering of this opinion.

Based upon and subject to the foregoing and to the qualifications hereinafter set forth, I am of the opinion as of the date of this letter that:

1. The Recipient is a Municipal entity duly organized and existing under the laws of the State of New York and has the power and authority to own its own property and assets and transact the business in which it is engaged.

2. The Recipient has the power and authority to execute, deliver and perform its obligations under the Grant Agreement and certain other documents executed and delivered in connection with the Grant Agreement (together the "Grant Documents") and the Grant documents have been duly authorized, executed and delivered by the Recipient and are legal, valid and binding obligations of the Recipient enforceable against the Recipient in accordance with their respective terms.
3. The execution, delivery and performance by the Recipient of each Grant Document, nor compliance by it with the terms and provisions thereof and the making of Advances hereunder, will not (i) conflict with any provision of the Recipient's organizational documents; (ii) to my knowledge after due inquiry, conflict with, violate or constitute a breach of or a default under any existing applicable law, rule, order, regulation, Federal or State Executive Order or any judgment, or decree to which the Recipient is a party or otherwise subject; (iii) to my knowledge after due inquiry, conflict with any other agreements to which Recipient is a party or by which it or any of its properties are bound.

4. No authorization, approval or other action by, and no notice to, consent of, order of or filing with any governmental authority or regulatory body of the State of New York or the United States of America, other than such as have been duly obtained, taken, given or made and are of full force and effect, is required, as of the date hereof, for the execution and delivery by the Recipient of, or performance by the Recipient under, any Grant Document, and I have no reason to believe that any further authorization, approval or other action by, notice to, consent of, order of or filing with any governmental authority or regulatory body of the State of New York or the United States of America is necessary with respect to the Project.

5. There is no litigation of any nature pending or threatened to restrain or enjoin the construction, completion or operation of the Project or to restrain or enjoin the execution or delivery of the Grant Agreement, which purports to affect the legality, validity, binding effect or enforceability of any Grant Document or in any manner questioning the proceedings or authority under which the Grant Agreement was authorized or the title of officials of the Recipient who have acted with respect to the proceedings for the execution of the Grant Agreement for their respective offices.

6. The Grant Agreement and each of the Grant Documents have been duly authorized, executed and delivered by the Recipient. Assuming the due authorization, execution and delivery thereof by the Corporation, such agreements and documents constitute the legal, valid and binding agreements of the Recipient, enforceable in accordance with its terms.

FORM / DO NOT SIGN
Alicia S. O'Connor
EXHIBIT F

DOCUMENTATION REQUIRED IN CONNECTION WITH EACH REQUISITION

With each request for an Advance, the Recipient must submit documentation to the Corporation in support of such request in a form and manner which is acceptable to the Corporation.

Such documentation shall demonstrate that the costs for which financial assistance is requested are for the Project, and that the goods and services for which the costs were incurred have been provided.

Satisfactory documentation may include, but is not limited to, signed copies of payment vouchers or invoices, cancelled checks, details of current indirect cost and fringe benefits rates, copies of all sub-agreements, executed change orders, payroll records tabulations of allowable costs incurred to date; and

(1) for construction, the latest cumulative work-in-place estimate and a summary of executed change orders for each construction contract;

(2) for professional services, a description of the nature of the service and documentation that the service was provided according to the terms of a professional services agreement;

(3) for purchase of equipment not included in a construction contract, a detailed list of equipment purchased, price of each item and the method and details of the procurement of each item; and

(4) for project services to be provided by employees of the Recipient pursuant to a force account proposal which has been approved by the Corporation, employee time records, signed by the employee and the employee’s supervisor, which account for all hours worked in the period covered and describe in detail the work claimed as approvable.

All documentation for the Project shall be incorporated and referenced in Project accounts maintained by the Recipient in accordance with generally accepted government accounting standards.
EXHIBIT G

[FORM OF REQUISITION FORM]

SUFFOLK COUNTY COMMUNITY COLLEGE
SRF Project No.: C1-9207-03-00
GIGP Application No.: 1296

REQUISITION NO.____

Dated as of the ______ day of ______, 20

I, the undersigned and Authorized Person of the Suffolk County Community College (the "Recipient"), hereby certify and agree as follows:

1. All representations and warranties of the Recipient as set forth in section 2.1 of the Grant Agreement (the “Grant Agreement”) dated as of May 22, 2017 between the New York State Environmental Facilities Corporation (the "Corporation") and the Recipient are still valid and effective as of today’s date.

2. This requisition is being delivered pursuant to the Grant Agreement and the Recipient. All capitalized terms used but not defined herein shall have the respective meanings set forth in the Grant Agreement.

3. The Corporation is hereby requested to make an Advance under the Grant Agreement in the amount of $__________ for Project Costs.

4. The above Project Costs have not been paid with the proceeds of any Third-Party Funding, except as specifically described herein: ____________________________________________

5. The Recipient has determined that such Project Costs are reasonable, necessary, and allocable to the Funded Project under generally accepted governmental accounting standards.

6. This is Advance number ________ requested under the Grant Agreement and this Advance, if made, together with the prior Advances requested, will not exceed the Maximum Sum.

7. The Recipient hereby represents and warrants that it is not in default under the Grant Agreement, that no event has occurred which, with the passage of time or the giving of notice or both, would become a default thereunder, that it has performed all of the covenants and agreements that it is required to perform under the Grant Agreement, that the making of the Advance requested by this requisition has been duly authorized by the Recipient, and that no change in circumstances has occurred, or will occur upon the making of the Advance hereby requested, which would constitute a breach or a default under the Grant Agreement.

8. Payments aggregating $__________ have been incurred by the Recipient for Project Costs which, based upon information provided me by the Recipient's engineer for this project, constitute an "eligible project" under the State Act as shown on the Cost Summary attached hereto as
9. Based upon information provided me by the Recipient's engineer for this project, all amounts requisitioned hereunder are for eligible Project Costs which have not been included in any previous disbursement from Grant proceeds.

10. **If requesting payment for costs of construction:** As of the date hereof, the Recipient holds, and will retain, a legal and valid fee simple title or other estate or interest in the site(s) of the Project, including all necessary easements and/or rights-of-way, as are or will be necessary for the Recipient's continued undisturbed use and possession of the site(s) of the Project during the construction, operation and maintenance of the Project.

11. **If requesting payment for costs of construction:** The Recipient has obtained all licenses, permits or other approvals required as of the date hereof to undertake the Project.

12. **If requesting payment for costs of construction:** The Advance requested does not include any costs of construction (other than costs of planning and design) associated with plans and specifications which have not been accepted by DEC or the Corporation.

13. **If requesting payment for costs of construction:** The Recipient has complied with all applicable public bidding requirements in connection with the Project including, but not limited to, the requirements of General Municipal Law Section 101.

14. **If requesting payment for costs associated with professional services agreement:** The Advance requested does not include any costs incurred pursuant to any professional services agreements which have not been furnished to the Corporation.

15. **If requesting payment for costs for engineering services associated with inspection and services during construction:** The Advance requested does not include any costs incurred pursuant to any professional services agreement pertaining to inspection and engineering services during construction of the Project which has not been reviewed and so accepted by the Corporation.

16. **If requesting payment for costs associated with technical force account work:** The Advance requested does not include any costs of construction (other than costs of planning and design) associated with the Technical Force Account Proposal which has not been approved by the Corporation.

17. **If requesting payment for costs for equipment:** The Advance requested does not include any costs for equipment which have not been accepted and approved by DEC or the Corporation.

18. The amount requested does not include any project costs associated with a Utilization Plan, EEO policy statement or staffing plan, as applicable, which has not been approved by the Corporation. If a Utilization Plan, EEO policy statement or staffing plan, as applicable, has been approved by the Corporation, documentation as may be required by the Corporation to verify compliance with the EEO, Affirmative Action and S/M/WBE/DBE requirements has been provided; or (ii) the Recipient is in compliance with all S/M/WBE/DBE requirements.

19. The undersigned is duly authorized to execute and deliver this requisition on behalf of the Recipient.
20. The Recipient hereby represents and warrants that it has obtained a certification in the form of Exhibit H to the Grant Agreement from each contractor and subcontractor which has a contract funded hereunder which exceeds $100,000 and that the Recipient has submitted to the Corporation each such contractor and subcontractor certification as required under 40 CFR Part 34.

Date: __________________________

SUFFOLK COUNTY COMMUNITY COLLEGE

By: FORM/DO NOT SIGN
Name (Please Print): ________________________________
Title: President
### Green Innovation Grant Program
#### Cost Summary Form

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<td>SRF Project No. {SRF No.}</td>
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<th>Less 5% Retainage $0.00</th>
<th>Disbursement Amount to be Released $0.00</th>
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**TOTAL:**

**Comments:**
EXHIBIT H

[FORM OF CERTIFICATION REGARDING LOBBYING]

CERTIFICATION
FOR
CONTRACTS, GRANTS, LOANS, AND
COOPERATIVE AGREEMENTS
40 CFR 34

SUFFOLK COUNTY COMMUNITY COLLEGE
SRF Project No.: C1-9207-03-00
GIGP Application No.: 1296

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

By: __FORM / DO NOT SIGN__
Name: Shaun L. McKay
Title: President
Date: ________________

H-1
EXHIBIT I

REQUIRED TERMS FOR PROJECT CONTRACTS AND SUBCONTRACTS

In accordance with the terms and conditions set forth in Section 5.1 of the Grant Agreement, Recipient agrees that the following language will be included in all contracts and subcontracts regarding the Project including but not limited to those relating to construction, engineering, architectural, legal and fiscal services, as required by federal and State laws, regulations, and executive orders applicable to this Project:

DEFINED TERMS:


The term “contractor”, as used in this contract or subcontract, means, and applies to, all prime contractors, consultants and service providers as hereinafter defined, unless specifically referred to otherwise.

The term “subcontractor”, as used in this contract or subcontract, means, and applies to, any individual or business enterprise that has an agreement with a contractor.

The term “EEO policy statement” means a statement of the contractor and subcontractor setting forth at least the following:

(i) A statement that the contractor will provide for and promote equal employment opportunity free of discrimination and harassment against any person on the basis of race, color, national origin, age, disability, sex, gender, sexual orientation, religion, genetic characteristics or information, status as a victim of domestic violence, veteran or military status, marital or family status, or any other discrimination prohibited by law, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination and will make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on contracts relating to the Project.

(ii) An agreement that all of contractor’s solicitations or advertisements for employees will state that, in the performance of the contract relating to this Project, all qualified applicants will be provided with equal employment opportunity free of discrimination and harassment against any person on the basis of race, color, national origin, age, disability, sex, gender, sexual orientation, religion, genetic characteristics or information, status as a victim of domestic violence, veteran or military status, marital or family status, or any other discrimination prohibited by law.

(iii) An agreement to request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union, or representative will not discriminate or harass on the basis of race, color, national origin, age, disability, sex, gender, sexual orientation, religion, genetic characteristics or information, status as a victim of domestic violence, veteran or military status, marital or family status, or any other discrimination prohibited by law and that such union or representative will affirmatively cooperate in the implementation of the contractor’s obligations herein.
An agreement to comply with the provisions of the Human Rights Law (Article 15 of the Executive Law), including those relating to non-discrimination on the basis of prior criminal conviction and prior arrest, and with all other State and federal statutory constitutional non-discrimination provisions.

The term "EFC" means the New York State Environmental Facilities Corporation.

The term "EPA" means the United States Environmental Protection Agency.

The term "ESD" means the Empire State Development Corporation - Division of Minority and Women's Business Development.

The term "Recipient" means the party, other than EFC, to a grant agreement with EFC through which funds for the payment of amounts due hereunder are being paid in whole or in part.

The term "Service Providers" means professional services, such as legal, engineering, financial advisory or other professional services, supplies, commodities, equipment, materials, and travel.

The term "State" means the State of New York.

INTERPRETATION:

This contract is subject to Article 15-A of the Executive Law (Article 15-A) and 5 NYCRR 140-145 (the Regulations) and shall be considered a State Contract as defined therein. If any of the terms herein conflict with Article 15-A or the Regulations, such law and regulations shall supersede these requirements.

REPRESENTATIONS AND ACKNOWLEDGMENTS OF CONTRACTOR & SUBCONTRACTOR:

The contractor acknowledges that funds for the payment of amounts due under this contract are being provided in whole or in part subject to the terms and conditions of a grant agreement with EFC.

The contractor represents that it has submitted an EEO policy statement, an EEO Workforce Staffing Plan for Service Provider: (Non-construction) Contracts (if applicable), and an MWBE Utilization Plan (prime contractors only), prior to the execution of this contract.

Suspension/Debarment - The contractor is not a debarred or suspended party under 2 CFR Part 180, 2 CFR Part 1532 and 40 CFR Part 32. Further, neither the contractor nor any of its subcontractors have contracted with, or will contract with, any debarred or suspended party under the foregoing regulations or with any party that has been determined to be ineligible to bid under Section 316 of the Executive Law.

EQUAL EMPLOYMENT OPPORTUNITY (EEO), AFFIRMATIVE ACTION, MWBE AND OTHER COVENANTS:

Contractor and subcontractor shall comply with all federal and State laws, regulations, and executive orders applicable to this Project, and shall provide such documentation, including periodic reports, as may be requested from time to time and as set forth in guidance documentation available at www.efc.ny.gov/mwbe, including but not limited to the Bid Packets.

With respect to this contract, the contractor and subcontractor shall undertake or continue existing programs of affirmative action and equal employment opportunity to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, color, national origin, age, disability, sex, gender, sexual orientation, religion, genetic characteristics or information, status as a
victim of domestic violence, veteran or military status, marital or family status, or any other discrimination prohibited by law. For these purposes, affirmative action shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation.

Contractors and subcontractors shall have instituted grievance procedures to assure the prompt and fair resolution of complaints when a violation of Title VI of the Civil Rights Act of 1964 or Title 40 CFR Part 5 or 7 is alleged.

**MWBE**

**MWBE Goals** — The contractor agrees to pursue MWBE goals in effect at the time of execution of this contract. The MWBE goals shall be applied to the total amount being funded pursuant to the grant agreement with EFC.

Contractors shall solicit participation of MWBE contractors (including subcontractors, consultants and service providers) for SRF-funded projects in accordance with the aforementioned goals. The contractor must submit sufficient documentation to demonstrate good faith efforts to provide opportunities for MWBE participation for work related to the SRF-funded project in the event respective goals are not achieved. Guidance pertaining to documentation of good faith efforts is set forth in the Bid Packet.

The contractor agrees that for purposes of providing meaningful participation by MWBEs on the contract and achieving the goals, contractor will reference the directory of New York State Certified MWBEs found at the following internet address: http://www.esd.ny.gov/mwbe.html.

Subcontractors who in turn subcontract work shall also comply with MWBE requirements for that contract.

**MWBE Utilization Plan** (MWBE Utilization Plan requirements apply to contractors and are submitted prior to execution of a contract.) — Each contractor shall prepare and submit to the Recipient for approval an MWBE Utilization Plan, and any revision or amendment thereto, that provides information describing MBEs and WBEs to be utilized at various times during the performance of this contract. The MWBE Utilization Plan shall identify the contractor’s proposed MBE and WBE utilization for this contract and the MWBE participation goals for this contract as established by EFC. The MBEs and WBEs identified in the MWBE Utilization Plan must be certified by, or have applied for certification from ESD.

In the event that contractor’s approved MWBE Utilization Plan does not propose achievement of the MWBE participation goals for this contract, contractor shall complete a waiver request as hereinafter referenced.

**Submission** — Within 30 days of execution of this contract, contractor shall submit to the Recipient copies of all signed subcontracts, agreements, and/or purchase orders referred to in the MWBE Utilization Plan.

**Compliance** — Contractor agrees to adhere to its approved MWBE Utilization Plan for the participation of MWBEs on this contract pursuant to their respective MWBE goals.

**Waivers** — If contractor’s application of good faith efforts does not result in the utilization of MBE and/or WBE firms to achieve the aforementioned goals, prior to execution of a contract, the contractor shall complete the waiver request portion of the MWBE Utilization Plan and submit it to the Recipient. Contractor is entitled to receive a written notice of acceptance or denial within 20 days of receipt. Upon receipt of a notice of deficiency from Recipient, Contractor shall respond to such notice within 7 days. Such response may include a request for a total or partial waiver of the aforementioned goals.

Contractor shall comply with the requirements set forth in the Bid Packets regarding waivers.
Required Reports - MWBE Monthly Report – Contractor agrees to submit a report to the Recipient by the 3rd business day following each end of month over the term of this contract documenting the progress made towards achievement of the MWBE goals of this contract.

EEO

EEO Workforce Staffing Plan – All Service Provider (non-construction) contractors and subcontractors shall submit an acceptable EEO Workforce Staffing Plan setting forth the anticipated workforce to be utilized on such contract or, where required, information on the service provider’s total workforce, including apprentices, broken down by specific ethnic background, gender and Federal occupational categories or other appropriate categories specified by the Recipient. The EEO Workforce Staffing Plan is submitted prior to execution of a contract.

Required Reports - EEO Workforce Utilization Reports – Applies to Service Provider (Non-Construction) Contracts and Subcontracts

During the term of this contract, the contractor and subcontractor shall update and provide notice to the Recipient of any changes to the previously submitted Staffing Plan in the form of an EEO Workforce Utilization Report. Contractor shall submit this information on a quarterly basis during the term of this contract to report the actual workforce utilized in the performance of the contract by the specified categories listed including ethnic background, gender, and Federal occupational categories. The EEO Workforce Utilization Report must be submitted to report this information. In the event a Contractor and Subcontractor’s workforce does not change within the Quarterly period, the Contractor shall notify the Recipient in writing.

Required Reports – EEO Workforce Utilization Reports – Applies to Construction Contracts and Subcontracts

During the term of this contract, the contractor and subcontractor shall submit to the Recipient EEO Workforce Utilization Reports. Contractor and subcontractor shall submit this information on a monthly basis to report the actual labor hours utilized in the performance of this contract by the specified categories listed including ethnic background, gender, and Federal occupational categories. The EEO Workforce Utilization Report must be submitted to report this information.

All EEO Workforce Utilization Reports submitted by the contractor and subcontractor shall reflect a separation of the workforce utilized in the performance of this contract from contractor or subcontractor’s total workforce. Contractor shall submit the EEO Workforce Utilization Report and indicate that the information provided relates to the actual workforce utilized on this contract. If contractor or subcontractor fails to separate the workforce to be utilized on this contract from the total workforce as determined by Recipient contractor shall submit the EEO Workforce Utilization Report and indicate that the information provided is contractor’s or subcontractor’s total workforce during the subject time frame, not limited to work specifically under this contract.

Disadvantaged Business Enterprises – The contractor and subcontractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor and subcontractor shall carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor and subcontractor to carry out
these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies. Contractors and subcontractors shall comply with the requirements set forth in the Bid Packets regarding Disadvantaged Business Enterprises.

**REMEDIES:**

Upon a determination by the Recipient of contractor's non-responsiveness, non-responsibility or breach as a result of a failure to comply with the requirements of Article 15-A and the Regulations, Recipient may withhold funds under this contract or take such other actions, impose liquidated damages or commence enforcement proceedings as set forth herein or as otherwise allowed by law or in equity.

If contractor or subcontractor fails to submit to Recipient an EEO policy statement consistent with the provisions set forth in clauses (i), (ii), (iii) and (iv) of the definition thereof and within the timeframe required therefor, Recipient may declare this contract to be null and void.

Contractor and subcontractor agree that a failure to submit and/or adhere to its EEO policy statement, EEO Workforce Staffing Plan for Service Provider (Non-construction) Contracts (if applicable), and an MWBE Utilization Plan (contractors only), and any other required periodic reports, shall constitute a material breach of the terms of this contract, entitling Recipient to any remedy provided herein, including but not limited to, a finding of contractor non-responsiveness.

**Liquidated or Other Damages** - If it has been determined by the Recipient or NYSEFC that the contractor is not in compliance with the requirements herein or refuses to comply with such requirements, or if contractor is found to have willfully and intentionally failed to comply with the MWBE participation goals, in accordance with Section 316-a of Article 15-A and 5 NYCRR §142.13, contractor shall be obligated to pay to Recipient liquidated damages or other appropriate damages as determined by the Recipient or EFC.

Liquidated damages shall be calculated as an amount not to exceed the difference between:

1. All sums identified for payment to MWBEs had the contractor achieved the contractual MWBE goals; and

2. All sums actually paid to MWBEs for work performed or materials supplied under this contract.

In the event a determination has been made by the Recipient or EFC which requires the payment of liquidated damages and such identified sums have not been withheld, contractor shall pay such liquidated damages to Recipient within sixty (60) days after they are assessed unless prior to the expiration of such sixtieth day, contractor has filed a complaint with ESD pursuant to Subdivision 6 of Section 313 of the Executive Law in which event the liquidated damages shall be payable if Director of ESD renders a decision in favor of Recipient.
EXHIBIT J

CLEAN WATER STATE REVOLVING FUND SUBAWARD IDENTIFICATION AND INFORMATION
2 CFR 200

SUFFOLK COUNTY COMMUNITY COLLEGE
SRF Project No. CI-9207-03-00
GIGP Application No. 1296

1. Subrecipient Name: Suffolk County Community College
2. Subrecipient Data Universal Numbering System (DUNS) number: 076577709
3. Federal Award Identification Number (FAIN) – CWSRF 36000115 for Federal Fiscal Year 2015
4. Federal Award Date: 7/9/15 for FFY 2015
5. Subaward Period of Performance Start and End Date:
   Start Date: Closing Date of This Agreement May 22, 2017
   End Date: Expiration of Estimated Useful Life of Project: November 24, 2042
6. Total Amount of SRF Grant Funds Obligated by This Action: $203,708.00
7. Total Amount of SRF Grant Funds Obligated to the Subrecipient as of the Beginning of the Current FFY: $203,708.00
8. Total Amount of Federal Award: $154,982,000.00
9. Federal Award Project Description: This agreement is for the capitalization grant which provides funds for New York’s Clean Water State Revolving Fund program to provide low interest financing to recipients for costs associated with the planning, design, and construction of eligible water quality improvement and protection projects throughout the State of New York. The objectives are to establish and manage an effective comprehensive Water Pollution and Control Revolving Funds program and to maintain a self-sustaining revolving fund so as to improve and protect water quality and public health.
10. Name of Federal Awarding Agency, Pass-Through Entity and Contact Information for Awarding Official:
    (a) Federal Awarding Agency: Environmental Protection Agency (EPA) Region 2
    (b) Pass-Through Entity: New York State Environmental Facilities Corporation
    (c) Contact Information for Awarding Official:
        Donald Pace
        Acting Assistant Regional Administrator for Policy and Management
        U.S. EPA, Region 2
        Clean Water Division
        290 Broadway
        New York, NY 10007-1866
11. Catalog of Federal Domestic Assistance (CFDA) Number and Name: 66.458
12. Identification of Whether the Award is for Research and Development (R & D): The Award is not for R & D
13. Indirect Rate Cost for Federal Award 17.08%
SUFFOLK COUNTY COMMUNITY COLLEGE
SRF Project No.: C1-9207-03-00
GIGP Application No.: 1296

REQUISITION NO._____

Dated as of the ___ day of ___, 20___

I, the undersigned Authorized Person of the Suffolk County Community College (the "Recipient"), hereby certify and agree as follows:

1. All representations and warranties of the Recipient as set forth in section 2.1 of the Grant Agreement (the "Grant Agreement") dated as of May 22, 2017 between the New York State Environmental Facilities Corporation (the "Corporation") and the Recipient are still valid and effective as of today's date.

2. This requisition is being delivered pursuant to the Grant Agreement. All capitalized terms used but not defined herein shall have the respective meanings set forth in the Grant Agreement.

3. The Corporation is hereby requested to make an Advance under the Grant Agreement in the amount of $__________ for Project Costs.

4. The above Project Costs have not been paid with the proceeds of any Third-Party Funding, except as specifically described herein: ____________________________________________

5. The Recipient has determined that such Project Costs are reasonable, necessary, and allocable to the Funded Project under generally accepted governmental accounting standards.

6. This is Advance number ________ requested under the Grant Agreement and this Advance, if made, together with the prior Advances requested, will not exceed the Maximum Sum.

7. The Recipient hereby represents and warrants that it is not in default under the Grant Agreement, that no event has occurred which, with the passage of time or the giving of notice or both, would become a default thereunder, that it has performed all of the covenants and agreements that it is required to perform under the Grant Agreement, that the making of the Advance requested by this Certificate has been duly authorized by the Recipient, and that no change in circumstances has occurred, or will occur upon the making of the Advance hereby requested, which would constitute a breach or default under the Grant Agreement.

8. Payments aggregating $__________ have been incurred by the Recipient for Project Costs which, based upon information provided me by the Recipient's engineer for this project, constitute an "eligible project" under the State Act as shown on the Cost Summary attached hereto as Attachment 1.

9. Based upon information provided me by the Recipient's engineer for this project, all amounts requisitioned hereunder are for eligible Project Costs which have not been included in any previous disbursement from Grant proceeds.

10. (If requesting payment for costs of construction): As of the date hereof, the Recipient holds, and will retain, a legal and valid fee simple title or other estate or interest in the site(s) of the Project, including all necessary easements and/or rights-of-way, as are or will be necessary for the Recipient's continued undisturbed
use and possession of the site(s) of the Project during the construction, operation and maintenance of the Project.

11. **(If requesting payment for costs of construction):** The Recipient has obtained all licenses, permits or other approvals required as of the date hereof to undertake the Project.

12. **(If requesting payment for costs of construction):** The Advance requested does not include any costs of construction (other than costs of planning and design) associated with plans and specifications which have not been accepted by DEC or the Corporation.

13. **(If requesting payment for costs of construction):** The Recipient has complied with all applicable public bidding requirements in connection with the Project including, but not limited to, the requirements of General Municipal Law Section 101.

14. **(If requesting payment for costs associated with professional services agreement):** The Advance requested does not include any costs incurred pursuant to any professional services agreements which have not been furnished to the Corporation.

15. **(If requesting payment for costs for engineering services associated with inspection and services during construction):** The Advance requested does not include any costs incurred pursuant to any professional services agreement pertaining to inspection and engineering services during construction of the Project which has not been reviewed and so accepted by the Corporation.

16. **(If requesting payment for costs associated with technical force account work):** The Advance requested does not include any costs of construction (other than costs of planning and design) associated with the Technical Force Account Proposal which has not been approved by the Corporation.

17. **(If requesting payment for costs for equipment):** The Advance requested does not include any costs for equipment which have not been accepted and approved by DEC or the Corporation.

18. The amount requested does not include any project costs associated with a Utilization Plan, EEO policy statement or staffing plan, as applicable, which has not been approved by the Corporation. If a Utilization Plan, EEO policy statement or staffing plan, as applicable, has been approved by the Corporation, documentation as may be required by the Corporation to verify compliance with the EEO, Affirmative Action and S/M/WBE/DBE requirements has been provided; or (ii) the Recipient is in compliance with all S/M/WBE/DBE requirements.

19. The undersigned is duly authorized to execute and deliver this requisition on behalf of the Recipient.

20. The Recipient hereby represents and warrants that it is has obtained a certification in the form of **Exhibit H** to the Grant Agreement from each contractor and subcontractor which has a contract funded hereunder which exceeds $100,000 and that the Recipient has submitted to the Corporation each such contractor and subcontractor certification as required under 40 CFR Part 34.
CERTIFICATION
FOR
CONTRACTS, GRANTS, LOANS, AND
COOPERATIVE AGREEMENTS
40 CFR 34

SUFFOLK COUNTY COMMUNITY COLLEGE
SRF Project No.: C1-9207-03-00
GIGP Application No.: 1296

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

By: __________________________________________
Name: __________________________________________
Title: __________________________________________
Date: __________________________________________
CERTIFICATION
FOR
CONTRACTS, GRANTS, LOANS, AND
COOPERATIVE AGREEMENTS
40 CFR 34

SUFFOLK COUNTY COMMUNITY COLLEGE
SRF Project No.: C1-9207-03-60
GIGP Application No.: 1296

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

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This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

By: [Signature]

Name: Shaun L. McKay
Title: President
Date: 7/12/17
May 22, 2017

Suffolk County Community College
533 College Road
Selden, NY 11784
mckays@sccsunysuffolk.edu

New York State Environmental Facilities Corporation
625 Broadway
Albany, New York 12207
GIGP@sfc.ny.gov

Re: Suffolk County Community College
$203,708.00 Grant Agreement
SRF Project No.: C1-9207-03-00
GIGP Application No.: 1296

Ladies and Gentlemen:

I, the undersigned, hereby certify that:

I am counsel to the Suffolk County Community College (the "Recipient"), am admitted to practice in the State of New York and have acted as counsel to the Recipient in connection with its entering into the Grant Agreement dated as of May 22, 2017 (the "Grant Agreement") with the New York State Environmental Facilities Corporation (the "Corporation"). Any term used but not otherwise defined herein shall have the meaning set forth in such Grant Agreement.

I have reviewed certain resolutions of the Recipient, the Grant Agreement, in the form executed by the Recipient, the descriptions of the Project and other documents to be delivered pursuant to the Grant Agreement and such other documents as I have deemed necessary in the rendering of this opinion.

Based upon and subject to the foregoing and to the qualifications hereinafter set forth, I am of the opinion as of the date of this letter that:

1. The Recipient is a Municipal entity duly organized and existing under the laws of the State of New York and has the power and authority to own its own property and assets and transact the business in which it is engaged.

2. The Recipient has the power and authority to execute, deliver and perform its obligations under the Grant Agreement and certain other documents executed and delivered in connection with the Grant Agreement (together the "Grant Documents") and the Grant documents have been duly authorized, executed and delivered by the Recipient and are legal, valid and binding obligations of the Recipient enforceable against the Recipient in accordance with their respective terms.

3. The execution, delivery and performance by the Recipient of each Grant Document, nor compliance by it with the terms and provisions thereof and the making of Advances hereunder, will not (i) conflict with any provision of the Recipient’s organizational documents; (ii) to my knowledge after due inquiry, conflict with, violate or constitute a breach of or a default under any existing applicable law, rule,
order, regulation, Federal or State Executive Order or any judgment, or decree to which the Recipient is a party or otherwise subject; (iii) to my knowledge after due inquiry, conflict with any other agreements to which Recipient is a party or by which it or any of its properties are bound.

4. No authorization, approval or other action by, and no notice to, consent of, order of or filing with any governmental authority or regulatory body of the State of New York or the United States of America, other than such as have been duly obtained, taken, given or made and are of full force and effect, is required, as of the date hereof, for the execution and delivery by the Recipient of, or performance by the Recipient under, any Grant Document and I have no reason to believe that any further authorization, approval or other action by, notice to, consent of, order of or filing with any governmental authority or regulatory body of the State of New York or the United States of America is necessary with respect to the Project.

5. There is no litigation of any nature pending or threatened to restrain or enjoin the construction, completion or operation of the Project or to restrain and enjoin the execution or delivery of the Grant Agreement, which purports to affect the legality, validity, binding effect or enforceability of any Grant Document or in any manner questioning the proceedings or authority under which the Grant Agreement was authorized or the title of officials of the Recipient who have acted with respect to the proceedings for the execution of the Grant Agreement for their respective offices.

6. The Grant Agreement and each of the Grant Documents have been duly authorized, executed and delivered by the Recipient. Assuming the due authorization, execution and delivery thereof by the Corporation, such agreements and documents constitute the legal, valid and binding agreements of the Recipient, enforceable in accordance with its terms.

IN WITNESS WHEREOF, I have hereunto set my hand as of the date first set forth above.

[Signature]

Alicia S. O'Connor
To: Katie Horst, Director of Intergovernmental Relations

From: Gail Vizzini, Vice President for Business and Financial Affairs

Date: May 31, 2017

Subject: Request for a Resolution Accepting and Appropriating a Grant Award for a Suffolk County Community College Program.

Enclosed are the application and requisite forms to request acceptance and appropriation of a grant award for a program at Suffolk County Community College.

Proposal _____ Grant Award X _____ Subcontract _____

Project Name: Green Innovation Grant Program (GiGP):
                   Campus Green Roofs Initiative

Funding Source: Environmental Protection Agency
                   Pass-Through Entity:
                   New York State Environmental Facilities Corporation

Amount of Grant: $203,708

Full Time Positions: None

Please call me if there are questions regarding this request.
An e-mail version of the resolution was sent to CERESOREVIEW:
File names: Reso-SCCC-GiGP Award 17.docx
            Backup-SCCC-GiGP Award 17-SCIN 175A.docx

Cc: Nicholas Palumbo, Project Executive Director of Sustainability Program
    John Bullard, Jr., Associate Dean for Financial Affairs
RESOLUTION NO.  - 2017, AMENDING THE 2017
ADOPTED CAPITAL BUDGET AND OPERATING
BUDGET AND AUTHORIZING THE EXECUTION OF A 90%
GRANT AGREEMENT WITH THE FEDERAL AVIATION
ADMINISTRATION AND THE NEW YORK STATE
DEPARTMENT OF TRANSPORTATION IN CONNECTION
WITH A PROJECT TO REPLACE THE AIR TRAFFIC
CONTROL TOWER AT GABRESKI AIRPORT (CP 5709)

WHEREAS, the Department of Economic Development and Planning has
been notified that the Federal Aviation Administration (FAA) plans to award the County
approximately $180,000 or 90% of the total project cost to conduct a site selection study as
the first of four steps to replace the 75 year old Air Traffic Control Tower at Francis S.
Gabreski Airport; and

WHEREAS, through the County's New York State Master Grant
Agreement, the New York State Department of Transportation will award an additional
grant of approximately $10,000 or 5% of the project cost; and

WHEREAS, the County hereby acknowledges that this grant requires a
County match of 5% or $10,000; and

WHEREAS, The FAA has amended the program and planning process
since the 2017 Capital Budget was adopted to spread the project over a four (4) year
period instead of a two (2) year period; and

WHEREAS, funds included in the 2017 Capital Budget and Program
under project CP 5709 total $552,000 which was needed for the two (2) year program
and the amended project budget is only $200,000; and

WHEREAS, the FAA grant award will be based on actual negotiated prices
received from a consulting firm selected based on responses to requests for qualifications
or RFQ's; and

WHEREAS, no funds will be encumbered or spent until bids are accepted
and an official grant award letter has been received; and

WHEREAS, The County Legislature has authorized the transfer of $10,000
from Gabreski Airport fund balance 625; and

WHEREAS, the County Legislature, by resolution of even date herewith, has
authorized the issuance of $190,000 in Suffolk County Serial Bonds for the purpose of
issuing Bond Anticipation Notes ("BANS"), if needed; now, therefore be it

RESOLVED, that this Legislature, being the lead agency under the State
Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article
8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this
resolution constitutes a Type II action pursuant to Section 617.5(C)(20) and (27) of the Title
6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the
action constitutes routine or continuing agency administration and management, not
including new programs or major reordering of priorities that may affect the environment.
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; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of (75), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 461-2006; and be it further

3rd RESOLVED, that the Adopted 2017 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 625 Fund Balance as follows:

EXPENDITURES:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Fund</th>
<th>Org</th>
<th>Object</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>IFT</td>
<td>625</td>
<td>E525</td>
<td>9600</td>
<td>Transfer to Capital Fund</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

; and be it further

4th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Fund</th>
<th>Rev Source</th>
<th>Org</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>IFT</td>
<td>525</td>
<td>R625</td>
<td>E525</td>
<td>Transfer from Gabreski Airport Fund (Ref 525-CAP-IFTR-R625)</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

; and be it further

5th RESOLVED, that the 2017 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5709
Project Title: Tower Replacement at Francis S. Gabreski Airport
Site Selection Study

<table>
<thead>
<tr>
<th>Description</th>
<th>2017 Capital Budget &amp; Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$200,000</td>
</tr>
<tr>
<td>1. Planning/Design</td>
<td>$200,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$552,000</td>
</tr>
</tbody>
</table>

; and be it further

6th RESOLVED, that the transfer from the Gabreski Airport Fund 625 in the amount of $10,000 be and hereby is appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>529-CAP-5709.112</td>
<td>Tower Replacement at Francis S. Gabreski Airport</td>
<td>$10,000</td>
</tr>
</tbody>
</table>
; and be it further

7th RESOLVED, that State Aid be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ref-529-CAP-5709.112</td>
<td>Tower Replacement at Francis S. Gabreski Airport</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

; and be it further

8th RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ref-529-CAP-5709.112</td>
<td>Tower Replacement at Francis S. Gabreski Airport</td>
<td>$180,000</td>
</tr>
</tbody>
</table>

; and be it further

9th RESOLVED, that the County Comptroller is authorized to accept State and/or Federal aid in connection with this project; and be it further

10th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal and State share of $190,000; and be it further

11th RESOLVED, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

12th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the grant agreement for reimbursement with the Federal Aviation Administration and the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation
   RESOLUTION NO. 2017-07, AMENDING THE 2017 ADOPTED CAPITAL AND OPERATING BUDGET AND AUTHORIZING THE EXECUTION OF A 90% GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH A PROJECT TO REPLACE THE AIR TRAFFIC CONTROL TOWER AT GABRESKI AIRPORT (CP 5709)

3. Purpose of Proposed Legislation
   See No. 2 above.

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

5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)
   County   Town   Economic Impact
   Village   School District   Other (Specify):
   Library District   Fire District

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact
   There are Federal funds available from the Federal Aviation Administration (FAA) for this project, with a share allocation of eighty (90%) percent Federal funds ($180,000), five (5%) percent New York State Department of Transportation ($10,000) and five (5%) percent County funds ($10,000). County Comptroller is authorized to issue bond anticipation notes for the federal and/or state share. If short term notes are issued, the county would incur minimal interest costs.

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 90%, NYS DOT 5%, and Gabreski Airport Fund 625 5%

9. Timing of Impact
   Upon adoption. The appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for this project.

10. Typed Name & Title of Preparer
    Nicholas Paglia
    Principal Budget Examiner

11. Signature of Preparer
    [Signature]

12. Date
    June 14, 2017

SCIN FORM 175b (10/95)
### General Fund

<table>
<thead>
<tr>
<th></th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 Rate Per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### Police District and District Court

<table>
<thead>
<tr>
<th></th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FEV Tax Rate Per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### Combined

<table>
<thead>
<tr>
<th></th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FEV Tax Rate Per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Notes:**

1) **Source for Number of Family Parcels and Corresponding Assessed Valuation:** Suffolk County Real Property, 2016.


3) **Source for Equalization Rates:** 2016 County Equalization Rates Established by the New York State Board of Equalization and Assessments.

Page 2 of 2

To be completed by the Executive Budget Office.
RESOLUTION NO. - 2017, AMENDING THE 2017 ADOPTED CAPITAL BUDGET AND OPERATING BUDGET AND AUTHORIZING THE EXECUTION OF A 90% GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH AN AIRPORT OBSTRUCTION REMEDIATION PROGRAM AT GABRESKI AIRPORT (CP 5731)

WHEREAS, the Department of Economic Development and Planning has been notified that the Federal Aviation Administration (FAA) plans to award the County approximately $150,000, or 90% of the total project cost, to conduct a survey and analysis of obstructions at Francis S. Gabreski Airport; and

WHEREAS, through the County’s New York State Master Grant Agreement, the New York State Department of Transportation will award an additional grant of approximately $8,333 or 5% of the project cost; and

WHEREAS, the County hereby acknowledges that this grant requires a County match of 5% or $8,333; and

WHEREAS, The FAA has amended the program and planning process since the 2017 Capital Budget was adopted to spread the project over a four (4) year period instead of a two (2) year period; and

WHEREAS, funds included in the 2017 Capital Budget and Program under project CP 5731 total $658,251 which was needed for the two (2) year program and the amended project budget is only $166,666; and

WHEREAS, the FAA grant award will be based on actual negotiated prices received from a consulting firm selected based on responses to requests for qualifications or RFQ’s; and

WHEREAS, no funds will be encumbered or spent until bids are accepted and an official grant award letter has been received; and

WHEREAS, The County Legislature has authorized the transfer of $8,333 from Gabreski Airport fund balance 625; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $158,333 in Suffolk County Serial Bonds for the purpose of issuing Bond Anticipation Notes (“BANS”), if needed; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(C)(20) and (27) of the Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (“NYCRR”) in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of (56), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 461-2006; and be it further

3rd RESOLVED, that the Adopted 2017 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 625 Fund Balance as follows:

**EXPENDITURES:**

<table>
<thead>
<tr>
<th>Agency</th>
<th>Fund</th>
<th>Org</th>
<th>Object</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>IFT</td>
<td>625</td>
<td>E525</td>
<td>9600</td>
<td>Transfer to Capital Fund</td>
<td>$8,333</td>
</tr>
</tbody>
</table>

; and be it further

4th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

**REVENUES:**

<table>
<thead>
<tr>
<th>Agency</th>
<th>Fund</th>
<th>Rev Source</th>
<th>Org</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>IFT</td>
<td>525</td>
<td>R625</td>
<td>E525</td>
<td>Transfer from Gabreski Airport Fund (Ref 525-CAP-IFTR-R625)</td>
<td>$8,333</td>
</tr>
</tbody>
</table>

; and be it further

5th RESOLVED, that the 2017 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5731  
Project Title: Airport Obstruction Remediation Program at Francis S. Gabreski Airport – Obstruction Survey and Analysis

<table>
<thead>
<tr>
<th>2017</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>Capital</td>
</tr>
<tr>
<td>Est'd</td>
<td>Budget &amp;</td>
</tr>
<tr>
<td>Cost</td>
<td>Program</td>
</tr>
</tbody>
</table>

1. Planning/Design

<table>
<thead>
<tr>
<th>2017</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>Capital</td>
</tr>
<tr>
<td>$166,000</td>
<td>$ 32,813 B</td>
</tr>
<tr>
<td>$150,000 F</td>
<td>$150,000 F</td>
</tr>
<tr>
<td>$ 32,813 S</td>
<td>$ 8,333 S</td>
</tr>
</tbody>
</table>

TOTAL $166,000 $556,251 $166,666

; and be it further

6th RESOLVED, that the transfer from the Gabreski Airport Fund 625 in the amount of $8,333 be and hereby is appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>529-CAP-5731.112</td>
<td>Airport Obstruction Remediation Program at Francis S. Gabreski Airport</td>
<td>$8,333</td>
</tr>
</tbody>
</table>

; and be it further
7th

RESOLVED, that State Aid be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ref-529-CAP-5731.112</td>
<td>Airport Obstruction Remediation Program at Francis S. Gabreski Airport</td>
<td>$8,333</td>
</tr>
</tbody>
</table>

; and be it further

8th

RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ref-529-CAP-5731.112</td>
<td>Airport Obstruction Remediation Program at Francis S. Gabreski Airport</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

; and be it further

9th

RESOLVED, that the County Comptroller is authorized to accept State and/or Federal aid in connection with this project; and be it further

10th

RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal and State share of $158,333; and be it further

11th

RESOLVED, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

12th

RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the grant agreement for reimbursement with the Federal Aviation Administration and the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date of Approval:
1. Type of Legislation

Resolution __X__  
Local Law _____  
Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2017, AMENDING THE 2017 ADOPTED CAPITAL BUDGET AND OPERATING BUDGET AND AUTHORIZING THE EXECUTION OF A 90% GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH AN AIRPORT OBSTRUCTION REMEDIATION PROGRAM AT GABRESKI AIRPORT (CP 5731)

3. Purpose of Proposed Legislation

See No. 2 above.

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

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

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

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

There are Federal funds available from the Federal Aviation Administration (FAA) for this project, with a share allocation of eighty (90%) percent Federal funds ($150,000), five (5%) percent New York State Department of Transportation ($8,333) and five (5%) percent County funds ($8,333). County Comptroller is authorized to issue bond anticipation notes for the federal and/or state share. If short term notes are issued, the county would incur minimal interest costs.

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 90%, NYS DOT 5%, and Gabreski Airport Fund 625 5%.

9. Timing of Impact

Upon adoption. The appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for this project.

10. Typed Name & Title of Preparer

Nicholas Paglia  
Principal Budget Examiner

11. Signature of Preparer

12. Date

June 14, 2017

SCIN FORM 175b (10/95)
## FINANCIAL IMPACT
### 2017 PROPERTY TAX LEVY
#### COST TO THE AVERAGE TAXPAYER

<table>
<thead>
<tr>
<th></th>
<th>2017 PROPERTY TAX LEVY</th>
<th>2017 COST TO AVG TAXPAYER</th>
<th>2017 RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

<table>
<thead>
<tr>
<th></th>
<th>2017 PROPERTY TAX LEVY</th>
<th>2017 COST TO AVG TAXPAYER</th>
<th>2017 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### COMBINED

<table>
<thead>
<tr>
<th></th>
<th>2017 PROPERTY TAX LEVY</th>
<th>2017 COST TO AVG TAXPAYER</th>
<th>2017 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**
3) SOURCE FOR EQUALIZATION RATES: 2016 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
RESOLUTION NO. -2017, APPROVING THE DONATION OF CERTAIN ITEMS TO THE WESTHAMPTON BEACH HISTORICAL SOCIETY

WHEREAS, the Westhampton Beach Historical Society seeks to preserve and document the history of Westhampton Beach; and

WHEREAS, several bas-relief concrete friezes depicting local scenes were a part of the original Rogers Bridge which links mainland Westhampton Beach with Dune Road; and

WHEREAS, the concrete friezes, produced through the support of the Works Progress Administration (WPA) and in conjunction with the Federal Arts Program were created by Lieutenant H.M. Ericsson, a Westhampton Beach artist; and

WHEREAS, the Westhampton Beach Historical Society has requested that the County donate the concrete friezes to their care and custody so that they may be displayed for the benefit of the public; and

WHEREAS, such a donation will safeguard an important piece of Suffolk County history and culture; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the donation of concrete friezes, as described in this resolution, to the Westhampton Beach Historical Society, P.O. Box 686, Westhampton Beach, New York 11978; and be it further

2nd RESOLVED, that the Suffolk County Department of Public Works is hereby directed to effectuate the transfer of the friezes to the care and custody of the Westhampton Beach Historical Society; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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:
March 14, 2017

Mr. Cliff Mitchell
335 Yaphank Ave
Yaphank, NY, 11980

Dear Cliff,

This letter is to request your support in transferring custody of the Westhampton Rogers Bridge friezes to the Westhampton Beach Historical Society. These friezes were part of the decoration on the original Rogers Bridge built in 1935 by the WPA. They were designed by Lt. H. M. Ericsson a Westhampton Beach artist.

As you probably are already aware, the remaining friezes are lying in a pile in the Suffolk County maintenance yard in Westhampton Beach. Our Society would like to clean the friezes and display them on the yard of our small Historical Society Campus in Westhampton Beach. That way the friezes would be available for year round public viewing and appreciation.

Sincerely,

Jon Stanat,
President
1. Type of Legislation

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Local Law</th>
<th>Charter Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Title of Proposed Legislation

APPROVING THE DONATION OF CERTAIN ITEMS TO THE WESTHAMPTON BEACH HISTORICAL SOCIETY

3. Purpose of Proposed Legislation

SEE #2 ABOVE.

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

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

<table>
<thead>
<tr>
<th>County</th>
<th>Town</th>
<th>Economic Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village</td>
<td>School District</td>
<td>Other (specify):</td>
</tr>
<tr>
<td>Library District</td>
<td>Fire District</td>
<td></td>
</tr>
</tbody>
</table>

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

THERE IS NO FISCAL IMPACT FOR THIS RESOLUTION. THIS RESOLUTION APPROVES THE DONATION OF CONCRETE FRIEZES TO THE WESTHAMPTON BEACH HISTORICAL SOCIETY.

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

N/A

8. Proposed Source of Funding.

N/A


UPON ADOPTION

10. Typed Name & Title of Preparer

| THERESA LOLLO | PRINCIPAL FINANCIAL ANALYST |

11. Signature of Preparer

[Signature]

12. Date

June 14, 2017

SCIN FORM 175b (10/95)
# FINANCIAL IMPACT

## 2017 PROPERTY TAX LEVY

### COST TO THE AVERAGE TAXPAYER

<table>
<thead>
<tr>
<th>Fund</th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FV Tax Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL FUND</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fund</th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FV Tax Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>POLICE DISTRICT AND DISTRICT COURT</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fund</th>
<th>2017 Property Tax Levy</th>
<th>2017 Cost to Avg Taxpayer</th>
<th>2017 FV Tax Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COMBINED</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### NOTES:


3) SOURCE FOR EQUALIZATION RATES: 2015 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

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Page 2 of 2

To be completed by the Executive Budget Office
RESOLUTION NO. , AUTHORIZING FUNDING OF
LAND ACQUISITION AND OVERSIGHT OF REAL PROPERTY
UNDER THE SUFFOLK COUNTY AFFORDABLE HOUSING
OPPORTUNITIES PROGRAM (SANDY HOLLOW COVE
APARTMENTS)

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 for the development of affordable housing through the
use of capital bond proceeds; and

WHEREAS, the Town of Southampton Housing Authority and Georgica Green
Ventures, LLC (the "Co-Developers") have identified a site in the County of Suffolk which would
be appropriate for development as affordable housing and is identified by Suffolk County Tax
Map Number: 0900.111.00-03.00-024.000 (the "Subject Premises"); and

WHEREAS, the affordable housing development will be known as Sandy Hollow
Cove Apartments and contemplates the construction of 28 studio, one, and two bedroom units,
28 of which will be affordable rental units marketed to households under certain income limits,
as more particularly described in Exhibit 1, (the "Development Plan") attached hereto; and

WHEREAS, the Subject Premises will require land to be acquired to facilitate the
construction of the affordable housing development and, in connection therewith, the Co-
Developers have requested land acquisition funding from the County; and

WHEREAS, Resolution No. 760-2016 authorized Planning Steps in connection
with the Subject Premises and the development of Sandy Hollow Cove Apartments; and

WHEREAS, the Environmental Trust Review Board reviewed the County ordered
appraisals, reviewed the report of the Internal Appraisal Review Board and approved an
appraised amount of the Subject Premises or portion thereof and the purchase price; and

WHEREAS, the Co-Developers and the County are negotiating the terms of a
Development Agreement which will incorporate the provisions of the Development Plan and
which shall set forth the funding requirements for the Subject Premises and the development of
Sandy Hollow Cove Apartments consistent with Article XXXVI of the Suffolk County
Administrative Code, which shall be executed; and
WHEREAS, pursuant to Resolution No. 2014-734 the Town Board of the Town of Southampton, as lead agency, on June 12, 2014, issued a negative SEQRA declaration which completed the environmental review; and further the negative declaration issued by the Planning Board of the Town of Southampton is binding on the County, as an involved agency, pursuant to Title 6 of the New York Codes, Rules and Regulations (NYCRR) § 817.6 (B) (3) (III) and, therefore, SEQRA is complete.

WHEREAS, Resolution No. 952-2014 appropriated the proceeds of $2,500,000 and Resolution No. 953-2014 authorized the issuance of $2,500,000 in Suffolk County Serial Bonds to fund the land acquisition 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 land acquisition 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 of Sandy Hollow Cove Apartments 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 acquisition and the development of Sandy Hollow Cove Apartments and the requested funding to fund a portion of the land acquisition costs for the Subject Premises in accordance with the Development plan; and be it further

2nd  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, which shall incorporate the provisions of the Development Plan substantially in the form presented herewith, consistent with Article XXXVI of the Suffolk County Administrative Code, and each other document contemplated to be executed and/or delivered in connection therewith, with such changes thereto as may be necessary or desirable, consistent herewith, in order to effectuate this overall affordable housing project and transactions contemplated hereby; 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 take such further actions and execute such additional documents as may be necessary or desirable, consistent with the Development Plan and Article XXXVI of the Suffolk County Administrative Code, in order to effectuate the purposes and intent of the foregoing resolution, 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

4th  RESOLVED, that, subject to the terms of the fully executed Development Agreement, the County Comptroller is hereby authorized to reserve and pay land acquisition costs associated with the development of Sandy Hollow Cove Apartments from previously appropriated funds in Capital Project No. 525-CAP-8704.213; and be it further
5th RESOLVED, pursuant to Resolution No. 2014-734 the Town Board of the Town of Southampton, as lead agency, on June 12, 2014, issued a negative SEQRA declaration which completed the environmental review; and further the negative declaration issued by the Planning Board of the Town of Southampton 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.

DATED:

APPROVED BY:

__________________________________________
County Executive of Suffolk County

Date:
RESOLUTION NO. , AUTHORIZING FUNDING OF
LAND ACQUISITION AND OVERSIGHT OF REAL PROPERTY
UNDER THE SUFFOLK COUNTY AFFORDABLE HOUSING
OPPORTUNITIES PROGRAM (SPEONK COMMONS)

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 for the development of affordable housing through the use of capital bond proceeds; and

WHEREAS, the Town of Southampton Housing Authority and Georgica Green Ventures, LLC (the “Co-Developers”) have identified a site in the County of Suffolk which would be appropriate for development as affordable housing and is identified by Suffolk County Tax Map Number: 0900-350.00-02.00-018.000 (the “Subject Premises”); and

WHEREAS, the affordable housing development will be known as Speonk Commons and contemplates the construction of 38 studio, one, and two bedroom units, 37 of which will be affordable rental units marketed to households under certain income limits, as more particularly described in Exhibit 1, (the “Development Plan”) attached hereto; and

WHEREAS, the Subject Premises will require land to be acquired to facilitate the construction of the affordable housing development and, in connection therewith, the Co-Developers have requested land acquisition funding from the County; and

WHEREAS, Resolution No. 761-2016 authorized Planning Steps in connection with the Subject Premises and the development of Speonk Commons; and

WHEREAS, the Environmental Trust Review Board reviewed the County ordered appraisals, reviewed the report of the Internal Appraisal Review Board and approved an appraised amount of the Subject Premises or portion thereof and the purchase price on June 16, 2017; and

WHEREAS, the Co-Developers and the County are negotiating the terms of a Development Agreement which will incorporate the provisions of the Development Plan and which shall set forth the funding requirements for the Subject Premises and the development of Speonk Commons consistent with Article XXXVI of the Suffolk County Administrative Code, which shall be executed; and
WHEREAS, pursuant to Resolution No. 2017-310 the Town Board of the Town of Southampton, as lead agency, on March 28, 2017, issued a negative SEQRA declaration which completed the environmental review; and further the negative declaration issued by the Planning Board of the Town of Southampton 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.

WHEREAS, Resolution No. 952-2014 appropriated the proceeds of $2,500,000 and Resolution No. 953-2014 authorized the issuance of $2,500,000 in Suffolk County Serial Bonds to fund the land acquisition 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 land acquisition 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 of Speonk Commons 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 acquisition and the development of Speonk Commons and the requested funding to fund a portion of the land acquisition costs for the Subject Premises in accordance with the Development plan; and be it further

2nd 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, which shall incorporate the provisions of the Development Plan substantially in the form presented herewith, consistent with Article XXXVI of the Suffolk County Administrative Code, and each other document contemplated to be executed and/or delivered in connection therewith, with such changes thereto as may be necessary or desirable, consistent herewith, in order to effectuate this overall affordable housing project and transactions contemplated hereby; 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 take such further actions and execute such additional documents as may be necessary or desirable, consistent with the Development Plan and Article XXXVI of the Suffolk County Administrative Code, in order to effectuate the purposes and intent of the foregoing resolution, 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

4th RESOLVED, that, subject to the terms of the fully executed Development Agreement, the County Comptroller is hereby authorized to reserve and pay land acquisition costs associated with the development of Speonk Commons from previously appropriated funds in Capital Project No. 525-CAP-8704.213; and be it further
RESOLVED, pursuant to Resolution No. 2017-310 the Town Board of the Town of Southampton, as lead agency, on March 28, 2017, issued a negative SEQRA declaration which completed the environmental review; and further the negative declaration issued by the Planning Board of the Town of Southampton 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.

DATED:

APPROVED BY:

____________________________
County Executive of Suffolk County

Date: