2009. Designating April 7th as "Mercury Poisoning Awareness Day" in Suffolk County.
(Kennedy) HEALTH

2010. Authorizing the reconveyance of County-owned real estate pursuant to Section
215, New York State County Law to Noorjehan Khan (SCTM No. 0200-496.00-
05.00-011.000). (Calarco) WAYS & MEANS

2011. Approving County funding for a contract agency (Wading River Historical Society).
(Anker) BUDGET AND FINANCE

2012. Authorizing the reconveyance of County-owned real estate pursuant to Section
215, New York State County Law to Sanford and Kristine Pines (SCTM No. 0500-
479.00-02.00-048.000). (Flotteron) WAYS & MEANS

2013. Designating March as "Multiple Myeloma Awareness Month" in Suffolk County.
(Muratore) HEALTH

2014. Reappointing James P. Kelly as a member of the Suffolk County Vanderbilt
Museum Commission (Trustee No. 15). (Spencer) PARKS & RECREATION

2015. Adopting Local Law No. -2018, A Local Law imposing a duty to report criminal
conduct at water parks and amusement parks. (Berland) PUBLIC SAFETY

2016. Approving County funding for a contract agency (Junior Welfare League of
Huntington, Inc.). (Spencer) BUDGET AND FINANCE

2017. Adopting Local Law No. -2018, A Local Law to prohibit smoking in County bus
shelters. (McCaffrey) HEALTH

2018 Amending the 2018 Capital Budget and Program and appropriating funds in
connection with improvements to Vanderbilt Museum Planetarium (CP 7437).
(Pres. Off.) PARKS & RECREATION

2019. Adopting Local Law No. -2018, A Local Law to expand and amend the Grant
Assistance Program for the installation of Innovative and Alternative Onsite
Wastewater Treatment Systems. (Co. Exec.) ENVIRONMENT, PLANNING AND
AGRICULTURE

PROCEDURAL MOTION

PM14. Establishing a special committee to review allegations of misconduct by a County
official. (Trotta) PUBLIC SAFETY
RESOLUTION NO. -2018, DESIGNATING APRIL 7TH AS “MERCURY POISONING AWARENESS DAY” IN SUFFOLK COUNTY

WHEREAS, mercury is a naturally occurring element found in air, water and soil; and

WHEREAS, a highly toxic form of mercury, methylmercury, builds up in fish, shellfish and animals that eat fish; fish and shellfish are the main sources of methylmercury exposure for humans; and

WHEREAS, fish that typically have higher levels of mercury include kin mackerel, marlin, orange roughy, shark, swordfish, tiliefish, and ahi and bigeye tuna; many of these types of fish are used in sushi; and

WHEREAS, mercury is also contained in silver-colored dental fillings which can release mercury vapor, fluorescent light bulbs that use electricity to excite mercury vapor and mercury fever thermometers made of glass; and

WHEREAS, mercury exposure at high levels can harm the brain, heart, kidney, lungs and the immune system; high levels of methylmercury in the bloodstream of unborn babies and young children may harm their developing nervous systems, making the child less able to think and learn; and

WHEREAS, Suffolk County wishes to designate April 7th as “Mercury Poisoning Awareness Day” to raise awareness of health issues associated with high levels of mercury exposure; now, therefore be it

1st RESOLVED, that beginning in 2019 and continuing every year thereafter April 7th is hereby designated as “Mercury Poisoning Awareness Day” in Suffolk County to increase the public’s understanding of mercury exposure; and be it further

2nd RESOLVED, that the Department of Public Works is hereby authorized, empowered and directed, pursuant to Section C8-2(W) of the SUFFOLK COUNTY CHARTER to illuminate the north side of the H. Lee Dennison Executive Office Building facing Veterans Memorial Highway with a blue glow on the evening of April 7th beginning in 2019 and continuing every year thereafter; 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.
RESOLUTION NO. -2018, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO NOORJEHAN KHAN (SCTM NO. 0200-496.00-05.00-011.000)

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

Town of Brookhaven, County of Suffolk, State of New York, acquired by Tax Deed on December 20, 2017, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York, and recorded on January 9, 2018, in Liber 12422 at Page 378, and otherwise known as Lot No. 34, on a certain map entitled “Map of Gordon Heights Section Seventeen”, filed in the office of the Clerk of Suffolk County on December 27, 1954 as Map No. 2294; and

WHEREAS, Noorjehan Khan was the former owner 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 Calarco has determined that said non-payment of taxes was not an intentional act but was due to circumstances beyond their 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 applicants the sum of $2,723.23 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore, be it

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

Noorjehan Khan
20 Tellers Avenue
Coram, New York 11727

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 the applicant 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 Noorjehan Khan.

DATED:

APPROVED BY:

___________________________
County Executive of Suffolk County

Date:

s:\word\215 redemption\reso-khan
October 5, 2018

George M. Nolan, Counsel
Suffolk County Legislature
W.H. Rogers Legislature Bldg.
725 Veterans Memorial Hwy
Smithtown, NY 11787

Re: Tax Map #: 0200-496.00-05.00-011.000
Redeemor: Noorjehan Khan

Dear Mr. Nolan:

We are forwarding herewith a copy of a Section 215 County Law Computation together with a copy of the County Comptroller's Computation concerning the above property.

Please draw the Resolution to restore title to above referenced Redeemor in line with the Title Report submitted and enclosed herewith.

For your reference, we are also enclosing copy of letter sent this date to Legislator Robert Calarco.

Very truly yours,

Peter Belyea
Redemption Unit
(631) 853-5932

Enclosures
PB:gi536
Va Regular Mail

cc: The Honorable Robert Calarco, Suffolk County Legislator
**SUFFOLK COUNTY**  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  

215 COMPUTATION  

Tax Map #: 0200-496.00-05.00-011.000  
Redemptor: Noorjehan Khan  

**STATEMENT OF EXPENDITURES**

<table>
<thead>
<tr>
<th>Description</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comptroller’s Computation</td>
<td>$2,333.23</td>
</tr>
<tr>
<td>Outstanding Tax Bills - 2017/2018</td>
<td>INCLUDED</td>
</tr>
<tr>
<td>Recording Fees</td>
<td>$390.00</td>
</tr>
<tr>
<td>Administration Expense - $500.00</td>
<td>PAID</td>
</tr>
<tr>
<td>License Fee (as per License Fee statement)</td>
<td>$0</td>
</tr>
<tr>
<td>Repairs</td>
<td>N/A</td>
</tr>
<tr>
<td>Other County Expenditures (process serving)</td>
<td>$0</td>
</tr>
<tr>
<td>Department of Social Service Lien</td>
<td>$N/A</td>
</tr>
</tbody>
</table>

**TOTAL** $2,723.23  

**PREPARED BY:**  

Peter Belyea  
Redemption Unit  

**APPROVED:**

[Signature]  
10/5/2018  
Accounting Unit  

Description: Town of Brookhaven, County of Suffolk, State of New York, acquired by Tax Deed on December 20, 2017, from John M. Kennedy, Jr., the County Comptroller of Suffolk County, New York, and recorded on January 9, 2018, in Liber 12422 at Page 378, and otherwise known as Lot No. 34, on a certain map entitled “Map of Gordon Heights, Section Seventeen”, filed in the office of the Clerk of Suffolk County on December 27, 1954 as Map No. 2294.
A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>$322.82</td>
</tr>
<tr>
<td>2016</td>
<td>$653.88</td>
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<td>2017</td>
<td>$616.02</td>
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<td>2018</td>
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<td>0</td>
<td>-</td>
</tr>
<tr>
<td>0</td>
<td>-</td>
</tr>
</tbody>
</table>

TOTAL: $2,080.24

B. INTEREST DUE

$120.56

C. TOTAL

$2,200.80

D. 5% LINE C

$110.04

SUBTOTAL

$2,310.84

E. FEE

$0

F. MISC

MAILING FEES $22.39

G. MISC

$0

H. MISC

$0

TOTAL AMOUNT DUE:

$2,333.23

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.

13-Aug-18

Christina M. Cooke
Executive Director of Finance & Taxation

**Interest and penalty computed to and including 02/09/19**

cp
RAM ABSTRACT LTD.
as Agent for
First American Title Insurance Company

SCHEDULE A

Effective Date: June 02, 2018

Title No. RFA4964

Policy and/or Policies to be issued:

ALTA Owners Policy (10-17-92) (with N.Y. Endorsement Modifications)  $170,000.00
    Proposed Insured: Maryann 1 LLC

The Estate or interest in the land described or referred to in this Certificate and covered herein is:
Fee Simple

THIS COMPANY CERTIFIES that a good and marketable title to the premises described in Schedule A, subject to the liens, encumbrances and other matters, if any, set forth in this certificate may be conveyed and/or mortgaged by:

Noorjehan Khan who acquired title by deed dated 05/26/2004 recorded 11/30/2005 in the Suffolk County Clerk’s Office in Liber 12422 Page 655 made by Sarah M. Mosley, Loretta Wilson and Robert Mosley, Jr. as sole heirs and distributees of Robert Mosley a/k/a Robert Lee Mosley and Lawrence Eric Davidow as Trustee of the Sarah M. Mosley Revocable Trust. (As to Tax Lot 012.000)

County of Suffolk who acquired title by deed dated 12/26/2017 recorded 01/09/2018 in the Suffolk County Clerk’s Office in Liber 12945 Page 378 made by Jojn M. Kennedy, Jr. as the County Comptroller. (As to Tax Lot 011.000)

Premises described Schedule A are known as:

Address: 20 Teller Avenue
          Coram, New York
County: Suffolk
District: 0200
Block: 05.00
Town: Brookhaven
Section: 496.00
Lot: 012.000

For any Title Clearance questions on this report please call:
David Gallagher At (718) 846-7800

Schedule A Page 1 of 1
RESOLUTION NO. -2018, APPROVING COUNTY FUNDING FOR A CONTRACT AGENCY (WADING RIVER HISTORICAL SOCIETY)

WHEREAS, the County of Suffolk contracts with many agencies to provide vital services to County residents; and

WHEREAS, Section 189-66 (B) of the SUFFOLK COUNTY CODE requires contract agencies to submit to the Suffolk County Comptroller by September 15th each year, a financial disclosure form, their most recently audited financial statements and a schedule of all employees and their salaries; and

WHEREAS, if a contract agency fails to submit these forms and documents by the September 15th deadline, they cannot receive County funding in the subsequent budget year unless approved by a standalone resolution of the Legislature; and

WHEREAS, the 2018 Operating Budget included funding for the Wading River Historical Society as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Dept</th>
<th>Unit</th>
<th>OD1</th>
<th>Act</th>
<th>Activity Name</th>
<th>2018 Adopted</th>
</tr>
</thead>
<tbody>
<tr>
<td>192</td>
<td>PKS</td>
<td>7512</td>
<td>4980</td>
<td>JZB1</td>
<td>Wading River Historical Society</td>
<td>$6,000</td>
</tr>
</tbody>
</table>

and

WHEREAS, the Comptroller has advised this Legislature that the Wading River Historical Society did not comply with the disclosure requirements of § 189-66(B) by the September 15th deadline, however, this contract agency is now in full compliance with § 189-66(B); now, therefore be it

1st RESOLVED, that the funding included in the 2018 Operating Budget for the Wading River Historical Society is hereby approved in accordance with § 189-66(C) of the SUFFOLK COUNTY CODE and the Department of Audit and Control is hereby authorized, empowered and directed to release 2018 funding to the Wading River Historical Society in accordance with its regular procedures; and be it further

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

APPROVED BY:

County Executive of Suffolk County

Date:

s:resir-funding-wading-river-historical-society
RESOLUTION NO. -2018, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO SANFORD AND KRISTINE PINES (SCTM NO. 0500-479.00-02.00-048.000)

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 Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 479.00, Block 02.00, Lot 048.000, and acquired by Tax Deed on April 3, 2017, from John Kennedy, Jr., the County Comptroller of Suffolk County, New York, and recorded on May 4, 2017, in Liber 12911 at Page 287, and otherwise known and designated by the Town of Islip, as Lot No. 7, on a certain map entitled "Oak Neck Harbor Estates, Section 1", filed in the Office of the Clerk of Suffolk County on November 24, 1961 as Map No. 3461; and

WHEREAS, Sanford and Kristine Pines were the former owners 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 Flotteron has determined that said non-payment of taxes was not an intentional act but was due to circumstances beyond their 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 applicants the sum of $159,144.29 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore, be it

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

Sanford and Kristine Pines
39 Trues Drive
West Islip, New York 11795
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 the applicant 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 Sanford and Kristine Pines.

DATED:

APPROVED BY:

_________________________
County Executive of Suffolk County

Date:

s:\word\215 redemption\resc-pines
October 10, 2018

George Nolan, Esq., Counsel
Suffolk County Legislature
Legislature Building
Hauppauge, NY  11788

Re:  Tax Map No.: 0500-479.00-02.00-048.000
     Name of Redemptor: Sanford and Kristine Pines

Dear Mr. Nolan:

We are forwarding herewith copy of a Section 215 County Law
Computation together with a copy of the Comptroller’s Computation
concerning the above property, as well as other pertinent
information.

For your reference, we are also enclosing copy of letter sent this
date to Legislator Steven Flotteron.

Please draw the Resolution to restore title to Sanford Pines and
Kristine Pines in line with the Title Report submitted.

Very truly yours,

Lori Sklar
Redemption Unit
(631) 853-5937

Enclosures

pc:  Legislator:  The Honorable Steven Flotteron
October 10, 2018

Honorable Steven Flotteron
Suffolk County Legislator
187 Sunrise Highway, Suite C
West Islip, NY 11795

Re: Section 215 Redemption
Tax Map No.: 0500-479.00-02.00-048.000
Redemptor: Sanford and Kristine Pines

Dear Legislator Flotteron:

With respect to your request regarding the procedure for redemption of the above property, we enclose the following:

1. "Comptroller’s Computation" indicating unpaid taxes, assessments and penalties due.

2. "215 Computation" which shows the additional monies due the County, such as, the administration fee, appraisal and process serving fees.

The total amount to be paid in order for the County to release its interest in this property is $159,144.29. That amount will increase if payment is not made before the next tax due date.

Very truly yours,

Lori Sklar
Redemption Unit
(631) 853-5937

Enclosures

pc: George Nolan, Esq., Counsel to the Legislature
Redemption Unit
215 COMPUTATION

October 4, 2018

Tax Map No. 0500-479.00-02.00-048.000

Date Acquired: May 4, 2017

Prior Fee Owner: Sanford Pines and Kristine Pines

<table>
<thead>
<tr>
<th>Statement of Expenditures</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Treasurer's Computation</td>
<td>$158,915.23</td>
</tr>
<tr>
<td>2. Outstanding Tax Bills - not included in computation</td>
<td>$ included</td>
</tr>
<tr>
<td>3. Recording Fees.</td>
<td>$N/A</td>
</tr>
<tr>
<td>4. Administration Expense. ($500)</td>
<td>$ Paid</td>
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<tr>
<td>5. License Fee (as per License Fee statement)</td>
<td>N/A</td>
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<tr>
<td>6. Repairs.</td>
<td>N/A</td>
</tr>
<tr>
<td>7. Other County Expenditures. (Process serving)</td>
<td>$229.06</td>
</tr>
</tbody>
</table>

**Total** $159,144.29

Prepared by:

[Signature]
Lori Sklar
Redemption Unit

Description: ALL that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 479.00, Block 02.00, Lot 048.000, and acquired by tax deed on April 3, 2017, from John Kennedy Jr., the County Comptroller of Suffolk County, New York, and recorded on May 4, 2017, in Liber 12911, at Page 287, and otherwise known and designated by the Town of Islip, as Lot No. 7, on a certain map entitled "Oak Neck Harbor Estates, Section 1", filed in the Office of the Clerk of Suffolk County on November 24, 1961 as Map No. 3461; and

Approved: [Signature]
Accounting Unit 10/10/2018
A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>$4,443.01</td>
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<tr>
<td>2013</td>
<td>$26,328.37</td>
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<tr>
<td>2014</td>
<td>$26,124.81</td>
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<td>2015</td>
<td>$25,676.32</td>
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<td>2016</td>
<td>$23,225.52</td>
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<tr>
<td>2017</td>
<td>$18,461.89</td>
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<tr>
<td>2018</td>
<td>$14,235.79</td>
</tr>
<tr>
<td>0</td>
<td>-</td>
</tr>
<tr>
<td>0</td>
<td>-</td>
</tr>
</tbody>
</table>

TOTAL: $138,495.71

B. INTEREST DUE: $12,800.98
C. TOTAL: $151,296.69
D. 5% LINE C: $7,564.83
SUBTOTAL: $158,861.52

E. FEE: 0
F. MISC: MAILING FEES: $53.71
G. MISC: 0
H. MISC: 0
TOTAL AMOUNT DUE: $158,915.23

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.
17-Jul-18

Christina M. Cooke
Executive Director of Finance & Taxation

**Interest and penalty computed to and including 01/13/19**
RESOLUTION NO. -2018, DESIGNATING MARCH AS “MULTIPLE MYELOMA AWARENESS MONTH” IN SUFFOLK COUNTY

WHEREAS, multiple myeloma, a cancer of the plasma cell, is the third most common blood cancer in the United States; and

WHEREAS, multiple myeloma causes cancer cells to accumulate in the bone marrow, where they crowd out healthy blood cells; and

WHEREAS, it is critical that clinicians and the general public become more aware of the symptoms of multiple myeloma so that it can be diagnosed at an early stage; and

WHEREAS, multiple myeloma causes a variety of adverse health effects, including a weakened immune system, anemia, kidney damage and bone deterioration; and

WHEREAS, the American Cancer Society estimates that in 2018 more than 30,000 new cases will be diagnosed and about 12,000 deaths will occur due to multiple myeloma; and

WHEREAS, although there have been important advances in the last decade, there is still no cure for multiple myeloma; and

WHEREAS, Suffolk County wishes to designate the month of March as “Multiple Myeloma Awareness Month” to increase the public’s understanding of the disease which can lead to more research, more treatments and, ultimately, more cures; now, therefore be it

1st RESOLVED, that beginning in 2019 and continuing every year thereafter the month of March is hereby designated as “Multiple Myeloma Awareness Month” in Suffolk County to bring greater awareness of multiple myeloma on the part of clinicians and the general public which can lead to earlier detection and treatment, improve outcomes and bring comfort to patients and their families; and be it further

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

DATED: APPROVED BY:
RESOLUTION NO. -2018, DESIGNATING MARCH AS “MULTIPLE MYELOMA AWARENESS MONTH” IN SUFFOLK COUNTY

WHEREAS, multiple myeloma, a cancer of the plasma cell, is the third most common blood cancer in the United States; and

WHEREAS, multiple myeloma causes cancer cells to accumulate in the bone marrow, where they crowd out healthy blood cells; and

WHEREAS, it is critical that clinicians and the general public become more aware of the symptoms of multiple myeloma so that it can be diagnosed at an early stage; and

WHEREAS, multiple myeloma causes a variety of adverse health effects, including a weakened immune system, anemia, kidney damage and bone deterioration; and

WHEREAS, the American Cancer Society estimates that in 2018 more than 30,000 new cases will be diagnosed and about 12,000 deaths will occur due to multiple myeloma; and

WHEREAS, although there have been important advances in the last decade, there is still no cure for multiple myeloma; and

WHEREAS, there is increased survival and better outcomes with early diagnosis; and

WHEREAS, Suffolk County wishes to designate the month of March as “Multiple Myeloma Awareness Month” to increase the public’s understanding of the disease which can lead to more research, more treatments and, ultimately, more cures; now, therefore be it

1st RESOLVED, that beginning in 2019 and continuing every year thereafter the month of March is hereby designated as “Multiple Myeloma Awareness Month” in Suffolk County to bring greater awareness of multiple myeloma on the part of clinicians and the general public which can lead to earlier detection and treatment, improve outcomes and bring comfort to patients and their families; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 817.5(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. -2018, REAPPOINTING JAMES P. KELLY AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 15)

WHEREAS, Resolution No. 674-2016 appointed James P. Kelly as a member of the Vanderbilt Museum Commission (Trustee No. 15) for a term of office to expire on December 28, 2018; now, therefore be it

1st RESOLVED, that James P. Kelly, of Huntington Station, New York, is hereby reappointed as a member of the Suffolk County Vanderbilt Museum Commission as Trustee No. 15, for a term of office to expire on December 28, 2022, said reappointment having been made pursuant to the provisions of Section 250-6(B) of the SUFFOLK COUNTY CODE.

DATED:

EFFECTIVE PURSUANT TO SECTION C2-15(A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 250-6 OF THE SUFFOLK COUNTY CODE
James P. Kelly

Huntington Station, New York 11746

Residence 631
Cell

Education

State University of New York at Stony Brook
M.P.S. Public Administration
Stony Brook, New York
1989

Hofstra University
B.A. Political Science
Hempstead, New York
1976

Experience

St. Joseph's College
Adjunct Instructor of Political Science
Patchogue, New York
2010 to Present

Nassau County Police Department
Mineola, New York
February 6, 1976 - July 30, 2009

Nassau County Office of Emergency Management 2005-2006
Assigned from the police department to OEM as Bioterrorism Coordinator. Duties included working on Homeland Security funded Citi Readiness Initiative, Point of Distribution (POD) efforts, evacuation and sheltering, with special emphasis on hospital and nursing homes. Conducted historical study and evaluation of previous pandemic flu viruses and the potential impact of an Avian Flu induced epidemic/pandemic. Conducted research on nationwide standards regarding syndromic surveillance and evaluation of its application to Nassau County government. Represented OEM with the business community, New York City Government, and Federal Agencies.

Member of the Critical Incident Stress Management team. Responded to job related incidents where physical or mental demands on the Police Officer or other members of the Department exceeded the daily expectations of the job. i.e., a fatal trauma or a weapons discharge.

Supervisor 1992 to Retirement
Duties included supervision of a squad of 10 subordinates and included observing and critique of patient care to insure Nassau County and New York State patient care protocols were upheld.

Managed Command Post during operation of Multiple Casualty Incident (MCI). Administrative responsibilities include preparing reports for the command, evaluation of performance of subordinates for departmental recognition, investigation of allegations that involve matters of claim against Nassau County.
James P. Kelly

Training Officer 1982—1992
Nassau County Police Academy and Fire Police EMS Academy. Duties involved development of curriculum, in service instructional programs, instruction of New York State Emergency Medical Technician and Advanced Life Support programs. Responsible for instituting well received graduation programs for candidates who successfully completed the above programs.

United States Merchant Marine Academy
Adjunct Faculty
Kings Point, New York
1982—1988
Provided instruction for Midshipmen in Ship's Medicine program which focused on emergency medical procedures and resulted in certification as a New York State Emergency Medical Technician.

Maidstone Realty Ltd.
Broker owner 1975—1995
Long Island Board Of Realtors (LIBOR)
Multiple Listing Service of Long Island
Chairman of the Board 1992, President of MLS of Long Island 1991
Vice President for Nassau County 1986-1991
Previous service includes committees on advertising, education, rules, ethics, long range planning, professional standards, and search committee to upgrade computer network for all member brokers. LIBOR and MLS of Long Island are among the three largest organizations of its kind in the nation with, in the early 1990’s, an operating budget of six million dollars annually.

Community

Vanderbilt Museum and Planetarium, Centerport, New York
Trustee and Secretary to the Board of Trustees

Council on Thought and Action, COTA
Facilitator, This program established under the direction of the office of the Suffolk County Deputy Police Commissioner Risco Lewis to establish a sense of structure, direction and mentoring of individuals released from the penal system and at risk youth in the community

Port Royal Homeowners Cooperative, Montauk, NY
President of the Board of Directors 2010-2017. A complex of two residential buildings, 58 units, and a commercial building leased as a restaurant.

Children of Hope Infant Burial Foundation, Inc.
First Vice President and founding member. Created by a fellow member of the Emergency Ambulance Bureau, the foundation originally provided the financial support for a proper and dignified burial of infants found born, discarded and left to die. The foundation has expanded its mission to provide education and referral services. Member of the advocacy team that successfully lobbied for the passage of the Abandoned Infant Protection Act, commonly referred to as "Safe Haven" laws and was signed into law by Governor George Pataki on August 1, 2000. Variations of this legislation is now the law of the land in all 50 states.

Vision Huntington
Member of the first “Smart Growth” steering committee to be established on Long Island. The goal of the committee was better planning for housing, open space preservation, management of sprawl and traffic congestion and addressing quality of life issues.

Hofstra University Alumni Association
President and Chairman 1982—1984
1986 Awarded George M. Estabrook Distinguished Service Award for service to Hofstra University.
1995 Recipient of the Hofstra University Award for Alumni Achievement.
RESOLUTION NO. -2018, ADOPTING LOCAL LAW NO. -2018, A LOCAL LAW IMPOSING A DUTY TO REPORT CRIMINAL CONDUCT AT WATER PARKS AND AMUSEMENT PARKS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2018, a proposed local law entitled, "A LOCAL LAW IMPOSING A DUTY TO REPORT CRIMINAL CONDUCT AT WATER PARKS AND AMUSEMENT PARKS"; now, therefore be it

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

LOCAL LAW NO. -2018, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW IMPOSING A DUTY TO REPORT CRIMINAL CONDUCT AT WATER PARKS AND AMUSEMENT PARKS

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 in August of this year, a troubling incident occurred at a popular water park in Suffolk County, when several girls reported being groped by a group of men in the park’s wave pool.

This Legislature further finds and determines that the water park’s employees were advised of this incident but failed to obtain identifying information from the alleged perpetrators before they left the park and also failed to notify local law enforcement agencies of the incident.

This Legislature finds that amusement parks and water parks, which attract large numbers of visitors, should be required to promptly report serious crimes occurring on their premises to appropriate law enforcement agencies.

Therefore, the purpose of this law is to require amusement parks and water parks operating in Suffolk County to immediately contact an appropriate law enforcement agency when a criminal act, including sex offenses, occurs on their premises.

Section 2. Definitions.

As used in this law, the following terms shall have the meanings indicated:

AMUSEMENT PARK – as defined as in Section 870-c of NEW YORK LABOR LAW.
WATER PARK — a tract or area used primarily as a permanent location for aquatic recreation featuring rides and attractions that totally or partially immerse a person in water, such as water slides, lazy rivers and wave pools.

Section 3. Requirements.

In the event the owner, operator, employee or agent of an amusement park or water park observes, or receives a complaint of a criminal offense constituting an offense against a person involving physical injury, sexual misconduct, restraint and intimidation, as set forth in Part Three, Title H of the NEW YORK PENAL LAW, occurring on the premises of the amusement park or water park, the owner or operator of the amusement park or water park shall be required to immediately report the offense to an appropriate law enforcement agency which has criminal jurisdiction where the amusement park or water park is located.

Section 4. Penalties for Offenses.

A violation of this law shall be punishable, upon proof thereof, by the payment of a civil payment not to exceed $5,000 for the first violation and a $10,000 penalty for subsequent violations, to be recovered in a civil action. The County Attorney is hereby authorized and empowered to commence such actions in the name of the County to recover civil penalties.

Section 4. Applicability.

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

Section 5. Severability.

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

Section 6. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.
Section 7. Effective Date.

This law shall take effect on the ninetieth (90th) day immediately subsequent to its filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
DATE: OCTOBER 31, 2018
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2018

TITLE: I.R. NO. -2018; A LOCAL LAW IMPOSING A DUTY TO REPORT CRIMINAL CONDUCT AT WATER PARKS AND AMUSEMENT PARKS

SPONSOR: LEGISLATOR BERLAND AND PRESIDING OFFICER GREGORY

DATE OF RECEIPT BY COUNSEL: 10/25/2018 PUBLIC HEARING: 11/20/2018

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED: 

This proposed local law would impose upon the operators of amusement parks and water parks, a duty to immediately report criminal offenses occurring on their premises which involve physical injury, sexual misconduct, restraint and intimidation to an appropriate law enforcement agency.

This law will take effect 90 days after its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

s:\rule28\28-water-amusement-parks-report-criminal-conduct
RESOLUTION NO. -2018, APPROVING COUNTY FUNDING FOR A CONTRACT AGENCY (JUNIOR WELFARE LEAGUE OF HUNTINGTON, INC.)

WHEREAS, the County of Suffolk contracts with many agencies to provide vital services to County residents; and

WHEREAS, Section 189-66 (B) of the SUFFOLK COUNTY CODE requires contract agencies to submit to the Suffolk County Comptroller by September 15th each year, a financial disclosure form, their most recently audited financial statements and a schedule of all employees and their salaries; and

WHEREAS, if a contract agency fails to submit these forms and documents by the September 15th deadline, they cannot receive County funding in the subsequent budget year unless approved by a standalone resolution of the Legislature; and

WHEREAS, the 2018 Operating Budget included funding for the Junior Welfare League of Huntington, Inc. as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Dept</th>
<th>Unit</th>
<th>Obj</th>
<th>Act</th>
<th>Activity Name</th>
<th>2018-Adopted</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>EXE</td>
<td>7320</td>
<td>4980</td>
<td>JTZ1</td>
<td>Junior Welfare League of Huntington, Inc.</td>
<td>$4,500</td>
</tr>
</tbody>
</table>

and

WHEREAS, the Comptroller has advised this Legislature that the Junior Welfare League of Huntington, Inc. did not comply with the disclosure requirements of § 189-66(B) by the September 15th deadline, however, this contract agency is now in full compliance with § 189-66(B); now, therefore be it

1st RESOLVED, that the funding included in the 2018 Operating Budget for the Junior Welfare League of Huntington, Inc. is hereby approved in accordance with § 189-66(C) of the SUFFOLK COUNTY CODE and the Department of Audit and Control is hereby authorized, empowered and directed to release 2018 funding to the Junior Welfare League of Huntington, Inc. in accordance with its regular procedures; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\rev\-funding-junior-welfare-league-huntington
RESOLUTION NO. -2018, ADOPTING LOCAL LAW NO. -2018, A LOCAL LAW TO PROHIBIT SMOKING IN COUNTY BUS SHELTERS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2018 a proposed local law entitled, "A LOCAL LAW TO PROHIBIT SMOKING IN COUNTY BUS SHELTERS"; now, therefore be it

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

LOCAL LAW NO. -2018, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO PROHIBIT SMOKING IN COUNTY BUS SHELTERS

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 County of Suffolk was one of the first municipalities in the nation to adopt a law restricting smoking in certain indoor areas, including health care facilities, places of public assembly and movie theaters.

This Legislature further finds that since the County's smoking law was initially enacted in 1984, public awareness of the health risks posed by second-hand smoke has grown and the County's law has been expanded to provide stronger protections for Suffolk County residents.

This Legislature finds that a number of persons who utilize Suffolk County Transit's bus system have complained that they are exposed to second-hand smoke when they are waiting in a bus shelter for their bus to arrive.

This Legislature determines that many local governments across the country have banned smoking in bus shelters.

This Legislature concludes that banning smoking at bus shelters will not only protect the health and welfare of County bus riders but reduce the incidence of littering at County bus stops.

Therefore, the purpose of this local law is to ban smoking inside County bus shelters.

Section 2. Amendment.

Chapter 754 of the SUFFOLK COUNTY CODE is hereby amended as follows:
Chapter 754: Smoking

§ 754-2. Definitions.

BAR or TAVERN
Any indoor area open to the public devoted to the sale and service of alcoholic beverages for on-premises consumption regardless of the quantity of food served to patrons for on-premises consumption.

BUS SHELTER
A covered structure which provides protection against the elements, and is located on a route that is serviced by Suffolk County Transit Buses.

§ 754-3. Limitations and restrictions.

V. Smoking is prohibited in bus shelters.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

This law will take effect ninety (90) days after its filing in the Office of the Secretary of State.

___ Underlining denotes addition of new language.

DATED:

APPROVED BY:

________________________________________
County Executive of Suffolk County

Date:
DATE: OCTOBER 31, 2018
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2018
TITLE: I.R. NO. -2018; A LOCAL LAW TO PROHIBIT SMOKING IN COUNTY BUS SHELTERS
SPONSOR: LEGISLATOR MCCAFFREY

DATE OF RECEIPT BY COUNSEL: 10/31/2018 PUBLIC HEARING: 11/20/2018
DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law would ban smoking in any bus shelter located on a route that is serviced by Suffolk County Transit buses.

This law will take effect 90 days after its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:js
s:\rule28\28-prohibit-smoking-bus-shelters
RESOLUTION NO. -2018, AMENDING THE 2018 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO VANDERBILT MUSEUM PLANETARIUM (CP 7437)

WHEREAS, the Suffolk County Vanderbilt Museum has been placed on the National Register of Historic Places, is the former summer estate of William K. Vanderbilt II, and is a major destination that attracts more than 105,000 visitors each year from Suffolk County and from around the world; and

WHEREAS, the Museum’s 60-foot domed Planetarium was updated and renovated in 2013 and is one of the finest planetariums in the country, visited by thirty thousand school children each year; and

WHEREAS, the current HVAC system uses obsolete coolant, which is potentially harmful to the environment and is no longer available; and

WHEREAS, a complete redesign of the HVAC system is required, as new pipes and coils will be necessary for the new coolant; and

WHEREAS, the Executive Director of the Suffolk County Vanderbilt Museum has requested construction funds for improvements to the Vanderbilt Planetarium; and

WHEREAS, there are sufficient funds within the 2018 Capital Budget and Program to cover the cost of said request; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $150,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2018 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the 2018 Capital Budget and Program be amended as follows:

Project Number: 7454
Project Title: Safety Improvements at Vanderbilt Museum

<table>
<thead>
<tr>
<th>Cost Elements</th>
<th>Total Est’d Cost</th>
<th>Current 2018 Capital Budget &amp; Program</th>
<th>Revised 2018 Capital Budget &amp; Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Construction</td>
<td>$800,000</td>
<td>$150,000B</td>
<td>$0</td>
</tr>
</tbody>
</table>
TOTAL $800,000 $150,000 $0

Project Number: 7437
Project Title: Improvements to Vanderbilt Museum Planetarium

<table>
<thead>
<tr>
<th>Cost Elements</th>
<th>Current 2018</th>
<th>Revised 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Construction</td>
<td>Total Est'd Cost $975,000 $0</td>
<td>Capital Budget &amp; Program $150,000B $150,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$990,000</td>
<td>$0</td>
</tr>
</tbody>
</table>

and be it further

3rd RESOLVED, that the proceeds of $150,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-7437.316</td>
<td>Improvements to Vanderbilt Museum Planetarium</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

and be it further

4th RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, for improvements at the Suffolk County Vanderbilt Museum Planetarium; and be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(C) (21), (22) (25) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes and the purchase 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.

DATED:

APPROVED BY:

_________________________
County Executive of Suffolk County

Date:

T:\BRO\IR Cap Amend CP7437.doc
RESOLUTION NO. -2018, ADOPTING LOCAL LAW NO. -2018, A LOCAL LAW TO EXPAND AND AMEND THE GRANT ASSISTANCE PROGRAM FOR THE INSTALLATION OF INNOVATIVE AND ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEMS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on ______, 2018, a proposed local law entitled, "A LOCAL LAW TO EXPAND AND AMEND THE GRANT ASSISTANCE PROGRAM FOR THE INSTALLATION OF INNOVATIVE AND ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEMS"; now, therefore be it

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

LOCAL LAW NO. -2018, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO EXPAND AND AMEND THE GRANT ASSISTANCE PROGRAM FOR THE INSTALLATION OF INNOVATIVE AND ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEMS

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

Section 1. Legislative Intent.

This Legislature finds and determines that in 2017, the Suffolk County Legislature adopted Chapter 839 of the Suffolk County Code that established the "Residential Septic Incentive Program" (or "the SIP Program"), which is a grant assistance program for the installation of innovative and alternative on-site wastewater treatment systems ("IIA OWTS"), as one of the initial steps by Suffolk County to address the documented devastating effects of high levels of nitrogen pollution emanating from conventional on-site wastewater systems by incentivizing property owners to voluntarily replace their existing on-site systems.

This Legislature recognizes that, as was documented in the study completed by IBM as part of the Smarter Cities Challenge program, there are thousands of individual systems throughout the County which should be upgraded in order to achieve region-wide success in reducing environmental impacts from on-site cesspools and septic systems that has been identified as the primary source of nitrogen pollution to groundwater and surface waters.

This Legislature finds and determines that the success of the existing SIP Program, while significant, has been limited by the amount of funding allocated to the Program in accordance with Local Law 17-2017, and the significant remaining cost that many homeowners face to fund system upgrades under the existing program. Due to funding limitations, Local Law 17-2017 established restrictions on the categories of properties eligible for the use of those funds, preventing the widespread transition to nitrogen-reducing systems that will be necessary for the success of the SIP Program.
This Legislature finds and determines that the New York State Septic System Replacement Program (the "State Program") administered by the Environmental Facilities Corporation, has allocated and the County has accepted via Resolution No. 240-2018, $10,025,000 in state funding to provide grants to eligible property owners for septic system replacement projects. This Legislature also finds and determines that various towns in Suffolk County have established programs that have made additional resources available to property owners in Suffolk County for the installation of I/A OWTS, and other towns and villages may adopt such other programs in the future. These additional programs not only serve to reduce the out of pocket expense of an I/A OWTS to individual property owners, thus providing further financial incentive for the voluntary installation of these systems, but will also make grants more widely available in towns that are not able to provide such programs, vastly increasing the number of property owners eligible for grant assistance directly from the County or through administration of the State Program.

This Legislature also finds and determines that because of this increased ability and to better coordinate Suffolk County's grant Program with the State Program, it is advisable to ease certain previously adopted grant eligibility restrictions to increase the number of I/A OWTS installations for the benefit of the residents of Suffolk County and to further the County's goal of improving water quality.

Therefore, the purpose of this law is to continue to provide a financial incentive to Suffolk County residents to install enhanced nitrogen removal systems, to harmonize to the greatest extent possible, the processing of grant applications to be consistent with the eligibility requirements of the State Program, and to broaden the reach of the program by expanding the universe of properties and property owners eligible for grants, which will further the goal of improving water quality in Suffolk County.

Section 2. Amendment.

Article I of Chapter 839 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Chapter 839
Wastewater Treatment Systems
ARTICLE I
RESIDENTIAL INNOVATIVE AND ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM GRANT ASSISTANCE PROGRAM

§ 839-1. Definitions.

***

Grant Awardee
A property owner or qualifying tenant that has been approved for a grant by the Sewer Infrastructure Committee.

***

Property Owner
A natural person, firm, partnership, corporation, trust, trustee, association, company or other legal entity capable of owning real property who is the current record owner in fee or
qualifying tenant of the residence for which a grant application is made. An owner in fee shall include a fee subject to a life estate, when the owner of the fee interest and all holders of the life estate are natural persons.

Qualifying Tenant
A person, firm, partnership, corporation, trust, trustee, association, company or other legal entity capable of owning an interest in real property that is entitled to non-revocable legal possession of the residence for which a grant application is made by virtue of a written lease, judicial decree or equivalent legal instrument and where such person, firm, partnership, corporation, trust, trustee, association, company or other legal entity is solely responsible for the provision, cost, and maintenance of on-site wastewater disposal for the residence for which a grant application is made.

Residence
An existing dwelling unit that is constructed on a residential parcel and designed for, in compliance with the relevant local town or village code or the Sanitary Code, single-family occupancy, two-family occupancy, or single family occupancy with one accessory apartment (that is occupied as a primary residence by at least one property owner).

Residential Parcel
Any parcel located wholly or partially in the County of Suffolk, and may legally be used for permanent residential purposes under the local town or village code, as the case may be, or the Sanitary Code.

§ 839-2. Residential Program established.

A. The Department is hereby authorized, empowered and directed to establish a grant assistance program to be known as the “Residential Innovative And Alternative On-Site Wastewater Treatment System Grant Assistance Program” (the “Residential Septic Incentive Program” or “the Program”) to provide funding assistance (the “grant”) to eligible residential property owners for the [design] purchase and installation of an I/A OWTS.

B. Funds for the Program may be appropriated in Fiscal Year 2017 through Fiscal Year 2021 pursuant to Charter § 12-2D(3). Such funds when appropriated shall be dedicated to the Program exclusively for grants and deemed to be used even if not expended in the fiscal year appropriated. Such funds shall be deposited by the Suffolk County Comptroller in a nonlapsing account for the Program consistent with this article. No grant approved shall exceed $1[15,000 or $20,000 as set forth in section 839-4 below, per residence.

§ 839-4. Grant eligibility.

A. [Income.

(1) Subject to the provisions of § 839-3A, and all other provisions of this article, an applicant is eligible to receive a grant:
(a) In the amount of up to $11,000 where:

1. The federal adjusted gross income of a property owner who is married and filing a joint tax return is less than $300,000; or

2. The combined federal adjusted gross income of a property owner who is married and filing individually is less than $300,000; or

3. The federal adjusted gross income of a property owner who is not married and filing single is less than $300,000; or

(b) In an amount up to $5,500 where:

1. The federal adjusted gross income of a property owner who is married and filing a joint tax return is $300,000 or greater but less than $500,000; or

2. The combined federal adjusted gross income of a property owner who is married and filing individually is $300,000 or greater, but less than $500,000; or

3. The federal adjusted gross income of a property owner who is not married and filing single is $300,000 or greater but less than $500,000.

(2) In determining whether an applicant is eligible to receive a grant in accordance with the income limits set forth in this section where there are multiple property owners, the Department shall determine the sum of the federal adjusted gross income of all property owners unless an applicant can adequately demonstrate that a property owner does not reside within the residence.

B.] Geography. Subject to the provisions of § 839-5 A[. B.] and [C]B, a property owner residing in any area of the County may submit an application for a grant to install a system; provided, however, the Commissioner may authorize, in his sole discretion, preferential review of an application for a grant before all other submitted applications if the grant application is for a residence in an area specified by the Department as set forth in § 839-3A as environmentally sensitive.

B. Grant Amount. Subject to the provisions of subdivision (A) of section 839-3, and all other provisions of this article, applicants are eligible to receive a grant in the amount of up to $15,000, however, an applicant is eligible to receive a grant in the amount of up to $20,000 where the combined gross household income of all of the property owners of the residence is less than or equal to 80% of the most current area median income ("low to moderate income household") as established by the United States Department of Housing and Urban Development. In determining whether an applicant is eligible to receive a grant as a low to moderate income household, the Department shall determine the sum of the federal adjusted gross income of all property owners unless an applicant can adequately demonstrate that a property owner does not reside within the residence.
C. Notwithstanding anything to the contrary in section B above, when the residence for which an application is received is located within a town or village that offers a grant, rebate, refund or some other incentive program for the installation of an I/A OWTS, unless the applicant has adequately demonstrated that it will not qualify for such grant, rebate, or refund, in order to maximize the use of state funding and offset the remaining cost of an installation through use of both county and town funds, the grant amount for which the applicant shall be eligible under this Program shall be limited to $5,000, or where the applicant qualifies as a low to moderate income household in accordance with § 839-4B of this article, $10,000.

§ 839-5. Application process.

A. An application for a grant to install a system may be made by any [resident of] property owner within the County of Suffolk, except as set forth in subdivision[s] (B) and] (C) of this section, in a form determined by the Department, for a residence that:

(1) has a valid certificate of occupancy issued by the pertinent town or village; and

(2) is served by an existing septic system or cesspool and is not connected to a public or private sewer or located within an existing sewer district [; and

(3) is not used as a place of business, other than a home office which does not allow access to clients, customers or members of the public].

B. [No application shall be considered by the Department from any resident who is a current employee of Suffolk County in the exempt class, is an elected official of the State of New York or any political subdivision therein, or a party officer. For purposes of this article, a party officer shall mean one who holds any party position or any party office, whether by election, appointment or otherwise, including committee members. For purposes of this article, "party" shall mean any political organization which, at the last preceding election for Governor, polled at least 50,000 votes for candidate for Governor.

C.] The Program shall not be available for any residential parcel that has outstanding or open real property tax liens.

[D]C. Applications shall be reviewed in the order in which they are received by the Department in final form, subject to any preferential review of an application directed by the Commissioner pursuant to § 839-4[B]A. The final form of an application shall be determined in the sole discretion of the Commissioner.

[E]D. The Sewer Infrastructure Committee shall approve all applications for grant funding prior to the disbursement of any funds, based upon the written recommendation from the Department in accordance with this article.

[F]E. The Sewer Infrastructure Committee shall issue a certificate evidencing its approval of a grant award to each grant awardee.
All grant awards shall be subject to the execution of a grant agreement in accordance with § 839-7 below and subject to availability of funds for the Program in the fiscal year in which an application is made.

Any property owner who is not approved for a grant award because of the unavailability of funds under the Program in any fiscal year may, upon request, have his application carried over and reconsidered by the Department and the Sewer Infrastructure Committee when funds become available in the next fiscal year.

§ 839-6. Scope of Grant.

A. The grant award authorized to be given to a property owner shall be limited to the costs actually incurred by a property owner in connection with the [design,] purchase and installation of an I/A OWTS. Specific items that will be reimbursed shall include:

1. The total cost of the purchase of I/A OWTS materials and necessary components;
2. The purchase of electrical components;
3. Labor costs incurred in connection with installation of the I/A OWTS and any necessary leaching fields and structures;
4. A three-year warranty for the I/A OWTS;
5. Three-years of operation and maintenance of the I/A OWTS purchased through the manufacturer/installer;
6. Excavation and backfilling;
7. Design services including the preparation of a site plan, installation inspection, as-built surveys, and applicable permitting;
8. Pumping and decommissioning of an existing on-site system.

B. Grant funds shall not be used for irrigation repairs, electrical improvements unrelated to I/A OWTS installation, design, and post installation [design and] landscaping.

§ 839-7. Execution of grant agreement; condition of grant.

A. Disbursement of grant funds shall be contingent upon the execution of an agreement between the County of Suffolk with each grant awardee, the terms of which shall be set by the Commissioner with the approval of the Department of Law. Notwithstanding anything in this article to the contrary, any agreement authorizing the disbursement of grant funds shall be signed by all property owners and qualifying tenants, as the case may be. Each agreement shall be recorded in the office of the Clerk of the County. The agreement shall be a continuing covenant running with the land that binds the owner of the subject property and his heirs, successors and/or assigns.

B. Any property owner that has, in the determination of the Sewer Infrastructure Committee based upon the recommendation of the Commissioner, negligently or intentionally failed to
operate and maintain the system to the point that it is damaged beyond repair, or has removed the system without the prior written approval of the Department, shall repay to the County the full amount of the grant.

§ 839-8. Authorization of payment to [design professional] and manufacturer installer.

The Department is authorized, with the consent of the property owner who is approved for a grant award, to make direct payment of the grant proceeds to [the design professional contracted by the property owner,] the manufacturer/installer of the system contracted by the property owner, [or a combination of the two,] to the extent that the grant award allows[, and allocated in such a manner as determined by the Department].


The Commissioner is hereby authorized to enter into an agreement with the CDCLI Funding Corporation, upon such terms and conditions as are acceptable to the Department of Law, for the nonexclusive referral of grant awardees for loan assistance in connection with the [design and] installation of an I/A OWTS.

§ 839-10. Authorization for intermunicipal agreements.

The County Executive, or his designee, is hereby authorized to enter into such agreements with towns or villages located within Suffolk County that have or will establish a grant, rebate, refund or some other incentive program for the installation of an I/A OWTS, in order to coordinate the use of County funds with funds from other sources, maximize the scope of the Program and to avoid duplicative expenditures.

§ 839-11. Limits on County liability.

Other than the grant funds awarded to an applicant to an applicant in accordance with this article, the County shall not enter into any agreement or otherwise obligate the County of Suffolk to bear any additional expense, unless approved in advance by the Suffolk County Legislature.

Section 3. Applicability.

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

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.
Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (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.

Underlining denotes addition of new language.
[ ] Brackets denote deletions.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date:
DATE: NOVEMBER 2, 2018
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2018

TITLE: I.R. NO. 2018: A LOCAL LAW TO EXPAND AND AMEND THE GRANT ASSISTANCE PROGRAM FOR THE INSTALLATION OF INNOVATIVE AND ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEMS

SPONSOR: PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 10/31/2018 PUBLIC HEARING: 11/20/2018

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law would make several changes to the County’s Residential Septic Incentive Program (“Program”), which was enacted by Local Law No. 17-2017.

Specifically, this law would:

1) Add firms, partnerships, corporations, trusts, trustees, associations, companies and other legal entities capable of owning real estate to the definition of the term “property owners” and, therefore, make these entities eligible to apply for Program grant assistance.

2) Allow qualifying tenants\(^1\) of residential property to apply for Program grant assistance.

3) Expand the definition of “residence” to include dwelling units designed for two-family occupancy or single family occupancy with one accessory apartment and therefore, making their owners eligible to apply for Program grant assistance.

4) Increase the maximum grant amount from $11,000 to $15,000, except for low to moderate income households, which will be eligible to receive grants in the amount of $20,000.\(^2\)

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\(^1\) “qualifying tenant” is defined in the law as a person, firm, partnership, corporation, trust, trustee, association, company or other legal entity capable of owning an interest in real property that is entitled to non-revocable legal possession of the residence for which a grant application is made by virtue of a written lease, judicial decree or equivalent legal instrument and where such person, firm, partnership, corporation, trust, trustee, association, company or other legal entity is solely responsible for the provision, cost, and maintenance of on-site wastewater disposal for the residence for which a grant application is made.

\(^2\) Applicants who have a combined gross household income which is 80%, or less, of the current area median income will be eligible to receive the larger grant amounts.
5) Reduce the potential Program grant amounts available to property owners in towns and villages that have their own grant or incentive program for the installation of innovative and alternative on-site wastewater treatment systems to $5,000, and $10,000 for low to moderate income households.

6) Eliminate a current restriction which makes County employees in the exempt class, elected officials and party officers ineligible to receive Program grant assistance.

7) Disallow the use of grant monies to pay design costs.

8) Authorize the County Executive to enter into intermunicipal agreements with towns and villages that have or will establish a grant or other incentive program for the installation of innovative alternation on-site wastewater treatment systems, in order to coordinate the use of County funds and to avoid duplicative expenditures.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-amend-alternative-onsite-wastewater-treatment-systems
PROCEDURAL MOTION NO. 14-2018, ESTABLISHING A
SPECIAL COMMITTEE TO REVIEW ALLEGATIONS OF
MISCONDUCT BY A COUNTY OFFICIAL

WHEREAS, a former employee of the Suffolk County Police Department has
alleged that a former high ranking official in the Police Department (who currently holds a high
ranking job in the District Attorney’s office) performed political work during his County work
hours; and

WHEREAS, this same former employee further claims that she was wrongfully
terminated from her employment after she complained to her supervisors that she received text
messages with profane language from the high ranking County official; and

WHEREAS, pursuant to the SUFFOLK COUNTY CHARTER, the County
Legislature is authorized to “investigate the performance of any of the functions, offices or
departments of the government of the County”; and

WHEREAS, it is necessary at this time to form a special bipartisan committee of
the Legislature to review the allegations lodged by the former County employee; and

WHEREAS, this special committee must be given adequate resources and
powers to successfully complete its review and investigation; now, therefore be it

1st RESOLVED, that a special committee of the County Legislature is hereby
created to review the allegations of misconduct lodged against a former high ranking official in
the Police Department who is currently serving as the Chief of Staff to the District Attorney; and
be it further

2nd RESOLVED, this special committee shall be comprised of six legislators, three
members to be selected by the Presiding Officer and three members to be appointed by the
Minority Leader; the Presiding Officer will designate the chairperson of this special committee;
and be it further

3rd RESOLVED, this special committee is hereby empowered to administer oaths
and affirmations and to compel the attendance of witnesses and the production of books and
papers related to the review and investigation authorized and described in the 1st RESOLVED
clause herein; and be it further

4th RESOLVED, that this special committee is hereby authorized to issue such
subpoenas pursuant to a majority vote of the entire membership of said committee for each
such subpoena as said committee deems appropriate; and be it further

5th RESOLVED, that the special committee is hereby authorized to hold meetings
and hearings necessary to carry out the review and investigation described herein.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY
ADMINISTRATIVE CODE