2014. Directing the Criminal Justice Coordinating Council to study the effectiveness of the County's Alternative to Incarceration Programs. (Hahn) PUBLIC SAFETY

2015. Reappointing Steven H. Gittelman, Ph.D., as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 11). (Spencer) PARKS & RECREATION

2016. Adopting Local Law No. -2012, A Local Law to safeguard the personal information of minors in Suffolk County. (Gregory) WAYS & MEANS

2017. Directing the Department of Public Works to study establishing concessionaires at certain County facilities. (Cilmi) PUBLIC WORKS AND TRANSPORTATION

2018. Increasing revenue to fund safety expenses at County correctional facilities. (Cilmi) PUBLIC SAFETY

2019. To extend deadline for Tick and Vector-Borne Diseases Task Force. (Romaine) HEALTH

2020. Adopting Local Law No.-2012, A Local Law to maximize use of County funds provided to contract agencies. (Cilmi) WAYS & MEANS

2021. Authorizing certain technical correction to Adopted Resolution No. 738-2012. (Co. Exec.) WAYS & MEANS

2022. Authorizing certain technical correction to Adopted Resolution No. 454-2012. (Co. Exec.) WAYS & MEANS

2023. Adopting Local Law No. -2012, A Local Law to authorize a real property tax exemption for improvements to Real Property Meeting Certification Standards for Green Buildings. (Schneiderman) BUDGET AND FINANCE

2024. Resolution of the Legislature of the County of Suffolk, providing exemptions from sales and compensating use taxes for receipts from sales of, and consideration given or contracted to be given for, or for the use of, property and services exempt from state sales and compensating use taxes pursuant to subdivision (hh) of section 1115 of the New York Tax Law, pursuant to Article 29 of the Tax Law of the State of New York. (Romaine) BUDGET AND FINANCE

2025. Establishing a “Complete Streets” policy. (Calarco) PUBLIC WORKS AND TRANSPORTATION

2027. Adopting Local Law No. -2012, A Charter Law to strengthen monitoring of sewer plants operating in Suffolk County. (Schneiderman) PUBLIC WORKS AND TRANSPORTATION

2028. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 Avalon Bay property – Town of Brookhaven (SCTM Nos. 0200-547.00-01.00-019.000, 0200-578.00-01.00-044.000, 0200-610.00-01.00-022.000, 0200-610.00-01.00-023.000, 0200-610.00-01.00-024.001 and 0200-610.00-03.00-002.000). (Browning) ENVIRONMENT, PLANNING AND AGRICULTURE

2029. Appropriating funds in connection with Public Works Buildings Operation and Maintenance Equipment (CP 1806). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

2030. Appropriating funds in connection with Removal of Toxic and Hazardous Building Materials and Components at Various County Facilities (CP 1732). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

2031. Appropriating funds in connection with Construction and Rehabilitation of Highway Maintenance Facilities (CP 5048). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

2032. Appropriating funds in connection with Installation of Guide Rail and Safety Upgrades at Various Locations (CP 5180). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

2033. Appropriating funds for the Brownfields Program, former Canine Kennel site at Gabreski Airport (CP 8223). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

2034. Appropriating funds for the Brownfields Program, former Wallpaper Factory site in Lake Ronkonkoma (CP 8223). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

2035. Appropriating funds in connection with improvements to the Fire Training Center (CP 3405). PUBLIC SAFETY

2036. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 905-2012). (Co. Exec.) BUDGET AND FINANCE

2037. Accepting and appropriating 100% Federal Grant Funds awarded by the U.S. Department of Justice under the Edward Byrne Memorial Justice Assistance Grant to Suffolk County Departments of Probation, Police, Sheriff, Social Services and District Attorney. (Co. Exec.) PUBLIC SAFETY

2038. Amending the 2012 Adopted Operating Budget to accept and appropriate additional 100% Federal Aid from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) to the YMCA of Long Island, Inc. (Co. Exec.) HEALTH
2039. Accepting and appropriating 100% State Grant Funds awarded through the New York State Division of Criminal Justice Services Funding to the Suffolk County Department of Probation. (Co. Exec.) PUBLIC SAFETY

2040. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer By: County Legislature No. 377. (Co. Exec.) BUDGET AND FINANCE

2041. Adopting Local Law No. -2012, A Charter Law to strengthen oversight of County contract agencies. (Cilmi) WAYS & MEANS

2042. Adding depository to list of designated depositories for Suffolk County (The First National Bank of Long Island). (Pres. Off.) BUDGET AND FINANCE

2043. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Active Recreation/Hamlet Park/ Historic and/or Cultural Park component - for the EMB Enterprises, LLC property - Town of Riverhead (SCTM No. 0600-017.00-01.00-005.022). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

2044. Authorizing the County to enter into an MPO Member Agency Federal-Aid Project Agreement with the New York State Department of Transportation. (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

2045. Authorizing the purchase of up to 29 paratransit vans for Suffolk Transit and accepting and appropriating Federal and State Aid and County funds (CP 5658). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

2046. Tax Anticipation Note Resolution No. -2012, Resolution delegating to the County Comptroller the powers to authorize the issuance of not to exceed $410,000,000 Tax Anticipation Notes of the County of Suffolk, New York, in anticipation of the collection of taxes levied or to be levied for the fiscal year commencing January 1, 2013, and to prescribe the terms, form and contents, and provide for the sale and credit enhancement of such notes. (Co. Exec.)

2047. Accepting and appropriating a grant from the United States Department of Homeland Security (DHS) in the amount of $25,000 for FY2012 Port Security Grant Program (PSGP) to be administered by the Suffolk County Sheriff's Office, a partner of the East End Marine Task Force and to execute grant related agreements in Suffolk County with 100% support. (Co. Exec.) PUBLIC SAFETY

2048. Accepting and appropriating Federal pass-through grant funds from the NYS Office of Homeland Security (NYS OHS) in the amount of $110,500 for “Operation Shield” under State Homeland Security Program (SHSP) to be administered by the Suffolk County Sheriff’s Office in partnership with the East End Marine Task Force, the Suffolk County Police Department and various other Federal State and Local Agencies and to execute grant related Agreements with 100% support. (Co. Exec.) PUBLIC SAFETY

2049. Accepting and appropriating a grant in the amount of $4,000 from the New York State Governor's Traffic Safety Committee Grant (GTSC FFY 2013) Highway Safety Program with 100% support for Sheriff’s Traffic Safety Initiative. (Co. Exec.) PUBLIC SAFETY
2050. Appropriating funds in connection with the Learning Resource Center - Grant Campus (CP 2159). (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY

2051. Appropriating funds in connection with Underground Injection Control Management Program (CP 8220). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

2052. Authorizing the purchase of up to thirty new hybrid-electric transit buses for Suffolk County Transit including spare parts, radios, other related equipment and accepting and appropriating Federal and State Aid and County funds in connection with this purchase (CP 5658). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

2053. Accepting and appropriating a grant in the amount of $2,106,258 from the New York State Office of Indigent Legal Services, to provide enhanced defense representation for cases assigned to the Legal Aid Society of Suffolk County with 100% support. (Co. Exec.) WAYS & MEANS

2054. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 3 Southwest and the Town of Babylon for Geiger Lake Park (BA-1643). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

2055. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 3 Southwest and Melville Plaza - 610 Broadhollow Road (HU-1631). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

2056. Authorizing the sales of surplus property sold at the October 23, 2012 Auction pursuant to Local Law No. 13 1976 as per Exhibit "A" (Omnibus Resolution). (Co. Exec.) WAYS & MEANS

2057. Amending the 2012 Adopted Operating Budget to transfer funding from the Brentwood Union Free School District and the Town of Islip to various agencies for the provision of Chemical Dependency Services. (Co. Exec.) HEALTH

2058. Designating January 27th as "Welcome Home Vietnam Veterans Day" in Suffolk County. (Stern) VETERANS AND SENIORS

2059. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 - Fish Thicket Preserve property - Town of Brookhaven (SCTM Nos. 0200-895.00-04.00-015.001, 0200-895.00-04.00-014.001, 0200-895.00-04.00-014.002, 0200-895.00-04.00-006.000, 0200-895.00-04.00-007.000, 0200-895.00-04.00-008.000 and 0200-895.00-04.00-009.000). (Calarco) ENVIRONMENT, PLANNING AND AGRICULTURE

2060. Establishing a permanent Contract Agency Oversight Committee. (Cilmi) WAYS & MEANS

2061. Adopting Local Law No. -2012, A Local Law to establish the Suffolk County Traffic and Parking Violations Agency. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
RESOLUTION NO. 2012-2012, DIRECTING THE CRIMINAL JUSTICE COORDINATING COUNCIL TO STUDY THE EFFECTIVENESS OF THE COUNTY’S ALTERNATIVE TO INCARCERATION PROGRAMS

WHEREAS, the County of Suffolk Department of Probation’s Criminal Court supervision caseload totaled 15,746 individuals in 2011; and

WHEREAS, the County contracts with a number of non-profit organizations, in addition to its own programs, to provide Alternative to Incarceration (“ATI”) programs to serve persons convicted of certain crimes, allowing them to receive treatment, education and employment training within their community; and

WHEREAS, most ATI programs provide program enrollees with important information and assistance in addressing issues that may have factored into their involvement in the criminal justice system, all in the effort to reduce recidivism rates among individuals who complete these programs; and

WHEREAS, ATI programs cost less than incarceration and reduce ancillary costs associated with removing persons from their community and family; and

WHEREAS, no study has been conducted to determine the effectiveness of the County’s current ATI programs; and

WHEREAS, the County should study the effectiveness of the current ATI programs to ensure it is receiving the greatest value for its investment; now, therefore be it

1st RESOLVED, that the Criminal Justice Coordinating Council is hereby authorized, empowered and directed to study the effectiveness of the ATI programs currently available in the County of Suffolk; and be it further

2nd RESOLVED, that the Criminal Justice Coordinating Council shall issue a written report with its findings and recommendations to the County Executive, each County Legislator and the Clerk of the County Legislature and make a presentation on same to the Public Safety Committee of the County Legislature within 270 days of the effective date of this resolution; 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. -2012, REAPPOINTING STEVEN H. GITTELMAN, Ph.D., AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 11)

WHEREAS, the term of office of Steven H, Gittelman, Ph.D., as a member of the Suffolk County Vanderbilt Museum Commission will expire on December 28, 2012; now, therefore be it

1st RESOLVED, that Steven H, Gittelman, Ph.D., residing at Huntington, New York 11743, be and he is hereby reappointed to the Suffolk County Vanderbilt Museum Commission, as Trustee No. 11, for a term of office to expire December 28, 2016, said reappointment having been made pursuant to the provisions of Section 250-6(B)(1) of the SUFFOLK COUNTY CODE.

DATED:

EFFECTIVE PURSUANT TO SECTION 215-(A) OF THE SUFFOLK COUNTY CHARTER
Curriculum Vitae

Steven H. Gittelman, Ph.D.

Personal Profile  Born: May 19, 1949
Children: Michael, 1980; Sara, 1983; Emily, 1989

Home Address  Huntington, New York 11743

Education  Jericho High School, Jericho, New York, 1967
B.A.  Biology-Geology, University of Rochester, 1971
M.A.  Zoology, University of Connecticut, 1974
Ph.D.  Ecology, University of Connecticut, 1976


Professional  


Honors & Public Service  


1990-Present  Trustee, Suffolk County Vanderbilt Museum.

1990-1996  Trustee, Vice President, Long Island Museum of Science & Technology.

1990-Present  Trustee, at large, Suffolk County Boy Scouts of America.


1992-2012  Member, Board of Governors, Touro Law College.

1993-1996  President of the Dinosaur Society

1994-2008  President, Suffolk County Vanderbilt Museum

1994  Long Island “Socially Conscious” Entrepreneur of the Year.

1995  Installed Jericho High School Hall of Fame.

1998  Distinguished Citizen’s Award, Suffolk County Boy Scouts of America.

1999  Dr.’s M.J. Polcyn, Eitan Tchernov, and Louis Jacobs name a new species of Cretaceous Mososaur, from Israel, Haasia gittelmani.

1999  Dr. Elizabeth Gomani, Southern Methodist University, names a new species of Cretaceous dinosaur (Sauropoda) from Malawi, Africa, Karongasaurus gittelmani.

2000  Suffolk County Vanderbilt Museum, dedicates Hall of Fishes Lifetime Achievement Award, Suffolk County Vanderbilt Museum

2000-2006  Commissioner, Suffolk County Ethics Commission

2002-2006  Board of Visitors, Stony Brook University Medical Center
RESOLUTION NO. - 2012, ADOPTING LOCAL LAW NO. -2012, A LOCAL LAW TO SAFEGUARD THE PERSONAL INFORMATION OF MINORS IN SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2012, a proposed local law entitled, "A LOCAL LAW TO SAFEGUARD THE PERSONAL INFORMATION OF MINORS IN SUFFOLK COUNTY" now, therefore, be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO SAFEGUARD THE PERSONAL INFORMATION OF MINORS IN SUFFOLK COUNTY

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 children and young adults frequently engage in extracurricular activities offered by schools and other organizations to develop skills, learn about teamwork, and pride of accomplishment.

This Legislature also finds that the County of Suffolk contracts with a number of non-profit organizations which provide these important activities for many young County residents.

This Legislature further determines that some organizations that operate youth activities sell or provide the names and addresses of their participants to third parties.

This Legislature finds that the sale of a minor's personal information by a youth activity organization is inappropriate, as the minors and their parents never agreed to such disclosure.

This Legislature determines that the County of Suffolk should protect the privacy of children engaged in programs offered by organizations that contract with the County.

Therefore, the purpose of this law is to prohibit agencies that contract with the County to provide youth services from providing the personal information of participating minors to any third party.

Section 2. Contract Requirements.

All County contracts with agencies providing services to minors shall contain a provision prohibiting the agency from selling or providing the identifying information of any minor participating in their programs to third parties.
Section 3. Applicability.

This law shall apply to all contracts entered into on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-safeguard-personal-information-minors
DATE: October 23, 2012
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. 2016-2012; A LOCAL LAW TO SAFEGUARD THE PERSONAL INFORMATION OF MINORS IN SUFFOLK COUNTY

SPONSOR: LEGISLATOR GREGORY

DATE OF RECEIPT BY COUNSEL: 10/23/12   PUBLIC HEARING: 11/20/12
DATE ADOPTED/NOT ADOPTED:       CERTIFIED COPY RECEIVED:       

This proposed local law would require that all County contracts with agencies providing services to minors include a provision prohibiting the agency from selling or providing the personal information of any minor participating in their programs to third parties.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-minors personal information
RESOLUTION NO. -2012, DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO STUDY ESTABLISHING CONCESSIONAIRES AT CERTAIN COUNTY FACILITIES

WHEREAS, the County of Suffolk is seeking opportunities to increase revenues; and

WHEREAS, the County owns a number of properties, some of which are not being fully utilized; and

WHEREAS, few County facilities currently have concession areas where employees and members of the public can purchase food and beverages; and

WHEREAS, the County should consider leasing unused space in appropriate County buildings to concessionaires selling breakfast, lunch and snack foods; and

WHEREAS, leasing appropriate space to concessionaires will not only provide the County with a new revenue stream, but also provide a convenient food service for employees and visitors to the building; now, therefore be it

1st RESOLVED, that the Department of Public Works is hereby authorized, empowered and directed to study the feasibility of leasing space to food concessionaires and identify any County buildings which have available space that may be appropriate for such use; and be it further

2nd RESOLVED, that the Department of Public Works shall issue a written report with its findings and recommendations to the County Executive, each County Legislator and the Clerk of the Legislature within ninety (90) days of the effective date of this resolution; and be it further

3rd RESOLVED, that the Department of Public Works is further directed to draft a Request for Expressions of Interest for the leasing of identified spaces in County facilities to concessionaires; 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: 

APPROVED BY:
RESOLUTION NO. -2012, INCREASING REVENUE TO FUND SAFETY EXPENSES AT COUNTY CORRECTIONAL FACILITIES

WHEREAS, the County currently owns and operates a correctional facility in Riverhead and will be opening a new facility in Yaphank this year; and

WHEREAS, the costs associated with ensuring the safety of these facilities and their inmates are significant; and

WHEREAS, the County correctional facility had over 75,000 visitors in 2011; and

WHEREAS, the County should establish a fee for visitors to the jail and use the revenue generated to offset the expenses associated with safety at the facilities; now, therefore be it

1st RESOLVED, that, beginning on January 1, 2013, the Office of the Sheriff is hereby authorized, empowered and directed to charge visitors to the County correctional facilities a fee of ten ($10.00) dollars per person per visit; 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:\res\v-increase-revenue-correctional-facility
RESOLUTION NO. -2012, TO EXTEND DEADLINE FOR TICK AND VECTOR-BORNE DISEASES TASK FORCE

WHEREAS, Resolution No. 689-2011 established the Tick and Vector-Borne Diseases Task Force to study the spread of tick and vector-borne diseases, and to develop a comprehensive needs assessment given the County’s approach to this public health and safety issue; and

WHEREAS, the Tick and Vector-borne Diseases Task Force has not yet completed its work; and

WHEREAS, the Tick and Vector-Borne Diseases Task Force is set to expire at the end of 2012; and

WHEREAS, this Legislature wishes to extend the life of this important task force; now, therefore be it

1st RESOLVED, that the 12th RESOLVED clause of Resolution No. 689-2011 is hereby amended as follows:

12th RESOLVED, that the Suffolk County Tick and Vector-Borne Diseases Task Force shall submit a written report of its findings and determinations together with its recommendations for action to each member of the County Legislature, the Commissioner of the Department of Health Services, and the County Executive no later than [one year subsequent to the effective date of this Resolution] December 1, 2013 for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

and be it further

2nd RESOLVED, that the 13th RESOLVED clause of Resolution No. 689-2011 is hereby amended as follows:

13th RESOLVED, that the Suffolk County Tick and Vector-Borne Diseases Task Force shall expire, and the terms of office of its members shall terminate as of December 1, [2012] 2013, at which time the Suffolk County Tick and Vector-Borne Diseases Task Force shall deposit all records of its proceedings with the Clerk of the Legislature; and be it further

and be it further

3rd RESOLVED, that all other terms and conditions of Resolution No. 689-2011 shall remain in full force and effect; 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.

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

DATED:

APPROVED BY:

________________________________
County Executive of Suffolk County

Date:
RESOLUTION NO. - 2012, ADOPTING LOCAL LAW NO. -2012, A LOCAL LAW TO MAXIMIZE USE OF COUNTY FUNDS PROVIDED TO CONTRACT AGENCIES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2012, a proposed local law entitled, "A LOCAL LAW TO MAXIMIZE USE OF COUNTY FUNDS PROVIDED TO CONTRACT AGENCIES" now, therefore, be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO MAXIMIZE USE OF COUNTY FUNDS PROVIDED TO CONTRACT AGENCIES

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 is responsible for delivering basic services which meet the needs of our residents.

This Legislature also finds that the County contracts with private non-profit agencies to provide critical services to youth, veterans, seniors, persons with disabilities and other constituencies and to implement programs that protect the health and welfare of County residents.

This Legislature determines that the County of Suffolk enacted Local Law No. 13-2007, which established requirements and guidelines for contract agencies to ensure that the County receives the maximum return on the investment of its tax dollars.

This Legislature finds that Local Law No. 13-2007 capped allowable contract agency administrative expenses at 20% of total agency program expenses per fiscal year.

This Legislature determines that Local Law No. 13-2007 contains significant loopholes that permit contract agencies to incur excessive administrative costs and high salaries.

This Legislature finds that tightening the definition of allowable administrative expenses will ensure that non-profit organizations use more County funds for service delivery and less for administrative expenses.

This Legislature further determines that the cap on allowable administrative costs should be reduced from 20% to 15% to ensure that a greater share of the County's funding is used to provide services to County residents.
Therefore, the purpose of this law is to amend Chapter 189 of the SUFFOLK COUNTY CODE to reduce the amount of County funding that may be utilized by contract agencies for salaries and other administrative expenses.

Section 2. Amendments.

Chapter 189 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 189. Purchasing and Contracts.

***

Article VIII. Guidelines and Requirements for Contract Agencies.

***

§189-40. Definitions.

***

ADMINISTRATIVE EXPENSES

Expenses incurred in the general direction of an enterprise as a whole, as contrasted with expenses of a more specific programmatic function, consistent with Generally Accepted Accounting Principles. This term shall include salaries of top officers and associated general office expenses, but shall not include the costs of administering a corps of volunteers; administering federal, state or other pass-through funds; disseminating educational materials for a public purpose; or administering the collection and distribution of food to the needy.

***

§ 189-41. Requirements.

***

C. No contract agency, determined by the County Department of Audit and Control, pursuant to § C4-35 of the Suffolk County Charter, to have incurred total administrative expenses greater than [20%] 15% of reported total agency program expenses in a fiscal year, shall be eligible for funding by the County of Suffolk from any County funds, in any subsequent fiscal year, unless such funding is approved by a separate, standalone resolution of the Suffolk County Legislature. Such a resolution will require a two-thirds vote of the full membership of the Legislature for approval. In the event a contract agency reduces such administrative expenses to [20%] 15% or less of reported agency program expenditures, as determined by the Department of Audit and Control, then such contract agency shall become eligible again upon application in subsequent fiscal years, for funding by the County of Suffolk.

***
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 shall take effect 120 days following its filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language

_____ Underlining denotes addition of new language

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date:

s:\laws\-funding to contract agencies
DATE: October 23, 2012
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. -2012; A LOCAL LAW TO MAXIMIZE USE OF COUNTY FUNDS PROVIDED TO CONTRACT AGENCIES

SPONSOR: LEGISLATOR CILMI

DATE OF RECEIPT BY COUNSEL: 10/23/12 PUBLIC HEARING: 11/20/12
DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

Chapter 189 of the SUFFOLK COUNTY CODE sets forth requirements for agencies that contract with the County ("contract agencies"). This local law would amend Chapter 189 to further limit the amount of County funding that may be used by contract agencies for salaries and administrative expenses.

Presently, contract agencies can use up to 20% of their total agency program expenses for administrative expenses. This local law would reduce that allowable percentage to 15%. Further, the current definition of administrative expenses excludes certain expenses, including the cost of administering a corps of volunteers; administering federal, State or other pass-through funds; disseminating educational materials or administering the collection and distribution of food to the needy. This local law would remove these exemptions from the definition of administrative expenses.

This local law will be effective 120 days following its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-contract agencies administrative expenses

1 The County Legislature continues to have the authority to fund agencies with administrative expenses in excess of 20% but a two thirds vote of the entire body is required to approve such funding.
RESOLUTION NO. -2012, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 738-2012

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 738-2012; and

WHEREAS, this resolution when adopted contained a technical error; and

WHEREAS, the County Executive desires a technical correction to this resolution; now, therefore be it

1st RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 738-2012

In the 6th RESOLVED paragraph change the Project Number:

FROM:
525-CAP-1063.312

TO:
525-CAP-1603.312

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
RESOLUTION NO. 2012-

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 454-2012; and

WHEREAS, this resolution when adopted contained technical errors; and

WHEREAS, the County Executive desires technical corrections to this resolution; now, therefore be it

1st RESOLVED, that the Clerk of the Legislature shall make the following technical corrections:

Resolution No. 454-2012

In the 7th RESOLVED paragraph change Project Numbers:

FROM:
525-CAP-8240.110

TO:
525-CAP-8240.120

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
RESOLUTION NO. -2012, ADOPTING LOCAL LAW NO. -2012, A LOCAL LAW TO AUTHORIZE A REAL PROPERTY TAX EXEMPTION FOR IMPROVEMENTS TO REAL PROPERTY MEETING CERTIFICATION STANDARDS FOR GREEN BUILDINGS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on  , 2012, a proposed local law entitled, "A LOCAL LAW TO AUTHORIZE A REAL PROPERTY TAX EXEMPTION FOR IMPROVEMENTS TO REAL PROPERTY MEETING CERTIFICATION STANDARDS FOR GREEN BUILDINGS"; now, therefore be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO AUTHORIZE A REAL PROPERTY TAX EXEMPTION FOR IMPROVEMENTS TO REAL PROPERTY MEETING CERTIFICATION STANDARDS FOR GREEN BUILDINGS

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 Chapter 188 of the 2012 Laws of the State of New York authorizes municipalities to provide a real property tax exemption for improvements to real property meeting certification standards for green buildings.

This Legislature further finds and determines that the County of Suffolk has historically pursued policies to promote energy efficiency and reduce greenhouse gas emissions.

This Legislature also determines that the County of Suffolk should give homeowners and businesses an incentive to comply with LEED standards when making improvements to their real property.

Therefore, the purpose of this law is to provide a real property tax exemption for improvements to real property which meets LEED certification standards, as authorized under New York Real Property Tax Law.

Section 2. Amendments.

Chapter 775 of the SUFFOLK COUNTY CODE is hereby amended by the addition of a new Article XIII which shall read as follows:
Article XIII
LEED EXEMPTION

§ 775-48. Statutory Authority.

This article implements Section 470 of New York Real Property Law by granting a real property exemption for improvements to real property located in the County of Suffolk, which meets LEED certification standards for green buildings.

§ 775-49. Grant of Exemption and Conditions.

A. Real property, which is certified under a LEED certification standard for the categories of certified, silver, gold or platinum as meeting green buildings standards, as determined by a LEED accredited professional shall be exempt as provided below for the respective percentages provided that a copy of the LEED certification for a qualified category is filed with the appropriate Assessor’s Office and is approved by the Assessor as meeting the requirements of Section 470 of New York Real Property Tax Law and this article. Such exemption shall be to the extent of any increase in assessed value resulting from the construction or reconstruction of a property meeting LEED certification.

LEED Exemption

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B. No such exemption shall be granted unless:

1. such construction of improvements was commenced on or after the first day of January, 2013;

2. the value of such construction exceeds the sum of ten thousand ($10,000) dollars; and

3. such construction is documented by a building permit, if required, for the improvements, or other appropriate documentation as required by the Assessor.

C. For the purpose of this article the term “Construction of Improvements” shall not include ordinary maintenance and repairs.

§ 775.50. Approval of Assessment.
If the Assessor is satisfied that the applicant is entitled to an exemption pursuant to this article, he or she shall approve the application and such real property shall thereafter be exempt from taxation as provided in this section commencing with the assessment roll prepared after the taxable status date. The assessed value of any exemption granted pursuant to this section shall be entered by the Assessor on the assessment roll with the taxable property, with the amount of this exemption shown in a separate column.

Section 3. Filing.

The Clerk of the Suffolk County Legislature is hereby directed to file a copy of this local law with the State Board of Real Property Tax Services and the ten town assessors who prepare the assessment roll on which taxes of this County are levied.

Section 4. Applicability.

This law shall apply to improvements of real property occurring on or after January 1, 2013.

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 filing in the Office of the Secretary of State and shall apply to tax years beginning on or after January 1, 2013.

Underlining denotes addition of new language.
DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date:
DATE: OCTOBER 24, 2012

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. 2023-2012; A LOCAL LAW TO AUTHORIZE A REAL PROPERTY TAX EXEMPTION FOR IMPROVEMENTS TO REAL PROPERTY MEETING CERTIFICATION STANDARDS FOR GREEN BUILDINGS

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 10/24/2012 PUBLIC HEARING: 11/20/2012

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law would provide a County real property tax exemption for improvements to real property meeting certifications for green buildings, as authorized by Chapter 188 of the 2012 Laws of the State of New York.

Specifically, this law would authorize a property tax exemption (which begins at 100% in the first year and diminishes before sunsetting after ten years) for improvements to real property that meet LEED certification standards as determined by a LEED accredited professional. This exemption will apply to the construction of improvements commenced on or after January 1, 2013 which have a value in excess of $10,000. This exemption will not be granted for ordinary maintenance and repairs to real property.

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

Counsel to the Legislature

s:rule28\28-real-property-exemption-green-buildings
RESOLUTION NO. -2012, RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF SUFFOLK, PROVIDING EXEMPTIONS FROM SALES AND COMPENSATING USE TAXES FOR RECEIPTS FROM SALES OF, AND CONSIDERATION GIVEN OR CONTRACTED TO BE GIVEN FOR, OR FOR THE USE OF, PROPERTY AND SERVICES EXEMPT FROM STATE SALES AND COMPENSATING USE TAXES PURSUANT TO SUBDIVISION (hh) OF SECTION 1115 OF THE NEW YORK TAX LAW, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Be it enacted by the Legislature of the County of Suffolk, as follows:

SECTION 1. Section six of Resolution No. 745 of 1968, as amended, is amended by adding a new subdivision (i) to read as follows:

(i). Receipts from sales of and consideration given or contracted to be given for, or for the use of, property and services exempt from state sales and compensating use taxes pursuant to subdivision (hh) of section 1115 of the New York Tax Law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction.

SECTION 2. This resolution shall take effect March 1, 2013, and shall apply to sales made, services rendered and uses occurring on and after that date in accordance with the applicable transitional provisions in sections 1106 and 1217 of the New York Tax Law.

Underlining denotes addition of new language.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
RESOLUTION NO. -2012, ESTABLISHING A "COMPLETE
STREETS" POLICY

WHEREAS, bicycling and walking are important forms of transportation and
recreation in Suffolk County, and walking and bicycling contribute to health, fitness, and
economic development; and

WHEREAS, a Complete Street policy considers the needs of all users of our
roadways of all ages and abilities including: pedestrians, bicyclists, public transportation and
school bus riders, motorists, movers of commercial goods, persons with disabilities, seniors,
and emergency services; and

WHEREAS, streets that support and invite multiple uses, including safe, active,
and ample space for pedestrians, bicycles, and public transportation are more conducive to the
public life and efficient movement of people than streets designed primarily to move
automobiles and trucks; and

WHEREAS, promoting pedestrian, bicycle and public transportation travel as an
alternative to the automobile reduces negative environmental impacts, promotes healthy living,
and is less costly to the commuter; and

WHEREAS, the design and construction of new roads and facilities should
anticipate future demand for biking, walking, and other alternative transportation facilities and
not preclude the provision of future improvements; and

WHEREAS, Complete Streets are supported by the Institute of Traffic Engineers,
the American Planning Association, and many other transportation, planning and public health
professionals; and

WHEREAS, the Suffolk County Department of Public Works regularly utilizes the
Complete Streets policies and design features on an informal basis; now, therefore be it

1st RESOLVED, that this resolution shall formally adopt a Complete Streets
Program and require the Suffolk County Department of Public Works to consider all modes of
travel within its design projects; and be it further

2nd RESOLVED, that the Department of Public Works shall, in the planning stage of
each project, evaluate the feasibility of implementing the Complete Streets design features
which may include: sidewalks, paved shoulders suitable for use by bicyclists, lane striping,
bicycle lanes, share the road signs, crosswalks, road diets, pedestrian control signalization, bus
pull outs, pedestrian curb ramps, and traffic calming measures; and recognize that the needs of
users of the road network vary according to a rural, urban and suburban context; and be it
further

3rd RESOLVED, that Complete Streets shall not apply if it has been determined the
following exist: use by bicyclists and pedestrians is prohibited by law, such as within a limited
access highway; or the cost would be disproportionate to the need or demonstrated lack of need
as determined by factors such as, but not limited to: land use context, current and projected
traffic volumes, population density, or demonstrates lack of community support, or the use of these design features would have an adverse impact on, or be contrary to, public safety; and be it further

4th RESOLVED, that the Department of Public Works shall not be required to expend monies that exceed the amount of County, State and Federal funding allocated for a particular project as identified in the County's capital program; 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 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. 2012-2012, ADOPTING LOCAL LAW NO. 2012, A CHARTER LAW TO ESTABLISH A TRAFFIC AND PARKING VIOLATIONS AGENCY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2012 a proposed local law entitled, "A CHARTER LAW TO ESTABLISH A TRAFFIC AND PARKING VIOLATIONS AGENCY"; now, therefore be it

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

LOCAL LAW NO. 2012, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO ESTABLISH A TRAFFIC AND PARKING VIOLATIONS AGENCY

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Chapter 388 of the 2012 Laws of the State of New York authorizes the County of Suffolk to establish a Traffic and Parking Violations Agency to assist the Suffolk County District Court in the disposition and administration of traffic and parking violations.

This Legislature further finds that a new Traffic and Parking Violations Agency can administer and dispose of traffic and parking violations in a more efficient manner and provide fiscal relief to Suffolk County’s Government and taxpayers.

Therefore, the purpose of this law is to establish a Suffolk County Traffic and Parking Violations Agency.

Section 2. Amendments.

The SUFFOLK COUNTY CHARTER is hereby amended by the addition of a new Article XXXII which shall read as follows:

ARTICLE XXXII TRAFFIC AND PARKING VIOLATIONS AGENCY.

§ C32-1. Agency established; Executive Director to be Agency Head.

A. There shall be a Traffic and Parking Violations Agency, which shall operate under the direction and control of the County Executive, to assist the Suffolk County District Court in the disposition and administration of traffic and parking violations.
B. The Traffic and Parking Violations Agency will be headed by an Executive Director who shall be appointed by the County Executive, subject to the approval of the County Legislature. The Executive Director shall be responsible for the oversight and administration of the agency. The Executive Director is prohibited from appearing in any capacity in any part of the Suffolk County District Court or in any other court or administrative tribunal on any matter relating to traffic or parking violations.


The Traffic and Parking Violations Agency shall assist the Suffolk County District Court in the disposition and administration of infractions of traffic and parking laws, ordinances, rules and regulations, and the adjudication of liability of owners for violations of § 1111(d) of the Vehicle and Traffic Law in accordance with § 1111-b of the Vehicle and Traffic Law, except that the said agency shall not have jurisdiction over those matters which are specifically excluded by paragraphs (a)-(f) of § 371 of the General Municipal Law.

§ C32-3. Traffic Prosecutors.

A. The Executive Director of the Traffic and Parking Violations Agency shall select, contract with or hire one or more attorneys, duly admitted to practice law in the State of New York, to prosecute traffic and parking infractions to be heard, tried or otherwise disposed of by the Suffolk County District Court except those matters specifically set forth in paragraphs (a)-(f) of § 371(2) of the General Municipal Law.

B. These traffic prosecutors shall have the same power as a District Attorney would otherwise have in the prosecution of any traffic or parking infraction in the Suffolk County District Court.

C. Traffic prosecutors shall be prohibited from appearing in any capacity other than as a traffic prosecutor in any part of the Suffolk County District Court or in any other court or administrative tribunal on any matter relating to traffic or parking violations.


A. A person charged with an infraction that shall be disposed of by the Traffic and Parking Violations Agency may be permitted to answer, within a time specified by the Agency, either in person at the Agency or by written power of attorney in such form as may be prescribed by the Agency, by paying the applicable fine and, in writing, waiving a hearing in court, pleading guilty to the charge or admitting liability as an owner for the violation of § 1111(d) of the Vehicle and Traffic Law, and authorizing the Executive Director or his or her designee to enter such a plea or admission and accept payment of said fine. Acceptance of the applicable fine and power of attorney by the Agency shall be deemed complete satisfaction for the violation or the liability.
B. If a person charged with a traffic violation does not answer within the time specified by the Agency as set forth in paragraph (A) of this section, the Agency may cause a complaint to be entered against him and warrant to be issued for his arrest and appearance before the District Court, such summons to be predicated upon the personal service of said summons upon the person charged with the infraction.

C. Any person who shall have been, within the preceding twelve (12) months, guilty of a number of parking violations in excess of such minimum number as may be designated by the District Court, or of three (3) or more violations other than parking violations, shall not be permitted to appear and answer to a subsequent violation at the Traffic and Parking Violations Agency, but must appear in District Court at a time specified by the Agency.

D. The Traffic and Parking Violations Agency shall not be authorized to deprive a person of his right to counsel or to prevent a person from exercising his or her right to appear in District Court to answer, explain or defend any charge of a traffic or parking infraction.

§ C32-5. Judicial Hearing Officers.

A. Notwithstanding any other provision of law, where the trial of a traffic or parking infraction is authorized or required to be tried before the Suffolk County District Court, and such traffic or parking infraction is not a matter set forth in paragraphs (a)-(f) of § 371(2) of the General Municipal Law, the administrative judge of the Court, may assign judicial hearing officers to conduct such trials, determine all questions of law and fact, render a verdict and impose a sentence.

B. Such judicial hearing officers shall meet the qualifications set forth in § 1690 of the Vehicle and Traffic Law and shall be prohibited from appearing in any capacity other than as a judicial hearing officer in any part of the Suffolk County District Court or any other court or administrative tribunal on any matter relating to traffic or parking violations.

§ C32-6. Staffing.

With the exception of judicial hearing officers and traffic prosecutors, all persons performing the functions of the Traffic and Parking Violations Agency must be employees of the County of Suffolk.

§ C32-7. Distribution of fines, penalties and forfeitures collected by the Agency; Fees Payable to the County.

Fines, penalties and forfeitures collected by the Traffic and Parking Violations Agency shall be distributed as provided in § 1803 of the Vehicle Traffic Law. All fines, penalties and forfeitures for violations adjudicated by the Agency, with the exception of parking violations and except as
provided in § 99-a of the State Finance Law, shall be paid by the Agency to the State Comptroller within the first ten (10) days of the month following collection.

§ C32-8. Agency Funding.

The County Legislature may appropriate the monies which, in the Legislature's sole discretion, are necessary for the compensation of those persons selected to serve as Executive Director and traffic prosecutors and to cover all other expenses associated with the administration of the Traffic and Parking Violations Agency.

Section 3. Applicability.

This law shall apply to the disposition and administration of traffic and parking violations within the jurisdiction of the Suffolk County District Court on or after April 1, 2013.

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. Notification to State Legislative Bill Drafting Commission.

The Clerk of the Suffolk County Legislature is hereby directed to notify the state's Legislative Bill Drafting Commission when this local law is filed in the Office of the Secretary of State.

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:
DATE: OCTOBER 24, 2012

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

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PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. 2026-2012; CHARTER LAW TO ESTABLISH A TRAFFIC AND PARKING VIOLATIONS AGENCY

SPONSOR: LEGISLATORS CALARCO AND BROWNING

DATE OF RECEIPT BY COUNSEL: 10/10/12  PUBLIC HEARING: 11/20/12

DATE ADOPTED/NOT ADOPTED: ________  CERTIFIED COPY RECEIVED: ________

This charter law establishes a Suffolk County Traffic and Parking Violations Agency ("Agency") as authorized by Chapter 388 of the 2012 Laws of the State of New York. The Agency will assist the Suffolk County District Court in the disposition and administration of infractions of traffic and parking laws, ordinances, rules and regulations and the adjudication of red light camera violations.

Pursuant to this law, the Agency will be headed by an Executive Director who will be appointed by the County Executive, subject to the approval of the Suffolk County Legislature. The Executive Director is authorized to select, contract with or hire attorneys to prosecute traffic and parking infractions. These traffic prosecutors will have the same power a District Attorney would have in the prosecution of any traffic or parking infraction in the Suffolk County District Court.

This law authorizes a person charged with an infraction that is within the jurisdiction of the Agency to plead guilty and pay the applicable fine. In those instances where a person wishes to contest a violation, the law authorizes the administrative judge of the court to assign a judicial hearing officer to conduct such trial to determine all questions of law and fact, render a verdict and impose a sentence.

The law further provides that with the exception of the judicial hearing officers and traffic prosecutors, all persons performing the functions of Agency must be employees of the County of Suffolk.
This law will take effect immediately upon its filing in the Office of the Secretary of State, but will apply to the disposition and administration of traffic and parking violations within the jurisdiction of the Suffolk County District Court on or after April 1, 2013.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-traffic and parking violations agency
RESOLUTION NO. -2012, ADOPTING LOCAL LAW NO. -2012, A CHARTER LAW TO STRENGTHEN MONITORING OF SEWER PLANTS OPERATING IN SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2012 a proposed local law entitled, "A CHARTER LAW TO STRENGTHEN MONITORING OF SEWER PLANTS OPERATING IN SUFFOLK COUNTY"; now, therefore be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO STRENGTHEN MONITORING OF SEWER PLANTS OPERATING IN SUFFOLK COUNTY

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 since the inception of the Drinking Water Protection Program, a portion of the revenues generated under this program have been deposited in the Assessment Stabilization Reserve Fund ("ASRF") for the purpose of stabilizing taxes within the County’s sewer districts.

This Legislature finds that in 2011, the County of Suffolk widened the permissible uses of monies in the ASRF to allow funds to be used for the installation, improvements, maintenance and operation of sewer infrastructure and sewage treatment plants.

This Legislature further finds that due to the County’s deep fiscal problems, several sewage treatment plant inspectors in the Department of Health Services were laid off earlier this year.

This Legislature further finds that the Department of Health Services is responsible for inspecting and monitoring 162 private and municipal sewage treatment plants in Suffolk County.

This Legislature finds that strict monitoring of sewage treatment plants is necessary to protect the health and safety of Suffolk County residents.

This Legislature also determines that the County of Suffolk should have the ability to access the ASRF to ensure the County’s sewage treatment plants are properly monitored by the Department of Health Services.

Therefore, the purpose of this law is to amend Article 12 of the SUFFOLK COUNTY CHARTER to authorize the County of Suffolk to utilize monies in the Assessment Stabilization
Reserve Fund to properly inspect and monitor sewage treatment plants operated in the County of Suffolk.

Section 2. Amendment.

Article 12 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

ARTICLE XII
SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

** **

D. Sewer taxpayer protection: 25% of the total revenues generated each calendar year for sewer district tax rate stabilization only in those instances in which the pertinent sewer district will experience an increase in rates of at least 3% in the aggregate for user charges, operations and maintenance charges, per-parcel charges, and ad valorem assessments in the calendar year for which these sewer district tax stabilization revenues are being allocated. The Suffolk County Sewer Assessment Stabilization Fund is hereby created; 25% of the total revenues generated each calendar year by such sales and compensating use tax shall be allocated and deposited annually to this trust fund. The annual appropriation of such revenues shall be effectuated via duly enacted resolution of the County of Suffolk and shall not reduce the projected rate increase below 3% in the aggregate for user charges, operations and maintenance charges, per-parcel charges, and ad valorem assessments for the year in question. If the revenues generated in any year, including calendar year 2030, exceed the amount necessary to provide such stabilization, then such excess revenues shall be carried over as a fund balance for sewer district tax rate stabilization; provided, however, that such fund balance shall not exceed $140 million in fiscal year 2011, or in any subsequent fiscal year through fiscal year 2021.

1. In the event such fund balance exceeds $140 million in fiscal year 2011, 2012 or 2013, 62.5% of these excess monies may be used, via duly approved resolutions of the County of Suffolk, for installation, improvements, maintenance and operation of sewer infrastructure and sewage treatment plants, the inspection and monitoring of municipal and private sewage treatment plants (including personnel costs associated with inspectors) and for the installation of residential and commercial enhanced nitrogen removal septic systems. These monies may be used for projects outside the boundaries of County sewer districts. Thirty-seven and one half percent (37.5%) of the 2011, 2012 and 2013 excess fund balance shall be appropriated via duly approved resolutions to a reserve fund for bonded indebtedness established pursuant to § 6-h of the General Municipal Law or to a retirement contribution reserve fund established pursuant to § 6-r of the General Municipal Law (County Fund 420 and any successor fund).

2. In the event such fund balance exceeds $140 million in fiscal year 2014 or in any subsequent fiscal year through 2021, the excess fund balance shall be used exclusively, via duly approved resolutions of the County of Suffolk, for installation, improvements, maintenance and operation of sewer infrastructure and sewage treatment plants, the inspection and monitoring of municipal and private sewage treatment plants (including personnel costs associated with inspectors) and for the installation of residential and commercial enhanced...
nitrogen removal septic systems. These monies may be used for projects outside the boundaries of County sewer districts.

(3) In the event such fund balance exceeds $140 million in fiscal year 2011 or in any subsequent fiscal year through 2021, no less than $2 million will be appropriated via duly approved resolutions in those fiscal years for the installation of residential and commercial enhanced nitrogen removal septic systems. In the event that the appropriation, or any part thereof, for the installation of the residential and commercial enhanced nitrogen removal septic system is not used in fiscal year 2011, or any subsequent fiscal year through 2021, it shall be used for installation, improvement, maintenance and operation of sewer infrastructure and sewage treatment plants.

(4) A Sewer Infrastructure Committee ("Committee") is hereby established to review all applications for funding of sewer infrastructure and sewage treatment projects and enhanced nitrogen removal septic systems and to make advisory recommendations to the County Executive and the County Legislature as to which projects should receive funding. The Committee shall not review the proposed use of monies for the inspection and monitoring of municipal and private sewage treatment plants.

***

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCCR) 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 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 24, 2012
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. -2012; CHARTER LAW TO STRENGTHEN MONITORING OF SEWER PLANTS OPERATING IN SUFFOLK COUNTY

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 10/15/12 PUBLIC HEARING: 11/20/12
DATE ADOPTED/NOT ADOPTED: ___________ CERTIFIED COPY RECEIVED: ___________

This proposed law would amend Article XII of the SUFFOLK COUNTY CHARTER (“Suffolk County Drinking Water Protection Program”) to permit the County to use excess monies in the Assessment Stabilization Reserve Fund (“ASRF”) to inspect and monitor sewage treatment plants.

For many years, monies in the ASRF were dedicated exclusively to stabilizing taxes within the County’s existing sewer districts. In 2011, the program was amended to allow the County, when the ASRF balance exceeds $140 million, to utilize excess monies for sewer improvements and general fund tax relief.

This law would amend the program once again, to allow the County to use ASRF monies to offset costs associated with inspecting and monitoring municipal and private sewage treatment plants, including personnel costs. The County may use ASRF monies for this purpose only in the event the fund’s balance exceeds $140 million.

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm
s:\rule2928-monitor sewer plants
RESOLUTION NO. 2012, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 AVALON BAY PROPERTY - TOWN OF BROOKHAVEN (SCM NOS. 0200-547.00-01.00-019.000, 0200-578.00-01.00-044.000, 0200-610.00-01.00-022.000, 0200-610.00-01.00-023.000, 0200-610.00-01.00-024.001 and 0200-610.00-03.00-002.000)

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 open space 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, adequate funding is provided for, pursuant to Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land as open space; now, therefore be it

1st RESOLVED, that the parcel(s) listed in Exhibit “A” of this resolution, consisting of approximately 172 acres, is hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

2nd RESOLVED, that the parcel(s) listed in Exhibit “A” meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

3rd RESOLVED, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s); and be it further

4th 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 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

5th RESOLVED, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, 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

6th RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid
appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

7th RESOLVED, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

8th 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:
<table>
<thead>
<tr>
<th>PARCEL</th>
<th>SUFFOLK COUNTY TAX MAP NUMBER</th>
<th>ACRES</th>
<th>REPUTED OWNER AND ADDRESS</th>
</tr>
</thead>
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<tr>
<td>1</td>
<td>District 0200</td>
<td>019.00</td>
<td>AvalonBay Communities, Inc. 135 Pinelawn Road, Suite 130 South Melville, NY 11747</td>
</tr>
<tr>
<td>2</td>
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<td>044.00</td>
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<td>District: 0200</td>
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<td>4</td>
<td>District: 0200</td>
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<td>6</td>
<td>District: 0200</td>
<td>002.00</td>
<td>AvalonBay Communities, Inc. 135 Pinelawn Road, Suite 130 South Melville, NY 11747</td>
</tr>
</tbody>
</table>

TOTAL ACREAGE ±172

EXHIBIT "A"
RESOLUTION NO. - 2012, APPROPRIATING FUNDS IN CONNECTION WITH PUBLIC WORKS BUILDINGS OPERATION AND MAINTENANCE EQUIPMENT (CP 1806)

WHEREAS, the Commissioner of Public Works has requested funds for Public Works Buildings Operation and Maintenance Equipment for the purchase of various equipment including an aluminum step van and service van; and

WHEREAS, there are sufficient funds within the 2012 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 for funding Capital Projects such as this project; and

WHEREAS, Resolution 321-2003 requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature"; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $130,000 in Suffolk County Serial Bonds; 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 617.5C (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 forty-eight (48) 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 purchase of two (2) vehicles is hereby approved, pursuant to Section 186-2(B) (6) of the SUFFOLK COUNTY CODE, and in accordance with County vehicle standard; 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, pursuant to Section C8-2 of the Suffolk County Charter to complete this project; and be it further

5th RESOLVED, that the proceeds of $130,000 in Suffolk County Serial Bonds be and hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>525-CAP-1806.514</td>
<td>20</td>
<td>Public Works Buildings Operation and Maintenance Equipment</td>
<td>$130,000</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

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Local Law</th>
<th>Charter Law</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>X</strong></td>
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</tbody>
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## 2. Title of Proposed Legislation

**RESOLUTION NO. - 2012, APPROPRIATING FUNDS IN CONNECTION WITH PUBLIC WORKS BUILDINGS OPERATION AND MAINTENANCE EQUIPMENT (CP 1806)**

## 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): Fire District
- Library 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

2013

## 10. Typed Name & Title of Preparer

Nicholas Paglia  
Asst Executive Analyst

## 11. Signature of Preparer

[Signature]

## 12. Date

October 12th, 2012

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

<table>
<thead>
<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
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<tr>
<td>TOTAL</td>
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<td>$0.05</td>
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<td>$0.00</td>
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</table>

### POLICE DISTRICT AND DISTRICT COURT

<table>
<thead>
<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
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<td>TOTAL</td>
<td>$0</td>
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### COMBINED

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<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
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<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$26,224</td>
<td>$0.05</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 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>Term of Bonds</th>
<th>Amount to Bond:</th>
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<tbody>
<tr>
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<table>
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<th>Date</th>
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<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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</tbody>
</table>
MEMORANDUM

TO: Jon Schneider, Deputy County Executive (2 copies)
FROM: Gilbert Anderson, P. E. Commissioner
DATE: April 3, 2012
RE: CP 1806 – Public Works Operation and Maintenance Equipment

Attached for your review is a draft resolution appropriating the sum of $130,000.00 Equipment funds which will be used to purchase an aluminum step van and F350 service van.

This action is considered a Type II Action under SEQRA in accordance with NYCRR, Part 617.5(c) (25) and (27) as this 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.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP1806-O&M Equipment.doc.

GA/MJM/dk
attachments
cc: Regina M. Calcaterra, Chief Deputy County Executive
    Michael J. Monaghan, P.E., Chief Engineer, Facilities Engineering
    James J. Ingenito, R.A., Acting Division Head, Buildings Design & Construction
    Kathy LaGuardia, Acting Director, DPW Administrative Services
    CE RESO Review (e-mail)
RESOLUTION NO. - 2012, APPROPRIATING FUNDS IN CONNECTION WITH REMOVAL OF TOXIC AND HAZARDOUS BUILDING MATERIALS AND COMPONENTS AT VARIOUS COUNTY FACILITIES (CP 1732)

WHEREAS, the Commissioner of Public Works has requested funds for the Removal of Toxic and Hazardous Building Materials and Components at Various County Facilities; and

WHEREAS, there are sufficient funds within the 2012 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 $50,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter “SEQRA”), Resolution No. 256-2005 classified the action contemplated by this as a Type II Action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-seven (67) 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 of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of $50,000 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-1732.123 (Fund 001 Debt Service)</td>
<td>20</td>
<td>Planning for Removal of Toxic and Hazardous Building Materials and Components at Various County Facilities</td>
<td>$50,000</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

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Local Law</th>
<th>Charter Law</th>
</tr>
</thead>
</table>

2. Title of Proposed Legislation

**RESOLUTION NO. - 2012, APPROPRIATING FUNDS IN CONNECTION WITH REMOVAL OF TOXIC AND HAZARDOUS BUILDING MATERIALS AND COMPONENTS AT VARIOUS COUNTY FACILITIES (CP 1732)**

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

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

2013

10. Typed Name & Title of Preparer

Nicholas Paglia
Asst Executive Analyst

11. Signature of Preparer

12. Date

October 12\textsuperscript{th}, 2012

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

<table>
<thead>
<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
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</table>

## POLICE DISTRICT AND DISTRICT COURT

<table>
<thead>
<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
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<th>2013 FEV TAX RATE PER $1000</th>
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<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

## COMBINED

<table>
<thead>
<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
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<td>TOTAL</td>
<td>$10,855</td>
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<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 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>
</tr>
</thead>
<tbody>
<tr>
<td>11/1/2013</td>
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<td>11/1/2014</td>
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<td>$9,720.21</td>
<td>$567.62</td>
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<tr>
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<td>11/1/2017</td>
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<td>11/1/2018</td>
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<td>$50,000.00</td>
<td>$4,277.30</td>
<td>$54,277.30</td>
<td>$54,277.30</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Jon Schneider, Deputy County Executive (2 copies)
FROM: Gilbert Anderson, P. E. Commissioner
DATE: April 2, 2012
RE: CP 1732 – Removal of Toxic and Hazardous Building Materials and Components at Various County Facilities

Attached for your review is a draft resolution appropriating the sum of $50,000 Planning funds. These funds are utilized to provide a variety of planning services for our hazardous material removal projects throughout the County, including but not necessarily limited to bulk sample analysis of materials, air sample analysis, and asbestos inspection reports.

Note that there is also $50,000 in Construction funds available in the Adopted 2012 Capital Budget for CP 1732. Per discussion with the Budget Office, we will not be requesting these funds. They can be utilized for offsets or other.

This action is considered a Type II Action under SEQRA in accordance with Resolution No. 256-2005.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1732-Haz Mat.doc.

GA/MJM/dk
attachments
cc: Regina M. Calcaterra, Chief Deputy County Executive
    Michael J. Monaghan, P.E., Chief Engineer, Facilities Engineering
    James J. Ingenito, R.A., Acting Division Head, Buildings Design & Construction
    Kathy LaGuardia, Acting Director, DPW Administrative Services
    CE RESO Review (e-mail)
RESOLUTION NO. - 2012, APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION AND REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES (CP 5048)

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

WHEREAS, there are sufficient funds within the 2012 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 $200,000 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) (18), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action, since this law is 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-one (61) 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 of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of $200,000 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-5048.113</td>
<td>20</td>
<td>Planning for Construction and Rehabilitation of</td>
<td>$200,000</td>
</tr>
<tr>
<td>(Fund 001 Debt Service)</td>
<td></td>
<td>Highway Maintenance Facilities</td>
<td></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. 2012, appropriating Funds in Connection with Construction and Rehabilitation of Highway Maintenance Facilities (CP 5048)

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
   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
   2013

10. Typed Name & Title of Preparer
    Nicholas Paglia
    Asst Executive Analyst

11. Signature of Preparer

12. Date
    October 12th, 2012

SCIN FORM 175b (10/95)  
Page 1 of 2
### GENERAL FUND

<table>
<thead>
<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$43,422</td>
<td>$0.08</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

<table>
<thead>
<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
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</table>

### COMBINED

<table>
<thead>
<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$43,422</td>
<td>$0.08</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.


3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 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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</thead>
<tbody>
<tr>
<td>11/1/2012</td>
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<tr>
<td>11/1/2030</td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive (2 copies)

FROM: Gilbert Anderson, P. E. Commissioner

DATE: April 3, 2012

RE: CP 5048 – Construction and Rehabilitation of Highway Maintenance Facilities

Attached for your review is a draft resolution appropriating the sum of $200,000.00 Planning funds to plan the refurbishment of the Yaphank (barn) salt storage buildings and the Nicolls Road 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/MJM/dk
attachments
cc: Regina M. Calcaterra, Chief Deputy County Executive
    Michael J. Monaghan, P.E., Chief Engineer, Facilities Engineering
    James J. Ingenito, R.A., Acting Division Head, Buildings Design & Construction
    Kathy LaGuardia, Acting Director, DPW Administrative Services
    Cliff Mitchell, Highway Maintenance Supervisor
    CE RESO Review (e-mail)
RESOLUTION NO. - 2012, APPROPRIATING FUNDS IN CONNECTION WITH INSTALLATION OF GUIDE RAIL AND SAFETY UPGRADES AT VARIOUS LOCATIONS (CP 5180)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with installation of Guide Rail and Safety Upgrades at Various Locations; and

WHEREAS, there are sufficient funds within the 2012 Capital Budget and Program to cover the cost of said request; 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, this Legislature reviewed projects of this nature under a previous version of implementing rules and regulations of SEQRA and determined, by Resolution 1174-1995 that the installation of guide rails and safety upgrading constitutes a Type II action; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $210,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the installation of guide rails and safety upgrading constitutes a Type II action pursuant to the provision of Title 6 NYCRR Part 617.5(c)(16) and (27) since the action involves a legislative decision concerning the installation of traffic control devices on existing streets, roads and highways; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-one (51) 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 to complete Installation of Guide Rail and Safety Upgrades at Various Locations, pursuant to Section C8-2 of the Suffolk County Charter; and be it further

4th RESOLVED, that the proceeds of $210,000 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-5180.348 (Fund 001 Debt Service)</td>
<td>50</td>
<td>Installation of Guide Rail and Safety Upgrades at Various Locations</td>
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</table>
1. Type of Legislation

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

2. Title of Proposed Legislation

RESOLUTION NO. - 2012, APPROPRIATING FUNDS IN CONNECTION WITH INSTALLATION OF GUIDE RAIL AND SAFETY UPGRADES AT VARIOUS LOCATIONS (CP 5180)

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)

<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

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

2013

10. Typed Name & Title of Preparer

Nicholas Paglia
Asst Executive Analyst

11. Signature of Preparer

12. Date

October 12th, 2012
# FINANCIAL IMPACT
## 2013 PROPERTY TAX LEVY
### COST TO THE AVERAGE TAXPAYER

<table>
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<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$45,583</td>
<td>$0.09</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

<table>
<thead>
<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### COMBINED

<table>
<thead>
<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$45,583</td>
<td>$0.09</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**
1) **SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION:** SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
2) **SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES:** SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
3) **SOURCE FOR EQUALIZATION RATES:** TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

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>
</tr>
</thead>
<tbody>
<tr>
<td>11/1/2012</td>
<td>2.00%</td>
<td>$39,712.93</td>
<td>$5,880.00</td>
<td>$45,592.93</td>
<td>$45,592.93</td>
</tr>
<tr>
<td>11/1/2013</td>
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<td>$40,824.89</td>
<td>$2,384.02</td>
<td>$43,208.91</td>
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<tr>
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<td>$17,964.65</td>
<td>$227,964.65</td>
<td>$227,964.65</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Jon Schneider, Deputy County Executive
FROM: Gilbert Anderson, P.E. Commissioner
DATE: September 6, 2012
RE: Appropriating Funds in Connection with Installation of Guide Rail and Safety Upgrades at Various Locations (CP 5180)

Attached is a draft resolution and duplicate copy to appropriate the sum of $210,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2012 Capital Budget and Program for this project.

This project consists of the installation of guide railing and other safety upgrading to conform to current State and Federal standards. Work includes repair to damaged guide rail, installation of guide rail, removal of unnecessary guide rail, slope grading and seeding, removal of trees and other fixed objects in hazardous locations.

A potential list of guide rail locations is attached. It may be necessary to add and/or substitute other locations due to seasonal limitations, changes in priorities or other requirements to be determined by this Department.

The Suffolk County Council on Environmental Quality has reviewed projects of this nature under a previous version of the implementing rules and regulations of SEQRA and determined by Resolution 1174-1995 that the project constitutes a Type II action.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5180(guiderail).doc".

GA/WH/td
attach.
cc: Regina M. Calcaterra, Chief Deputy County Executive
    Ben Zwirn, Director of Intergovernmental Relations
    Tom Vaughn, County Executive Assistant
    Nick Paglia, Assistant Executive Analyst
    William Hillman, P.E., Chief Engineer
    Laura Conway, CPA, Chief Accountant
    Charles Jaquin, Acting Head of Finance Division
**CP 5180 – Guide Rail and Safety Upgrading**

It may be necessary to add and/or substitute other locations due to seasonal limitations, changes in priorities or other requirements to be determined by this Department

<table>
<thead>
<tr>
<th>Location</th>
<th>Town</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR 80, Montauk Highway in the vicinity of Pawnee Street</td>
<td>Southampton</td>
<td>2</td>
</tr>
<tr>
<td>CR 85, Montauk Highway at the LIRR Bridge</td>
<td>Islip</td>
<td>8, 10</td>
</tr>
<tr>
<td>CR 58, Old Country Road in the vicinity of the LIE</td>
<td>Riverhead</td>
<td>1</td>
</tr>
<tr>
<td>CR 60, Long Beach Road (eastern end)</td>
<td>Southampton</td>
<td>2</td>
</tr>
</tbody>
</table>
RESOLUTION NO. - 2012, APPROPRIATING FUNDS FOR
THE BROWNFIELDS PROGRAM, FORMER CANINE KENNEL
SITE AT GABRESKI AIRPORT (CP 8223)

WHEREAS, funds were adopted in the 2012 Capital Budget for the Brownfields
Program; and

WHEREAS, these funds will be used to investigate contamination and remediate County
owned sites returning them to productive use; and

WHEREAS, additional funds of $118,300 are needed to continue planning remediation
for the former Canine Kennel site at Gabreski Airport in the Town of Southampton; and

WHEREAS, there are sufficient funds within the 2012 Adopted Capital Budget and
Program to cover the cost of said request under Capital Program Number 8223; and

WHEREAS, this project will be conducted under the New York State Department of
Environmental Conservation Brownfields Voluntary Cleanup Program; and

WHEREAS, Resolution No. 890-2008 made a determination that the project is an
unlisted action that will not have a significant adverse impact on the environment; 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, the County Legislature, by resolution of even date herewith, has authorized
the issuance of $118,300 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter
278 of the Suffolk County Code, hereby finds and determines that this resolution constitutes an
unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617. This legislation further
finds and determines that implementation of this project will not have significant adverse
impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7 of
Title 6 NYCRR, which sets forth thresholds for determining significant effect on
the environment;

2.) The project entails investigation and remediation of the site in accordance
with NYSDEC Brownfield programs;

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

4.) The action only involves clean up of the site and no new development is
proposed; and
5.) The project will result in beneficial environmental impacts;

and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy (70) 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 the County Department of Health Services is hereby authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as may be deemed necessary relating to the investigation and remediation of the former Canine Kennel site at Gabreski Airport; and be it further

4th RESOLVED, that the proceeds of $118,300 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>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-8223.113</td>
<td>40</td>
<td>Brownfields Program</td>
<td>$118,300</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Canine Kennel site)</td>
<td></td>
</tr>
</tbody>
</table>

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.  - 2012, APPROPRIATING FUNDS FOR
   THE BROWNFIELDS PROGRAM, FORMER CANINE KENNEL
   SITE AT GABRESKI AIRPORT (CP 8223)

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
   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
   2013

10. Typed Name & Title of Preparer
    Nicholas Paglia
    Asst Executive Analyst

11. Signature of Preparer

12. Date
    October 12th, 2012
## FINANCIAL IMPACT
### 2013 PROPERTY TAX LEVY
### COST TO THE AVERAGE TAXPAYER

### GENERAL FUND

<table>
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<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>25,684</td>
<td><strong>$0.05</strong></td>
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</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

<table>
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<tr>
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<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
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<tr>
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### COMBINED

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</table>

**NOTES:**
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

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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## BROWNFIELDS PROGRAM CP 8223
**2012 Adopted**

<table>
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<tr>
<th>Contractors</th>
<th>Site</th>
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<tr>
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<td>Additional Sampling</td>
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<td>Remedial Design</td>
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<td>P.W. Grosser Consulting</td>
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<td>Citizen's Participation / Fact Sheet</td>
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<td><strong>Total</strong></td>
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<tr>
<td>Planning</td>
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<tr>
<td>P.W. Grosser Consulting</td>
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<td>P.W. Grosser Consulting</td>
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<td>Citizen's Participation / Fact Sheet</td>
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<tr>
<td>Site Improvements</td>
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<td>$2,000</td>
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<tr>
<td><strong>Total</strong></td>
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**Resolution No. 743-2012 (Bond Reso. 744-12)**

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<tr>
<td><strong>Total</strong></td>
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</table>

**Total 2012 Adopted**

**$737,300**
To: James L. Tomarken, MD, MPH, MBA, MSW
Commissioner

From: Walter Dawydiak, P.E.
Acting Director, Division of Environmental Quality

Date: September 4, 2012

Subject: Request for Introductory Resolution for 2012 Capital Project 8223
Canine Kennel at Gabreski Airport

We are requesting that the 2012 Capital Project (CP 8223) Brownfields Pilot Program funding for the Canine Kennel at Gabreski Airport be appropriated. The expenditures reflect costs of performing planning and design services in accordance with the New York State Department of Environmental Conservation (NYSDEC) Brownfields Program. We are requesting $118,300 for Planning/Design be appropriated at this time.

The referenced Suffolk County owned property is contaminated with polychlorinated biphenyls (PCBs). The site must be remediated to the satisfaction of the NYSDEC. Inclusion of the site in the Brownfields Program offers many benefits including expedited time frame, risk based cleanup criteria, and relief of hazardous waste tax.

Therefore, we request that a resolution be prepared to appropriate funding for 2012 CP 8223 as detailed above.

Attachment

C: Barry Paul, Deputy Commissioner
James Meyers, PE, Chief – Office of Pollution Control
September 11, 2012

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to appropriate funds for the Brownfields Program, former Canine Kennel site at Gabreski Airport (CP 8223). These funds will be used to continue planning remediation for the former Canine Kennel site at Gabreski Airport in the Town of Southampton.

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-CP8223-Canine Kennel Site.doc.”

Sincerely,

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

Enclosures

JLT/lw

C: Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations (2 copies)
Thomas Vaughn, County Executive Assistant III
Margaret B. Bermel, Director of Health Administrative Services
Barry S. Paul, Deputy Commissioner
Walter Dawydiak, P.E., Acting Director, Division of Environmental Quality
Diane E. Weyer, Principal Financial Analyst
RESOLUTION NO. - 2012, APPROPRIATING FUNDS FOR
THE BROWNFIELDS PROGRAM, FORMER WALLPAPER
FACTORY SITE IN LAKE RONKONKOMA (CP 8223)

WHEREAS, funds were adopted in the 2012 Capital Budget for the Brownfields Program; and

WHEREAS, these funds will be used to investigate contamination and remediate County owned sites returning them to productive use; and

WHEREAS, planning for remediation and site improvements for an estimated cost of $117,000 is needed for the former wallpaper factory site in Lake Ronkonkoma; and

WHEREAS, there are sufficient funds within the 2012 Adopted Capital Budget and Program to cover the cost of said request under Capital Program Number 8223; and

WHEREAS, this project will be conducted under the New York State Department of Environmental Conservation Brownfields Voluntary Cleanup Program; and

WHEREAS, Resolution No. 892-2008 made a determination that the project is an unlisted action that will not have a significant adverse impact on the environment; 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, the County Legislature, by resolution of even date herewith, has authorized the issuance of $117,000 in Suffolk County Serial Bonds; now therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 278 of the Suffolk County Code, hereby finds and determines that this resolution constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617. This legislation further finds and determines that implementation of this project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;

2.) The project entails investigation and remediation of the site in accordance with NYSDEC Brownfield programs;

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

4.) The action only involves clean up of the site and no new development is proposed; and
5.) The project will result in beneficial environmental impacts;

and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy (70) 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 the County Department of Health Services is hereby authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as may be deemed necessary relating to the investigation and remediation of the former wallpaper factory site in Lake Ronkonkoma; and be it further

4th RESOLVED, that the proceeds of $117,000 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>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-8223.114</td>
<td>40</td>
<td>Brownfields Program</td>
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</tr>
<tr>
<td>(Fund 001 Debt Service)</td>
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<td>(Former Wallpaper Factory Site)</td>
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<td>Brownfields Program</td>
<td>$2,000</td>
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<tr>
<td>(Fund 001 Debt Service)</td>
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<td>(Former Wallpaper Factory Site)</td>
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DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
**STATEMENT OF FINANCIAL IMPACT**

**OF PROPOSED SUFFOLK COUNTY LEGISLATION**

<table>
<thead>
<tr>
<th>1. Type of Legislation</th>
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<tbody>
<tr>
<td>Resolution  <strong>X</strong> Local Law Charter Law</td>
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<table>
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<tr>
<th>2. Title of Proposed Legislation</th>
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<tr>
<td>RESOLUTION NO. - 2012, APPROPRIATING FUNDS FOR THE BROWNFIELDS PROGRAM, FORMER WALLPAPER FACTORY SITE IN LAKE RONKONKOMA (CP 8223)</td>
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</table>

<table>
<thead>
<tr>
<th>3. Purpose of Proposed Legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEE NO. 2 ABOVE</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>4. Will the Proposed Legislation Have a Fiscal Impact?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes  <strong>X</strong> No</td>
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</table>

<table>
<thead>
<tr>
<th>5. If the answer to item 4 is &quot;yes&quot;, on what will it impact? (circle appropriate category)</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
</tr>
<tr>
<td>Town</td>
</tr>
<tr>
<td>Economic Impact</td>
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<td>Village</td>
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<td>School District</td>
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<tr>
<td>Other (Specify):</td>
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<tr>
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</tr>
<tr>
<td>Fire District</td>
</tr>
</tbody>
</table>

<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>SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.</td>
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<table>
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<tr>
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<tr>
<td>SEE ATTACHED DEBT SCHEDULE</td>
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<table>
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<tr>
<th>8. Proposed Source of Funding</th>
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<tr>
<td>SERIAL BONDS</td>
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<table>
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<th>9. Timing of Impact</th>
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<table>
<thead>
<tr>
<th>10. Typed Name &amp; Title of Preparer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nicholas Paglia</td>
</tr>
<tr>
<td>Asst Executive Analyst</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>11. Signature of Preparer</th>
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<th>12. Date</th>
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SCIN FORM 175b (10/95)
## GENERAL FUND

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<th>2013 COST TO AVG TAXPAYER</th>
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## POLICE DISTRICT AND DISTRICT COURT

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### NOTES:

3. SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 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>
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11/1/2019
11/1/2020
11/1/2021
11/1/2022
11/1/2023
11/1/2024
11/1/2025
11/1/2026
11/1/2027
11/1/2028
11/1/2029
11/1/2030
## BROWNFIELDS PROGRAM CP 8223
### 2012 Adopted

<table>
<thead>
<tr>
<th>Contractors</th>
<th>Site</th>
<th>Contract Amount</th>
<th>Comments</th>
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<tbody>
<tr>
<td>Planning</td>
<td>Canine Kennel</td>
<td>$75,000</td>
<td>Additional Sampling</td>
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<td>Citizen's Participation / Fact Sheet</td>
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<td>$7,000</td>
<td>Citizen's Participation / Fact Sheet</td>
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<tr>
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<td>$117,000</td>
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### Resolution No. 743-2012 (Bond Reso. 744-12)

<table>
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<td>Unknown</td>
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</table>

**Total 2012 Adopted** $737,300
To: James L. Tomarken, MD, MPH, MBA, MSW
Commissioner

From: Walter Dawydak, P.E. [D]
Acting Director, Division of Environmental Quality

Date: September 4, 2012

Subject: Request for Introductory Resolution for 2012 Capital Project 8223
Ronkonkoma Wallpaper

We are requesting that the 2012 Capital Project (CP 8223) Brownfields Pilot Program funding for the former Ronkonkoma Wallpaper facility be appropriated. The expenditures reflect costs of performing planning and design services and site improvements in accordance with the New York State Department of Environmental Conservation (NYSDEC) Brownfields Program. We are requesting $115,000 for Planning/Design and $2,000 for Site Improvements be appropriated at this time.

The referenced Suffolk County owned property is contaminated with heavy metals. The site must be remediated to the satisfaction of the NYSDEC. Inclusion of the site in the Brownfields Program offers many benefits including expedited time frame, risk based cleanup criteria, relief of hazardous waste tax, and partial reimbursement of costs.

Therefore, we request that a resolution be prepared to appropriate funding for 2012 CP 8223 as detailed above.

Attachment
C: Barry Paul, Deputy Commissioner
   James W Meyers, PE – Chief, Office of Pollution Control
COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD, MPH, MBA, MSW
Commissioner

September 11, 2012

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to appropriate funds for the Brownfields Program, former wallpaper site in Lake Ronkonkoma (CP 8223). These funds will be used for planning remediation and site improvements for the former wallpaper site in Lake Ronkonkoma.

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-CP8223-Wallpaper Site.doc.”

Sincerely,

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

Enclosures

JLT/1w

C: Regina Calcaterra, Chief Deputy County Executive
Ben Zwire, Director of Intergovernmental Relations (2 copies)
Thomas Vaughn, County Executive Assistant III
Margaret B. Bermel, Director of Health Administrative Services
Barry S. Paul, Deputy Commissioner
Walter Dawydiak, P.E., Acting Director, Division of Environmental Quality
Diane E. Weyer, Principal Financial Analyst

OFFICE OF THE COMMISSIONER
3500 Sunrise Highway, Suite 124, P. O. Box 9006, NY 11739-9006
Phone (631) 854-0000 Fax (631) 854-0108
RESOLUTION NO. -2012, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO THE FIRE TRAINING CENTER (CP 3405)

WHEREAS, the Commissioner of Fire, Rescue and Emergency Services has requested construction funds for field prop rehabilitation at the Suffolk County Fire Training Center; and

WHEREAS, there are sufficient funds within the 2012 Capital Budget and Program to cover the cost of said request under Capital Project No. 3405; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system of capital projects 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 $200,000 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(c)(1),(2) and 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; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is determined that this program with a priority ranking of forty-eight (48) 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 Suffolk County Department of Public Works and the Suffolk County Department of Fire, Rescue and Emergency Services are hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Sections C8-2 and C11-3 respectively of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of $200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>JC</th>
<th>Project Title</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>525-CAP-3405.322</td>
<td>29/20</td>
<td>Improvements to Suffolk County Fire Training Center (Field Prop Rehabilitation)</td>
<td>$200,000</td>
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</table>

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:
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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<tr>
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2. Title of Proposed Legislation

RESOLUTION NO. –2012, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO THE FIRE TRAINING CENTER (CP 3405)

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)

<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>
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</table>

<table>
<thead>
<tr>
<th>Library District</th>
<th>Fire District</th>
</tr>
</thead>
</table>

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

2013

10. Typed Name & Title of Preparer

Nicholas Paglia
Asst Executive Analyst

11. Signature of Preparer

12. Date

October 12th, 2012

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

<table>
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<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
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</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$17,365</td>
<td>$0.03</td>
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## POLICE DISTRICT AND DISTRICT COURT

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<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
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</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
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<td>$0.00</td>
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## COMBINED

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<th>2013 FEV TAX RATE PER $1000</th>
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<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$17,365</td>
<td>$0.03</td>
<td></td>
<td>$0.000</td>
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**NOTES:**

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 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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<th>Interest</th>
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Total: $200,000.00, $60,475.21, $260,475.21, $260,475.21
TO: Jon Schneider  
Deputy County Executive

FROM: Joseph F. Williams  
Commissioner

DATE: September 19, 2012

SUBJECT: Request for Introductory Resolution: CP3405

Enclosed for further processing is an introductory resolution and supporting documents to appropriate funds in connection with the field prop rehabilitation at the Suffolk County Fire Academy pursuant to the 2012 Capital Program.

If you have any questions, please let me know.

JFW:smn

Enclosures

cc: Regina M. Calcaterra, Chief Deputy County Executive  
Ben Zwirn, Director of Intergovernmental Relations
RESOLUTION NO. 2012
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #905-2012)

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 year specified be readjusted or refunded
in full or in 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.
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<th>RPTL SEC</th>
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<td>B</td>
<td>Unlawful Entry</td>
<td>556</td>
<td>3 years</td>
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<td>C</td>
<td>Error in Essential Fact</td>
<td>556a</td>
<td>3 years</td>
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<table>
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<tr>
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<th>Year</th>
<th>S.C. Tax Map No</th>
<th>Original Tax</th>
<th>Corrected Tax</th>
<th>Chargeback Refund, if Tax Paid</th>
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<td>11/12</td>
<td>0900 23400 0300 050002</td>
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</tbody>
</table>

As Provided and Requested By Town Assessor or Receiver of Taxes
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
   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
   2012

10. Typed Name & Title of Preparer  
    R. Motschenbacher  
    RPAT II

11. Signature of Preparer

12. Date  
    September 28, 2012
Additional back-up material regarding IR 2036 is on file in the Legislative Clerk's Office, Hauppauge.
RESOLUTION NO. 2012, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO SUFFOLK COUNTY DEPARTMENTS OF PROBATION, POLICE, SHERIFF, SOCIAL SERVICES AND DISTRICT ATTORNEY

WHEREAS, Suffolk County has applied for and has been approved to receive Federal Edward Byrne Memorial Justice Assistance Grant funds in the amount of $248,472 from the U.S. Department of Justice; and

WHEREAS, Suffolk County Departments of Probation, Police, Sheriff, Social Services and the District Attorney cooperatively submitted the grant application through the Criminal Justice Coordinating Council; and

WHEREAS, on, May 11th 2012 the County’s Criminal Justice Coordinating Council provided the required public notice on all funding requests under said grant and after such notice it was the recommendation of the Council to approve all such funding requests; and

WHEREAS, the Suffolk County Integrated Financial Management System will be setup with expense units 001-PRO-3199, 115-POL-3296, 001-SHF-3159, 001-DIS-1150, and 001-DSS-6024 with the title for all to be BYRNE JAG PROGRAM for the segregation of all expenditures to be reimbursed under this grant; and

WHEREAS, the Probation Department has requested $41,000 to provide psychological assessments of offenders with serious mental illness and co-occurring disorders conducted by consultant psychologists. These assessments will be used by the mental health court and probation mental health unit in sentencing decisions and overall offender management; and

WHEREAS, the Probation Department has requested $13,080 to help support costs for the Retreat to provide advocacy services to victims of domestic violence, rape and sexual assault and other appropriate clients needing assistance as referred by the Department of Probation; and

WHEREAS, the Probation Department has requested $10,000 to help support costs for VIBS to support a part time Counselor for victims of domestic and sexual who are currently incarcerated at Suffolk County Sheriff Department’s DWI alternative facility; and

WHEREAS, the Probation Department has requested $3,000 to help support costs for Pederson Krag to deliver dropout prevention, violence prevention, drug and alcohol prevention, truancy prevention, failure prevention, anti-bullying and other services to the at-risk youth and adolescents; and

WHEREAS, the District Attorney has requested $17,400 to support partial salary for a detective investigator, which is currently, and will remain budgeted in the 001-DIS-1150; and

WHEREAS, the District Attorney has requested $19,600 for “buy money” for the Heroin Sting operations: and
WHEREAS, the District Attorney has requested $4,000 for transmitters for the Heroin Sting operations; and

WHEREAS, the Sheriff has requested $36,000 to provide overtime salaries for the Gang Resistance Education and Training (G.R.E.A.T.) program; and

WHEREAS, the Sheriff has requested $5,000 to provide for the annual gang intelligence seminar to law enforcement personnel; and

WHEREAS, the Police Department has requested $36,000 for the purchase of evidentiary breath analysis used by the SCPD Highway Patrol Bureau’s Breath Test program; and

WHEREAS, the Police Department has requested $5,000 to provide overtime costs for the Hate Crimes unit to conduct approximately 67 hours of community presentations; and

WHEREAS, the Department of Social Services has requested $7,500 to provide daily stipends of $25 to court-appointed guardians for incapacitated adults who do not have family members or who cannot afford to hire a guardian persons; and

WHEREAS, the Federal Edward Byrne Memorial Justice Assistance Grant award period is from October 1, 2012 through September 30, 2015; now, therefore be it

1st RESOLVED, that the County Executive is authorized to execute any Agreement with the U.S. Department of Justice, as necessary, to secure said grant funds; and be it further

2nd RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of individuals filling the positions created by this resolution at the conclusion of the grant which provided funding for such position created by said grant; and be it further

3rd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said grant funds in the amount of $197,580 as follows:

REVENUES:

4353 – Byrne JAG Program
$197,580

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>DIS - 1150-4353</td>
<td>$41,000</td>
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<tr>
<td>001</td>
<td>PRO-3199-4353</td>
<td>$67,080</td>
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<tr>
<td>001</td>
<td>SHF-3159-4353</td>
<td>$41,000</td>
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<td>115</td>
<td>POL-3296-4353</td>
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<tr>
<td>001</td>
<td>DSS-6024-4353</td>
<td>$ 7,500</td>
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</tbody>
</table>
APPROPRIATIONS:

Suffolk County District Attorney
Byrne JAG Program
001-DIS-1150
$41,000

1000 Personnel Services $17,400
1100 Permanent Salaries $17,400

2000 Equipment $4,000
2500 Other non-classified $4,000

4000 Confidential Services $19,600
4770 confidential services $19,600

Suffolk County Probation Department
Byrne JAG Program
001-PRO-3199
$67,080

4000 Contractual $67,080
4560 – Fee For Service – Non employees $41,000
4980-XXXX The Retreat $13,080
4980-XXXX Pederson Krag $3,000
4980-JJD1 VIBS $10,000

Suffolk County Sheriff’s Office
Byrne JAG Program
001-SHF-3159
$41,000

1000 Personnel $36,000
1120 Overtime Costs $36,000

4000 Contractual $5,000
4340 – Travel/ Other $5,000
4th RESOLVED, that the County Executive be and hereby is authorized to assign activity (pseudo) codes to The Retreat, Pederson Krag; and be it further

5th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
**Department of Justice**

**Office of Justice Programs**

**Office of Communications**

*Washington, D.C. 20531*

<table>
<thead>
<tr>
<th>GRANT NOTIFICATION</th>
<th>Grant Number: 2012-DJ-BX-0670</th>
</tr>
</thead>
</table>
| **Name & Address of Recipient:** Suffolk County  
Po Box 205 Bldg 110  
Yaphank Ave  
City, State & ZIP: Yaphank Ny, New York 11980-0205 |
| **Recipient Project Director/Contact:** Regina Calcaterra  
Chief Deputy County Executive |
| **Phone:** (631) 852-6825 |
| **Title of Program:** FY 12 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation |
| **Title of Project:** FY 12 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation |
| **Amount of Award:** $197,580  
**Date of Award:** 07/25/2012 |
| **Awarding Agency:** Bureau of Justice Assistance  
Ania Dobrzanska |
| **Supplement:** No |
| **Statutory Authority for Program:** FY12(BJA - JAG) 42 USC 3750, et seq. |
| **Impact/Focus:** Formula  
**CFDA Number:** 16.738 |

**Project Description:**

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following purpose areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation).

The grant recipient will use the JAG award to replace existing evidentiary breath analysis equipment, continue to accommodate and deliver educational presentations and community affairs work, continue to deter and prevent the sale and use of drugs in Suffolk County, provide counseling services for victims of crime, and facilitate inter-jurisdictional information and intelligence exchange to aid in the apprehension of criminal groups.

NCA/CF
For more information about this grant, contact the Office of Justice Program's Office of Communications at 202/307-0703.
1. **Type of Legislation**
   - Resolution _X_
   - Local Law ___
   - Charter Law ___

2. **Title of Proposed Legislation** FY 12 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation

3. **Purpose of Legislation**
   To appropriate $197,580 of 100% Federal funds to Suffolk County through the Edward Byrne Justice Assistance Grant to Probation, Police, Sheriff, Social Services and the District Attorney cooperatively submitted the grant application through the Criminal Justice Coordinating Council.

4. **Will the Proposed Legislation Have a Fiscal Impact?** Yes ___ No _X___

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

7. **Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision**
   None to the County. 100% grant funds for program expenses.

8. **Proposed Source of Funding**
   Federal Aid Revenue

9. **Timing of Impact** Immediate

10. **Typed Name & Title of Preparer**
    Robert C. Marmo, Ph.D.
    Chief Planner, CJCC

11. **Signature of Preparer**
    Theresa Lollo

12. **Date**
    October 2, 2012
### GENERAL FUND

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<tr>
<th>2012 PROPERTY TAX LEVY</th>
<th>2012 COST TO AVG TAXPAYER</th>
<th>2012 AV TAX RATE PER $100</th>
<th>2012 FEV TAX RATE PER $100</th>
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<tbody>
<tr>
<td>TOTAL</td>
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<td>$0.00</td>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2012 PROPERTY TAX LEVY</th>
<th>2012 COST TO AVG TAXPAYER</th>
<th>2012 AV TAX RATE PER $100</th>
<th>2012 FEV TAX RATE PER $100</th>
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<tr>
<td>TOTAL</td>
<td>$0.00</td>
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<td>$0.00</td>
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</table>

### COMBINED

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<th>2012 PROPERTY TAX LEVY</th>
<th>2012 COST TO AVG TAXPAYER</th>
<th>2012 AV TAX RATE PER $100</th>
<th>2012 FEV TAX RATE PER $100</th>
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</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.
10/2/2012

TO: Jon Schneider, Deputy County Executive
    Suffolk County Executive’s Office

FROM: Robert C. Marmo, Chief Planner
      Suffolk County CJCC

DATE: October 2, 2012

SUBJECT: Resolution for Accepting 2012 Edward Byrne Justice Assistance Grant

Enclosed please find 2 copies of a resolution packet prepared by the Suffolk County CJCC to accept grant funding from the Bureau of Justice Assistance Edward Byrne Memorial Local Justice Assistance Grant (JAG) for various projects to help the Suffolk County Criminal Justice System. A copy of the grant award is also included. Please feel free to contact me at 2-6825 if you have any questions.

Cc: Regina Calcaterra, Chief Deputy County Executive
    Evelyn Creen, Federal and State Aid

YAPHANK AVENUE
PO BOX 205
YAPHANK, NEW YORK 11980
(631) 852 – 6824/6825
RESOLUTION NO. 2038 - 2012, AMENDING THE 2012
ADOPTED OPERATING BUDGET TO ACCEPT AND
APPROPRIATE ADDITIONAL 100% FEDERAL AID FROM THE
NEW YORK STATE OFFICE OF ALCOHOLISM AND
SUBSTANCE ABUSE SERVICES (NYS OASAS) TO THE YMCA
OF LONG ISLAND, INC

WHEREAS, Suffolk County Department of Health Services, Division of Community Mental
Hygiene, contracts with community based providers for chemical dependence treatment,
prevention, and gambling prevention programs for residents of Suffolk County; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services
(NYS OASAS) has allocated a one-time only $60,719 in additional federal aid to the YMCA of
Long Island, Inc. for the provision of chemical dependency treatment and prevention services;
and

WHEREAS, this additional 100% federal aid is not currently included in the 2012 Adopted
Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are
authorized to accept and appropriate $60,719 in additional federal aid as follows:

REVENUES:

001-HSV 4491 Federal Aid: Alcoholism $60,719

ORGANIZATIONS

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
001-HSV-4310-4980

<table>
<thead>
<tr>
<th>XORG</th>
<th>OBJECT NAME</th>
<th>2012 Adopted Budget</th>
<th>2012 Modified Budget</th>
<th>Increase/Decrease</th>
<th>2012 Adopted Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>AYU1</td>
<td>YMCA OF LONG ISLAND, INC.</td>
<td>$1,139,738</td>
<td>$1,200,457</td>
<td>+$60,719</td>
<td></td>
</tr>
</tbody>
</table>

and be it further

2nd RESOLVED, that the contract with the YMCA of Long Island, Inc. be amended to reflect
these additional funds; and be it further

3rd RESOLVED, that the funding and expenditures that may be incurred run concurrent to the
budget period as specified in the award letter; and be it further
4th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

HSV #35-2012
## STATEMENT OF FINANCIAL IMPACT
### OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. **Type of Legislation**
   - Resolution ☒  Local Law  Charter Law

2. **Title of Proposed Legislation**
   - Amending the 2012 Adopted Operating Budget to accept and appropriate 100% additional federal aid from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) to the YMCA of Long Island, Inc.

3. **Purpose or Proposed Legislation**
   - This legislation is needed to accept and appropriate $60,719 in one-time only 100% federal aid from NYS OASAS to the YMCA of Long Island, Inc. for the provision of chemical dependency treatment and prevention services in Suffolk County.

4. **Will the Proposed Legislation Have a Fiscal Impact?**
   - YES ☐  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:**
   - N/A

7. **Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.**
   - None

8. **Proposed Source of Funding**
   - 100% additional federal aid from New York State Office of Alcoholism and Substance Abuse Services

9. **Timing of Impact**
   - Immediate upon approval of the resolution and execution of a contract with the YMCA of Long Island, Inc.

10. **Typed Name & Title of Preparer**
    - Diane Weyer  Principal Financial Analyst
    - Theresa Lallo  Fundraiser Office

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

12. **Date**
    - 10/4/12

---

SCIN FORM 175b (10/95)
MEMORANDUM

To: James L. Tomarken, MD, MPH, MBA, MSW
   Commissioner, Department of Health Services

From: Art Flescher, L.C.S.W., C.A.S.A.C.
       Director, Division of Community Mental Hygiene Services

Date: September 21, 2012

Subject: REQUEST FOR LEGISLATIVE RESOLUTION

The New York State Office of Alcoholism and Substance Abuse Services (NYSOASAS) has allocated an additional one-time only 100% Federal Aid in the amount of $60,719 to the YMCA of Long Island, Inc. for Chemical Dependency Services. This additional Federal Aid is currently not included in the 2012 Adopted County Operating Budget.

The Division of Community Mental Hygiene requests introduction of a legislative resolution to accept and appropriate an additional $60,719 in 100% Federal Aid to the YMCA of Long Island, Inc. for the provision of chemical dependency services to residents of Suffolk County.

Attached please find drafts of the intro resolution, fiscal impact statement, resolution routing form and email confirmation of the additional funding allocation to YMCA from the NYSOASAS Regional Coordinator, dated September 20, 2012.

Thank you for your consideration.

AF:pm
Attachments

Cc: D.Weyer, L.Wright, J. Best, S. Reagan, G. Terry, P. Manos
October 4, 2012

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to amend the 2012 Adopted Operating Budget to accept and appropriate 100% federal aid from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) to the YMCA of Long Island, Inc. This legislation is needed to accept and appropriate $60,719 in one-time only 100% federal aid from NYS OASAS to the YMCA of Long Island, Inc. for the provision of chemical dependency treatment and prevention services in Suffolk County.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Jacquelyn Best at 3-8500. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is “Reso-HSV-MH YMCA funds.docx”.

Sincerely,

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

Enclosures

JLT/Iw

C: Regina Calceterra, Chief Deputy County Executive  
Ben Zwirn, Director of Intergovernmental Relations (2 copies)  
Thomas Vaughn, County Executive Assistant III  
Margaret B. Briel, Director of Health Administrative Services  
Barry S. Paul, Deputy Commissioner  
Jennifer Culp, Assistant to the Commissioner  
Art Flescher, Director, Division of Community Mental Hygiene Services  
Jacquelyn Best, Deputy Director of Alcohol & Substance Abuse Services  
Diane E. Weyer, Principal Financial Analyst
RESOLUTION NO. 2012
ACCEPTING AND APPROPRIATING 100% STATE GRANT
FUNDS AWARDED THROUGH THE NEW YORK STATE
DIVISION OF CRIMINAL JUSTICE SERVICES FUNDING TO
THE SUFFOLK COUNTY DEPARTMENT OF PROBATION.

WHEREAS, Suffolk County has received State funds in the amount of $363,840.00
from the NYS Division of Criminal Justice Services; and

WHEREAS, funding is available to support the continuation of the currently funded
Reentry Task Forces operating in New York; and

WHEREAS, $363,840.00 is dedicated to the Local Suffolk County Reentry Task
Force Initiative that is not currently in the 2012 Operating Budget; and

WHEREAS, the Suffolk County Probation Department has requested $363,840.00 of
said grant funding to support the operation of the Task Force and for the community-based
services for parolees referred by the Suffolk County Reentry Task Force. These expenses
include a Full time Reentry Coordinator Position, part time program assistant, training
consultant, office and educational supplies, scanner, transportation, bus tickets, and funding
for contract agencies as identified in the award contract or approved by NYS DCJS; and

WHEREAS, The Reentry Task Force Grant will run for 12 months beginning July 1,
2012 and ending June 30, 2013; now therefore be it

1. RESOLVED that the County Executive is authorized to execute any Agreement
with the NYS Division of Criminal Justice Services, as necessary, to secure said grant funds;
and further

2. RESOLVED that the County Comptroller and the County Treasurer be and they
hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount
of $363,840.00 as follows:

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-3321- Reentry Task Force</td>
<td>$363,840.00</td>
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<tr>
<td>New York State Division of Criminal Justice Services</td>
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</table>
### APPROPRIATIONS

Suffolk County Criminal Justice Coordinating Council  
Reentry Task Force  
001-PRO-3172

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>1000 Personnel Services</td>
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<tr>
<td>1100 Permanent Salaries</td>
<td>$64,110.00</td>
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<tr>
<td>8000 Employee Benefits</td>
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<tr>
<td>8280 – State Retirement</td>
<td>$10,835.00</td>
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<td>8330 – FICA</td>
<td>$4,904.00</td>
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<td>8360 – Health Insurance</td>
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<td>8380 – Benefit Fund Contribution</td>
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<tr>
<td>2020 Office Machines</td>
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<td>2020 Office machines – scanner</td>
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<tr>
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<td>3010 Office Supplies</td>
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<tr>
<td>3100 Instructional supplies</td>
<td>$980.00</td>
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<tr>
<td>3500 Other Unclassified</td>
<td>$3,200.00</td>
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<tr>
<td>4000 Contractual Expenses</td>
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<tr>
<td>4340 Mandated Travel for Task Force Members</td>
<td>$3,000.00</td>
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<tr>
<td>4560 Fees for Service Non-employee</td>
<td>$27,000.00</td>
</tr>
<tr>
<td>4980 Contracted Agencies for Reentry Services</td>
<td>$239,000.00</td>
</tr>
</tbody>
</table>

3. **RESOLVED**, that the County Executive be and hereby is authorized to execute related agreements and be it further;

4. **RESOLVED** that the reporting categories for the County Integrated Financial Management System (IFMS) for the Probation Department is PR54,

5. **RESOLVED** that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of individuals filling the positions created by this resolution at the conclusion of the grant funding provided for such position created by said grant; and be it further

**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**  Reentry Task Forces and Enhanced Services

3. **Purpose of Legislation**

   To appropriate $363,840.00 of 100% State funds to Suffolk County through the **Reentry Task Forces and Enhanced Services** Grant to Probation through the Criminal Justice Coordinating Council.

4. **Will the Proposed Legislation Have a Fiscal Impact?**  Yes ___ No _X_

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

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

   None to the County. 100% grant funds for program expenses.

8. **Proposed Source of Funding**  100% State Funds

9. **Timing of Impact**  Immediate

10. **Typed Name & Title of Preparer**
    - Robert C. Marmo, Ph.D.
    - Chief Planner, CJCC

11. **Signature of Preparer**

12. **Date**
    - October 15, 2012

**Explanation:**

1. **Type of Legislation**
   - Resolution _X_
   - Local Law ___
   - Charter Law ___

2. **Title of Proposed Legislation**  Reentry Task Forces and Enhanced Services

3. **Purpose of Legislation**

   To appropriate $363,840.00 of 100% State funds to Suffolk County through the Reentry Task Forces and Enhanced Services Grant to Probation through the Criminal Justice Coordinating Council.

4. **Will the Proposed Legislation Have a Fiscal Impact?**  Yes ___ No _X_

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

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

   None to the County. 100% grant funds for program expenses.

8. **Proposed Source of Funding**  100% State Funds

9. **Timing of Impact**  Immediate

10. **Typed Name & Title of Preparer**
    - Robert C. Marmo, Ph.D.
    - Chief Planner, CJCC

11. **Signature of Preparer**

12. **Date**
    - October 15, 2012
### General Fund

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<th></th>
<th>2012 Property Tax Levy</th>
<th>2012 Cost to Avg Taxpayer</th>
<th>2012 AV Tax Rate per $100</th>
<th>2012 FEV Tax Rate per $1000</th>
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### Police District and District Court

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<th>2012 Cost to Avg Taxpayer</th>
<th>2012 AV Tax Rate per $100</th>
<th>2012 FEV Tax Rate per $1000</th>
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### Combined

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<th>2012 AV Tax Rate per $100</th>
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<td>Total</td>
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<td></td>
<td>$0.00</td>
</tr>
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</table>

**Notes:**

1) Source for number of family parcels and corresponding assessed valuation: Suffolk County real property, September 2011.


3) Source for equalization rates: Tentative 2011 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.
10/15/2012

Jon Schneider
Deputy County Executive

Enclosed please find 2 copies of a resolution packet prepared by the Suffolk County CJCC to accept $363,840 grant funding from the NYS Division of Criminal Justice Services effective July 1, 2012 through June 30, 2013. The grant is to continue the work of the Suffolk County Reentry Task Force providing services for offenders returning from prison to Suffolk County.

A draft of the award contract is attached. Please note that the services will continue to be provided by a variety of Suffolk County agencies on a fee for service basis. Services will be provided to offenders referred to the Suffolk County Reentry Task Force operated through the Criminal Justice Coordinating Council. Referrals to the agencies will be made by the Reentry Coordinator based upon offender needs and residences. Please feel free to contact me at 2-6825 if you have any questions.

Thank you.

Robert C. Marmo, Ph.D.
Chief Planner
CJCC

Cc Regina M. Calcaterra, Chief Deputy County Executive
RESOLUTION NO. TO READJUST, COMPROMISE, AND
GRANT REFUNDS AND CHARGEBACKS ON CORRECTION
OR ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #377

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments
and grant refunds of taxes, in the case of erroneous or improper assessments, pursuant to the
provisions of the Real Property Tax Law and the Suffolk County Tax Act, and

WHEREAS, the properties represented by the item numbers or tax map numbers
indicated below have been erroneously or improperly assessed as appears from the certificates
of Assessors of the respective towns in which said properties are situated as described below
and the procedures as provided in the Real Property Tax Law have been fully complied with,
now, therefore, be it

RESOLVED, that the taxes for the properties represented by the item numbers or tax
map numbers as shown for the year or years specified be readjusted or refunded in full or in
part in the amount set opposite each such parcel as hereinafter indicated, and

BE IT FURTHER RESOLVED that the amount of such adjustment or refund be charged
back to the respective town as provided by law.

<table>
<thead>
<tr>
<th>Description</th>
<th>Year</th>
<th>Original Tax</th>
<th>Corrected Tax</th>
<th>Chargeback or Refund, if paid</th>
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<tbody>
<tr>
<td>EAST HAMPTON:</td>
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<tr>
<td>0300-121.00-02.00-003.000-0001</td>
<td>2011/12</td>
<td>$4,140.30</td>
<td>0.00</td>
<td>$4,140.30</td>
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</table>

Dated: Approved By:

Suffolk County Executive

Date of Approval:
1. Type of Legislation
   **Resolution XXX**
   - Local Law
   - Charter Law

2. Title of Proposed Legislation
   To readjust, compromise and grant refunds and charge backs on Correction of Errors/County Treasurer By: County Treasurer

3. Purpose of Proposed Legislation
   To cancel or adjust taxes and make refunds and charge backs due to erroneous or improper assessments.

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

5. If the answer to item 5 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
   In the case of refunds, the County will initially refund the amount of the incorrect tax. Approximately 81% of the refunded amount will be charged back to the Town to be added to the subsequent year’s tax warrant. The remainder will be a County charge. If the original tax is unpaid, the same procedure would apply, however, no County monies would be refunded and it will be charged back to the Town within twelve to eighteen months.

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

8. Proposed Source of Funding
   To be refunded from the County General Fund

9. Timing of Impact
   - Variable

10. Typed Name & Title of Preparer  11. Signature of Preparer  12. Date
    Angie M. Carpenter
    County Treasurer
    [Signature]
    10/15/12
Additional back-up material regarding IR 2040 is on file in the

Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. – 2012, ADOPTING LOCAL LAW NO. -2012, A CHARTER LAW TO STRENGTHEN OVERSIGHT OF COUNTY CONTRACT AGENCIES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2012 a proposed local law entitled, "A CHARTER LAW TO STRENGTHEN OVERSIGHT OF COUNTY CONTRACT AGENCIES"; now, therefore, be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO STRENGTHEN OVERSIGHT OF COUNTY CONTRACT AGENCIES

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 contracts with hundreds of not-for-profit contract agencies each year to deliver services to Suffolk County residents.

This Legislature further finds that in the current economic climate, the County of Suffolk must carefully scrutinize contract agencies to ensure they are using County tax dollars efficiently to deliver services.

This Legislature also finds that Local Law 9-2001 requires contract agencies to provide the Department of Audit and Control with financial information, including the compensation they pay their employees. The goal of Local Law 9-2001 is to alert County officials to instances where a disproportionate share of a contract agency’s funding is being used to pay salaries and other administrative expenses.

This Legislature further determines that the Suffolk County Comptroller has advised this Legislature that Local Law 9-2001 has proven to be unworkable and ineffective.

This Legislature also finds that a new financial disclosure framework that allows County departments and elected officials to evaluate the performance of contract agencies in systematic and timely matter must be established.

Therefore, the purpose of this law is to repeal Local Law 9-2001 and replace it with a new financial disclosure regiment for contract agencies.

Section 2. Repeal.

Local Law 9-2001 and Section C4-35 of the SUFFOLK COUNTY CHARTER are hereby repealed in their entirety.
Section 3. Amendment.

Chapter 189 of the SUFFOLK COUNTY CODE is hereby amended by the addition of a new Article XIII which shall read as follows:


§ 189-64. Definitions.

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

CONTRACT AGENCY - any not-for-profit corporation or entity which the County of Suffolk contracts with to render human services directly to the residents of Suffolk County, including services related to health, welfare/social services, parks/recreation, economic development, cultural affairs, veterans' affairs, handicapped programs, public safety, youth, aging/senior citizens' programs, minority affairs, women's affairs, labor/employment services and education.

§ 189-65. Contract agency evaluation.

A. No later than June 10th each year, all County departments shall complete and submit, to the Department of Audit and Control, a Contract Agency Evaluation Form ("CAEF") for every contracted program that is funded from objects 4770 and 4980 in that year's operating budget or for which the department is requesting funding in the following fiscal year's operating budget. The information provided in the CAEF shall include, but not be limited to, the contract amount, the net cost to the County, a description of the services provided, other agencies providing the same service and the justification for continuing funding the contracted program.

B. The Department of Audit and Control shall make the CAEF available on its departmental website.


A. No later than June 30th of each year, the Department of Audit and Control shall send a Contract Agency Disclosure Form to each contract agency. The information provided in the disclosure form shall include, but not be limited to, the contract program's revenues from all sources, its direct program expenses and administrative expenses and top five (5) employee salaries.

B. All contract agencies must submit their completed disclosure form, its most recent audited financial statements or a financial report for the agency's most recent fiscal year, and a schedule of all employees and their salaries for the previous calendar year, to the Department of Audit and Control no later than September 15th each year.

C. A contract agency's failure to submit their disclosure form and/or any other required document shall constitute non-compliance. A non-compliant contract agency shall not receive funding for any of its programs in the subsequent year's operating budget.
Funding may be restored through a stand-alone resolution only after all required information has been submitted.

D. This section shall not apply to any town, village, fire district, library district or ambulance district.

§ 189-67. Contract analysis by Department of Audit and Control.

A. The Department of Audit and Control is authorized and empowered to analyze the financial information provided by contract agencies to ensure compliance with all County laws.

B. No later than October 7th each year, the Department of Audit and Control will submit to the County Executive and each member of the County Legislature, a compilation and analysis of the financial information submitted by the contract agencies. The report prepared by the Department of Audit and Control will be designed to assist the County Executive and County Legislature in the budget process and identify contracts which require further review by the Department of Audit and Control.

§ 189-68. Comptroller authorized to withhold appropriations.

The Suffolk County Comptroller is hereby authorized and empowered to withhold monies appropriated for contract agencies that have failed to comply with the provisions of this Article, or any other County law that is applicable to contract agencies.

Section 4. Applicability.

This law shall apply to actions occurring on or after January 1, 2013.

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 filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language.

___ Underlining denotes addition of new language.

DATED:

APPROVED BY:

______________________________________________
County Executive of Suffolk County

Date:

s:\laws\cl-financial disclosure for contract agencies
DATE: NOVEMBER 1, 2012
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. -2012; A CHARTER LAW TO STRENGTHEN OVERSIGHT OF COUNTY CONTRACT AGENCIES

SPONSOR: LEGISLATOR CILMI

DATE OF RECEIPT BY COUNSEL: 10/26/2012 PUBLIC HEARING: 11/20/2012

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED: 

This proposed law would repeal the County’s current law governing financial disclosure by the County’s contract agencies1 and replace it with a new set of requirements.

Specifically, this law would:

1. Require all County departments to submit to the Department of Audit and Control, by June 10th each year, a Contract Agency Evaluation Form (“CAEF”) for every contracted program funded from objects 4770 and 4980 in that year’s operating budget or for which the department is requesting funding in the subsequent fiscal year.2

2. Require Audit and Control to send a contract agency disclosure form to each contract agency by June 30th each year.3 All contract agencies must submit their completed disclosure form, its most recent audited financial statement or financial report and a schedule of their employee compensation to Audit and Control by September 1st each year.

---

1 “Contract agency” is defined as any not-for-profit corporation or entity which the County of Suffolk contracts with to render human services directly to the residents of Suffolk County, including services related to health, welfare/social services, parks/recreation, economic development, cultural affairs, veterans' affairs, handicapped programs, public safety, youth, aging/senior citizens' programs, minority affairs, women's affairs, labor/employment services and education.

2 The CAEF includes the contract amount, a description of the services provided, other agencies providing the same services and a justification for continuing funding for the program.

3 The information provided in the disclosure form shall include the contract program’s revenues from all sources, its direct program expenses and administrative expenses and top five (5) employee salaries.
3. Require Audit and Control to submit to the County Executive and the County Legislature a compilation and analysis of the financial information provided by the contract agencies by October 7th each year.

4. Prohibit County funding for any contract agency that fails to submit their disclosure statement or any other requirement document. Funding may be restored to a contract agency after all required information is submitted. This section of the law will not apply to any town, village, fire district, library district or ambulance district that receives County funding.

5. Authorize the County Comptroller to withhold monies appropriated for contract agencies that failed to comply with any of the provisions of this law or any other County law that is applicable to contract agencies.

This law will take effect immediately upon its filing in the Office of the Secretary of State and apply to actions occurring on or after January 1, 2013.

GEORGE NOLAN
Counsel to the Legislature

GN:js
s:\rule28\28-financial-disclosure-contract-agencies
RESOLUTION NO. –2012, ADDING DEPOSITORY TO LIST OF DESIGNATED DEPOSITORIES FOR SUFFOLK COUNTY (THE FIRST NATIONAL BANK OF LONG ISLAND)

WHEREAS, the Suffolk County Legislature adopted Resolution No. 9-2012, "Designating Depositaries Pursuant to Section 212 of the County Law", at its organizational meeting on January 3, 2012; and

WHEREAS, the Suffolk County Treasurer has requested that said Resolution be amended to include The First National Bank of Long Island; now, therefore be it

1st RESOLVED, that the 1st RESOLVED clause of Resolution No. 9-2012 be amended to read as follows:

1st RESOLVED, that each of the following banks having and maintaining a principal or branch office or offices in the County of Suffolk, namely, JP Morgan Chase Bank, 395 North Service Road, Melville, New York; Citibank, 730 Veterans Memorial Highway, Hauppauge, New York; TD Bank, 45 Melville Park Road, Melville, New York; Bank of America, 300 Broad Hollow Road, Melville, New York; Capital One Bank, 275 Broad Hollow Road, Melville, New York; State Bank of Long Island, 740 Veterans Memorial Highway, Hauppauge, New York; Suffolk County National Bank, 6 West Second Street, Riverhead, New York; New York Commercial Bank, 1601 Veterans Memorial Highway, Suite 120, Islandia, New York; HSBC Bank, 534 Broad Hollow Road, Melville, New York, Wells Fargo Bank, 58 South Service Road, Melville, New York, Bridgehampton National Bank, 2200 Montauk Highway, Bridgehampton, New York, Madison National Bank, 888 Veterans Memorial Highway, Suite 400, Hauppauge, NY, Empire National Bank, 1707 Veterans Memorial Highway, Islandia, NY, Gold Coast Bank, 2929 Expressway Drive North, Suite 101, Islandia, NY, Signature Bank, 68 South Service Road, Melville, NY, Herald National Bank, 58 South Service Road, Suite 120, Melville, NY, [and] M&T Bank, 120 Broad Hollow Road, Farmingdale, NY, and The First National Bank of Long Island, 330 Motor Parkway, Suite 102, Hauppauge, NY, 11788, or any successor entity thereto, be and the same are hereby designated and appointed a depository for the deposit of moneys received or under the control of the County Treasurer, pursuant to Section 212 of the NEW YORK COUNTY LAW, provided, however, that the maximum amount to be kept on deposit in any such bank or branches shall not exceed $750,000,000.00 including interest bearing deposits in any one of said bank or branches, except that such limitation shall not apply to those depositories in which regular county working accounts (checking accounts) are maintained in whatever amounts are required for the regular and necessary conduct of the County's business; and be it further

and be it further
2nd RESOLVED, that all other terms and conditions of Resolution No. 9-2012 shall remain in full force and effect; 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:

[ ] Brackets denote deletion of existing language
_____ Underlining shall mean addition of new language

s:\res\r-add-depository-first-national
RESOLUTION NO. -2012 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – ACTIVE RECREATION / HAMLET PARK / HISTORIC AND/OR CULTURAL PARK COMPONENT - FOR THE EMB ENTERPRISES, LLC PROPERTY – (TOWN OF RIVERHEAD - SCTM#0600-017.00-01.00-005.022)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 3/4% 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. 915-2010, authorized planning steps for 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 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 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 subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation / Hamlet Park/ Historic and/or Cultural Park component, for a total purchase price of One Million Two Hundred Seventy Seven Thousand Six Hundred Forty Five Dollars ($1,277,645.00+), at Three Hundred Five Thousand Dollars ($305,000.00) per acre, for 4.189± 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:
2nd RESOLVED, that the Director of Real Estate and/or her 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 Suffolk County Drinking Water Protection Program, effective December 1, 2007, Active Recreation / Hamlet Park / Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of One Million Two Hundred Seventy Seven Thousand Six Hundred Forty Five Dollars ($1,277,645.00±), 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 $1,277,645.00±, subject to a final survey, from previously appropriated funds in capital project 525-8714.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation / Hamlet Park / Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th RESOLVED, that the Director of Real Estate and/or her 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 the acquisition of such parcel(s) is for the following purpose as set forth under Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER:

b.) hamlet green, hamlet park, pocket park

6th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for hamlet park use; and, be it further

7th RESOLVED, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town of the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who charged with the management and operation of said property; 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 hamlet 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:
March 22, 2012

Legislator Edward Romaine
423 Griffing Avenue, Suite 2
Riverhead, NY 11901

Dear Legislator Romaine:

ENCLOSED PLEASE find a certified copy of resolution #233 which was duly declared adopted by the Riverhead Town Board at the Town Board meeting on March 20, 2012.

PLEASE BE ADVISED that this resolution states:

RES. #233-RESOLUTION TO SUPPORT COUNTY OF SUFFOLK PURCHASE OF 4.189 ACRES OF VACANT LAND LOCATED ON SOUND AVENUE, RIVERHEAD, NY (SUBJECT PROPERTY) OWNED BY EMB ENTERPRISES, LLC AND APPROVES TOWN EXPENDITURE OF COMMUNITY PRESERVATION FUND FOR THE IMPROVEMENT AND MANAGEMENT OF HAMLET PARK (PASSIVE RECREATION) ON THE SUBJECT PROPERTY

Sincerely,

Diane M. Wilhelm
Town Clerk

DMW:cd
cc:
Lauretta Fischer, Suffolk County Dept. of Planning
Janet Longo, SC Dept. of Real Property Acquisition and Management
Nick Gibbons, Suffolk County Parks

200 Howell Avenue ~ Riverhead, New York 11901~ (631)727-3200 Ext. 260 ~ Fax (631)208-4034
TOWN OF RIVERHEAD

Resolution # 233

RESOLUTION TO SUPPORT COUNTY OF SUFFOLK PURCHASE OF 4.189 ACRES OF VACANT LAND LOCATED ON SOUND AVENUE, RIVERHEAD, NY (SUBJECT PROPERTY) OWNED BY EMB ENTERPRISES, LLC AND APPROVES TOWN EXPENDITURE OF COMMUNITY PRESERVATION FUNDS FOR THE IMPROVEMENT AND MANAGEMENT OF HAMLET PARK (PASSIVE RECREATION) ON THE SUBJECT PROPERTY

Councilman Dunleavy offered the following resolution, which was seconded by Councilman Wooten

WHEREAS, pursuant to Resolution #132 adopted by the Town Board of the Town of Riverhead on February 7, 2012, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider Town of Riverhead support of the County of Suffolk’s acquisition of parcel owned by EMB Enterprises, LLC described as SCTM# 600-17-1-5.22 (subject property) and the Town of Riverhead expenditure of community preservation funds for the improvement and management of a hamlet park on the subject property; and

WHEREAS, a public hearing was held on the 6th day of March, 2012 at 2:05 o’clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

WHEREAS, prior to and at the public hearing members of the public expressed support for the County of Suffolk’s acquisition and the Town’s expenditure of community preservation funds for the proposed hamlet park designed to honor Town and County residents who suffered as a result of the tragic events of September 11, 2001 and highlight and improve the existing 9-11 Memorial with the addition of benches, walkways and limited off street parking; and

WHEREAS, the Town estimates that the proposed improvements, together with maintenance (limited mowing and annual plantings estimated for a period of five years) shall not exceed $50,000.00; and

WHEREAS, the Financial Administrator for the Town of Riverhead has reviewed the proposed expenditure of community preservation funds and issued a report which reflects adequate funding for the Town’s costs to improve and maintain the subject parcel as a hamlet park not to exceed $50,000.00; and

NOW THEREFORE BE IT RESOLVED, that Riverhead Town Board hereby approves the expenditure of community preservation funds for the improvement and
maintenance of the subject parcel (SCTM# 600-17-1-5.22) as and for a Hamlet Park, subject to purchase of the fee title by the County of Suffolk, and subject to coordinated review and determination of a negative declaration of significance pursuant to NYCRR 617 and; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Legislator Edward Romaine, 423 Griffing Avenue, Suite 2, Riverhead, NY 11901; Lauretta Fischer, Suffolk County Dept. of Planning, 100 Veterans Memorial Highway, H. Lee Dennison Bldg., 4th Floor, Hauppauge, NY 11788; Janet Longo, Suffolk County Department of Real Property Acquisition and Management, 100 Veterans Memorial Highway, H. Lee Dennison Building, 2nd Floor, Hauppauge, NY 11788; Nick Gibbons, Suffolk County Parks, P.O. Box 144, West Sayville, NY 11796; Bill Rothaar, Town Financial Administrator, Jill Lewis, Deputy Town Supervisor and Annemarie Prudenti, Deputy Town Attorney; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Giglio ☑Yes ☐No Gabrielsen ☑Yes ☐No
Wooten ☑Yes ☐No Dunleavy ☑Yes ☐No
Walter ☑Yes ☐No

The Resolution Was ☑ Thereupon Duly Declared Adopted
This is to certify that I, the undersigned, Town Clerk of the Town of Riverhead, County of Suffolk, State of New York, have compared the foregoing copy of a Resolution with the original now on file in this office and which was duly adopted on March 20, 2012 and that the same is a true and correct transcript of said Resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Town of Riverhead, on March 21, 2012

[Signature]

[Name: Town Clerk]
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>
<td>X</td>
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2. Title of Proposed Legislation

RESOLUTION NO. 2012 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - ACTIVE RECREATION / HAMLET PARK / HISTORIC AND/OR CULTURAL PARK COMPONENT - FOR THE EMB ENTERPRISES, LLC PROPERTY - (TOWN OF RIVERHEAD - SCTM#0600-017.00-01.00-005.022)

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

477 (1/4%) Water Quality Funds

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

N/A

8. Proposed Source of Funding

Previously appropriated funds in capital project 8714.210 (PAYGO ¼% 477 Funds)

9. Timing of Impact

Upon adoption.

10. Typed Name & Title of Preparer

Nicholas E Paglia Jr.
Asst Executive Analyst

11. Signature of Preparer

[Signature]

12. Date

October 25th, 2012

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

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<th>2012 FEV TAX RATE PER $1000</th>
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<tbody>
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<td>$0</td>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2012 COST TO AVG TAXPAYER</th>
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**NOTES:**

1) **SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION:** SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.

2) **SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES:** SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.

3) **SOURCE FOR EQUALIZATION RATES:** TENTATIVE 2010 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
September 24, 2012

Mr. Jon Schneider, Deputy County Executive
for Intergovernmental Relations
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the EMB Enterprises, LLC property, in the Town of Riverhead, under the New Suffolk County 1/4% Drinking Water Protection Program-Active Recreation-Pay Go. The purchase price is $1,277,645.00± for 4.189± acres, at $305,000.00 per acre.

Please contact me if you require any additional information.

Sincerely,

Jill Rosen-Nikoloff
Director

JRN:pd
Att.
cc: Regina M. Calcaterra, Chief Deputy County Executive
   Joanne Minieri, Commissioner, Department of Economic Development & Planning
   Ben Zwirn, Director, Intergovernmental Relations
   Sarah Lansdale, Director, Division of Planning & Environment
   Robert Braun, Deputy Bureau Chief, Law Dept., Real Estate-Condemnation
   Janet M. Longo, Acquisition Supervisor, Division of Real Property Acquisition & Mgmt.
   Lauretta Fischer, Principal Environmental Analyst, Division of Planning
   Tom Vaughn, County Executive Assistant
   Phyllis J. Benincasa, Acquisition Agent
   CE Reso Review (e-mail copy only)
RESOLUTION NO. 2012, AUTHORIZING THE COUNTY TO ENTER INTO AN MPO MEMBER AGENCY FEDERAL-AID PROJECT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, the Governor, with the concurrence of the units of local governments composing and representing the entirety of the New York State portion of the New York-Newark, NY-NJ-CT, has designated the New York Metropolitan Transportation Council (NYMTC) as the metropolitan planning organization for the New York State portion of the New York-Newark, NY-NJ-CT urbanized area (hereinafter, "the MPO"); and

WHEREAS, the United States has provided Federal funds to the State for the purpose of carrying out Federal-Aid Highway and public transit projects pursuant to various Transportation Acts as administered by the Federal Highway Administration ("FHWA") and the Federal Transit Administration ("FTA"); and

WHEREAS, the New York State Highway Law authorizes the Commissioner to use federal aid available under the Federal-aid highway acts; and

WHEREAS, 23 USC §134 requires and provides for designated metropolitan planning organizations to develop transportation plans and programs for urbanized areas, including long range plans, transportation improvement programs, and congestion management systems for those areas which constitute transportation management areas under §134; provides for coordination between metropolitan planning organizations, sets forth factors to be considered in planning, sets requirements for federal certification of the metropolitan planning process, provides for MPO consultation in Transportation Plan and TIP coordination and also provides for the selection of projects from TIPs, authorizes abbreviated plans and programs for smaller urbanized areas, and imposes additional requirements for certain non-attainment areas, under §134; and

WHEREAS, 23 USC §142, authorizes, and provides that Federal funds apportioned under 23 USC §104 shall be available to finance high occupancy vehicle (HOV) lane, "park and ride" facility, and other projects on federal-aid highways, in order to encourage the use of buses to increase the traffic capacity of Federal-aid systems; carry out any capital transit project eligible for assistance under chapter 5303 of Title 49, provide access and coordination between intercity and rural bus service, and provide connections between highway transportation and other modes of transportation; and

WHEREAS, the MPO and its constituent Member Agencies, has designated the County of Suffolk to undertake certain transportation planning activities as described in the annual Unified Planning Work Program and thereafter seek reimbursement by NYSDOT for Project work performed by or through the County of Suffolk;

WHEREAS, 23 USC §142 also makes Federal Highway Trust Fund moneys and Federal funds apportioned under 23 USC §104 and administered by the FTA, available for capital improvements to carry out any capital transit project eligible for assistance under chapter 5303 of Title 49, provide access and coordination between intercity and rural bus service, and to provide connections between highway transportation and other modes of transportation; and
WHEREAS, 23 USC §142 also provide for the accommodation of passenger, commuter, or high speed rail, magnetic levitation system, and other types of highway and non-highway public mass transit facilities within the existing rights-of-way of federal-aid highways, if such accommodation will not adversely affect automotive safety; and authorize federal approval of the use of sums apportioned under 23 USC §142; and

WHEREAS, 23 USC §142(d) and 49 USC app §1607 provide that the designated projects carried out in an urbanized area shall be subject to the metropolitan planning requirements of 23 USC §134; and

WHEREAS, 23 USC §104 provides for the apportionment of certain FHWA and FTA Federal-aid funds to the State for the purpose of carrying out the provisions of 23 USC §134 as described above; and

WHEREAS, 23 USC §104 further provides that the State shall, in turn, make these funds available to the metropolitan planning organizations designated by the Governor and by units of local government representing no less than 75% of the affected population, as being responsible for carrying out the provisions of 23 USC §134 for each urbanized area; and

WHEREAS, the MPO determines the distribution and appropriate use of FHWA and FTA funds for the metropolitan area as provided by 23 USC §105 and §134, and applicable Federal and State regulations, as described in the annual Unified Planning Work Program; and

WHEREAS, the MPO is a consortium of governmental agencies and transportation providers that acts through Member Agencies for purposes of necessary financial and contractual arrangements; and

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 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, 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 the Designee of the County Executive of Suffolk County is hereby authorized to execute an MPO member agency federal-aid project agreement with the New York State Department of Transportation.

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>
</thead>
<tbody>
<tr>
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</table>

2. Title of Proposed Legislation

RESOLUTION NO. 2012-2012, AUTHORIZING THE COUNTY TO ENTER INTO AN MPO MEMBER AGENCY FEDERAL-AID PROJECT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

3. Purpose of Proposed Legislation

Allows the County to enter into an agreement for the NYSDOT to provide the County with funding for transportation planning activities completed by the County which have been described in an approved Unified Planning Work Program.

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 the appropriate category)

<table>
<thead>
<tr>
<th>County</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>
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</table>

6. If the Answer to Item 5 is "yes", Provide Detailed Explanation of Impact.

County will be reimbursed for staff salaries as they relate to transportation planning activities completed by the County which have been described in an approved Unified Planning Work Program.

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

$0 County is already paying the salaries

8. Proposed Source of Funding

NYSDOT will reimburse 80% of staff salaries

9. Timing of Impact

CFY 2012

10. Typed Name and Title of Preparer

Garry Lenberger, Acting Director Transportation Operations

11. Signature of Preparer

[Signature]

12. Date

9/26/12
## GENERAL FUND

<table>
<thead>
<tr>
<th></th>
<th>2012 PROPERTY TAX LEVY</th>
<th>2012 COST TO AVG TAXPAYER</th>
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**NOTES:**


2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.

3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 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

TO: Jon Schneider, Deputy County Executive
FROM: Gilbert Anderson, P.E., Commissioner
Department of Public Works
DATE: September 26, 2012
RE: MPO Member Agency Federal-Aid Project Agreement #C033471
Proposed resolution authorizing the County to enter into an MPO member agency federal-aid project agreement with the New York State Department of Transportation

This proposed resolution allows the County to enter into an agreement for the NYSDOT to provide the County with funding for transportation planning activities completed by the County which have been described in an approved Unified Planning Work Program.

The previous Agreement, which was originally executed July 1, 1982, ended on March 31, 2012. This Agreement, effective April 1, 2012, shall remain in effect so long as federal aid funding authorizations are in effect and funds are made available pursuant to the laws controlling such authorizations and availabilities.

The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "RESO-DPW-MPO MEMBER AGENCY FEDERAL-AID PROJECT AGREEMENT"

Please initiate the process to have this resolution introduced at the meeting of the Suffolk County Legislature on October 9, 2012. If you have any questions, please do not hesitate to contact Garry Lenberger, Acting Director of Transportation Operations, at 2-4880, or Chris Chatterton, Senior Transportation Planner at 2-4058.
RESOLUTION NO. 2045-12, AUTHORIZING THE PURCHASE OF UP TO 29 PARATRANSIT VANS FOR SUFFOLK TRANSIT AND ACCEPTING AND APPROPRIATING FEDERAL AND STATE AID AND COUNTY FUNDS (CP 5658)

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) provide funds for mass transportation projects; and

WHEREAS, Grant Nos. NY-90-X617, NY-90-X648, and NY-90-X693 have been awarded to Suffolk County by the FTA and each grant includes funds for various mass transportation projects for Suffolk County Transit including the purchase of paratransit vans for its complementary SCAT service; and

WHEREAS, the grant agreements for the Federal and associated State financial assistance impose certain obligations upon the County, and require the County to commit resources necessary to initially cover the total project costs of the grants; and

WHEREAS, Grant Nos. NY-90-X617, NY-90-X648 and NY-90-X693 and have been awarded to Suffolk County by the FTA, whereby the FTA will provide 80% of the cost of this project and NYSDOT will provide 10% of the cost of this project, with the County providing 10% of the cost of this project; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2012 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the total cost of the purchase is estimated to be $1,885,000; and

WHEREAS, there are sufficient funds within the 2012 Capital Budget and Program; and

WHEREAS, that the County Legislature, by resolution of even date herewith, has authorized the issuance of $188,500 in Suffolk County Serial Bonds to cover the County share of this purchase; now, therefore, be it

1\textsuperscript{st} 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 materials, 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

2\textsuperscript{nd} RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-six (36) 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 Purchasing Division is authorized to acquire up to 29 paratransit vans and related equipment, and including pre and post delivery Buy America audits and inspection during manufacture subject to approvals of FTA and NYSDOT and pursuant to applicable federal and state regulations; and be it further

4th RESOLVED, that the proceeds of $188,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Proj. No.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-5658.549</td>
<td>Purchase of up to 29 paratransit vans including related equipment and pre and post delivery Buy America audits and inspection during manufacture</td>
<td>$188,500</td>
</tr>
</tbody>
</table>

and be it further

5th RESOLVED, that the State Aid be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Proj. No.</th>
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and be it further

6th RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

<table>
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<tbody>
<tr>
<td>525-CAP-5658.549</td>
<td>Purchase of up to 29 paratransit vans including related equipment and pre and post delivery Buy America audits and inspection during manufacture</td>
<td>$1,508,000</td>
</tr>
</tbody>
</table>

and be it further

7th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and Federal aid in connection with this 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

<table>
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<th>Resolution</th>
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2. Title of Proposed Legislation

**RESOLUTION NO - 2012, AUTHORIZING THE PURCHASE OF UP TO 29 PARATRANSIT VANS FOR SUFFOLK TRANSIT AND ACCEPTING AND Appropriating Federal and State Aid and County Funds (CP 5658)**

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)

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

The County will provide 10% share of the project, estimated to be $188,500.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

- Federal Transit Funds 80% ($1,508,000)
- New York State Aid 10% ($188,500)
- Suffolk County Serial Bonds 10% ($188,500)

9. Timing of Impact

2013

10. Typed Name & Title of Preparer

Nicholas E. Paglia Jr.
Asst Executive Analyst

11. Signature of Preparer

12. Date

October 24th, 2012

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

<table>
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Page 2 of 2

To be completed by the Executive Budget Office
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11/1/2019
11/1/2020
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11/1/2022
11/1/2023
11/1/2024
11/1/2025
11/1/2026
11/1/2027
11/1/2028
11/1/2029
11/1/2030
MEMORANDUM

TO: Jon Schneider, Deputy County Executive
FROM: Gilbert Anderson, P.E., Commissioner, Department of Public Works
DATE: September 24, 2012
RE: C.P. 5658 – Purchase of Public Transit Vehicles
    AUTHORIZING THE PURCHASE OF UP TO 29 PARATRANSIT VANS FOR SUFFOLK TRANSIT AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID AND COUNTY FUNDS

Attached, please find a draft resolution for the purchase of up to 29 paratransit vans for Suffolk Transit. This proposed legislation will authorize the Purchasing Division to acquire up to 29 paratransit vans including related equipment, and pre and post delivery Buy America audits and inspection during manufacture and accept and appropriate Federal and State aid and County funds for this project. The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-Purchase of up to 29 Paratransit Vans for Suffolk Transit."

Please initiate the process to have this resolution introduced at the meeting of the Suffolk County Legislature on October 9, 2012. If you have any questions, please do not hesitate to contact Garry Lenberger, Acting Director of Transportation Operations, at 2-4880.

GA/GL:cc
Enclosures

cc: Regina Calcaterra, Chief Deputy County Executive, w/enc.
Brendan Chamberlain, Director of Intergovernmental Relations, w/enc (2).
Charles Jaquin, DPW Finance, w/enc.
Amy Baldwin, DPW Capital Accounting, w/enc.
Debra Kolyer, Budget Office, w/enc.
Evelyn Creen, Federal & State Aid Office, w/enc
CE Reso Review List, e-mail
CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION 
OF INTRODUCTORY RESOLUTION NO. – 2012

WHEREAS, INTRODUCTORY RESOLUTION NO. – 2012

RESOLUTION NO. –2012, RESOLUTION DELEGATING TO 
THE COUNTY COMPTROLLER THE POWERS TO 
AUTHORIZE THE ISSUANCE OF NOT TO EXCEED 
$410,000,000 TAX ANTICIPATION NOTES OF THE COUNTY 
OF SUFFOLK, NEW YORK, IN ANTICIPATION OF THE 
COLLECTION OF TAXES LEVIED OR TO BE LEVIED FOR 
THE FISCAL YEAR COMMENCING JANUARY 1, 2013, AND 
TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND 
PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT 
OF SUCH NOTES

WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY 
RESOLUTION BE CONSIDERED IMMEDIATELY,

NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY 
EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND 
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT 
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF 
INTRODUCTORY RESOLUTION NO. – 2012, BECAUSE THE COUNTY 
ANTICIPATES THE ISSUANCE OF $410,000,000 IN SUCH TAX ANTICIPATION 
NOTES IN DECEMBER 2012.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND 
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 
7TH DAY OF NOVEMBER, 2012.

[Signature]

JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE
TAX ANTICIPATION NOTE RESOLUTION NO. _____-2012

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED $410,000,000 TAX ANTICIPATION NOTES OF THE COUNTY OF SUFFOLK, NEW YORK, IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED OR TO BE LEVIED FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2013, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), the power to authorize the issuance of Tax Anticipation Notes (herein called the “Notes”) of the County of Suffolk, in the State of New York (the “County” and “State”, respectively), in the aggregate principal amount of not to exceed $410,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The following matters are hereby determined and declared:

(a) The Notes shall be issued in anticipation of the collection of real estate taxes levied or to be levied for County purposes for collection for the fiscal year commencing January 1, 2013 and ending December 31, 2013, and the proceeds of the Notes shall be used only for the purposes for which said taxes are to be levied.
(b) No notes have heretofore been authorized or issued in anticipation of the collection of said taxes.

(c) Said Notes shall mature within the period of one year from the date of their issuance, and may be renewed from time to time in accordance with the provisions of the Law.

(d) The Notes are not issued in renewal of other notes.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, 61.00 and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the powers to enter into one or more letter of credit agreements or liquidity facility agreements for the Notes, are hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

APPROVED: ____________________________
County Executive, Suffolk County

Date of Approval: _______________________, 2012

***
The adoption of the foregoing resolution was seconded by and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.
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>
</table>

2. Title of Proposed Legislation
Delegating to the County Comptroller of the County of Suffolk, New York, the power to authorize the issuance of and to sell not exceeding $410,000,000 Tax Anticipation Notes of said County in anticipation of the collection of real estate taxes or assessments levied or to be levied by said County for the fiscal year commencing January 1, 2013, and providing for other matters in connection therewith.

3. Purpose of Proposed Legislation
To issue tax anticipation notes for cash flow purposes to cover anticipated cash flow needs for the first half of fiscal 2013. The current 2013 estimated cash flow anticipates the issuance of $400,000,000 in such tax anticipation notes in December 2012. Final sizing will be based upon the adopted 2013 budget in conjunction with cash flow projection formulas.

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>
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<tr>
<td>Village</td>
<td>School District</td>
<td>Other (Specify):</td>
</tr>
</tbody>
</table>

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact
The notes will be issued on or about December 20, 2012 and mature on or about August 9, 2013 and will impact debt service in the 2013 operating budget. Estimated "gross" interest cost for the maturing note is estimated to be $5,088,889. ($400,000,000 x 2.00% gross coupon for 229 days/360).

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Gross Interest cost in 2013 for the notes = $5,088,889.

8. Proposed Source of Funding
Tax Anticipation Notes

9. Timing of Impact
One Year Impact - 2013

10. Typed Name & Title of Preparer
Geraldine Olson
Municipal Finance Administrator
Audit and Control

11. Signature of Preparer
Geraldine Olson

12. Date
10/9/12

SCIN FORM 175b (10/95)
Accountant
CB Office of Budget and Management

Page 2 of 2
10/25/12
<table>
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<tr>
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<th>2013 FEV TAX RATE PER $1000</th>
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<tr>
<td><strong>GENERAL FUND</strong></td>
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<tr>
<td>TOTAL</td>
<td>$5,088,888</td>
<td>$9.75</td>
<td>$0.019</td>
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<td>TOTAL</td>
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<tr>
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<td>$5,088,888</td>
<td>$9.75</td>
<td>$0.019</td>
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NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 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
Mr. John Schneider  
Deputy County Executive  
H. Lee Dennison Office Building – 12th Floor  
100 Veterans Memorial Highway  
Hauppauge, New York  11788

Dear John:

SUBJECT: TAX ANTICIPATION NOTE RESOLUTION - $410,000,000

Attached please find the above referenced resolution and fiscal impact statement. Same has been circulated to all parties via e-mail (CE RESO REVIEW) and is being hand delivered to you this date so the resolution may be considered by the County Legislature for adoption with the Operating Budget on November 7, 2012. I have requested that this resolution be made part of the Special Meeting Notice being sent to all Legislators relative to the November 7th meeting. Titles of the electronic files are Reso-A&C-2013 TAN, Backup-A&C-2013 TAN-175a and Backup-A&C-2013 TAN-175b.

In order to facilitate adoption of this resolution with the Operating Budget I am requesting a Certificate of Necessity. Once the Recommended Budget is presented my staff requires a certain amount of time to review that document in order to generate Estimated Cash Flows for the upcoming fiscal year, in this case fiscal 2013. A Certificate of Necessity is normally granted by the County Executive in order to provide sufficient time at year end to enable us to complete the financing and have cash to the County on or before the first business day of the upcoming fiscal year.

Thank you for your immediate attention to this matter.

Sincerely,

[Signature]

Joseph Sawicki, Jr.  
County Comptroller

Encl

cc: Regina Calcaterra, Chief Deputy County Executive  
Christina Capobianco, Chief Deputy Comptroller  
Connie Corso, Budget Director  
Fred Pollert, Deputy County Executive for Finance & Management  
Geraldine Olson, Municipal Finance Administrator
RESOLUTION NO. -2012, ACCEPTING AND APPROPRIATING A GRANT FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY (DHS) IN THE AMOUNT OF $25,000 FOR FY2012 PORT SECURITY GRANT PROGRAM (PSGP) TO BE ADMINISTERED BY THE SUFFOLK COUNTY SHERIFF’S OFFICE, A PARTNER OF THE EAST END MARINE TASK FORCE AND TO EXECUTE GRANT RELATED AGREEMENTS IN SUFFOLK COUNTY WITH 100% SUPPORT

WHEREAS, the Suffolk County Sheriff has applied for Homeland Security funding through the 2012 Port Security Grant Program; and

WHEREAS, the United States Department of Homeland Security has awarded the Suffolk County Sheriff’s Office $25,000 in funds under the FY2012 PSGP to be administered by the Suffolk County Sheriff’s Office; and

WHEREAS, the PSGP will provide funds to purchase equipment, associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological, nuclear materials; and

WHEREAS, the PSGP funds are intended to enhance maritime domain awareness, risk management capabilities to prevent, detect, respond to and recover from terrorist attacks involving Chemical, Biological, Radiological, Nuclear (CBRN); and

WHEREAS, this grant is for a twenty-four (24) month period in which the County will receive 100% grant funding in the amount of $25,000; and

WHEREAS, the FY2012 PSGP is slated to operate for the period beginning September 1, 2012; and,

WHEREAS, said funds have not been included in the 2012 Operating Budget; now, therefore be it

1st RESOLVED, that the County Executive and Sheriff are authorized to execute any Agreement with Department of Homeland Security, as necessary, to secure said grant funds; and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of $25,000 as follows:
REVENUES:
001-4319 – FY 2012 Port Security Grant

ORGANIZATIONS:
Suffolk County Sheriff's Office
Homeland Security Initiative
001-SHF-3695

2000 - Equipment $25,000
2500 - Equipment - Other $25,000

DATED:
APPROVED BY:

Date:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

<table>
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</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Title of Proposed Legislation  Accepting and appropriating a grant from the United States Department of Homeland Security (DHS) in the amount of $25,000 for FY2012 Port Security Grant Program (PSGP) to be administered by the Suffolk County Sheriff's Office and to execute grant related agreements in Suffolk County with 100% support.

3. Purpose of Proposed Legislation – See number 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)

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<td>Fire District</td>
<td></td>
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</table>

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

$25,000 of Grant funds will be used to purchase equipment, associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological and nuclear materials.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Not Applicable


10. Typed Name & Title of Preparer
    Michael P. Sharkey
    Chief of Staff

11. Signature of Preparer
    [Signature]

12. Date: 9/14/2012

SCIN FORM 175b (10/95)  Page 1 of 2

Stephanie Rubino
Chief Executive Analyst
10/25/12
To: Jon Schneider, Deputy County Executive
From: Michael P. Sharkey, Chief of Staff
Date: 09/14/12
Re: United States Department of Homeland Security, FY2012 Port Security Grant Program (PSGP) with 100% Support

As you are aware, the United States Department of Homeland Security (DHS) has awarded the Suffolk County Sheriff's Office, a partner of the East End Marine Task Force, $25,000 in funds under the FY2012 Port Security Grant Program (PSGP). The PSGP will provide funds to purchase equipment associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological and nuclear materials. These funds are intended to enhance maritime domain awareness, risk management capabilities to prevent, detect, respond to and recover from terrorist attacks involving Chemical, Biological, Radiological and Nuclear (CBRN). This grant is for a twenty-four (24) month period starting September 1, 2012 through August 31, 2014 with 100% support. The attached resolution and the required supporting documentation are being submitted for your review. This funding will enable the Sheriff's Office to continue to enhance public safety.

An e-mail version of the resolution was sent to CE RESO REVIEW, saved under the title "Reso–Sheriff - Port Security Grant Program".

We request that this resolution be laid on the table at your earliest convenience.

Thank you for your consideration in reviewing this draft resolution.

MPS/dlh

cc: Regina Calcaterra, Chief Deputy County Executive

Att.
## FINANCIAL IMPACT 2013 PROPERTY TAX LEVY COST TO THE AVERAGE TAXPAYER

### GENERAL FUND

<table>
<thead>
<tr>
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<td>$0.00</td>
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3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 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

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**Stephanie Rubens**  
Chief Executive Analyst  
10/25/12
RESOLUTION NO. 2012, ACCEPTING AND APPROPRIATING FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS OFFICE OF HOMELAND SECURITY (NYS OHS) IN THE AMOUNT OF $110,500.00 FOR “OPERATION SHIELD” UNDER STATE HOMELAND SECURITY PROGRAM (SHSP) TO BE ADMINISTERED BY THE SUFFOLK COUNTY SHERIFF’S OFFICE IN PARTNERSHIP WITH THE EAST END MARINE TASK FORCE, THE SUFFOLK COUNTY POLICE DEPARTMENT AND VARIOUS OTHER FEDERAL STATE AND LOCAL AGENCIES AND TO EXECUTE GRANT RELATED AGREEMENTS WITH 100% SUPPORT

WHEREAS, the New York State Office of Homeland Security has awarded the Suffolk County Sheriff’s Office $110,500 in funds under the SHSP grant program to be administered by the Suffolk County Sheriff’s Office; and

WHEREAS, 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; and

WHEREAS, this grant provides funding for a minimum of two operations, one in July and one in September; the Sheriff’s Office will receive 100% grant funding in the amount of $110,500; and

WHEREAS, the SHSP is slated to operate for the period beginning 09/01/2011 to 12/31/2012; and

WHEREAS, said funds have not been included in the 2012 Operating Budget; now, therefore be it

1st RESOLVED, that the County Executive and Sheriff are authorized to execute any Agreement with the State of New York, as necessary, to secure said grant funds; and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of $110,500 as follows:

<table>
<thead>
<tr>
<th>REVENUES:</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-SHF-4215 - Homeland Security Operation Shield</td>
<td>$94,280.00</td>
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<tr>
<td>115-POL-4215 - Homeland Security Operation Shield</td>
<td>$16,220.00</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>APPROPRIATION:</th>
<th></th>
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<tbody>
<tr>
<td>Suffolk County Sheriff’s Office</td>
<td></td>
</tr>
<tr>
<td>Homeland Security Operation Shield FY2011</td>
<td></td>
</tr>
<tr>
<td>001-SHF-3691</td>
<td></td>
</tr>
</tbody>
</table>

| 1000- Personal Services                        | $14,593.00 |
| 1120-Overtime Salaries                         | $14,593.00 |
4000 Sub Contractor
4980-

$75,696.00
$75,696.00

APPROPRIATION: Police Department (POL)
Homeland Security Operation Shield
.001-POL-3690

1000- Personal Services
1120-Overtime Salaries

$12,798.00
$12,798.00

Employee Benefits
Retirement
001-EMP-9010

8000- Employee Benefits
8280- Employee Retirement System

$6,112.00
$6,112.00

Employee Benefits
Social Security
001-EMP-9030

8000- Employee Benefits
8330- Social Security

$1,301.00
$1,301.00

DATED:
APPROVED BY:

County Executive of Suffolk County

Date:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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2. Title of Proposed Legislation
ACCEPTING AND APPROPRIATING FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS OFFICE OF HOMELAND SECURITY (NYS OHS) IN THE AMOUNT OF $110,500 FOR "OPERATION SHIELD" UNDER STATE HOMELAND SECURITY PROGRAM (SHSP) TO BE ADMINISTERED BY THE SUFFOLK COUNTY SHERIFF'S OFFICE IN PARTNERSHIP WITH THE EAST END MARINE TASK FORCE AND THE SUFFOLK COUNTY POLICE DEPARTMENT AND TO EXECUTE GRANT RELATED AGREEMENTS WITH 100% SUPPORT

3. Purpose of Proposed Legislation –See number 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)

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<td></td>
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6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact $110,500 of grant money will be used to implement and carry out Operation Shield.

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

n/a

8. Proposed Source of Funding –NYS DHS SHSP Grant.


10. Typed Name & Title of Preparer
Michael P. Sharkey
Chief of Staff

11. Signature of Preparer

12. Date: 07/25/12

SCIN FORM 175b (10/95) Page 1 of 2
To: Jon Schneider, Deputy County Executive
From: Michael P. Sharkey, Chief of Staff
Date: 7/25/12

As you are aware, the New York State Office of Homeland Security has made $110,500 in funds available to Suffolk County through the State Homeland Security Program (SHSP) with 100% support to be administered by the Suffolk County Sheriff’s Office in partnership with the East End Marine Task Force, Suffolk County Police Department 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 two operations, one in July and one in September. The operational period of this grant is from September 1, 2011 through December 31, 2012.

An e-mail version of the resolution was sent to CE RESO REVIEW, saved under the title “Reso–Sheriff - N.Y.S. Office of Homeland Security 2012 “Operation Shield”.

We request that this resolution be laid on the table at your earliest convenience. Thank you for your consideration in reviewing this draft resolution.

MPS/dlh

cc: Regina Calcaterra, Chief Deputy County Executive

Att.
### GENERAL FUND

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Page 2 of 2

To be completed by the Executive Budget Office

[Signature]

Chief Executive Analyst

10/25/12
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 the benefits and need for this resolution.
(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>Suffolk County Sheriff's Office</td>
<td>Chief of Staff</td>
</tr>
<tr>
<td>100 Center Drive</td>
<td>Michael P. Sharkey</td>
</tr>
<tr>
<td>Riverhead, N.Y. 11901-3390</td>
<td>(631) 852-2219</td>
</tr>
</tbody>
</table>

Resolution Involves:
___ Appropriation  
___ Technical Amendment  
___ Grant Award

Capital Project
___ New Program
___ Contract (New __Rev.__)

Explanation of proposed resolution.
The Sheriff's Office is a successful applicant for the New York State Office of Homeland Security (OHS) State Homeland Security Program (SHSP) in the amount of $110,500 for “Operation Shield” to be administered by the Suffolk County Sheriff’s Office in partnership with the East End Marine Task Force, the Suffolk County Police Department and various other Federal, State and local agencies in Suffolk County.

Summary of Resolution benefits.
The Sheriff's Office agrees to administer and act in partnerships with the East End Marine Task Force, The Suffolk County Police Department and various other Federal, State and local agencies in Suffolk County for “Operation Shield” with 100% funding from the SHSP that 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.

Suffolk County and the East End of Long Island are maritime threats in that a vessel can potentially enter the United States with weapons of mass effect concealed, concealed human cargo or other contraband and proceed inland to a major population center without having to offload or disembark its cargo. These waterways are traversed by both commercial and recreational foreign flagged vessels.

Grant funding will help to ensure that vessels are in compliance with NYS and Federal Navigation Rules and Regulations; ensure proper reporting procedures are followed when foreign vessels enter the United States from outside our borders; intelligence collection and flow; and interdiction of maritime smuggling.

Multiple law enforcement agencies will be deployed for interdiction purposes and inspection of foreign flagged vessels.

SCIN Form 175a (1/97) Prior editions of this form are obsolete.
RESOLUTION NO. -2012, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $4,000 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2013) HIGHWAY SAFETY PROGRAM WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE

WHEREAS, the New York State Governor's Traffic Safety Committee has made $4,000 in funds available to Suffolk County for the (GTSC FFY2013) Helmet Distribution and Education Program to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, this program will provide helmets to young bicyclists and non-motorized wheeled sports enthusiasts, public information and education, to reduce and mitigate the number and severity of head injuries that result in serious injury or death; and

WHEREAS, the operational period of the program is from October 1, 2012 through September 30, 2013; and

WHEREAS, said grant funds have not been included in the 2012 and 2013 Suffolk County Operating Budgets; now, therefore be it

1st RESOLVED, that the County Executive and Sheriff are authorized to execute an agreement with the State of New York, as necessary, to secure said grant funds; and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of $4,000 as follows:

REVENUES: AMOUNT
001-SHF-4392 Federal Aid: Sheriff – Traffic Safety Initiative $4,000

APPROPRIATION:
Suffolk County Sheriff's Office
Sheriff Traffic Safety Initiative
Helmet Distribution Program
001-SHF-3149

3000-Supplies, Materials & Other Expenses $4,000
3500-Other: Unclassified $4,000

DATED:

APPROVED BY:
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 the benefits and need for this resolution.
(3) Attach all pertinent backup material.

Submitting Department
(Dept. Name & Location):
Suffolk County Sheriff's Office
100 Center Drive
Riverhead, N.Y. 11901-3390

Department Contact Person
(Name & Phone No.)
Chief of Staff Michael P. Sharkey
(631) 852-2219

Resolution Involves:
__ Appropriation
__ Technical Amendment
X Grant Award

Capital Project
__ New Program
__ Contract (New __ Rev._)

Explanation of proposed resolution. ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $4,000 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2013) HIGHWAY SAFETY PROGRAM WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE

Summary of Resolution benefits. $4,000 of grant money will be used to provide bicycle helmets, public information and education, designed to save lives

According to the National Traffic Safety Administration (NHTSA) 773 bicyclists were killed and an additional 44,000 were injured in traffic crashes during the year of 2006. Despite the fact that nearly 70 percent of all fatal bicycle crashes involve head injuries, only about 23 percent of all bicyclists wear bicycle helmets. Universal bicycle helmet use by children 4 to 15 would prevent 39,000 to 45,000 head injuries annually. Suffolk County accounts for 7% of New York State's total population, however, pedestrians killed in Suffolk County account for nearly 11% of all pedestrians killed in NYS. Bicyclist killed make up 2% of NYS total which is almost twice as high of what should be expected based on population. Bicyclists injured in Suffolk made up 8% of the NYS total, and 32% of those bicyclists were not wearing helmets when they were injured.

According to the CDC, bicycle helmets are 85% to 88% effective in mitigating head and brain injuries, making the use of helmets the single most effective way to reduce head injuries and fatalities resulting from bicycle crashes. With that in mind, the Suffolk County Sheriff's Office will continue its helmet distribution and fitting program to ensure proper fitting and use of helmets for bicyclists, inline skaters, non-motorized scooter riders and skateboarders. The SCSO will encourage the use of appropriate safety equipment include knee pads, elbow pads, wrist guards, reflective equipment, clothing or vest through education. Bicycle rodeos will teach children the necessary survival skills while riding a bicycle in urban environments. The SCSO proposes through this program to educate the public and encourage the use of helmets while bicycling and engaged in wheel sports thereby increasing compliance with the state and county helmet law.

The grant funding will enable the Sheriff's Office to continue this worth while public safety program.

SCIN Form 175a (1/97) Prior editions of this form are obsolete.
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>
<td></td>
</tr>
</tbody>
</table>

2. Title of Proposed Legislation – Accepting and appropriating a grant in the amount of $4,000 from the New York State Governor’s Traffic Safety Committee for the Helmet Distribution and Education Program in Suffolk County with 100% support.

3. Purpose of Proposed Legislation – See number 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 – The Sheriff’s Office FY 2012 Operating Budget will be modified to reflect an increase of $4,000 in appropriation 001-SHF-3149–3000 Supplies, Materials & Other Expenses, 3500-Other; Unclassified $4,000.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Not applicable.

8. Proposed Source of Funding – New York State Governor’s Traffic Safety Committee Grant (GTSC FFY 2013) Helmet Distribution and Education Program with 100% support.

9. Timing of Impact - 10/01/2012 through 09/30/2013

10. Typed Name & Title of Preparer
    Michael P. Sharkey
    Chief of Staff

11. Signature of Preparer

12. Date: 10/09/2012

SCIN FORM 175b (10/95)

Stephani Kubo
Chief Executive Analyst
10/25/12
September 27, 2012

Investigator Lieutenant Anthony Paparatto
Suffolk County Sheriff's Office
100 Center Drive
Riverhead, New York 11901-3389

Re: HS1-2013-Suffolk Co SO -00004-(052)
Sheriff Helmet Safety Program
DMV01-T004429-3700393
EFFECTIVE DATE: October 1, 2012

Dear Lieutenant Paparatto:

On behalf of Governor Andrew M. Cuomo, I am pleased to notify you that Suffolk County has been awarded $4,000 to participate in the New York State's Highway Safety Program. Our goal is to reduce the number of crashes, injuries and deaths on New York's roads. Please note all grants will be effective only upon final approval by the New York State Office of the State Comptroller.

Before incurring any project related expenses, login to eGrants to review your approved budget as it may have been reduced or otherwise changed from what was requested.

Thank you for participating in New York State's Highway Safety Program. I wish you success in your efforts. If you have any questions, please contact the Governor's Traffic Safety Committee at (518) 474-5111.

Sincerely,

Barbara J. Fiala
Chair and
Commissioner of Motor Vehicles

BJF:et
Enclosure
cc: Evelyn Creen
   Jacob Gross

6 Empire State Plaza, Albany, NY 12228
Telephone: (518) 474-5111 & 474-5777  Fax: (518) 473-6946
OFFICE OF THE SHERIFF

To: Jon Schneider, Deputy County Executive
From: Michael P. Sharkey, Chief of Staff
Date: 10/9/2012
Re: Local Grant program, Request for Legislation

The Sheriff’s Office is a successful applicant for the New York State, Governor’s Traffic Safety Committee [GTSC], Local Grant Program With 100% Support for Sheriff’s Traffic Safety Initiative. The GTSC has made $4,000 in funds (GTSC FFY2013) available for the Sheriff’s Office Helmet Distribution and Education Program.

$4,000 of grant money will be used to provide bicycle helmets, public information and education, designed to save lives. According to the National Traffic Safety Administration (NHTSA) 773 bicyclists were killed and an additional 44,000 were injured in traffic crashes during the year of 2006. Despite the fact that nearly 70 percent of all fatal bicycle crashes involve head injuries, only about 23 percent of all bicyclists wear bicycle helmets. Universal bicycle helmet use by children 4 to 15 would prevent 39,000 to 45,000 head injuries annually. Suffolk County accounts for 7% of New York State’s total population, however, pedestrians killed in Suffolk County account for nearly 11% of all pedestrians killed in NYS. Bicyclists killed make up 12% of the New York State total, which is almost twice as high as what should be expected based on population. Bicyclists injured in Suffolk made up 8% of the New York State total, and 32% of those bicyclists were not wearing helmets when they were injured.

Grant funding will help to continue and carry out the Helmet Distribution and Education Program.

An e-mail version of the resolution was sent to CE RESO REVIEW, saved under the title “Reso-Sheriff-N.Y.S. Governor’s Traffic Safety Committee, Local Grant Program with 100% Support for Sheriff’s Traffic Safety Initiative”. Thank you for your consideration in reviewing this draft resolution. We request that this resolution be laid on the table at your earliest convenience.

MPS/dlh

Att.

cc: Regina Calcaterra, Chief Deputy County Executive
Evelyn Creen, Senior Federal and State Aid Claims Examiner
## General Fund

<table>
<thead>
<tr>
<th></th>
<th>2013 Property Tax Levy</th>
<th>2013 Cost to Avg Taxpayer</th>
<th>2013 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>

## Police District and District Court

<table>
<thead>
<tr>
<th></th>
<th>2013 Property Tax Levy</th>
<th>2013 Cost to Avg Taxpayer</th>
<th>2013 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>2013 Property Tax Levy</th>
<th>2013 Cost to Avg Taxpayer</th>
<th>2013 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, September 2011.
3) Source for equalization rates: Tentative 2011 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 Ruben
Chief Executive Analyst
10/25/12
RESOLUTION NO. - APPROPRIATING FUNDS IN CONNECTION WITH THE LEARNING RESOURCE CENTER – GRANT CAMPUS (CP 2159)

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase II; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State’s fifty percent share; and

WHEREAS, sufficient funds have been included in the 2012 Capital Budget and Program to cover the County’s cost of the project; and

WHEREAS, the Suffolk County Community College Board of Trustees, as SEQRA lead agency, issued a Negative Declaration on August 26th, 1994 in Resolution No. 94.145 and SEQRA is complete; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2012 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $15,400,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) since it involves routine or continuing agency administration and management; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-four (44) 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 proceeds of $15,400,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>JC</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-2159.310</td>
<td>30</td>
<td>Construction for the Learning Resource Center – Grant Campus</td>
<td>$12,500,000</td>
</tr>
<tr>
<td>(Fund 818 Debt Service)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>525-CAP-2159.510</td>
<td>30</td>
<td>Furniture &amp; Equipment for the Learning Resource Center – Grant Campus</td>
<td>$2,900,000</td>
</tr>
<tr>
<td>(Fund 818 Debt Service)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

and be it further
RESOLVED, that State Aid be and it hereby is appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>JCl</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-2159.310</td>
<td>30</td>
<td>Construction for the Learning Resource Center – Grants Campus</td>
<td>$12,500,000</td>
</tr>
<tr>
<td>525-CAP-2159.510</td>
<td>30</td>
<td>Furniture &amp; Equipment for the Learning Resource Center – Grant Campus</td>
<td>$2,900,000</td>
</tr>
</tbody>
</table>

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date of Approval:
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>
<td></td>
</tr>
</tbody>
</table>

2. Title of Proposed Legislation

RESOLUTION NO. __________ -APPROPRIATING FUNDS IN CONNECTION WITH THE LEARNING RESOURCE CENTER - GRANT CAMPUS (CP 2159)

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)

<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

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 SERVICE SCHEDULE

8. Proposed Source of Funding

50% SERIAL BONDS
50% STATE AID

9. Timing of Impact

2013

10. Typed Name & Title of Preparer

Nicholas E Paglia Jr.  
Asst Executive Analyst

11. Signature of Preparer

12. Date

October 25th, 2012

SCIN FORM 175b (10/95)
## FINANCIAL IMPACT
### 2013 PROPERTY TAX LEVY
#### COST TO THE AVERAGE TAXPAYER

<table>
<thead>
<tr>
<th>Fund</th>
<th>2013 Property Tax Levy</th>
<th>2013 Cost to Avg Taxpayer</th>
<th>2013 AV Tax Rate per $100</th>
<th>2013 FEV Tax Rate per $1000</th>
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<tbody>
<tr>
<td><strong>GENERAL FUND</strong></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>TOTAL</td>
<td>$1,337,106</td>
<td>$2.56</td>
<td></td>
<td>$0.005</td>
</tr>
<tr>
<td><strong>POLICE DISTRICT AND DISTRICT COURT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.000</td>
</tr>
<tr>
<td><strong>COMBINED</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,337,106</td>
<td>$2.56</td>
<td></td>
<td>$0.005</td>
</tr>
</tbody>
</table>

### NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 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
Suffolk County
General Obligation Serial Bonds
Level Debt

<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon Rate</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/1/2012</td>
<td>2.000%</td>
<td>$796,106.07</td>
<td>$539,000.00</td>
<td>$1,337,106.07</td>
<td>$1,337,106.07</td>
</tr>
<tr>
<td>11/1/2014</td>
<td>3.000%</td>
<td>$826,039.78</td>
<td>$255,533.14</td>
<td>$1,081,572.92</td>
<td>$1,337,106.07</td>
</tr>
<tr>
<td>11/1/2015</td>
<td>3.000%</td>
<td>$854,951.17</td>
<td>$241,077.45</td>
<td>$1,096,028.62</td>
<td>$1,337,106.07</td>
</tr>
<tr>
<td>11/1/2016</td>
<td>3.000%</td>
<td>$884,874.46</td>
<td>$226,115.80</td>
<td>$1,110,990.27</td>
<td>$1,337,106.07</td>
</tr>
<tr>
<td>11/1/2017</td>
<td>3.000%</td>
<td>$915,845.07</td>
<td>$210,630.50</td>
<td>$1,126,475.57</td>
<td>$1,337,106.07</td>
</tr>
<tr>
<td>11/1/2018</td>
<td>3.000%</td>
<td>$947,899.65</td>
<td>$194,603.21</td>
<td>$1,142,502.86</td>
<td>$1,337,106.07</td>
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<tr>
<td>11/1/2019</td>
<td>3.000%</td>
<td>$981,076.14</td>
<td>$178,014.97</td>
<td>$1,159,091.10</td>
<td>$1,337,106.07</td>
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<tr>
<td>11/1/2020</td>
<td>3.000%</td>
<td>$1,015,413.80</td>
<td>$160,846.13</td>
<td>$1,176,259.93</td>
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<tr>
<td>11/1/2021</td>
<td>3.000%</td>
<td>$1,050,953.28</td>
<td>$143,076.39</td>
<td>$1,194,029.68</td>
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<td>11/1/2022</td>
<td>3.000%</td>
<td>$1,087,736.65</td>
<td>$124,684.71</td>
<td>$1,212,421.36</td>
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<tr>
<td>11/1/2023</td>
<td>3.000%</td>
<td>$1,126,807.43</td>
<td>$105,649.32</td>
<td>$1,231,456.75</td>
<td>$1,337,106.07</td>
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<tr>
<td>11/1/2024</td>
<td>3.000%</td>
<td>$1,165,210.69</td>
<td>$85,947.69</td>
<td>$1,251,158.38</td>
<td>$1,337,106.07</td>
</tr>
<tr>
<td>11/1/2025</td>
<td>3.250%</td>
<td>$1,205,983.06</td>
<td>$65,556.50</td>
<td>$1,271,549.57</td>
<td>$1,337,106.07</td>
</tr>
<tr>
<td>11/1/2026</td>
<td>3.250%</td>
<td>$1,246,202.82</td>
<td>$44,451.62</td>
<td>$1,292,654.45</td>
<td>$1,337,106.07</td>
</tr>
<tr>
<td>11/1/2027</td>
<td>3.375%</td>
<td>$1,291,889.92</td>
<td>$22,608.07</td>
<td>$1,314,497.99</td>
<td>$1,337,106.07</td>
</tr>
</tbody>
</table>

Total: $15,400,000.00  $4,656,591.02  $20,056,591.02  $20,056,591.02

11/1/2028
11/1/2029
11/1/2030
Central Administration - Capital Projects/Facilities Department

October 12, 2012

Jon Schnieder
Deputy County Executive
H. L. Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788

Re: Proposed Capital Budget Resolution

Dear Mr. Schnieder:

The College respectfully requests that the proposed resolution enclosed herein be introduced at the next meeting of the Legislature:

- Appropriating funds in connection with the Learning Resource Center – Grant Campus (CP2159)

This draft resolution was e-mailed to the distribution list CE Reso Review saved under the title “Reso-SCCC- Learning Resource Center Constr.docx” on October 12, 2012.

Please feel free to call me at (451-4233) if any additional information is required.

Sincerely,

Jon DeMaio, P.E.
Administrative Director of Educational Facilities

Enclosure

Cc: George Gatta – Executive Vice President, SCCC
    Ben Zwirn – Intergovernmental Relations Coordinator, SCCC
    Paul Cooper, P.E. – Executive Director of Facilities/Technical Support, SCCC
    Sara Gorton – Principal Auditor, SCCC
    Regina M. Calcaterra – Chief Deputy County Executive, Suffolk County
    Tom Vaughn – Director of Intergovernmental Relations, Suffolk County
BOARD OF TRUSTEES MEETING
AUGUST 26, 1994

RESOLUTION NO. 94.145 ISSUING A NEGATIVE SEQRA DECLARATION UPON THE REVIEW OF THE COMPREHENSIVE MASTER PLAN - COLLEGE-WIDE

WHEREAS, the Board of Trustees has been granted authority to issue SEQRA determinations under the Plan C agreement between Suffolk County and the College, and

WHEREAS, a coordinated SEQRA review among involved agencies, with the Board of Trustees as lead agency, was conducted under the provisions of Part 617, Article 8 (State Environmental Quality Review Act), of the Environmental Conservation Law, and

WHEREAS, this review has indicated that the implementation and construction of the Comprehensive Master Plan - College-wide will not have a significant effect on the environment, be it therefore

RESOLVED, that the Board of Trustees hereby issues a Negative SEQRA Declaration for the Comprehensive Master Plan - College-wide.

/s/ Charles Lauer
Secretary
RESOLUTION NO. - 2012, APPROPRIATING FUNDS IN CONNECTION WITH UNDERGROUND INJECTION CONTROL 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 2012 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 $400,000 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, 18, 20, 21, and 27 of Title 6 of New York Code of Rules and Regulations 6 ("NYCRR"), 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 (X) of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of $400,000 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-8220.111</td>
<td>20</td>
<td>Planning of Underground Injection Control Management Program</td>
<td>$100,000</td>
</tr>
<tr>
<td>(Fund 001 Debt Service)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>525-CAP-8220.311</td>
<td>20</td>
<td>Construction of Underground Injection Control Management Program</td>
<td>$300,000</td>
</tr>
<tr>
<td>(Fund 001 Debt Service)</td>
<td></td>
<td></td>
<td></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. - 2012, APPROPRIATING FUNDS IN CONNECTION WITH UNDERGROUND INJECTION CONTROL MANAGEMENT PROGRAM (CP 8220)**

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**

   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 SERVICE SCHEDULE

8. **Proposed Source of Funding**

   SERIAL BONDS

9. **Timing of Impact**

   2013

10. **Typed Name & Title of Preparer**
    - Nicholas Paglia
    - Assistant Executive Analyst

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

12. **Date**
    - October 24th, 2012

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

<table>
<thead>
<tr>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$96,844</td>
<td>$0.17</td>
<td>$0.000</td>
</tr>
</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

<table>
<thead>
<tr>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.000</td>
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</table>

### COMBINED

<table>
<thead>
<tr>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 AV TAX RATE PER $100</th>
<th>2013 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$96,844</td>
<td>$0.17</td>
<td>$0.000</td>
</tr>
</tbody>
</table>

**NOTES:**
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 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>
</tr>
</thead>
<tbody>
<tr>
<td>11/1/2013</td>
<td>2.000%</td>
<td>$75,543.68</td>
<td>$11,200.00</td>
<td>$86,843.68</td>
<td>$86,843.68</td>
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<tr>
<td>11/1/2014</td>
<td>3.000%</td>
<td>$77,761.70</td>
<td>$4,540.99</td>
<td>$82,302.69</td>
<td>$86,843.68</td>
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<tr>
<td>11/1/2015</td>
<td>3.000%</td>
<td>$79,939.03</td>
<td>$3,452.32</td>
<td>$83,391.35</td>
<td>$86,843.68</td>
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<tr>
<td>11/1/2016</td>
<td>3.000%</td>
<td>$82,177.32</td>
<td>$2,333.18</td>
<td>$84,510.50</td>
<td>$86,843.68</td>
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<tr>
<td>11/1/2017</td>
<td>3.000%</td>
<td>$84,478.28</td>
<td>$1,182.70</td>
<td>$85,660.98</td>
<td>$86,843.68</td>
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<td>11/1/2019</td>
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</tr>
<tr>
<td>11/1/2020</td>
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<tr>
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<tr>
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<tr>
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<tr>
<td>11/1/2024</td>
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<tr>
<td>11/1/2025</td>
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<tr>
<td>11/1/2026</td>
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<td></td>
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<tr>
<td>11/1/2027</td>
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<tr>
<td>11/1/2028</td>
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<tr>
<td>11/1/2030</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Jon Schneider, Deputy County Executive (2 copies)
FROM: Gilbert Anderson, P. E., Commissioner
DATE: June 11, 2012
RE: CP 8220 – Underground Injection Control (UIC) Management Program

Attached for your review is a draft resolution appropriating the sum of $400,000.00 ($100,000.00 Planning, $300,000.00 Construction) to continue with our program to document, register, and mitigate and/or eliminate potential point sources of groundwater contamination. This execution of this program is required by US EPA regulations. Please note that we are only requesting the $400,000 even though $800,000 was adopted for the 2012 Capital Program. The remaining $400,000 is being offered in an offset resolution for Capital Program 1664 – Energy Conservation at Various County Facilities.

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 Amended.doc.

GA/MJM/dk
attachments
cc: Regina M. Calcaterra, Chief Deputy County Executive
    Michael J. Monaghan, P.E., Chief Engineer, Facilities Engineering
    James J. Ingenito, R.A., Acting County Architect
    Kathy LaGuardia, Acting Director, DPW Administrative Services
    CE RESO Review (e-mail)
RESOLUTION NO - 2012, AUTHORIZING THE PURCHASE OF UP TO THIRTY NEW HYBRID-ELECTRIC TRANSIT BUSES FOR SUFFOLK COUNTY TRANSIT INCLUDING SPARE PARTS, RADIOS, OTHER RELATED EQUIPMENT AND ACCEPTING AND APPROPRIATING FEDERAL AND STATE AID AND COUNTY FUNDS IN CONNECTION WITH THIS PURCHASE (CP 5658)

WHEREAS, Resolution Nos. 449-2010 and 491-2012 authorized the filing for and the execution of grants with the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) for mass transportation projects including the purchase of transit buses for Suffolk County Transit including spare parts, radios, other related equipment, pre and post delivery Buy America audits and inspection during manufacture; and

WHEREAS, Grant Nos. NY-90-X648 and NY-90-X693 and have been awarded to Suffolk County by the FTA, whereby the FTA will provide 80% of the cost of this project and NYSDOT will provide 10% of the cost of this project, with the County providing 10% of the cost of this project; and

WHEREAS, the total cost of the purchase is estimated to be up to $16,650,000; and

WHEREAS, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said request under Capital Project 5658 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2012 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, that the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,665,000 in Suffolk County Serial Bonds to cover the County share of this purchase; 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 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, 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 thirty-six (36) 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 Purchasing Division is authorized to acquire up to thirty (30) new hybrid-electric transit buses including spare parts, radios, other related equipment, pre and post delivery Buy America audits and inspection during manufacture for Suffolk County Transit subject to the approvals of all applicable FTA and NYSDOT regulations regarding such purchases; and be it further

4th RESOLVED, that the proceeds of $1,665,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Proj. No.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-5658.550</td>
<td>Purchase of up to thirty (30) new hybrid-electric transit buses including spare parts, radios, other related equipment, pre and post delivery Buy America audits and inspection during manufacture</td>
<td>$1,665,000</td>
</tr>
</tbody>
</table>

and be it further

5th RESOLVED, that the State Aid be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Proj. No.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-5658.550</td>
<td>Purchase of up to thirty (30) new hybrid-electric transit buses including spare parts, radios, other related equipment, pre and post delivery Buy America audits and inspection during manufacture</td>
<td>$1,665,000</td>
</tr>
</tbody>
</table>

and be it further

6th RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Proj. No.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-5658.550</td>
<td>Purchase of up to thirty (30) new hybrid-electric transit buses including spare parts, radios, other related equipment, pre and post delivery Buy America audits and inspection during manufacture</td>
<td>$13,320,000</td>
</tr>
</tbody>
</table>

and be it further

7th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this 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

<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

RESOLUTION NO 2012, AUTHORIZING THE PURCHASE OF UP TO THIRTY NEW HYBRID-ELECTRIC TRANSIT BUSES FOR SUFFOLK COUNTY TRANSIT INCLUDING SPARE PARTS, RADIOS, OTHER RELATED EQUIPMENT AND ACCEPTING AND APPROPRIATING FEDERAL AND STATE AID AND COUNTY FUNDS IN CONNECTION WITH THIS PURCHASE (CP 5658)

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)

<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

The County will provide 10% share of the project, estimated to be $1,665,000.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

Federal Transit Funds 80% ($1,665,000)  
New York State Aid 10% ($1,665,000)  
Suffolk County Serial Bonds 10% ($13,320,000)

9. Timing of Impact

2013

10. Typed Name & Title of Preparer

Nicholas E. Paglia Jr.  
Asst Executive Analyst

11. Signature of Preparer

[Signature]

12. Date

October 24th, 2012

SCIN FORM 175b (10/95)
### General Fund

<table>
<thead>
<tr>
<th></th>
<th>2013 Property Tax Levy</th>
<th>2013 Cost to Avg Taxpayer</th>
<th>2013 AV Tax Rate Per $100</th>
<th>2013 FEV Tax Rate Per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$361,487</td>
<td>$0.69</td>
<td></td>
<td>$0.001</td>
</tr>
</tbody>
</table>

### Police District and District Court

<table>
<thead>
<tr>
<th></th>
<th>2013 Property Tax Levy</th>
<th>2013 Cost to AVG Taxpayer</th>
<th>2013 AV Tax Rate Per $100</th>
<th>2013 FEV Tax Rate Per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.000</td>
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</tbody>
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### Combined

<table>
<thead>
<tr>
<th></th>
<th>2013 Property Tax Levy</th>
<th>2013 Cost to AVG Taxpayer</th>
<th>2013 AV Tax Rate Per $100</th>
<th>2013 FEV Tax Rate Per $1000</th>
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</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$361,487</td>
<td>$0.69</td>
<td></td>
<td>$0.001</td>
</tr>
</tbody>
</table>

**Notes:**
1) Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property, September 2011.
3) Source for equalization rates: Tentative 2011 County Equalization Rates established by the New York State Board of Equalization and Assessments.

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>
</tr>
</thead>
<tbody>
<tr>
<td>11/1/2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>11/1/2013</td>
<td>2.000%</td>
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<td>$46,620.00</td>
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<td>$361,486.80</td>
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<td>$18,901.86</td>
<td>$342,584.93</td>
<td>$361,486.80</td>
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<tr>
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<td>$332,746.19</td>
<td>$14,370.30</td>
<td>$347,116.50</td>
<td>$361,486.80</td>
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<tr>
<td>11/1/2016</td>
<td>3.000%</td>
<td>$342,063.09</td>
<td>$9,711.86</td>
<td>$351,774.94</td>
<td>$361,486.80</td>
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<tr>
<td>11/1/2017</td>
<td>3.000%</td>
<td>$351,640.85</td>
<td>$4,922.97</td>
<td>$356,563.83</td>
<td>$361,486.80</td>
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<tr>
<td>11/1/2018</td>
<td></td>
<td>$1,665,000.00</td>
<td>$142,433.99</td>
<td>$1,807,433.99</td>
<td>$1,807,433.99</td>
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</table>

11/1/2019  
11/1/2020  
11/1/2021  
11/1/2022  
11/1/2023  
11/1/2024  
11/1/2025  
11/1/2026  
11/1/2027  
11/1/2028  
11/1/2029  
11/1/2030  

Suffolk County
General Obligation Serial Bonds
Level Debt
MEMORANDUM

TO: Jon Schneider, Deputy County Executive
FROM: Gilbert Anderson, P.E., Commissioner
Department of Public Works

DATE: October 17, 2012

RE: Resolution authorizing the purchase of up to thirty new hybrid-electric transit buses for Suffolk County Transit including spare parts, radios, other related equipment and accepting and appropriating federal aid (80%), state aid (10%) and county funds (10%) in connection with this purchase (cp 5658)

This resolution will permit the County to purchase up to 30 new hybrid-electric transit buses for Suffolk County that are eligible for replacement under Federal Guidelines.

The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-Purchase of Up To 30 New Hybrid-Electric Transit Buses."

Please initiate the process to have this resolution introduced at the meeting of the Suffolk County Legislature on November 20, 2012. If you have any questions, please do not hesitate to contact Garry Lenberger, Director of Transportation Operations, at 2-4880.

GA:GL:cc
Enclosures

cc: Regina Calcaterra, Chief Deputy County Executive, w/enc.
Ben Zwirn, Director of Intergovernmental Relations, w/enc (2)
Tom Vaughn, County Executive Assistant, w/enc
Jim Burt, Assistant Budget Director, w/enc
Nick Paglia, Assistant Executive Analyst, w/enc
Charles Jaquin, DPW Finance, w/enc.
Amy Baldwin, DPW Capital Accounting, w/enc.
Debra Kolyer, Budget Office, w/enc.
Evelyn Creem, Federal & State Aid Office, w/enc
CE Reso Review List, e-mail
RESOLUTION NO. -2012, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $2,106,258.00 FROM THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES, TO PROVIDE ENHANCED DEFENSE REPRESENTATION FOR CASES ASSIGNED TO THE LEGAL AID SOCIETY OF SUFFOLK COUNTY WITH 100% SUPPORT

WHEREAS, the State of New York Office of Indigent Legal Services has made $2,106,258.00 available to Suffolk County for the enhancement of defense representation for cases assigned to the Legal Aid Society of Suffolk County (Program), pursuant to Article 18-B of the County law, and

WHEREAS, subject to any extensions approved by the County and the State, the operational period of the Program will be in effect for a term of three years, from June 1, 2012, through May 31, 2015; and

WHEREAS, said grant funds totaling $2,106,258.00 are to be divided into three equal amounts of $702,086 each year for Year 1, Year 2 and Year 3 of the Program; and

WHEREAS, said grant funds for Year 1 of the Program, for the period June 1, 2012 through May 31, 2013, have not been included in the 2012 Suffolk County Operating Budget; and

WHEREAS, said grant funds for Year 2 of the Program, for the period June 1, 2013 through May 31, 2014, have been included in the 2013 Recommended Suffolk County Operating Budget; now, therefore be it,

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds in the sum of $702,086.00 as follows:

REVENUES:

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-1172(unit)-3215(revenue)</td>
<td>State Aid – Indigent Legal Services</td>
</tr>
</tbody>
</table>

ORGANIZATIONS:

<table>
<thead>
<tr>
<th>ORGANIZATIONS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>ILS Fund Grant 2012 - 2015</td>
<td></td>
</tr>
<tr>
<td>001-LAS-1172</td>
<td></td>
</tr>
</tbody>
</table>

4000 - Contractual Expenses $ $702,086.00
4770 - Special Services $702,086.00

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a grant agreement between Suffolk County and the State of New York and to execute an agreement between Suffolk County and the Legal Aid Society of Suffolk County to carry out the Program as outlined in the grant agreement with New York State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
AGREEMENT
BETWEEN THE
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES
AND
COUNTY OF SUFFOLK, NEW YORK
C000247

This Agreement, between the New York State Office of Indigent Legal Services, State Capitol, Room 128, Albany, New York 12224 ("ILS") and County of Suffolk, New York ("County"), is for the provision of funds to assist County in improving the quality of indigent legal services provided by such County pursuant to article 18-B of the county law, in accordance with this Agreement and (i) the Budget, annexed as Appendix B hereto and made a part hereof, (ii) Payment and Reporting Schedule, annexed as Appendix C hereto and made a part hereof and (iii) Program Work Plan, annexed as Appendix D hereto and made a part hereof.

I. TERM

When signed by the parties and approved by the New York State Attorney General and the Office of the New York State Comptroller ("OSC"), this Agreement shall be in effect for a term of three years, commencing on June 1, 2012 and terminating on May 31, 2015, unless terminated earlier or extended pursuant to its terms.

II. AMENDMENT

A. This Agreement may be amended only upon the mutual written agreement of the parties.

B. As set forth in Section V(A) below, no such amendment of this Agreement shall
increase the maximum amount of funds distributed to County unless an additional distribution has been awarded that names County as the recipient.

C. Any such amendment of this Agreement shall be subject to approval by Office of the New York State Comptroller.

D. To modify the Agreement, the parties may revise or complete Appendix X, attached hereto and made a part hereof.

III. TERMINATION

A. ILS may terminate this Agreement upon thirty (30) days written notice of termination to County, if County fails to comply with terms and conditions of this Agreement and/or with any laws, rules, regulations, policies or procedures affecting this Agreement.

B. This Agreement may be terminated without cause by ILS upon ninety (90) days written notice to County.

C. This Agreement may be terminated by County with cause upon sixty (60) days written notice to ILS.

D. In the event of the termination of this Agreement by either party, all remaining funds paid to County that are not subject to allowable costs already incurred by the County shall be returned to ILS. In any event, no liability shall be incurred by ILS or the State of New York beyond monies available for the purpose of this Agreement.

E. Within thirty (30) days of the effective date of termination, County shall render a final statement of allowable expenditures.

F. Should funding become unavailable, this Agreement may be suspended until funding becomes available. In such event ILS shall notify County upon learning of such unavailability of funds. However, any such suspension shall not be deemed to extend the term of
the Agreement beyond the expiration date as set forth in Section I above.

IV. SCOPE OF SERVICES

A. County shall provide the services and meet the program objectives summarized in the Budget (Appendix B) and Program Work Plan (Appendix D) in accordance with provisions of the Agreement, relevant laws, rules and regulations, and administrative and fiscal guidelines. Such Program Work Plan shall contain a description of the services to be provided by County, the schedule for the provision of these services by County and the performance criteria pursuant to which the County shall be evaluated.

B. If the County enters into subcontracts for the performance of work pursuant to this Agreement, the County shall be solely responsible to ILS for performance, whether the work is performed by the County or its subcontractors, and in every subcontract for the performance of work pursuant to this Agreement, the County shall require the subcontractor to indemnify and hold harmless ILS and the State of New York as specified in Section VIII, Indemnification, of this Agreement. No contractual relationship shall be deemed to exist between the subcontractor and ILS or the State of New York.

V. FUNDS DISTRIBUTED

A. The maximum amount of funds payable to County under this Agreement shall not exceed $2,106,258.00. As set forth in Section II(B) above, the funds payable to County made pursuant to an amendment may not exceed the total maximum funds already authorized for the Agreement, unless an additional distribution has been awarded that names County as the recipient of funds during the term of the amendment.

B. The budget for the term of the Agreement is set forth in Appendix B to this Agreement, and shall consist of an annual budget for each of the three years of the Agreement.
In the event that additional funding becomes available at any time during the term of this Agreement, a new budget shall be prepared and shall replace or supplement the budget now set forth in Appendix B. This new budget shall be incorporated into this Agreement as a revised Appendix B pursuant to the amendment document entered into by the parties in accordance with Section II above.

C. Throughout the term of this Agreement, County shall be reimbursed only for costs actually incurred in accordance with this Agreement and with Appendices B, C and D.

D. Except as otherwise provided in Paragraph F below, payments shall be made in arrears on a quarterly basis and shall be processed upon submission by County and approval by ILS of appropriate statements and vouchers in a format approved by ILS and OSC.

E. When the Agreement is signed by the parties and approved by the New York State Attorney General and OSC, County may request an advance payment of up to 25% of the current appropriation, by submitting a written request to ILS containing sufficient supporting documentation of allowable expenditures to be incurred during the applicable period. ILS may approve or reject such request in its sole discretion and, if approved, shall determine the length of the applicable period for such advance payment. Upon approval of such request, ILS shall submit a voucher to OSC for payment to County in the approved amount of the request.

F. If an advance payment has been made to County, within thirty (30) days following the expiration of the applicable period for which the advance payment was made, County shall submit to ILS a final reconciliation statement detailing the allowable expenses incurred by County during such applicable term.

G. After every three (3) months of the three year term in which this Agreement is in effect, County may submit to ILS an expenditure voucher detailing the approved actual costs
incurred pursuant to this Agreement during the immediately preceding three (3) month period. These expenditure vouchers shall be submitted by County to ILS no later than thirty (30) days after the close of each three (3) month period commencing on the effective date of the Agreement, as set forth in Section I above. Following review and approval of County’s three (3) month expenditure voucher, the ILS shall, no later than thirty (30) days after receipt of such expenditure voucher from County, submit a voucher to OSC for payment to County based on the approved expenses.

H. No funds provided to County by ILS pursuant to this Agreement may be used for any partisan political activity or for any activities that may influence legislation or the election or defeat of any candidate for public office or for the advancement or defeat of any ideological, political or social issue.

I. The amounts paid to County by ILS pursuant to this Agreement shall be used to supplement and not supplant any local funds, as defined in paragraph (c) of subdivision 2 of section 98-b of the State Finance Law, which such County would otherwise have had to expend for the provision of counsel and expert, investigative and other services pursuant to article eighteen-B of the County Law. In the event funds are used to supplant local funds, such funds actually provided by ILS shall be returned to ILS by County.

VI. REPORTING; RECORD KEEPING; MONITORING; AUDITS

A. In addition to the fiscal reporting requirements set forth in Section V above, County shall submit such other oral and written reports concerning its provision of services and use of funds as are set forth herein and in Appendices B, C and D and as may be required from time to time by ILS.

B. Within forty-five (45) days of the conclusion of each 12-month period in which
this Agreement is in effect, County shall submit a program report to ILS.

C. County shall be required to retain all financial records pertaining to this Agreement for a period of six (6) years after the termination of the Agreement.

D. ILS, OSC, the state and any other governmental entity providing funding to County pursuant to this Agreement shall have the right to perform both pre- and post-audits of County’s records relating to the receipt and expenditure of any funds provided pursuant to this Agreement.

VII. ASSIGNMENT

The rights and obligations of County under this Agreement may not be assigned, conveyed, transferred or subcontracted by County without the prior written authorization of ILS.

VIII. INDEMNIFICATION

To the extent permitted by law, County shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by County pursuant to this Agreement. County shall indemnify and hold harmless ILS and the State of New York and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this Agreement and in every subcontract for the performance of work pursuant to this Agreement, the County shall require the subcontractor to indemnify and hold harmless ILS and the State of New York and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of provision of services pursuant to this Agreement.

IX. NOTICES

All written notices and communications made pursuant to this Agreement shall be
delivered to the addresses set forth below or to such other addresses as the parties may from time to time provide to each other. All notices shall be deemed received on the fifth (5th) business day after mailing or upon delivery, if delivered by hand.
X. MISCELLANEOUS PROVISIONS

A. This Agreement, including all its appendices, constitutes the entire agreement between the parties and supersedes all other communications between the parties relating to the subject matter herein.

B. Standard Clauses for New York State Contracts, consisting of standard terms for New York State contracts, is attached hereto as Appendix A and made a part hereof.

C. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

D. If any part of this Agreement is found to be unenforceable for any reason, that part shall be deemed to be deleted and all other terms, conditions and provisions of this Agreement shall remain in full force and effect.

E. The obligations of ILS under this Agreement shall be limited to the extent that
monies are appropriated or otherwise available therefor.

F. The captions contained in this Agreement are intended for convenience and referenced purposes only and shall in no way be deemed to define, limit, or describe the scope or intent of this Agreement, or any provision thereof, or in any way affect this Agreement.

G. In the event that any one or more of the provisions of this Agreement shall for any reason be declared unenforceable under the laws or regulations in force, such provision will not have any effect on the validity of the remainder of the Agreement, which shall then be construed as if such unenforceable provision had never been written or was never contained in this Agreement.

H. Neither party will be liable for losses, defaults, or damages under this Agreement which result from delays in performing, or inability to perform, all or any of the obligations or responsibilities imposed upon it pursuant to the terms and conditions of this Agreement, due to or because of acts of God, the public enemy, acts of government, earthquakes, floods, strikes, typhoons, civil strife, fire or any other cause beyond the reasonable control of the party that was so delayed in performing or so unable to perform, provided that such party was not negligent and shall have used reasonable efforts to avoid and overcome such cause. Such party will resume full performance of such obligations and responsibilities promptly upon removal of any such cause.

I. Services performed pursuant to this Agreement are secular in nature and shall be performed in a manner that does not discriminate on the basis of religious belief, or promote or discourage adherence to religion in general or particular religious beliefs.
ILS Contract Number: C000247

ILS Certification

ILS certifies that an original or photocopy
of this signature page will be attached to
every exact copy of this Agreement

COUNTY OF SUFFOLK

By: ____________________________
Name: Regina Calcaterra
Title: Chief Deputy City Attorney
Date: 10-10-12

NEW YORK STATE OFFICE OF
INDIGENT LEGAL SERVICES

By: ____________________________
Name: William J. Leahy
Title: Director
Date: ____________________________

Attorney General:
ERIC T. SCHNEIDERMAN

State Comptroller:
THOMAS P. DINAPOLI

By: ____________________________
Date: ____________________________

Approved
Dennis M. Cohen, County Attorney

By: Patricia M. Jordan
Assistant County Attorney
Date: 10/1/12
ACKNOWLEDGMENT

STATE OF NEW YORK  

)  

) ss.:  

COUNTY OF  

)  

On this __________ day of ________________, 20__ before me personally came  

__________________________, to me known, who, being by me duly sworn, did depose  

and say that s/he resides in ______________________, that s/he is the  

_________________________ of __________________________, the organization  

described in the above instrument; that s/he had the authority to sign same; and that s/he did duly  

acknowledge to me that s/he executed the same as an act and deed of said organization.

__________________________________________  

NOTARY PUBLIC
APPENDIX A

STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS
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STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licensee, lessee, lessor, lessee or any other party):

1. EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State's previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller's approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor's business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. COMPTROLLER'S APPROVAL. In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds $50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds $10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed $85,000 (State Finance Law Section 163.6.a).

4. WORKERS' COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of $50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.
7. NON-COLLABORATIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor’s behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds $5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State’s right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee’s Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of $25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to
be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of $100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of $100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts 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. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demolition, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall 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 on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over $25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the
subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
30 South Pearl St -- 7th Floor
Albany, New York 12245
Telephone: 518-292-5220
Fax: 518-292-5884
http://www.empire.state.ny.us

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development
Division of Minority and Women’s Business Development
30 South Pearl St -- 2nd Floor
Albany, New York 12245
Telephone: 518-292-5250
Fax: 518-292-5803
http://www.empire.state.ny.us

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than $1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS. Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT. Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW. If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4-g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

December, 2011
24. PROCUREMENT LOBBYING. To the extent this agreement is a "procurement contract" as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS. To the extent this agreement is a contract as defined by Tax Law Section 5-a, if the contractor fails to make the certification required by Tax Law Section 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.
## APPENDIX B
Office of Indigent Legal Services  
Three-Year Distribution  
COUNTY OF SUFFOLK - C000247  
June 1, 2012 - May 31, 2015  
Total Contract Amount: $2,106,258

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<tr>
<th>Task #1 - Family Court Referee Parts</th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>PERSONNEL</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>65% Senior Attorney</td>
<td>48,664</td>
<td>50,124</td>
<td>51,628</td>
</tr>
<tr>
<td>2 Staff Attorneys</td>
<td>119,270</td>
<td>122,848</td>
<td>126,533</td>
</tr>
<tr>
<td>1 Investigator</td>
<td>48,410</td>
<td>49,862</td>
<td>51,358</td>
</tr>
<tr>
<td>Subtotal</td>
<td>216,344</td>
<td>222,834</td>
<td>229,519</td>
</tr>
<tr>
<td>Fringe Benefits @ 34%</td>
<td>73,557</td>
<td>75,764</td>
<td>78,036</td>
</tr>
<tr>
<td>PERSONNEL TOTAL</td>
<td>289,901</td>
<td>298,598</td>
<td>307,555</td>
</tr>
<tr>
<td>OTPS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment and Technology</td>
<td>13,899</td>
<td>5,202</td>
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<tr>
<td>Training</td>
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</tr>
<tr>
<td>Employee Travel</td>
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<td>2,000</td>
<td>445</td>
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<tr>
<td>OTPS TOTAL</td>
<td>18,099</td>
<td>9,402</td>
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<td>TOTAL FOR TASK #1</td>
<td>308,000</td>
<td>308,000</td>
<td>308,000</td>
</tr>
</tbody>
</table>

| Task #2 - Spanish Language Access Initiative |        |        |        |
| PERSONNEL                                    |        |        |        |
| 4 Spanish Speaking Attorneys                | 220,000| 226,600| 233,400|
| 1 Spanish Speaking Client Advocate/Interpreter | 40,000| 41,200 | 42,436 |
| 40% Spanish Speaking Secretary              | 15,600 | 16,068 | 16,550 |
| Subtotal                                     | 275,600| 283,868| 292,386|
| Fringe Benefits @ 34%                       | 93,704 | 96,515 | 99,411 |
| TOTAL PERSONNEL                              | 369,304| 380,383| 391,797|
| OTPS                                         |        |        |        |
| Furniture and Office Equipment              | 15,000 | 4,000  | 0      |
| Training                                    | 3,000  | 3,000  | 1,000  |
| Employee Travel                             | 6,782  | 6,703  | 1,289  |
| OTPS TOTAL                                   | 24,782 | 13,703 | 2,289  |
| TOTAL FOR TASK #2                           | 394,086| 394,086| 394,086|

**TOTAL PER YEAR**  
$702,086  $702,086  $702,086
APPENDIX C

County of Suffolk
C000247

PAYMENT AND REPORTING SCHEDULE

For All Counties:

1. County agrees that this is a reimbursement-based contract. All requests for reimbursement must reflect actual costs that have been disbursed or items received by the County. A purchase order issued without receipt of the items or services is not eligible for reimbursement.

2. To the extent permitted by law and regulation, ILS may, at its own discretion, make an advance payment to the County, up to 25% of the current appropriation, upon submission of sufficient supporting documentation of allowable expenses to be incurred during the applicable period. ILS shall determine the length of the applicable period. Said advance may be eligible for payment only upon approval of this Agreement by the Attorney General and by the Comptroller of the State of New York and upon submission to ILS by the County of a properly executed State of New York Standard Voucher in a form acceptable to ILS and to the Comptroller of the State of New York. The County will refund any unexpended advance balance at the end of the applicable period to ILS. In the event either party terminates the contract prior to the end of the applicable period, County agrees to refund to ILS immediately any advance balance then outstanding.

3. Counties must submit all required fiscal reports, supporting documentation and program reports. Failure to meet these requirements will result in the rejection of associated vouchers. Failure to submit the program reports, or any other report as may be required, may result in a disallowance of 25 percent (25%) of the distribution amount. Final vouchers, reimbursement payment and reports must be submitted within 60 days of the end of the contract period. Failure to voucher within this period may result in the loss of distribution funds.

4. Vouchers shall be submitted in a format acceptable to ILS and the Office of the State Comptroller. Vouchers submitted for payment shall be deemed to be a certification that the payments requested are for project expenditures made in accordance with the items as contained in the Budget (Appendix B) and during the contract period. When submitting a voucher, such voucher shall also be deemed to certify that a) the payments requested do not duplicate reimbursement from other sources of funding; and b) the funds provided herein do not replace funds that, in the absence of this distribution, would have been made available by the County for this program.
5. Timely and properly completed New York State vouchers, with supporting documentation when required, shall be submitted to:

Office of Indigent Legal Services
State Capitol
Room 128
Albany, NY 12224

5. Payment Schedule

All submitted vouchers will reflect the County’s actual expenditures and will be accompanied by supporting detailed itemizations of personal service and non-personal service expenditures and supporting documentation as required, and by an Invoice/Expense Statement for the reporting period. ILS reserves the right not to release subsequent distribution or grant awards pending County compliance with this Agreement. In the event that any expenditure for which the County has been reimbursed by distribution funds is subsequently disallowed, ILS in its sole discretion, may reduce the voucher payment by the amount disallowed. If necessary, the County may be required to submit a final budget reallocation. Invoice/Expense Statements must be submitted showing distribution expenditures and/or obligations for each quarter within 45 days after the last day of the quarter for the reporting period.

Payment requests need to include the following documents as required:
- Detailed itemization of Personal Service Expenditures
- Detailed itemization of Non-Personal Service Expenditures
- Detailed itemization of Consultant/Contractual Expenditures
- Supporting Documentation
- Voucher and Fiscal Cost Report signed

Throughout the term of this Agreement, County shall be reimbursed only for costs actually incurred in accordance with this Agreement and with Appendices B and D. Except as provided in Paragraph 2 above, payments shall be made in arrears on a quarterly basis and shall be processed upon submission by County and approval by ILS of appropriate statements and vouchers in a format approved by ILS and the Office of the State Comptroller (OSC).

After every three (3) months of the 36-month period in which this Agreement is in effect, County shall submit to ILS an expenditure voucher detailing the approved actual costs incurred pursuant to this Agreement during the immediately preceding three (3) month period. These expenditure vouchers shall be submitted by County to ILS no later than thirty (30) days after the close of each three (3) month period commencing on the effective date of the Agreement, as set forth in Section 1 of the Agreement. Following review and approval of County’s three month expenditure voucher, and no later than 30 days after receipt of such expenditure voucher from
County, ILS shall submit a voucher to OSC or other appropriate agency for payment to County based on the approved expenses.

6. Contract Payments

County shall provide complete and accurate billing invoices to ILS in order to receive payment. Billing invoices submitted to the agency must contain all information and supporting documentation required by the Contract, ILS and the State Comptroller.

7. Budget Revisions

County may make revisions to the Budget contained in Appendix B up to the amount of ten percent (10%) of any direct cost category item without prior approval of ILS. County agrees to submit in writing any and all revisions made pursuant to this to ILS for informational purposes.

Budget revisions in excess of ten percent (10%) of any budget item or which affect changes in the work plan shall be submitted in writing to ILS accompanied by justification therefor and are subject to approval by ILS and OSC. Any submission under this section shall contain as an attachment thereto, all prior budget revision submissions made to ILS under this section since the last approved revision under this section. ILS shall notify the County in writing, of the approval of such budget revisions by ILS and OSC, or shall, also in writing, notify the County of the disapproval of such budget revisions and particularize the reasons for such disapproval.
APPENDIX D

OFFICE OF INDIGENT LEGAL SERVICES
THREE YEAR DISTRIBUTION

COUNTY OF SUFFOLK – C000247
WORK PLAN

JUNE 1, 2012 – MAY 31, 2015

**Goal:** To improve the quality of services provided under Article 18-B of the County Law.

**Task #1:**

- To maintain the assignment of three (3) Attorneys and one (1) Investigator to handle cases in the Family Court Referee Parts specifically dedicated to hearing custody and visitation issues. This funding will allow for continuation of this program and the positions created by virtue of the 2011 ILSF distribution.

**Performance Measure:**

- Number of applicants screened for eligibility.
- Number of cases assigned to Legal Aid Society in those parts.

**Program Location:**

- Family Court Referee Parts at Cohalan Court Complex, Central Islip, New York.

**Task #2:**

- To hire four (4) new Attorneys who are fluent in Spanish to respond to a demonstrated need for Spanish language attorney-client representation. This will assure meaningful representation to a growing population of Spanish speaking petitioners/respondents or defendants in Suffolk County courts.
- To hire one (1) Spanish fluent Client Advocate to screen potential clients who require Spanish language assistance to determine eligibility, explain court procedures, assist with alternative programs, and notify of the right to have full and equitable access to Spanish
language services in court pursuant to New York law, Title VI of the Civil Rights Act and Department of Justice guidelines.

- To hire one (1) Spanish speaking Secretary to manage an anticipated increase in caseload, field a heavy volume of telephone calls and deal with the increasing number of clients and clients' family members who need assistance in Spanish.

Performance Measure:

- Number of cases of Spanish-speaking petitioners/respondents or defendants assigned to Legal Aid Society Spanish-proficient Attorneys.
- Number of Spanish-speaking clients assisted by Spanish-fluent Client Advocate and support staff.

Program Location:

- Cohalan Court Complex, Central Islip, New York and/or Cromarty Court Complex, Riverhead, New York.
APPENDIX X

Agency Code: 01140 Contract No. ____________

Contract Period: June 1, 2012 – May 31, 2015
Funding Amount for Period: ______________

This is an AGREEMENT between THE STATE OF NEW YORK, acting by and through the New York State Office of Indigent Legal Services, having its principal office at State Capitol, Room 128, Albany, New York (hereinafter referred to as the STATE), and ____________ (hereinafter referred to as the County), for modification of Contract Number ______________.

1. Said Agreement is hereby extended for an additional ____ month period expiring ____ , ____, as provided for in the original AGREEMENT.

2. Except as modified herein, all other provisions of said AGREEMENT shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of the dates appearing under their signatures.

COUNTY SIGNATURE STATE AGENCY SIGNATURE

By: ____________________________ By: ____________________________

______________________________ ______________________________
Printed Name Printed Name

Title: ____________________________ Title: ____________________________

Date: ____________________________ 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."

STATE OF NEW YORK )
County of__________ ) SS:

On the____ day of____, ____, before me personally appeared ________________________, to me known, who being by me duly sworn, did depose and say that he/she resides at ________________________, that he/she is the _______________ of the ___________, the corporation described herein which executed the foregoing instrument; and that he/she signed his/her name thereto by order of the board of directors of said corporation.

(Notary): ______________________________

STATE COMPTROLLER’S SIGNATURE

Title: ____________________________

Date: ____________________________
**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 IN THE AMOUNT OF $2,106,258.00 FROM THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES, TO PROVIDE ENHANCED DEFENSE REPRESENTATION FOR CASES ASSIGNED TO THE LEGAL AID SOCIETY OF SUFFOLK COUNTY WITH 100% SUPPORT

3. **Purpose of Proposed Legislation**
   - See item 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**

7. **Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.**
   - Grant Funding to cover a three year period, starting June 1, 2012 through May 31, 2015

8. **Proposed Source of Funding**
   - NYS Indigent Services Legal Fund

9. **Timing of Impact**
   - Upon Adoption of Resolution

10. **Typed Name & Title of Preparer**
    - James P. Burt  
    - Assistant Budget Director

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

12. **Date**
    - October 25, 2012

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

<table>
<thead>
<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 FEV TAX RATE PER $1000</th>
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</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
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## POLICE DISTRICT AND DISTRICT COURT

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<tr>
<th></th>
<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 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>
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</tbody>
</table>

## COMBINED

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<tr>
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<th>2013 PROPERTY TAX LEVY</th>
<th>2013 COST TO AVG TAXPAYER</th>
<th>2013 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:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 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. -2012, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 SOUTHWEST AND THE TOWN OF BABYLON FOR GEIGER LAKE PARK (BA-1643)

WHEREAS, Geiger Lake Park is outside the boundary of Suffolk County Sewer District No. 3 – Southwest; and

WHEREAS, the Town of Babylon has petitioned and requested the Administrative Head of the District for permission to discharge Five Thousand Nine Hundred One gallons per day (5,901 GPD), of wastewater, and

WHEREAS, it has been determined by the Administrative Head that the District has wastewater treatment capacity (Five Thousand Nine Hundred One gallons per day) in excess of their own needs; and

WHEREAS, the proposed flow has received the approval of the Suffolk County Sewer Agency (Resolution 33-2012) with a connection fee rate of $30.00 per gallon per day for the Five Thousand Nine Hundred One gallons per day of capacity; for a connection fee of $177,030.00, for the said capacity; payable to the district; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District 3 - Southwest and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; now therefore be it

1st RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

2nd RESOLVED, that the Administrative Head of the District be and hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts, 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(L&M) of the Suffolk County Charter.

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:
SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 33 - 2012

AUTHORIZING THE FORMAL APPROVAL
FOR THE CONNECTION OF
GEIGER LAKE PARK (BA-1643)
TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, Geiger Lake Park is an existing Town of Babylon park which the Town proposes to redevelop in Deer Park, New York, on property identified on the Suffolk County Tax Maps as District 0100, Section 059.00, Block 01.00, Lot 001.000, 0100-060-0200-001000, 003002, 004000-009000, 012001, & 013000, and

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 3 – Southwest (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, it is anticipated that Geiger Lake Park will generate a wastewater flow of Five Thousand Nine Hundred One gallons per day (5,901 GPD), and

WHEREAS, the Town of Babylon has applied to this Agency for permission to connect Geiger Lake Park to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the flow which is expected to emanate from Geiger Lake Park, and

WHEREAS, the connection of Geiger Lake Park to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County, and

WHEREAS, the Town of Babylon in a coordinated review has issued a Negative Declaration under SEQRA, and the Sewer Agency is in agreement,

NOW, THEREFORE, IT IS

1st RESOLVED, that the SEQRA regulations have been met, and this action requires no additional action, now, therefore, be it further

2nd RESOLVED, that Geiger Lake Park be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

Page 1 of 2
3rd RESOLVED, that Five Thousand Nine Hundred One gallons per day (5,901 GPD), of capacity in the District's sewage treatment plant be allocated to Geiger Lake Park, and it is further

4th RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

5th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the Town of Babylon, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk, and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

6th RESOLVED, that the connection fee to be paid for Geiger Lake Park shall be paid upon the execution of the Connection Agreement at the rate of $30.00 per gallon of flow per day for a total of $177,030.00, and it is further

7th RESOLVED, that the Town of Babylon shall, at its sole cost, expense and effort, construct a sewage collection facility for the Geiger Lake Park project and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

8th RESOLVED, that the Town of Babylon shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for Geiger Lake Park, as well as for all of the developer's obligations under the Connection Agreement, and it is further

9th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to Geiger Lake Park if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting – September 24, 2012)
RESOLUTION SUBMITTAL SHEET

<table>
<thead>
<tr>
<th>Capital Project</th>
<th>Legislative Districts</th>
<th>Federal Aid %</th>
<th>State Aid %</th>
</tr>
</thead>
<tbody>
<tr>
<td>NA</td>
<td>15th</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Operating Fund</td>
<td>Federal Aid %</td>
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</tr>
<tr>
<td>Other</td>
<td>State Aid %</td>
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<td>NA</td>
</tr>
</tbody>
</table>

Complete description of why we are asking for resolution; if aided, state status of aid

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3—Southwest with the Town of Babylon for Geiger Lake Park (BA-1643), the Town is seeking permission to discharge 5,901 GPD.

Previous resolution (list previous resolution for the same work)

<table>
<thead>
<tr>
<th>Resolution Number</th>
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<th>Amount</th>
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</thead>
<tbody>
<tr>
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Amounts being requested

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<th>Site</th>
<th>Construction</th>
<th>Land</th>
<th>F&amp;E</th>
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</thead>
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<td>0</td>
<td>0</td>
<td>0</td>
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</table>

Current Funding

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<th>Construction</th>
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<th>F&amp;E</th>
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Project Status

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<tr>
<th>Est. planning completion</th>
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<th>Design consultant</th>
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<tbody>
<tr>
<td>Est. construction start</td>
<td></td>
<td>Contractor</td>
</tr>
<tr>
<td>Est. construction completion</td>
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<td></td>
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</table>

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue

<table>
<thead>
<tr>
<th>Offset</th>
<th>Leg. District</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
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## STATEMENT OF FINANCIAL IMPACT
### OF PROPOSED SUFFOLK COUNTY LEGISLATION

<table>
<thead>
<tr>
<th>1. Type of Legislation</th>
<th>Resolution <strong>X</strong></th>
<th>Local Law</th>
<th>Charter Law</th>
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<table>
<thead>
<tr>
<th>2. Title of Proposed Legislation</th>
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<tbody>
<tr>
<td>RESOLUTION NO. 2012-2012, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 SOUTHWEST AND THE TOWN OF BABYLON FOR GEIGER LAKE PARK</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Purpose of Proposed Legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3–Southwest with the Town of Babylon for Geiger Lake Park (BA-1643), the Town is seeking permission to discharge 5,901 GPD.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4. Will the Proposed Legislation Have a Fiscal Impact?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes <strong>X</strong> No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. If the answer to Item 4 is &quot;yes,&quot; on what will it impact?</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Circle appropriate category)</td>
</tr>
<tr>
<td>County</td>
</tr>
<tr>
<td>Town</td>
</tr>
<tr>
<td>Economic Impact</td>
</tr>
<tr>
<td>Village</td>
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<tr>
<td>School District</td>
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<tr>
<td>Other (Specify):</td>
</tr>
<tr>
<td>Library District</td>
</tr>
<tr>
<td>Fire District</td>
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<tr>
<td>SCDSD #3 Southwest</td>
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<table>
<thead>
<tr>
<th>6. If the answer to item 4 is &quot;yes,&quot; Provide Detailed Explanation of Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Connection Fee of $177,030.00 ($30 per gallon per day) for this project will be paid to the District.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision</th>
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<tbody>
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<td>NA</td>
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<table>
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<tr>
<th>8. Proposed Source of Funding</th>
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<table>
<thead>
<tr>
<th>9. Timing of Impact</th>
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<tbody>
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<table>
<thead>
<tr>
<th>10. Typed Name &amp; Title of Preparer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Craig A. Platt</td>
</tr>
<tr>
<td>Assistant Director of Sewer District Activation</td>
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<table>
<thead>
<tr>
<th>11. Signature of Preparer</th>
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<tr>
<td>Craig A. Platt</td>
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<table>
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SCIN FORM 175b (10/95)
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**Notes:**

1) Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property, September 2011.
3) Source for equalization rates: Tentative 2011 County Equalization Rates established by the New York State Board of Equalization and Assessments.
MEMORANDUM

To: Jon Schneider, Deputy County Executive
From: Gilbert Anderson, P.E., Commissioner, SCDPW
Date: September 27, 2012
Subject: RESOLUTION NO. -2012, AUTHORIZING EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 SOUTHWEST AND THE TOWN OF BABYLON FOR GEIGER LAKE PARK (BA-1643)

Attached is a draft resolution filed as Reso-DPW-SA 33-2012 Geiger Lake Park (BA-1643) and appropriate forms with the backup filed as Backup-DPW-SA 33-2012 Geiger Lake Park (BA-1643) SCIN 175A. This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 3 – Southwest with the Town of Babylon for Geiger Lake Park (BA-1643).

Project Facts:

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<tr>
<th>Type/units:</th>
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<td>SEQRA:</td>
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<td>SCSD:</td>
<td>No. 3 - Southwest</td>
<td>Legislative District:</td>
<td>15th</td>
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GA:JD:cap
cc: Regina Calcattera, Chief Deputy County Executive
    Ben Zwirn, CE Office
    Tom Vaughn, County Executive Assistant
    Gilbert Anderson, P.E. Commissioner, SCDPW
    John Donovan, P.E., SCDPW
    Janice McGovern, P.E., SCDPW
    Robert A Braun, Esq., SCDOL
    Debra Kolyer, CE Office
    Nick Paglia, Assistant Executive Analyst
    Elizabeth Duffy, SCDPW
    CE Reso Review
    Craig A Platt, Secretary, SCSA
RESOLUTION NO. -2012, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 SOUTHWEST AND MELVILLE PLAZA - 610 BROADHOLLOW ROAD (HU-1631)

WHEREAS, Melville Plaza - 610 Broadhollow Road is outside the boundary of Suffolk County Sewer District No. 3 – Southwest; and

WHEREAS, Melville Plaza - 610 Broadhollow Road had petitioned and received permission from this legislature (Resolution 247-2012) to discharge Five Thousand Seven Hundred Sixty-Nine gallons per day (5,769 GPD); and

WHEREAS, Melville Plaza - 610 Broadhollow Road, in reconsidering the use of the property, and compliance with the Department of Health Services standard requires an additional Three Hundred Forty-One (341) gallons per day of capacity, bringing the total to Six Thousand One Hundred Ten (6,110) GPD of capacity and requests approval for such connection; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity (Six Thousand One Hundred Ten gallons per day) in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed flow has received the approval of the Suffolk County Sewer Agency (Resolutions 20-2011 and 32-2012) with a connection fee of $30.00 per gallon per day of sewage capacity; for a total connection fee of $183,300.00, for the said Six Thousand One Hundred Ten gallons per day (6,110) GPD of capacity; to the district; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 – Southwest and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; now therefore be it

1st  RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

2nd  RESOLVED, that the Administrative Head of the District be and hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 – Southwest and that they be required to post a surety bond or
bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

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(L&M) of the Suffolk County Charter.

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date of Approval:
SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 32 - 2012

AMENDING THE FORMAL APPROVAL AND GRANTING CONCEPTUAL CERTIFICATION FOR THE CONNECTION OF MELVILLE PLAZA – 610 BROADHOLLOW ROAD (HU-1631) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, the Sewer Agency on November 21, 2011, adopted Resolution 20-2011, approving the connection of Melville Plaza – 610 Broadhollow Road to SCSDD No. 3 – Southwest (the “District”), for Five Thousand Seven Hundred Sixty-Nine (5,769) gallons per day, and

WHEREAS, Melville Plaza – 610 Broadhollow Road, in reconsidering the use of the property, and compliance with the Department of Health Services standard requires an additional Three Hundred Forty-One (341) gallons per day of capacity, bringing the total to Six Thousand One Hundred Ten (6,110) GPD of capacity and requests Formal Approval for such connection, and

WHEREAS, it is anticipated that Melville Plaza – 610 Broadhollow Road in the future may lease the property as a restaurant(s) and anticipate the restaurant(s) may generate an additional Fourteen Thousand Six Hundred Twenty-Eight (14,628) GPD of capacity, totaling Twenty Thousand Seven Hundred Thirty Eight (20,738) GPD requests Conceptual Certification for the additional amount, and

WHEREAS, the District's sewage treatment plant currently has sufficient capacity to accept both the formally-approved and the conceptually-certified flow which is expected to emanate from Melville Plaza – 610 Broadhollow Road, to wit, Six Thousand One Hundred Ten (6,110) GPD at this time and possibly Fourteen Thousand Six Hundred Twenty Eight (14,628) GPD additional flow if the restaurant uses are undertaken, totaling Twenty Thousand Seven Hundred Thirty Eight (20,738) GPD, and

WHEREAS, the connection of Melville Plaza – 610 Broadhollow Road to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County, and

WHEREAS, pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is listed as a Type II Action, and requires no further action, and

NOW, THEREFORE, IT IS

1st RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, and it is further

2nd RESOLVED, that Formal Approval is granted for Melville Plaza – 610 Broadhollow Road to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further
3rd RESOLVED, that Six Thousand One Hundred Ten (6,110) GPD, of capacity in the District's sewage treatment plant be allocated to Melville Plaza – 610 Broadhollow Road, and it is further

4th RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

5th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between Melville Plaza – 610 Broadhollow Road, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk, and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

6th RESOLVED, that the connection fee to be paid for Melville Plaza – 610 Broadhollow Road shall be paid upon the execution of the Connection Agreement at the rate of $30.00 per gallon of flow per day for a total of $183,300.00, and it is further

7th RESOLVED, that Melville Plaza – 610 Broadhollow Road shall, at its sole cost, expense and effort, construct a sewage collection facility for the Melville Plaza – 610 Broadhollow Road project and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

8th RESOLVED, that Melville Plaza – 610 Broadhollow Road shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for Melville Plaza – 610 Broadhollow Road, as well as for all of the developer's obligations under the Connection Agreement, and it is further

9th RESOLVED, that this Formal Approval shall become null and void, and of no further force or effect, without any further action by this Agency or notice to Melville Plaza – 610 Broadhollow Road if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

10th RESOLVED, that this Agency hereby grants Conceptual Certification for the proposed future additional flow of Fourteen Thousand Six Hundred Twenty-Eight (14,628) GPD, totaling Twenty Thousand Seven Hundred Thirty Eight (20,738) GPD for the connection of Melville Plaza – 610 Broadhollow Road, as aforesaid, and it is further

11th RESOLVED, that this Conceptual Certification shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of Melville Plaza – 610 Broadhollow Road, within two (2) years from the date of the adoption hereof if an application for Formal Approval in form and content satisfactory to the Chairman of this Agency, has not been submitted for consideration.
12th RESOLVED, that

1. such Conceptual Certification is not, and is not to be construed as, final approval, which will only be granted by this Agency after the submission of an application for Formal Approval;

2. the applicant shall return to this Agency for such final approval;

3. the granting of Conceptual Certification as set forth herein shall not be binding upon this Agency when final approval is sought; and

4. the granting of Conceptual Certification does not constitute a position by this Agency, favorable or otherwise, with respect to local land use, zoning and/or subdivision requirements.

(Suffolk County Sewer Agency Meeting – September 24, 2012)
SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 20 - 2011

AUTHORIZING THE FORMAL APPROVAL
FOR THE CONNECTION OF
MELVILLE PLAZA – 610 BROADHOLLOW ROAD (HU-1631)
TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, Melville Plaza – 610 Broadhollow Road is an existing commercial development in Melville, New York, on property identified on the Suffolk County Tax Maps as District 0400, Section 266.00, Block 01.00, Lot 021.005, and

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 3 – Southwest (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, it is anticipated that Melville Plaza – 610 Broadhollow Road will generate a wastewater flow of Five Thousand Seven Hundred Sixty-Nine gallons per day (5,769 GPD), and

WHEREAS, Melville Plaza – 610 Broadhollow Road has applied to this Agency for permission to connect Melville Plaza – 610 Broadhollow Road to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the flow which is expected to emanate from Melville Plaza – 610 Broadhollow Road, and

WHEREAS, the connection of Melville Plaza – 610 Broadhollow Road to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County, and

WHEREAS, pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is listed as a Type II Action, and requires no further action, and

NOW, THEREFORE, IT IS

1st RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

2nd RESOLVED, that Melville Plaza – 610 Broadhollow Road be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further
3rd RESOLVED, that Five Thousand Seven Hundred Sixty-Nine gallons per day (5,769 GPD), of capacity in the District's sewage treatment plant be allocated to Melville Plaza – 610 Broadhollow Road, and it is further

4th RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

5th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between Melville Plaza – 610 Broadhollow Road, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk, and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

6th RESOLVED, that the connection fee to be paid for Melville Plaza – 610 Broadhollow Road shall be paid upon the execution of the Connection Agreement at the rate of $30.00 per gallon of flow per day for a total of $173,070.00, and it is further

7th RESOLVED, that Melville Plaza – 610 Broadhollow Road shall, at its sole cost, expense and effort, construct a sewage collection facility for the Melville Plaza – 610 Broadhollow Road project and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

8th RESOLVED, that Melville Plaza – 610 Broadhollow Road shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for Melville Plaza – 610 Broadhollow Road, as well as for all of the developer's obligations under the Connection Agreement, and it is further

9th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to Melville Plaza – 610 Broadhollow Road if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting – November 21, 2011)
## RESOLUTION SUBMITTAL SHEET

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Complete description of why we are asking for resolution; if aided, state status of aid

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3—Southwest with Melville Plaza - 610 Broadhollow Road (HU-1631), a firm seeking permission to discharge 6,110 GPD.

### Previous resolution (list previous resolution for the same work)

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### Project Status

- Est. planning completion: NA
- Design consultant: Contractor
- Est. construction start: NA
- Contractor: Contractor
- Est. construction completion: NA

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue

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## 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. -2012, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 SOUTHWEST AND MELVILLE PLAZA - 610 BROADHOLLOW ROAD (HU-1631)

3. **Purpose of Proposed Legislation**
   - To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 Southwest with Melville Plaza 610 Broadhollow Road (HU-1631), a firm seeking to discharge a wastewater flow of Six Thousand One Hundred Ten gallons per day (6,110 GPD).
   - Note: This project received Legislative approval for 5,769 GPD on April 9, 2012 (Reso. 247-2012)

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
   - SCSD #3 Southwest

6. **If the answer to Item 4 is "yes," Provide Detailed Explanation of Impact**
   - The Connection Fee of $183,300.00 ($30 per gallon per day) for this project will be paid to the District.

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

8. **Proposed Source of Funding**
   - NA

9. **Timing of Impact**
   - NA

10. **Typed Name & Title of Preparer**
    - Craig A. Platt
    - Assistant Director of Sewer District Activation

11. **Signature of Preparer**
    - Craig A. Platt

12. **Date**
    - 9/26/12

---

SCIN FORM 175b (10/95)

[Principal Financial Analyst]

[Signature]

[Date] 10/29/12
## FINANCIAL IMPACT
### 2012 PROPERTY TAX LEVY
### COST TO THE AVERAGE TAXPAYER

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<td>$0.00</td>
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**NOTES:**
1) Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property, September 2011.
3) Source for equalization rates: Tentative 2011 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

To: Jon Schneider, Deputy County Executive

From: Gilbert Anderson, P.E., Commissioner, SCDPW

Date: September 27, 2012

Subject: RESOLUTION NO. 32-2012, AUTHORIZING EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 SOUTHWEST AND MELVILLE PLAZA - 610 BROADHOLLOW ROAD (HU-1631) 
Note: This project received Legislative approval for 5,769 GPD on April 9, 2012 (Reso. 247-2012)

Attached is a draft resolution filed as Reso-DPW-SA 32-2012 Melville Plaza - 610 Broadhollow Road (HU-1631) and appropriate forms with the backup filed as Backup-DPW-SA 32-2012 Melville Plaza - 610 Broadhollow Road (HU-1631) SCIN 175A. This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 3 – Southwest with Melville Plaza - 610 Broadhollow Road (HU-1631).

Project Facts:

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<td>Groundwater Zone:</td>
<td>1</td>
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<td>No. 3 - Southwest</td>
<td>Legislative District:</td>
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</tr>
</tbody>
</table>

GA:JD:cap

cc:
Regina Calcattera, Chief Deputy County Executive
Ben Zwirn, CE Office
Tom Vaughn, County Executive Assistant
Gilbert Anderson, P.E. Commissioner, SCDPW
John Donovan, P.E., SCDPW
Janice McGovern, P.E., SCDPW
Robert A Braun, Esq., SCDOL
Debra Kolyer, CE Office
Nick Paglia, Assistant Executive Analyst
Elizabeth Duffy, SCDPW
CE Reso Review
Craig A Platt, Secretary, SCSA
RESOLUTION NO. 2012, AUTHORIZING THE
SALES OF SURPLUS PROPERTY SOLD AT THE
October 23, 2012 AUCTION PURSUANT
TO LOCAL LAW 13-1976 AS PER EXHIBIT "A"
(OMNIBUS RESOLUTION)

WHEREAS, in accordance with Suffolk County Local Law 13-1976, provision is made for
disposition by Auction of certain County owned real property which is surplus to the needs of said
County; and

WHEREAS, pursuant to Section 9 of said Local Law the Department of Economic Development
and Planning, Division of Real Property Acquisition and Management, on October 23, 2012, offered at
auction certain parcels at the minimum upset price set opposite their tax map designation and accepted
the highest bid for such parcel set next to said respective upset prices as shown on listing annexed
hereto and made a part hereof as Exhibit "A".

WHEREAS, pursuant to Section 11 of said Local Law 13-1976, the Department of Economic
Development and Planning, Division of Real Property Acquisition and Management is authorized to
deliver, by a Bargain and Sale Deed Without Covenants, or such deed as further restricted by the
parcel listings in the auction booklet, any deeds which are the subject matter of said Local Law, subject
to Legislative approval; and

WHEREAS, Section A40-4[G] of the Suffolk County Administrative Code provides that the
County Commissioner of Economic Development and Planning shall deliver to the County Legislature,
in resolution for approval, a list of properties proposed to be sold, together with the bid price; and

WHEREAS, the Department of Economic Development and Planning, Division of Real Property
Acquisition and Management, requests authority to execute a Bargain and Sale Deed, without
Covenants, or such deed as further restricted by the parcel listing in the auction booklet, on the said
designated parcels to the successful bidder thereon; now, therefore, be it

RESOLVED, that the said described parcels are surplus to the needs of Suffolk County; and be
it further

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 Director of Real Estate, and/or her designee, be and hereby is authorized to execute and deliver a Bargain and Sale Deed Without Covenants, or such deed as further restricted by the parcel listing in the auction booklet, to each of the listed successful bidders for the tax map parcel, for the bid price set opposite their names, plus or minus usual closing adjustments, and to take such other actions as may be necessary or desirable to carry out the purpose and intent of the foregoing resolutions.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval: __________________________
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Wednesday, October 24, 2012
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SUFFOLK COUNTY, NEW YORK  
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT  
H. Lee Dennison Building - 2nd Floor  
100 Veterans Memorial Highway  
Post Office Box 6100  
Hauppauge, New York 11788

**SUMMARY STATEMENT**

AUCTION SALES TO PRIVATE INDIVIDUALS AND CORPORATIONS  
LOCAL LAW 13-1976

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PURPOSE:

A. Affordable Housing            
B. Town Parks                    
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 _______ Charter Law _______

2. Title of Proposed Legislation
   RESOLUTION NO. -2012, AUTHORIZING THE SALES OF SURPLUS
   PROPERTY SOLD AT THE October 23, 2012 AUCTION PURSUANT
   TO LOCAL LAW 13-1976 AS PER EXHIBIT “A”
   (OMNIBUS RESOLUTION)

3. Purpose of Proposed Legislation
   Approval of Auction Sales.

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)
   X County     X 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
   Reduced County tax burden.

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

8. Proposed Source of Funding
   Not applicable.

9. Timing of Impact
   2013

10. Typed Name & Title of Preparer
    Wayne R. Thompson
    Property Manager

    Signature of Preparer
    Date
    10/25/12
    10/31/12
## General Fund

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## Police District and District Court

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## Combined

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### Notes:

1. Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property, September 2011.
3. Source for equalization rates: Tentative 2011 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
Re: Resolution Authorizing the Sales of Surplus Property
Sold at the October 23, 2012 Auction
Local Law 13 Resolution Authorizing Sale of
Auctioned Properties as per Exhibit "A"
(Omnibus Resolution)

Dear Mr. Schneider:

We are pleased to enclose for your approval the original and one copy of the above proposed resolution with documentation pursuant to Local Law 13-1976 which authorizes the sale of County owned real estate.

You will note anticipated revenues of $4,432,350.00 as a result of 113 parcels being sold at the auction.

We request that the enclosed resolution be introduced at the next meeting so that it may be considered for a vote at the November 20, 2012 meeting.

Very truly yours,

Jill Rosen-Nikoloff, Director
Department of Economic Development and Planning
Division of Real Property
Acquisition and Management

JRN:WRT:slb

cc: Regina M. Calcaterra, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner,
Economic Development and Planning
Tom Vaughn, Assistant County Executive (2 hard copies)
RESOLUTION NO. – 2012, AMENDING THE 2012 ADOPTED OPERATING BUDGET TO TRANSFER FUNDING FROM THE BRENTWOOD UNION FREE SCHOOL DISTRICT AND THE TOWN OF ISLIP TO VARIOUS AGENCIES FOR THE PROVISION OF CHEMICAL DEPENDENCY SERVICES

WHEREAS, the contract with the Brentwood Union Free School District (UFSD) for chemical dependency prevention services ended on June 30, 2012 and the contract with the Town of Islip ACCESS and ACCESSO chemical dependency treatment and prevention programs will terminate on October 31, 2012; and

WHEREAS, the transitioning of these programs is crucial in meeting the needs of the communities they serve; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) is in support of the West Islip Youth Enrichment Services, Inc., (YES) assuming the provision of prevention services formerly provided by the Brentwood UFSD and the Town of Islip effective November 1, 2012 Inc.; and

WHEREAS, the NYS OASAS is in support of Family Service League, Inc. assuming the provision of treatment services formerly provided by the Town of Islip’s ACCESS program and is in support of Outreach Development Corporation assuming the provision of treatment services formerly provided by the Town of Islip’s ACCESSO program effective November 1, 2012; and

WHEREAS, the NYS OASAS has authorized a one-time only transfer of $12,000 for startup costs in State Aid from the Brentwood UFSD to the Family Service League, Inc. effective November 1, 2012; and

WHEREAS, the NYS OASAS has authorized a one-time only transfer of $49,900 for startup costs in State Aid from the Brentwood UFSD to the Outreach Development Corporation, Inc. effective November 1, 2012; and

WHEREAS, the NYS OASAS has authorized the transfer of $28,865 in State aid and $10,288 in Local Share from the Town of Islip to Family Service League, Inc. effective November 1, 2012 for the provision of treatment services; and

WHEREAS, the NYS OASAS has authorized the transfer of $70,568 in State Aid and $28,710 in Local Share from the Town of Islip to Outreach Development Corporation effective November 1, 2012 for the provision of treatment services; and

WHEREAS, the NYS OASAS has authorized the transfer of $24,107 in Federal Aid and $7,268 in Local Share from the Town of Islip to the West Islip Youth Enrichment Services, Inc., (YES) effective November 1, 2012 for the provision of prevention services; and

WHEREAS, the NYS OASAS has authorized the transfer of $21,245 in State Aid and $545 in Local Share from the Brentwood UFSD to the West Islip Youth Enrichment Services, Inc., (YES) effective November 1, 2012 for the provision of prevention services; and
WHEREAS, this funding included in the 2012 Suffolk County Operating Budget for the Brentwood UFSD and Town of Islip must be transferred to Family Service League, Inc., Outreach Development Corporation and the West Islip Youth Enrichment Services, Inc., (YES) to continue the provision of chemical dependency services; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to transfer funds as follows:

ORGANIZATIONS

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
001-HSV-4310-4980

From:

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To:

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and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Family Service League, Inc., Outreach Development Corporation and West Islip Youth Enrichment Services, Inc. (YES); and be it further

3rd RESOLVED, that the funding and expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

4th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
October 26, 2012

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

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to amend the 2012 Adopted Operating Budget to transfer funding from the Brentwood Union Free School District and the Town of Islip to various agencies for the provision of chemical dependency services. The Brentwood Union Free School District (UFSD) ended chemical dependency prevention services on 6/30/12 and the Town of Islip will end chemical dependency treatment services on 10/31/12. This legislation is needed to transfer funding from these two agencies to Family Service League, Inc., Outreach Development Corp., and West Islip Youth Enrichment Services, Inc. (YES); agencies that will provide chemical dependency prevention and treatment services to clients as of 11/1/12.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Jacquelyn Best at 3-8500. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is “R eso-HSV-MH transfer various agencies.docx”.

Sincerely,

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

Enclosures

JLT/lw

C: Regina Calcaterra, Chief Deputy County Executive  
Ben Zwirn, Director of Intergovernmental Relations (2 copies)  
Thomas Vaughn, County Executive Assistant III  
Margaret B. Bermel, Director of Health Administrative Services  
Barry S. Paul, Deputy Commissioner  
Art Flescher, Director, Division of Community Mental Hygiene Services  
Jacquelyn Best, Deputy Director of Alcohol & Substance Abuse Services  
Diane E. Weyer, Principal Financial Analyst

OFFICE OF THE COMMISSIONER  
3500 Sunrise Highway, Suite 124, P. O. Box 9006, NY 11739-9006  
Phone (631) 854-0000 Fax (631) 854-0108
Department Request
for
Certificate of Necessity

Resolution Title:

AMENDING THE 2012 ADOPTED OPERATING BUDGET TO TRANSFER FUNDING FROM
THE BRENTWOOD UNION FREE SCHOOL DISTRICT AND THE TOWN OF ISLIP TO
VARIOUS AGENCIES FOR THE PROVISION OF CHEMICAL DEPENDENCY SERVICES

Reason for Urgency:
The Brentwood UFSD contract for chemical dependency prevention services ended June 30, 2012
and the contract with the Town of Islip chemical dependency treatment and prevention services will
terminate October 31, 2012. The transitioning of these programs to alternate providers is crucial in
order to continue the provision of chemical dependency services to the clients and communities
formerly served by Brentwood UFSD and the Town of Islip.

The New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS), and the
Division support Family Service League, Inc., Outreach Development Corporation and the West Islip
Youth Enrichment Services, Inc. (YES) assuming the treatment and prevention services of
Brentwood UFSD and the Town of Islip effective November 1, 2012.

Funding included in the 2012 Adopted Operating Budget for the Brentwood UFSD and Town of Islip
must be transferred to the designated providers as identified in the Resolution effective November 1,
2012. The Division requests a Certificate of Necessity to allow timely execution of contracts with
each of the designated provider agencies as a necessary first step to their ability to access this funding
and to ensure the continuation of these vital services.

Instructions: All departments requesting a Certificate of Necessity must submit this form along
with the resolution and explanation to Suffolk County Executive Office, Intergovernmental
Relations.
# STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. **Type of Legislation**

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<th>Local Law</th>
<th>Charter Law</th>
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2. **Title of Proposed Legislation**

AMENDING THE 2012 ADOPTED OPERATING BUDGET TO TRANSFER FUNDING FROM THE BRENTWOOD UNION FREE SCHOOL DISTRICT AND THE TOWN OF ISLIP TO VARIOUS AGENCIES FOR THE PROVISION OF CHEMICAL DEPENDENCY SERVICES

3. **Purpose or Proposed Legislation**

The Brentwood Union Free School District (UFSD) ended chemical dependency prevention services on 6/30/12 and the Town of Islip will end chemical dependency treatment services on 10/31/12. This legislation is needed to transfer funding from these two agencies to Family Service League, Inc., Outreach Development Corp., and West Islip Youth Enrichment Services, Inc. (YES); agencies that will provide chemical dependency prevention and treatment services to clients as of 11/1/12.

4. **Will the Proposed Legislation Have a Fiscal Impact?**

   - YES
   - 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:**

   N/A

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

   None

8. **Proposed Source of Funding**

   Funding already included in the 2012 Adopted Operating Budget.

9. **Timing of Impact**

   Immediate upon approval of the Resolution and execution of a contract with Family Service League, Inc., Outreach Development Corporation and the West Islip Youth Enrichment Services, Inc. (YES).

10. **Typed Name & Title of Preparer**

    Margaret B. Berman
    Dir. of Health Administrative Svc

11. **Signature of Preparer**

12. **Date**

SCIN FORM 175b (10/95)
FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

**GENERAL FUND**

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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, SEPTEMBER 2011.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 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.
COUNTY OF SUFFOLK

STEVEN BELLONE
SUDDOLF COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD, MPH, MBA, MSW
Commissioner

MEMORANDUM

To: James L. Tomarken, MD, MPH, MBA, MSW
Commissioner, Department of Health Services

From: Art Flescher, L.C.S.W., C.A.S.A.C.
Director, Division of Community Mental Hygiene Services

Date: October 12, 2012

Subject: REQUEST FOR LEGISLATIVE RESOLUTION

The Brentwood UFSD contract with the Suffolk County Department of Health Services ended on June 30, 2012 and the Town of Islip contract with the Suffolk County Department of Health Services will terminate October 31, 2012. The New York State Office of Alcohol and Substance Abuse Services (NYSOASAS) and the Division are in support of the Family Service League, Inc., and the Outreach Development Corporation assuming the provision of the Town of Islip's treatment services effective November 1, 2012. NYSOASAS and the Division support the West Islip Youth Enrichment Services, Inc. (YES) assuming the Town of Islip's and the Brentwood UFSD prevention services effective November 1, 2012.

The Division requests a Certificate of Necessity to transfer funding included in the 2012 Adopted Operating Budget from the Town of Islip and the Brentwood UFSD to the designated providers effective November 1, 2012 as outlined in the resolution. The Town of Islip has entered into Memorandums of Understanding with each agency to ensure the continued provision of chemical dependency services for their clients and community. Attached please find drafts of the intro resolution, CN, fiscal impact statement, resolution routing form and NYSOASAS letter dated September 10, 2012 designating Family Service League, Inc., Outreach Development Corporation and YES to assume the provision of chemical dependency services formerly provided by the Town of Islip and Brentwood UFSD.

Thank you for your consideration.

AF:pm
Attachments

Cc: D.Weyer, L.Wright, J. Best, S. Reagan, G. Terry, P. Manos

DIVISION OF COMMUNITY MENTAL HYGIENE
North County Complex, Building C328, 725 Veterans Highway, P.O. Box 8100, Hauppauge, NY 11786
(631) 853-8500 Fax (631) 853-3117
September 18, 2012

Art Flescher, Director
Suffolk County Division of Community Mental Hygiene Services
North County Complex Bldg C928
PO Box 6100
Hauppauge, NY 11788

Dear Mr. Flescher:

This letter serves to clarify the source of funding in September 10, 2012 letter to your office advising that New York State Office of Alcoholism and Substance Abuse Services is in support of Family Service League, Inc expanding treatment services for approximately 150 clients as outlined in their Memorandum of Understanding with the Town of Islip for services previously served at 401 Main Street by the Town of Islip.

In the Worksheet that was attached, a one-time start up of $12,000 is included which will come from Suffolk unallocated funds. NYS OASAS will commit to allocating an annualized State aid portion of funding $173,188 provided the Local Share match of $ 61,728 remains to Family Service League to deliver services as outlined in their proposal. Please begin the local process to amend the contract with the Division.

Thank you in advance for your cooperation. I am available at 631-434-7267 or Antonette Whyte-Etete@oasas.ny.gov.

Respectfully submitted,

Antonette Whyte- Etete, LCSW-R, CASAC
Regional Coordinator

Cc: Steven Rabinowitz, Oscar Rivera
Certification Bureau, Facilities Inspection Unit
Jaci Best, Eileen DiMarzo
September 10, 2012

Art Flescher, Director
Suffolk County Division of Community Mental Hygiene Services
North County Complex Bldg C928
PO Box 6100
Hauppauge, NY 11788

Dear Mr. Flescher:

Please be advised that New York State Office of Alcoholism and Substance Abuse Services is in support of Outreach development Corporation, Inc. assuming treatment services outlined in their Memorandum of Understanding with the Town of Islip for services previously served at 452 Suffolk Avenue with 3 additional locations at OMH and OCFS host locations by the Town of Islip.

Outreach Development Corp has made a commitment to preserve services along the Suffolk Avenue corridor and is in the process of negotiating property cost with the landlord. Additionally, Outreach Development Corp submitted a Certification Application to acquire the noted services and is also working with OCFS and OMH on service agreements. NYS OASAS will commit to allocating an annualized State aid portion of funding $423,406 provided the Local Share match of $172,261 remains to Outreach Development Corporation to deliver services as outlined in their proposal. Attached is the Memorandum of Understanding as well as a worksheet that outlines the 2012 portion of the contract and the annualized funding. Please begin the local process to amend the contract with the Division.

Thank you in advance for your cooperation. I am available at 631-434-7267 or Antonette.Whyte-Etere@oasas.ny.gov.

Respectfully submitted,

Antonette Whyte-Etere, LCSW-R, CASAC
Regional Coordinator

Cc: Steven Rabinowitz
    Oscar Rivera, Anette Guando-Guster
    Certification Bureau, Facilities Inspection Unit
    Jaci Best, Eileen DiMarzo
Memorandum of Understanding

BETWEEN

Outreach Development Corporation

(As Proposed Provider)

AND

Town of Islip

(As Current Provider)

This Memorandum of Understanding (hereinafter “Agreement”) is made by and between the Town of Islip, being a municipal corporation with administrative offices at 655 Main Street, Islip, NY 11751 and the Outreach Development Corporation, being a New York Not-For-Profit corporation with administrative offices at 117-11 Myrtle Avenue, Richmond Hill, NY 11418 (hereinafter “Proposed Provider”); and

WHEREAS, on May 8, 2012, the Town of Islip determined that it is in the best interest of the municipality to restructure its programs and operations in order to ensure fiscal stability and to continue to meet the needs of the community it serves; and

WHEREAS, the Town of Islip has determined that the most effective manner to achieve these goals is to cease sponsorship of its chemical dependency treatment services (Access/Access) and to seek to have another entity continue these services; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (hereinafter “OASAS”) and the Suffolk County Department of Community Mental Health as Local Governmental Unit for OASAS (hereinafter “LGU”) have agreed to assist the Town of Islip with identifying appropriate provider(s) in good standing to take over operation of these services; and

WHEREAS, the Proposed Provider has been identified as an appropriate provider in good standing to take over operation of these services; and

WHEREAS, the Proposed Provider represents and warrants that it has, and shall continually possess, during the term, the required licensing, education, knowledge, experience, and character necessary to qualify it to render the services; and
WHEREAS, the Proposed Provider shall continuously have during the term of the agreement all required authorizations, certificates, certifications, registrations, licenses, permits, and other approvals required by Federal, State, County, or local authorities necessary to qualify it to render the services; and

WHEREAS, the Proposed Provider meets the above-stated criteria and has agreed to assume sponsorship of the chemical dependency treatment services currently located at 452 Suffolk Avenue, Brentwood, NY 11717 and its associated satellite locations, effective November 1, 2012; and

WHEREAS, the Proposed Provider has agreed to meet the following conditions as part of the transfer of sponsorship of said services:

a. Provide treatment services to current Access/Acceso clients at Proposed Provider's location,

b. Treatment services shall be consistent with OASAS standards and regulations,

and

c. Assume responsibility for maintaining past and present program client records consistent with Regulations in 42 CFR.

WHEREAS, OASAS and the LGU have agreed to transfer funding up to the current amounts provided to the Town of Islip in the LGU's current contract with the Town of Islip, for the annualized amounts of approximately $423,406.00 in State Local Assistance and approximately $172,261.00 in County Local Tax Levy funding contingent on negotiated and approved budgets to be submitted by Proposed Provider and approval of any certifications required by OASAS and LGU for this purpose; and

WHEREAS the OASAS and the LGU have agreed to cooperate with Town of Islip and the Proposed Provider to process applications necessary for certification of the Proposed Provider for said services as expeditiously as possible; and

WHEREAS, in the event the Proposed Provider does not obtain certification from OASAS by November 1, 2012, the Proposed Provider agrees to work with OASAS to ensure the continuation of treatment services; and

WHEREAS, the Town of Islip has agreed to cooperate with OASAS, the LGU and the Proposed Provider to transfer any records, materials or other items necessary to ensure that the Proposed Provider can assume operation of said services on November 1, 2012; and

WHEREAS, the Proposed Provider must keep these transferred records in accordance with the New York State Record Retention and Disposition Schedule MU-1, a copy of which will be provided by the Town of Islip to the Proposed Provider:
WHEREAS, pursuant to NYS POL Article 6, the Proposed Provider will be responsible to address any and all Freedom of Information Law (FOIL) requests it receives regarding the transferred records, materials and other items, as they will no longer be in the possession of the Town of Islip; and

WHEREAS, the Town of Islip agrees to indemnify, defend and hold harmless the Proposed Provider from and against any and all liabilities, claims, demands, actions, losses, damages and expenses, penalties, judgments, or other damages, in any way arising during the time period during which the Town was the provider of services; and

WHEREAS, the Proposed Provider agrees to indemnify, defend and hold harmless the Town of Islip from and against any and all liabilities, claims, demands, actions, losses, damages and expenses, penalties, judgments, or other damages, in any way arising from the handing of any FOIL request by Proposed Provider; and

WHEREAS, the Proposed Provider will provide Town of Islip Human Services employees an opportunity to interview for positions with the Proposed Provider; inasmuch as the Town of Islip employees have the experience, knowledge and rapport to work with the existing clientele, thereby fostering a successful transfer and treatment outcome for clients:

NOW, THEREFORE, Town of Islip and Proposed Provider hereby agree to all the terms, conditions, representations and warranties contained in all of the above WHEREAS clauses.

IN WITNESS WHEREOF, the parties have caused this instrument to be duly executed by their authorized representative as of this __________ day of ________, 2012.

**Town of Islip:**

[Signature]

Name: Thomas D. Croci
Title: Supervisor

Date: 9/6/2012

**Outreach Development Corporation:**

[Signature]

Name: Kathleen A. Riddle
Title: President/CEO

Date: 8/9/2012
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| Total Expenses               | $1,052,600 | $175,434         |

| Participant Fees             | $80,000    | $13,333          |
| Medicaid                     | $300,000   | $50,000          |
| Third Party Insurance        | $51,000    | $8,500           |
| Other Income                 | $25,933    | $4,323           |

| Total Revenue                | $456,933   | $76,156          |

| Net Operating Deficit        | $595,667   | $99,278          |

| State Aid                    | $423,406   | $70,568          |
| Local Government             | $172,261   | $28,710          |
| Non-Funded                   | $-         | $-               |

| Total Deficit                | $595,667   | $99,278          |
September 10, 2012

Art Flescher, Director
Suffolk County Division of Community Mental Hygiene Services
North County Complex Bldg C928
PO Box 6100
Hauppauge, NY 11788

Dear Mr. Flescher:

Please be advised that New York State Office of Alcoholism and Substance Abuse Services is in support of Family Service League, Inc expanding treatment services for approximately 150 clients as outlined in their Memorandum of Understanding with the Town of Islip for services previously served at 401 Main Street by the Town of Islip.

Family Service League was advised to submit updated Floor Plans and Room Schedules to determine if a Certification Application is needed as they will provide services under the current operating certificate #121210635 for PRU 51813 located at 1444 Fifth Avenue Bay Shore, NY 11706. NYS OASAS will commit to allocating an annualized State aid portion of funding $173,188 provided the Local Share match of $61,728 remains to Family Service League to deliver services as outlined in their proposal. Attached is the Memorandum of Understanding as well as a worksheet that outlines the 2012 portion of the contract and the annualized funding. Please begin the local process to amend the contract with the Division.

Thank you in advance for your cooperation. I am available at 631-434-7267 or Antonette.Whyte-Etere@oasas.ny.gov.

Respectfully submitted,

Antonette Whyte-Etere, LCSW-R, CASAC
Regional Coordinator

Cc: Steven Rabinowitz, Oscar Rivera
Certification Bureau, Facilities Inspection Unit
Jaci Best, Eileen DiMarzo
Memorandum of Understanding

BETWEEN

Family Service League
(As Proposed Provider)

AND

Town of Islip
(As Current Provider)

This Memorandum of Understanding (hereinafter "Agreement") is made by and between the Town of Islip, being a municipal corporation with administrative offices at 655 Main Street, Islip, NY 11751 and the Family Service League, being a New York Not-For-Profit corporation with administrative offices at 790 Park Avenue, Huntington, NY 11743 (hereinafter "Proposed Provider"); and

WHEREAS, on May 8, 2012, the Town of Islip determined that it is in the best interest of the municipality to restructure its programs and operations in order to ensure fiscal stability and to continue to meet the needs of the community it services; and

WHEREAS, the Town of Islip has determined that the most effective manner to achieve these goals is to cease sponsorship of its chemical dependency treatment services (Access/Acceso) and to seek to have another entity continue these services; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (hereinafter "OASAS") and the Suffolk County Department of Community Mental Health as Local Governmental Unit for OASAS (hereinafter "L.G.U.") have agreed to assist the Town of Islip with identifying appropriate provider(s) in good standing to take over operation of these services; and

WHEREAS, the Proposed Provider has been identified as an appropriate provider in good standing to take over operation of these services; and

WHEREAS, the Proposed Provider represents and warrants that it has, and shall continually possess, during the term, the required licensing, education, knowledge, experience, and character necessary to qualify it to render the services; and

Page 1 of 3
WHEREAS, the Proposed Provider shall continuously have during the term of the agreement all required authorizations, certificates, certifications, registrations, licenses, permits, and other approvals required by Federal, State, County, or local authorities necessary to qualify it to render the services; and

WHEREAS, the Proposed Provider meets the above-stated criteria and has agreed to assume sponsorship of the chemical dependency treatment services currently located at 401 Main Street, Islip, NY 11751, effective November 1, 2012; and

WHEREAS, the Proposed Provider has agreed to meet the following conditions as part of the transfer of sponsorship of said services:

a. Provide treatment services to current Access/Access clients at Proposed Provider’s location.

b. Treatment services shall be consistent with OASAS standards and regulations, and

c. Assume responsibility for maintaining past and present program client records consistent with Regulations in 42 CFR.

WHEREAS, OASAS and the LGU have agreed to transfer funding up to the current amounts provided to the Town of Islip in the LGU’s current contract with the Town of Islip, for the annualized amounts of approximately $173,188.00 in State Local Assistance and approximately $61,728.00 in County Local Tax Levy funding contingent on negotiated and approved budgets to be submitted by Proposed Provider and approval of any certifications required by OASAS and LGU for this purpose; and

WHEREAS the OASAS and the LGU have agreed to cooperate with Town of Islip and the Proposed Provider to process applications necessary for certification of the Proposed Provider for said services as expeditiously as possible; and

WHEREAS, the Town of Islip has agreed to cooperate with OASAS, the LGU and the Proposed Provider to transfer any records, materials or other items necessary to ensure that the Proposed Provider can assume operation of said services on November 1, 2012;

WHEREAS, the Proposed Provider must keep these transferred records in accordance with the New York State Record Retention and Disposition Schedule MU-1, a copy of which will be provided by the Town of Islip to the Proposed Provider:

WHEREAS, pursuant to NYS POL Article 6, the Proposed Provider will be responsible to address any and all Freedom of Information Law (FOIL) requests it receives regarding the transferred records, materials and other items, as they will no longer be in the possession of the Town of Islip; and
WHEREAS, the Town of Islip agrees to indemnify, defend and hold harmless the Proposed Provider from and against any and all liabilities, claims, demands, actions, losses, damages and expenses, penalties, judgments, or other damages, in any way arising during the time period during which the Town was the provider of services; and

WHEREAS, the Proposed Provider agrees to indemnify, defend and hold harmless the Town of Islip from and against any and all liabilities, claims, demands, actions, losses, damages and expenses, penalties, judgments, or other damages, in any way arising from the handling of any FOIL request by Proposed Provider; and

WHEREAS, the Proposed Provider will provide Town of Islip Human Services employees an opportunity to interview for positions with the Proposed Provider; inasmuch as the Town of Islip employees have the experience, knowledge and rapport to work with the existing clientele, thereby fostering a successful transfer and treatment outcome for clients;

NOW, THEREFORE, Town of Islip and Proposed Provider hereby agree to all the terms, conditions, representations and warranties contained in all of the above WHEREAS clauses.

IN WITNESS WHEREOF, the parties have caused this instrument to be duly executed by their authorized representative as of this 9/10/12.

Town of Islip:

Name: Thomas D. Croci
Title: Supervisor
Date: 9/10/2012

Family Service League:

Name: Karen Boorshtein
Title: President & CEO
Date: 9/10/2012
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* added $12,000 one time start up
September 10, 2012

Art Flescher, Director
Suffolk County Division of Community Mental Hygiene Services
North County Complex Bdg C928
PO Box 6100
Hauppauge, NY 11788

Dear Mr. Flescher:

Please be advised that New York State Office of Alcoholism and Substance Abuse Services is in support of West Islip Youth Enrichment Services, Inc (YES) establishing itself as a prevention provider of the services previously provided by Town of Islip. It is my understanding that the Town of Islip and West Islip Youth Enrichment Services (YES) have engaged in a Memorandum of Understanding outlining the transition of services. A certification application is not needed for a prevention provider, and provider number 48170 and PRU 90873 has been established.

Additionally, YES will also provide services specific to the Brentwood UF School District with the understanding that 60% of services are persevered to that catchment area. NYS OASAS will commit to transferring the annualized State aid portion of funding $272,111 provided the Local Share match of $46,878 remains to West Islip Youth Enrichment Services (YES) to deliver services as outlined in their proposal and subsequent Workplan. Attached is the Memorandum of Understanding as well as a Worksheet that outlines the 2012 portion of the contract and the annualized funding. Please begin the local process to establish this provider as contractor with the Division.

Thank you in advance for your cooperation. I am available at 631-434-7267 or Antonette.Whyte-Etere@oasas.ny.gov.

Respectfully submitted,

Antonette Whyte-Etere, LCSW-R, CASAC
Regional Coordinator

Cc: Steven Rabinowitz
Oscar Rivera, Frances Graziano
Scott Brady, Walt Davies
Certification Bureau, Facilities Inspection Unit
Jaci Best, Eileen DiMarzo

Pilgrim Psychiatric Center Campus • Bldg 1 • 998 Crooked Hill Rd • West Brentwood, NY 11717-1087 • www.oasas.state.ny.us • 631.434.7263
Memorandum of Understanding

BETWEEN

Youth Enrichment Services ("YES")

(As Proposed Provider)

AND

Town of Islip

(As Current Provider)

This Memorandum of Understanding (hereinafter "Agreement") is made by and between the Town of Islip, being a municipal corporation with administrative offices at 655 Main Street, Islip, NY 11751 and Youth Enrichment Services, being a New York Not-For-Profit corporation with administrative offices at 90 Higbie Lane, West Islip, NY 11795 (hereinafter "Proposed Provider"); and

WHEREAS, on May 8, 2012, the Town of Islip determined that it is in the best interest of the municipality to restructure its programs and operations in order to ensure fiscal stability and to continue to meet the needs of the community it services; and

WHEREAS, the Town of Islip has determined that the most effective manner to achieve these goals is to cease sponsorship of its substance abuse prevention and education services program through its Division of (Access/Accesso) and to seek to have another entity continue these services; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (hereinafter "OASAS") and the Suffolk County Department of Community Mental Health as Local Governmental Unit for OASAS (hereinafter "LGU") have agreed to assist the Town of Islip with identifying appropriate provider(s) in good standing to take over operation of these services; and

WHEREAS, the Proposed Provider has been identified as an appropriate provider in good standing to take over operation of substance abuse prevention and education services; and

WHEREAS, the Proposed Provider represents and warrants that it has, and shall continually possess, during the term, the required licensing, education, knowledge, experience, and character necessary to qualify it to render the services; and
WHEREAS, the Proposed Provider shall continuously have during the term of the agreement all required authorizations, certificates, certifications, registrations, licenses, permits, and other approvals required by Federal, State, County, or local authorities necessary to qualify it to render the services; and

WHEREAS, the Proposed Provider meets the above-stated criteria and has agreed to assume sponsorship of the substance abuse prevention and education services currently located at 401 Main Street, Islip, NY 11751, effective November 1, 2012; and

WHEREAS, the Proposed Provider has agreed to meet the following conditions as part of the transfer of sponsorship of said services:

a. Provide substance abuse prevention and education services to Islip Town community groups and schools at various locations.

b. Services shall be consistent with OASAS standards and regulations, and

WHEREAS, OASAS and the LGU have agreed to transfer funding up to the current amounts provided to the Town of Islip in the LGU’s current contract with the Town of Islip, for the annualized amounts of approximately $144,644.00 in State Local Assistance and approximately $43,607.00 in County Local Tax Levy funding contingent on negotiated and approved budgets to be submitted by the Proposed Provider and approval of any certifications required by OASAS and LGU for this purpose; and

WHEREAS the OASAS and the LGU have agreed to cooperate with Town of Islip and the Proposed Provider to process applications necessary for certification of the Proposed Provider for said services as expeditiously as possible; and

WHEREAS, the Town of Islip has agreed to cooperate with OASAS, the LGU and the Proposed Provider to transfer any records, materials or other items necessary to ensure that the Proposed Provider can assume operation of said services on November 1, 2012;

WHEREAS, the Proposed Provider will provide Town of Islip Human Services employees an opportunity to interview for positions with the Proposed Provider; inasmuch as Town of Islip employees have the experience, knowledge and rapport to work with schools and community groups, thereby fostering a successful transfer of substance abuse prevention and education services to these groups:

Reminder of page intentionally left blank
NOW, THEREFORE, Town of Islip and Proposed Provider hereby agree to all the terms, conditions, representations and warranties contained in all of the above WHEREAS clauses.

IN WITNESS WHEREOF, the parties have caused this instrument to be duly executed by their authorized representative as of this 26th day of August, 2012.

Town of Islip:

[Signature]
Name: Thomas D. Cruel
Title: Supervisor
Date: 9/6/2012

Youth Enrichment Services (YES):

[Signature]
Name: MaryAnn Pfeiffer
Title: Director
Date: Aug 3, 2012
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<td>Total Deficit</td>
<td>$ 318,989</td>
<td>$ 53,165</td>
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RESOLUTION NO. -2012, DESIGNATING JANUARY 27TH AS “WELCOME HOME VIETNAM VETERANS DAY” IN SUFFOLK COUNTY

WHEREAS, the Vietnam War was fought from 1961 to 1975 and involved North Vietnamese regular forces and Viet Cong guerilla forces in armed conflict with United States Armed Forces and the Army of the Republic of Vietnam; and

WHEREAS, members of the United States Armed Forces began serving in an advisory role to the government of the Republic of Vietnam in 1961 which became a full combat mission following the Gulf of Tonkin in 1964; and

WHEREAS, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners-of-war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam; and

WHEREAS, more than 58,000 members of the United States Armed Forces lost their lives and more than 300,000 members of the Armed Forces were wounded during the Vietnam War; and

WHEREAS, the Vietnam War was an extremely divisive issue among the people of the United States and a conflict that caused a generation of veterans to wait too long for the United States public to acknowledge and honor the efforts and services of such veterans; and

WHEREAS, the establishment of a “Welcome Home Vietnam Veterans Day” would be an appropriate way to honor those members of the United States Armed Forces who served in South Vietnam and throughout Southeast Asia during the Vietnam War; now, therefore be it

1st RESOLVED, that beginning in 2013 and continuing every year thereafter January 27th shall be designated “Welcome Home Vietnam Veterans Day” in Suffolk County to honor and recognize the contributions of veterans, who served in the United States Armed Forces during the Vietnam War; 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. -2012, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 - FISH THICKET PRESERVE PROPERTY - TOWN OF BROOKHAVEN (SCTM NOS. 0200-895.00-04.00-015.001, 0200-895.00-04.00-014.001, 0200-895.00-04.00-014.002, 0200-895.00-04.00-006.000, 0200-895.00-04.00-007.000, 0200-895.00-04.00-008.000 AND 0200-895.00-04.00-009.000)

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 use as wetlands, woodlands, pine barrens, and other lands which are suitable only for passive, recreational use; 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, adequate funding is provided for, pursuant to Section C12-2(A)(1)(h) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land for use as passive recreation; now, therefore be it

1st RESOLVED, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 5.62 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER for use as passive recreation; and be it further

2nd RESOLVED, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

3rd RESOLVED, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

4th 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 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

5th RESOLVED, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, 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
6th RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

7th RESOLVED, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

8th 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:\res\r-refile-fish-thicket-preserve
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EXHIBIT “A”
RESOLUTION NO. -2012, ESTABLISHING A PERMANENT CONTRACT AGENCY OVERSIGHT COMMITTEE

WHEREAS, the County of Suffolk provides many important services to its residents; and

WHEREAS, the County frequently contracts with private non-profit organizations ("contract agencies") to provide these vital services; and

WHEREAS, funding to these agencies typically approximates $100 million annually; and

WHEREAS, currently, there is limited oversight of contract agencies by the County, with no outcome-based accountability; and

WHEREAS, some administrators of contract agencies have salaries that are disproportionately high in relation to the agency's budget and, as a result, may reduce the level of services available to County residents; and

WHEREAS, duplication of administrative functions among agencies reduces funding available for service delivery; and

WHEREAS, consolidation of agencies could result in decreased administrative costs and thus provide for enhanced service delivery; and

WHEREAS, the County should examine its relationship with each contract agency to ensure the funding provided is allocated based on actual need and efficacy of service delivery rather than historical norms; and

WHEREAS, the County should also examine the scope of service provision in totality to determine whether consolidation and/or further measures of accountability are in order; and

WHEREAS, Resolution No. 1153-2006 authorized the Presiding Officer of the County Legislature to appoint an ad hoc committee to oversee contract agencies, but that committee has lapsed; and

WHEREAS, a new, permanent committee should be formed, with a membership which includes legislative and executive representation, to examine the County's relationship with contract agencies, to improve efficiency of service delivery, provide oversight of contract agencies, and ensure the County's funds are used to maximize services provided; now, therefore be it

1st RESOLVED, that a Suffolk County Contract Agency Oversight Committee ("Committee") is hereby created to review the County's relationship with contract agencies, eliminate waste and duplicative services, and provide oversight of contract agencies; and be it further
2nd RESOLVED, that this Committee shall consist of the following nine (9) members:

1. the Commissioner of Social Services, or his or her designee;
2. the Commissioner of Health Services, or his or her designee;
3. the County Executive, or his or her designee;
4. the Director of County Office of Budget & Management, or his or her designee;
5. the Director of the Performance Management; or his or her designee;
6. the Director of the Legislative Office of Budget Review, or his or her designee;
7. one (1) Legislator from the Majority caucus, selected by the Majority Leader;
8. one (1) Legislator from the Minority caucus, selected by the Minority Leader;
9. the County Comptroller or his or her designee;

and be it further

3rd RESOLVED, that the Chairperson of the Committee shall be selected by a majority of the membership of said Committee; and be it further

4th RESOLVED, that the Committee shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened for the purposes of organization and the appointment of a chairperson, a vice chairperson, and a secretary; and be it further

5th RESOLVED, that the members of said Committee shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

6th RESOLVED, that the Committee shall hold regular meetings, keep a record of all its proceedings and determine the rules of its own proceedings with special meetings to be called by the Chair upon his or her initiative or upon receipt of request signed by three (3) or more members of the Committee. Written notice of the time and place of such meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice of such special meeting; and be it further

7th RESOLVED, that five (5) members of the Committee shall constitute a quorum to transact the business of the Committee at both regular and special meetings; and be it further

8th RESOLVED, that clerical services involving the month to month operation of the Committee, as well as supplies and postage as necessary, will be provided by the staff of the County Legislature; and be it further

9th RESOLVED, that the Committee may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining
necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

10th RESOLVED, that the Committee may delegate to any member of the Committee the power and authority to conduct such hearings and meetings; and be it further

11th RESOLVED, that the Committee is hereby authorized, empowered and directed to hold at least four (4) public hearings throughout the County of Suffolk to assemble the data and information necessary to complete this valuation, study and report required with all reasonable efforts to be made to ascertain the views, wishes and opinions of the County of Suffolk; and be it further

12th RESOLVED, that said Committee shall seek advice and counsel from contract agency staff in the performance of their duties; and be it further

13th RESOLVED, that said Committee shall issue a written report, following a comprehensive review of the County’s contract agency system; and be it further

14th RESOLVED, that this special Committee shall therefore annually submit a report of its findings and determinations, together with its recommendations for action, if any, to each member of the County Legislature, the County Executive, for review and appropriate action; and be it further

15th 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:\res\r-establish-contract-agency-oversight-committee
RESOLUTION NO. -2012, ADOPTING LOCAL LAW NO. -2012, A LOCAL LAW TO ESTABLISH THE SUFFOLK COUNTY TRAFFIC AND PARKING VIOLATIONS AGENCY

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2012, a proposed local law entitled, "A LOCAL LAW TO ESTABLISH THE SUFFOLK COUNTY TRAFFIC AND PARKING VIOLATIONS AGENCY;" now, therefore be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ESTABLISH THE SUFFOLK COUNTY TRAFFIC AND PARKING VIOLATIONS AGENCY

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

Section 1. Legislative Intent.

This Legislature finds and determines that legislation has been passed by the Legislature of the State of New York and approved by the Governor which amends the General Municipal Law to enable the County of Suffolk to establish a traffic and parking violations agency as of April 1, 2013.

This Legislature further finds and determines that the State enabling legislation requires the enactment of a local law to establish a traffic and parking violations agency.

This Legislature further finds and determines that it is in the best interest of the County to establish such an agency to assist the Suffolk County District Court in the administration and disposition of traffic and parking violations.

Therefore, the purpose of this local law is to establish the "Suffolk County Traffic and Parking Violations Agency" pursuant to New York General Municipal Law article fourteen-B.

Section 2. Establishment of the Suffolk County Traffic and Parking Violations Agency.

Subject to the provisions of article fourteen-B of the General Municipal Law, there shall be a department of the Suffolk County government known as the Suffolk County Traffic and Parking Violations Agency (Agency), which shall operate under the control and direction of the County Executive to assist the Suffolk County District Court in the disposition and administration of infractions of traffic and parking laws, ordinances, rules
and regulations, and the adjudication of liability of owners for violations of subdivision (d) of section eleven hundred eleven of the Vehicle and Traffic Law in accordance with section eleven hundred eleven-b of such law, except that said Agency shall not have jurisdiction over those matters which are specifically excluded by section 371 (2) of the General Municipal Law.

Section 3. Executive Director.

The County Executive shall, subject to the confirmation of the County Legislature, appoint a person to serve as the Executive Director of the Suffolk County Traffic and Parking Violations Agency (Executive Director). The Executive Director shall be responsible for the oversight and administration of the Agency and shall hire such staff, subject to the appropriations therefor and subject to the provisions of section 4. of this law governing the qualifications of traffic prosecutors, and shall establish such rules, regulations, procedures and forms as he or she may deem necessary to carry out the functions of the Agency, including but not limited to the requirements of subdivision three of section 371 of the General Municipal Law. The Executive Director shall be prohibited from appearing in any capacity in any part of the Suffolk County District Court on any matter relating to traffic or parking violations and shall be further prohibited from appearing in any capacity in any other court or administrative tribunal on any matter relating to traffic or parking violations.

Section 4. Traffic Prosecutor selection and oversight.

The Executive Director of the Agency shall select and may contract with or hire one or more persons who are attorneys, duly admitted to the practice of law in New York State, for the prosecution of any traffic and parking infraction, except such violations described in paragraphs (a), (b), (c), (d), (e) and (f) of section 371 (2) of the General Municipal Law, to be heard, tried, or otherwise disposed of by the District Court of Suffolk County. Such persons shall be known as "traffic prosecutors," as that term is defined in section 370-a of the General Municipal Law and shall be subject to the provisions of section 374 (a) of the General Municipal Law.

Section 5. Disposition of Traffic Infractions.

A.) A person charged with an infraction to be disposed of by the Agency may be permitted to answer, within a specified time, at the Agency either in person or by written power of attorney in such form herein prescribed, by paying a prescribed fine and, in writing, waiving a hearing in court, pleading guilty to the charge or admitting liability as an owner for the violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law, as the case may be, and authorizing the person in charge of the bureau or agency to enter such a plea or admission and accept payment of said fine.

B.) The power of attorney referred to in subdivision (A) of this section shall be in the following form:

"POWER OF ATTORNEY: The undersigned pleads guilty to the charge noted herein and encloses herewith the sum of $________ cash, check or money order to pay the necessary fine (circle the one used)."
I hereby appoint the Clerk of the Suffolk County Traffic and Parking Violations Agency as my attorney-in-fact to appear for me in said Agency, to waive a hearing on such violation(s), to enter a plea of guilty on my behalf and to pay the fine.

__________________________________________
PRINT NAME

__________________________________________
SIGNATURE

__________________________________________
NOTARY

Section 6. Applicability.

Notwithstanding that the Agency is authorized to commence operations not sooner than April 1, 2013, this law shall apply to all actions on or after the effective date of this law and to all actions otherwise taken heretofore related to the establishment, maintenance and operation of the Agency.

Section 7. 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 effect, 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 judgment or order shall be rendered.

Section 8. SEQRA Determination.

This Legislature, being the State Environment 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/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 10. Effective Date.

This law shall take effect immediately upon filing with the Office of the Secretary of State.
DATED:

APPROVED BY:

Steve Bellone
County Executive of Suffolk County

Date
DATE: November 1, 2012

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. -2012; A LOCAL LAW TO ESTABLISH THE SUFFOLK COUNTY TRAFFIC AND PARKING VIOLATIONS AGENCY

SPONSOR: THE PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 11/1/12  
PUBLIC HEARING: 11/20/12

DATE ADOPTED/NOT ADOPTED:  
CERTIFIED COPY RECEIVED: 

This proposed local law would establish a Suffolk County Traffic and Parking Violations Agency ("Agency") as authorized by Chapter 388 of the 2012 Laws of the State of New York. The Agency will assist the Suffolk County District Court in the disposition and administration of infractions of traffic and parking laws, ordinances, rules and regulations and the adjudication of red light camera violations.

An Executive Director, appointed by the County Executive (subject to the approval of the Legislature) will head the Agency. The Executive Director is authorized to select, contract with or hire attorneys to prosecute traffic and parking violations.

This law authorizes a person charged with an infraction that is within the jurisdiction of the Agency to plead guilty and pay the applicable fine.

This law will take effect immediately upon filing in the Office of the Secretary of State, but will apply to the disposition and administration of traffic and parking violations within the jurisdiction of the Suffolk County District Court on or after April 1, 2013.

GEORGE NOLAN  
Counsel to the Legislature

GN:

s:\rule28\28-county exec traffic parking violation agency
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution _____ Local Law ___ X ___ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. 2012, ADOPTING LOCAL LAW NO. 2012, A LOCAL LAW TO ESTABLISH THE SUFFOLK COUNTY TRAFFIC AND PARKING VIOLATIONS BUREAU

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

1. The County will incur some startup operating costs in 2013 that are non-recurring, and revenue streams that will not normalize for several months.

2. The amount of budget surplus in 2014 will be directly affected by the number of cases disposed of with their associated charges and fines, as well as the costs of operations.

3. The Local Law establishes the TVB but does not specify how services are to be provided. It is a Legislative and Executive decision as to the extent that the TVB will be staffed with FT employees and / or contracted services. This decision will have a material impact on 2014 and future year revenues.

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

1. In 2014 the net revenues from the TVB are expected to increase and be in the range of $10 Million + , the budget surplus will be transferred to the Police District or the General Fund to help offset the costs of sworn personnel associated with the enforcement and writing of tickets.

8. Proposed Source of Funding

Operating and Capital

9. Timing of Impact

Immediate, upon adoption

10. Typed Name & Title of Preparer

James P Burt
Assistant Budget Director

11. Signature of Preparer

Jim Burt

12. Date

October 25, 2012

SCIN FORM 175b (10/95)
### General Fund

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### Police District and District Court

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<th>2012 Property Tax Levy</th>
<th>2012 Cost to Avg Taxpayer</th>
<th>2012 AV Tax Rate per $100</th>
<th>2012 FEV Tax Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### Combined

<table>
<thead>
<tr>
<th></th>
<th>2012 Property Tax Levy</th>
<th>2012 Cost to Avg Taxpayer</th>
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</thead>
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<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Notes:**
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

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To be completed by the Executive Budget Office