1477. Adopting Local Law No. -2011, A Local Law to require companies doing business with the County to certify utilization of the Social Security Number Verification Service (SSNVS) and the E-Verify Program. (Co. Exec.) WAYS & MEANS

1478. Adopting Local Law No. -2011, A Local Law to require occupational licensees to utilize the Social Security Number Verification Service (SSNVS) and the E-Verify System. (Co. Exec.) LABOR, HOUSING & CONSUMER PROTECTION

1479. Authorizing use of Smith Point County Park property by Mastic Beach Fire Department, Inc. for public safety services fund drive. (Browning) PARKS & RECREATION

1480. To appoint Andriani L. Mikolaitis as a member of the Suffolk County Citizens Advisory Board for the Arts. (Gregory) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1481. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 - Lang Property - Town of Shelter Island (SCTM No. 0700-018.00-03.00-004.000). (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE

1482. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Flandhampton Holdings LLC property - Reeves Bay - Town of Southampton - (SCTM No. 0900-147.00-02.00-028.001). (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE

1483. Authorizing use of Raynor County Park by the Lake Ronkonkoma Heritage Association. (Muratore) PARKS & RECREATION

1484. To reappoint Frederic DeFeis as a member of the Suffolk County Citizens Advisory Board for the Arts. (D'Amaro) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1485. To extend the deadline for the Heroin and Opiate Epidemic Advisory Panel. (Nowick) HEALTH & HUMAN SERVICES

1486. Authorizing certain technical corrections to Adopted Resolution No. 163-2011. (Co. Exec.) WAYS & MEANS

1487. Authorizing public hearing for authorization of approval to alter rates for North Ferry Co., Inc. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION

1488. Authorization of alteration of rates for North Ferry Co., Inc. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION
Amending the 2011 Operating Budget to support the EAC-Suffolk County Children’s Center at Cohalan Court. (D’Amaro) BUDGET & FINANCE/INFORMATION TECHNOLOGY

Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Carpenter Farm Property) Town of Huntington (SCTM No. 0400-080.00-02.00-022.000). (Stern) ENVIRONMENT, PLANNING & AGRICULTURE

Authorizing a custodial license agreement with Independent Group Home Living Program Foundation for TWA Flight 800 Memorial, Smith Point Beach County Park, Shirley. (Co. Exec.) PARKS & RECREATION

To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 855-2011). (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY

To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 856-2011). (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY

To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 857-2011). (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY

To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 858-2011). (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY

To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 859-2011). (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY

To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 860-2011). (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY

To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 861-2011). (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY

To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 862-2011). (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY

To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 863-2011). (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Oswaldo Guzman a/k/a Oswald Guzman (SCTM No. 0200-824.00-04.00-021.000). (Co. Exec.) WAYS & MEANS
Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Liberty Estates, Inc., by Ernest Pereira, President (SCTM No. 0200-954.00-02.00-003.001). (Co. Exec.) WAYS & MEANS

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act estate of Emence Brown, by Everly Brown, as administrator (SCTM No. 0800-112.00-01.00-001.000). (Co. Exec.) WAYS & MEANS

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Kenneth Church (SCTM Nos. 0200-979.00-05.00-009.000 n/k/a 0209-022.00-05.00-009.000). (Co. Exec.) WAYS & MEANS

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Sheldon D. Brenner (SCTM No. 0500-032.00-01.00-120.000). (Co. Exec.) WAYS & MEANS

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Paul Felix, Marie Felix and Pierre Felix (SCTM No. 0100-055.00-01.00-036.002). (Co. Exec.) WAYS & MEANS

Sale of County-owned real estate pursuant to Local Law No. 13-1976 Glen Belostock and Ann DeMarco (SCTM No. 0800-019.00-07.00-036.000). (Co. Exec.) WAYS & MEANS

Sale of County-owned real estate pursuant to Local Law No. 13-1976 Anna Wintour (SCTM No. 0200-971.00-01.00-011.001). (Co. Exec.) WAYS & MEANS

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John H. Meyer, III (SCTM No. 0500-020.00-03.00-060.001). (Co. Exec.) WAYS & MEANS

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Njideka Kellyman (SCTM No. 0100-092.00-03.00-048.000). (Co. Exec.) WAYS & MEANS

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Robert Greenberg (SCTM No. 0600-033.00-06.00-039.004). (Co. Exec.) WAYS & MEANS

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Sei Wong Jung and Yang Ja Jung, his wife (SCTM No. 0208-014.00-02.00-010.000). (Co. Exec.) WAYS & MEANS

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Avalonbay Communities (SCTM No. 0200-372.00-04.00-044.006). (Co. Exec.) WAYS & MEANS

Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Vincent Vitale (SCTM No. 0800-167.00-01.00-047.000). (Co. Exec.) WAYS & MEANS

Authorizing the inclusion of new parcels into existing certified agricultural districts
in the County of Suffolk. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1516. Authorizing an Intermunicipal Agreement with the Village of Babylon for drainage improvements to CR 96, Great East Neck Road in the vicinity of Evergreen Street. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1517. Authorizing use of Indian Island County Park by Birthright of Peconic, Inc. for its Walkathon Fundraiser. (Co. Exec.) PARKS & RECREATION

1518. Authorizing use of the Long Island Maritime Museum by the Cystic Fibrosis Foundation for their Annual “Sayville Run/Walk & Barbeque” Fundraiser. (Co. Exec.) PARKS & RECREATION

1519. Authorizing use of Cedar Beach County Park by Event Power for its Mighty North Fork Triathlon Fundraiser. (Co. Exec.) PARKS & RECREATION

1520. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer By: County Legislature No. 355. (Co. Exec.) BUDGET & FINANCE/INFORMATION TECHNOLOGY

1521. Amending Resolution No. 1378-2007, amending the Adopted 2007 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2007 Capital Budget And Program, and appropriating funds in connection with an Aquatic Invasive/Nuisance Species Eradication in Canaan Lake, N. Patchogue and Upper And Lower Lakes, Yaphank (CP 8710). (Browning) ENVIRONMENT, PLANNING & AGRICULTURE

1522. Amending the 2011 Operating Budget to support the Veterans of Foreign Wars Suffolk County Council. (Kennedy) BUDGET & FINANCE/INFORMATION TECHNOLOGY

1523. Amending the 2011 Adopted Operating Budget to transfer 100% State Aid funding from Suffolk County Department of Health Services to the Pederson-Krag Center, Inc. and to accept and appropriate 100% additional State Aid from the New York State Office of Alcoholism and Substance Abuse Services to Brentwood Union Free School District. (Co. Exec.) HEALTH & HUMAN SERVICES

1524. Accepting 100% Federal grant funds from the United States Environmental Protection Agency passed through the New York State Department of Environmental Conservation to the Department of Health Services for the State Pollutant Discharge Elimination System (SPDES) Water Quality Management Planning Program and authorizing the County Executive to execute any related agreements. (Co. Exec.) HEALTH & HUMAN SERVICES

1525. Accepting and appropriating 100% Federal pass-through grant funds from the New York State Division of Criminal Justice Services for the Suffolk County Department of Probation to implement the Ignition Interlock Program. (Co. Exec.) PUBLIC SAFETY
1526. Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of $143,050 for the 2010 Technical Rescue/Urban Search and Rescue (USAR) Grant Program administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements. (Co. Exec.) PUBLIC SAFETY

1527. Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of $100,000 for the 2009 HazMat Grant Program administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements. (Co. Exec.) PUBLIC SAFETY

1528. Authorizing the sales of surplus property sold at the May 11, 2011 Auction pursuant to Local Law No. 13-1976 as per Exhibit “A” (Omnibus Resolution). (Co. Exec.) WAYS & MEANS

1529. Accepting and appropriating a grant amendment to the National Science Foundation Science, Technology, Engineering and Mathematics Scholarships Program (S-STEM) 100% reimbursed by Federal funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1530. Authorizing the conveyance of County-owned surplus unused right-of-way fronting a parcel of land, having a Suffolk County Tax Map Identification Number of District 0200 Section 663.00 Block 03.00 Lot 001.000, pursuant to Section 125 of the New York State Highway Law. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1531. Accepting and appropriating a grant award from the National Science Foundation for an NSF Science, Technology, Engineering and Mathematics Scholarships Program (NSF Stems II) 100% reimbursed by Federal funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1532. Accepting and appropriating a grant award from the Research Foundation of the State University of New York, for a project Win-Win, funded by the Lumina Foundation for Education 100% reimbursed by Federal funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1533. Accepting and appropriating 100% Federal funds awarded by the United States Department of Justice, Drug Enforcement Administration to the Suffolk County District Attorney and authorizing the Suffolk County Executive to execute related agreements. (Co. Exec.) PUBLIC SAFETY

1534. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 3 – Southwest (CP 8181). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1535. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 3 – Southwest (Outfall Final Effluent Pump Station) (CP 8108). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
Amending the 2011 Capital Budget and Program, transferring funds from the Assessment Stabilization Reserve Fund, and appropriating funds in connection with improvements to Suffolk County Sewer District No. 21 – SUNY (CP 8121). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 - Landing Road Property – Town of Brookhaven (SCTM Nos. 0200-027.00-03.00-001.001, 0200-027.00-03.00-001.002, 0200-027.00-03.00-001.003, 0200-027.00-03.00-001.004 and 0200-027.00-03.00-001.005). (Anker) ENVIRONMENT, PLANNING & AGRICULTURE

Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 - New Hope Revival Church Property - Town of Brookhaven (SCTM No. 0200-876.00-03.00-001.000). (Browning) ENVIRONMENT, PLANNING & AGRICULTURE

Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Old Neck Creek Property - Town of Brookhaven) (SCTM Nos. 0200-855.00-02.00-001.000, 0200-856.00-01.00-001.000 and 0200-856.00-04.00-002.000). (Browning) ENVIRONMENT, PLANNING & AGRICULTURE

Authorizing planning steps for the acquisition of development rights under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 - Szuster Farm Property - Town of Brookhaven (SCTM Nos. 0200-500.00-01.00-001.003 p/o). (Browning) ENVIRONMENT, PLANNING & AGRICULTURE

Authorizing planning steps for the acquisition of development rights under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 - Longmeadow Farm Property - Town of Brookhaven (SCTM No. 0200-974.20-02.00-021.100). (Browning) ENVIRONMENT, PLANNING & AGRICULTURE

VOID

Establishing A Sober Home Oversight Board. (Browning) HEALTH & HUMAN SERVICES

Adopting Local Law No. -2011, A Local Law eliminating financial disclosure requirements for Farmland Committee members. (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE

Adopting Local Law No. -2011, A Local Law banning the retail sale of puppies in Suffolk County to combat the problem of puppy mills. (Cooper) LABOR, HOUSING & CONSUMER PROTECTION

Adopting Local Law No. -2011, A Local Law amending Chapter 260A of The Suffolk County Code Pertaining to demonstrations at Funeral Services. (Stern) PUBLIC SAFETY

Adopting Local Law No. -2011, A Charter Law utilizing Assessment Stabilization
Reserve Fund surpluses for enhancing sewer capacity and County-wide taxpayer protection. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

HOME RULE

HR.05  Requesting the State of New York to authorize Suffolk County to discontinue use of certain land for park purposes and sell such property to the First Baptist Church of Bay Shore (Senate Bill S.4416-B and Assembly Bill A.07456-A). (Barraga) WAYS & MEANS
RESOLUTION NO. –2011, A LOCAL LAW TO REQUIRE COMPANIES DOING BUSINESS WITH THE COUNTY TO CERTIFY UTILIZATION OF THE SOCIAL SECURITY NUMBER VERIFICATION SERVICE (SSNVS) AND THE E-VERIFY PROGRAM

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2011, a proposed local law entitled, “A LOCAL LAW TO REQUIRE COMPANIES DOING BUSINESS WITH THE COUNTY TO CERTIFY UTILIZATION OF THE SOCIAL SECURITY NUMBER VERIFICATION SERVICE (SSNVS) AND THE E-VERIFY PROGRAM,” and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

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

A LOCAL LAW TO REQUIRE COMPANIES DOING BUSINESS WITH THE COUNTY TO UTILIZE THE SOCIAL SECURITY NUMBER VERIFICATION SERVICE (SSNVS) AND THE E-VERIFY SYSTEM

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

Section 1. Legislative Intent.

This Legislature finds and determines that the federal government operates the Social Security Number Verification Service (SSNVS). It is a no-cost service offered by the Social Security Administration's Business Services Online, which allows registered users to verify the names and social security numbers of employees against Social Security Administration records.

This Legislature further finds and determines that the United States Department of Homeland Security and the Social Security Administration have established E-Verify. Under this program, employers can check the I-9 information supplied by employees to insure that an employee's name, social security number, date of birth and citizenship status match government records.

E-Verify is designed to assist employers in verifying the employment eligibility of all newly hired employees. SSNVS is designed only to verify the names and social security numbers of existing employees, as well as those newly hired, against Social Security Administration records. SSNVS cannot be used to determine employment eligibility.

Employers can access E-Verify and SSNVS at no cost and they are relatively easy to use.
This Legislature further finds and determines that by requiring companies that are one-hundred (100%) percent funded by the County of Suffolk to use both E-Verify and the SSNVS, the County would, thereby,

(i) facilitate the promotion of the federal policy of requiring employers to verify the employment status of potential employees;
(ii) support the eradication of unfair competitive advantages between businesses;
(iii) aid in the elimination of unfair labor practices and exploitations;
(iv) assist in allowing the Social Security Administration to properly credit employees’ earnings records, which will be important information in determining their Social Security benefits in the future;
(v) assure taxpayers that employers and employees are paying their fair share of taxes by complying with tax laws; and
(vi) reduce incidents of identity theft.

Therefore, the purpose of this law is to require that companies that are one-hundred (100%) percent funded by the County must certify that they have registered with E-Verify and SSNVS and certify that the E-Verify program is used to ensure that new employees are eligible to work in the United States, and that the SSNVS is used to verify existing employees’ social security numbers as compared to Social Security Administration records.

Section 2. Definitions.

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

A.) AWARDING AGENCY – That subordinate or component entity or person of the County of Suffolk that is responsible for solicitation of proposals or bids and responsible for the award and administration of contracts, license agreements, leases and other financial compensation agreements.

B.) COMPENSATION –

1.) Any grant, loan, tax incentive funding, appropriation, payment, subsidy or other form of financial assistance which is realized by or provided to a covered employer, or the owners thereof, by or through the authority or approval of the County of Suffolk including, but not limited to, Community Development Block Grant (CDBG) loans, Industrial Development Agency (IDA) loans, and Enterprise-Zone-related incentives.

2.) Any contract, subcontract, license agreement, lease or other financial compensation agreement let to a person with or by the County of Suffolk for the furnishing of services, goods, equipment, supplies, materials, public works, or other property to or for the County of Suffolk.

C.) CONTRACTOR – A person who contracts to do work for another. This term does not include wholesalers.

D.) COUNTY – The County of Suffolk, any agency, office, position, administration, department, division, bureau, board, commission, corporation, public authority or unit of government, the expenses of which are paid in whole or in part by the County of Suffolk, or over which majority control is exercised by officers of the County of Suffolk or of a County-affiliated agency or their appointees.
E.) COVERED EMPLOYEE – An individual employed on either a full-time, part-time, temporary or seasonal basis, by a covered employer to perform work on or for the project or matter for which the recipient has received compensation.

F.) COVERED EMPLOYER – A recipient of, or an applicant for, compensation that is not exempt from this law, and who has at least one (1) covered employee working within the County of Suffolk or the County of Nassau, or who has at least one 50% or more owner living within the County of Suffolk.

G.) E-VERIFY - An Internet based system operated by the Department of Homeland Security in partnership with the Social Security Administration that allows participating employers to electronically verify the employment eligibility of their newly hired employees.

H.) ELECTRONIC FILE - A specifically formatted file submitted electronically to the Social Security Administration for processing social security number verification.

I.) PERSON – One or more of the following or their agents, employees, representatives and legal representatives: individuals, corporations, partnerships, joint ventures, associations, labor organizations, educational institutions, mutual companies, joint-stock companies, all trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, fiduciaries and other entities recognized at law by this County.

J.) RECIPIENT – Any person that receives compensation, as defined in this law, and any contractor or subcontractor of such a person.

K.) SEASONAL – A period of time not to exceed ninety (90) consecutive days at any given time within a six-month period.

L.) SSA - Social Security Administration.

M.) SSN - Social Security Number.

N.) SSNVS - Social Security Number Verification Service; an online service provided by SSA that allows registered users to verify employee names and SSNs against SSA’s records.

O.) SUBCONTRACTOR – A person who takes portions of a contract from a covered employer, a contractor or another subcontractor. This term does not include wholesalers.

P.) WHolesaler – A person who buys in comparatively large quantities, and then resells, usually in small quantities, to a middleman or retailer, but never to the ultimate consumer.

Section 3. Requirements.

A.) Every covered employer, and the owner thereof, as the case may be, that is a recipient of compensation from the County or an awarding agency, where such compensation is one-hundred-percent funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which shall be established by the County Department of Labor certifying the following:
1.) that it is registered to use E-Verify and SSNVS;

2.) that it utilizes E-Verify to electronically verify the employment eligibility of newly hired employees, and that the SSNVS is used to verify the accuracy of existing covered employees' SSN; and

3.) that it is in compliance with E-Verify and SSNVS program requirements, including but not limited to, following the SSNVS directives regarding steps to be taken in case of a failed SSN verification.

The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be, and shall be part of any compensation agreement with the County. Such affidavit shall be made available to the public upon request.

B.) Every contractor and subcontractor of a covered employer, and every owner thereof, as the case may be, that is assigned to perform work in connection with a County compensation agreement issued by the County or awarding agency, where such compensation is one-hundred-percent funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which shall be established by the Department of Labor, certifying the following:

1.) that it is registered to use E-Verify and SSNVS;

2.) that it utilizes E-Verify to electronically verify the employment eligibility of newly hired employees, and that the SSNVS is used to verify the accuracy of existing covered employees' SSN;

3.) that it is in compliance with E-Verify and SSNVS program requirements, including but not limited to, following the SSNVS directives regarding steps to be taken in case of a failed SSN verification.

The affidavit shall be executed by an authorized representative of any contractor and subcontractor of a covered employer, or owners, as the case may be, and shall be part of any executed compensation agreement with the County. Such affidavit shall be made available to the public upon request.

C.) Covered employer and owner sworn affidavits shall be submitted to the awarding agency at the following times:

1.) upon application made to the County for any grant, loan, subsidy, tax incentive funding, appropriation, payment, or other form of financial assistance;

2.) upon submission to the County of any response to a County bid, request for proposals (RFP), request for qualifications (RFQ), request for expressions of interest (RFEI), or similar contract letting process, including but not limited to, letting for compensation agreements;

3.) on January 1st of each year for the duration of the compensation agreement; and

4.) upon renewal and amendment of any County compensation agreement.
D.) Contractor and subcontractor sworn affidavits shall be submitted by the covered employer to the awarding agency at the following times:

1.) within one (1) week after the contractor or subcontractor is hired by the covered employer to perform the work in connection with the County compensation agreement;

2.) in the event of a County compensation agreement that is being renewed or amended, where a contractor or subcontractor was previously hired by a covered employer to perform work in connection with such compensation agreement, upon such renewal or amendment; and

3.) on January 1st of each year for the duration of the County compensation agreement, provided that the contractor or subcontractor was previously hired by the covered employer to perform work in connection with such compensation agreement and is continuing to perform such work.

Section 4. Reporting.

In the event that a SSN fails verification:

1.) Upon learning of a failed SSN verification, contractors and subcontractors of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County compensation agreement, shall notify the covered employer of the failed verification number.

2.) Covered employers and the owners thereof, as the case may be, shall notify the County of any failed verification SSN about which it receives notice within fourteen (14) days of receipt of such notice.

Section 5. Maintenance of Records.

A.) All covered employers and the owners thereof, as the case may be, shall maintain the following:

1.) As evidence of compliance with Section 3(A) of this law, all electronic files submitted and returned results in connection with the E-Verify program and SSNVS; and

2.) As evidence of compliance with Section 3(B) of this law, all sworn affidavits submitted by all contractors and subcontractors, and the owners thereof, as the case may be.

B.) Unless a shorter time is prescribed by law or regulation, such records shall be maintained for six (6) years after the County compensation agreement either expires or is terminated.

C.) Authorized County employees shall be entitled to review such records, on a periodic basis, as may be reasonably requested by the County or awarding agency.

Section 6. County contracts; subcontractor contracts.
A.) No grant, loan, subsidy, tax incentive, funding, appropriation, payment, lease or other compensation agreement shall be awarded to a covered employer, or the owners thereof, as the case may be, that does not certify that it has complied with Section 3 of this law. All compensation agreements awarded shall set forth the obligations of the covered employer and owners as enumerated in this article.

B.) All covered employers, or the owners thereof, as the case may be, shall inform their contractors and subcontractors to comply with the provisions of this law for as long as the covered employer or owner, as the case may be, is a recipient. Language indicating the contractor’s and subcontractor’s requirement to comply shall be included in any contract or agreement between a covered employer and its contractors and subcontractors. A copy of such subcontracts or other agreements shall be submitted to the County and made available to the public upon request.

Section 7. Enforcement; penalties for offenses.

A.) Notwithstanding any provision of law to the contrary, any covered employer, or owner thereof, as the case may be, who submits a false, fictitious or fraudulent affidavit to the County or awarding agency in connection with Sections 3 or 6 of this law shall, upon conviction, be guilty of a Class A misdemeanor, punishable by a fine of not less than $250.00 nor more than $2,000.00, or up to six (6) months imprisonment, or both. Each such violation shall constitute a separate and distinct offense.

B.) Notwithstanding any provision of law to the contrary, any covered employer, or the owner thereof, as the case may be, who violates the provisions of Section 5 of this law, shall be subject to a civil penalty, in an amount not less than $250.00, nor more than $2,000.00.

C.) Any covered employer, or the owners thereof, as the case may be, who violates the provisions of Sections 3, 4, or 6 of this law, more than two (2) times, shall have its compensation agreement terminated immediately; and, in the case of a County loan, subsidy or other form of financial assistance, same shall be declared in default for purposes of the County collecting on the full amount of the loan, subsidy or other form of financial assistance. In addition, such covered employers shall be barred from bidding on future County contracts and shall be ineligible to receive any future loans, subsidies or other financial assistance from the County.

D.) Any determination made under subdivisions (B) or (C) of this section by the County of Suffolk shall be reviewable pursuant to Article 78 of the Civil Practice Law and Rules.

Section 8. Promulgation of Rules and Regulations.

The Suffolk County Department of Labor shall promulgate such rules and regulations as it deems necessary and appropriate for the implementation and enforcement of any provisions of this chapter. Such rules shall further provide for due process procedural mechanisms.

Section 9. Applicability.

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

Section 10. Severability.
If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person 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 hereof, 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 or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 11. 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 12. Effective Date.

This law shall take effect no sooner than one hundred twenty (120) days after filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
DATE: May 19, 2011

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW TO REQUIRE COMPANIES DOING BUSINESS WITH THE COUNTY TO CERTIFY UTILIZATION OF THE SOCIAL SECURITY NUMBER VERIFICATION SERVICE (SSNVS) AND THE E-VERIFY PROGRAM

SPONSOR: PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 5/5/11 PUBLIC HEARING: 6/7/11

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law would require all “covered employers”¹ who are recipients or applicants for “compensation”² (when such compensation is 100% County funded) to submit to the County a sworn affidavit, under penalty of perjury, certifying that they have registered with the federal Social Security Number Verification Service (“SSNVS”) and the E-Verify program; that they utilize SSNVS to verify the accuracy and veracity of their existing covered employees’³ social security numbers and utilize E-Verify to verify the employment eligibility of newly hired employees; and that they are in compliance with the SSNVS and E-Verify program requirements.

No grant, loan, funding, appropriation, contract, et. al., may be awarded to a covered employer that does not certify its compliance with the above described Social Security Number and employment eligibility verification requirements.

Further, all contractors and subcontractors of covered employers, that are assigned to perform work in connection with a county contract, subcontract, license agreement, lease, or other financial agreement, that is 100% county funded, must file a similar affidavit with the covered employer. Covered employers are required to submit these

¹ “Covered Employer” is defined as a recipient, or applicant for, compensation who has at least one covered employee working within Suffolk County or Nassau County or has at least one 50% or more owner living within Suffolk County.

² “Compensation” is defined as any County grant, loan, tax incentive funding, appropriation, payment, subsidy or other form of financial assistance, including community development block grants, Industrial Development Agency loans and Enterprise Zone related incentives.

³ “Covered Employee” is defined as an individual employed on a full time, part time, temporary or seasonal basis to perform work on the project or matter for which their employer is receiving compensation.
affidavits to the county's awarding agency. Covered employers are also required to advise their contractors and subcontractors that they comply with the provisions of this law and to include this requirement in any contract or agreement between an employer and its contractors and subcontractors.

Covered employers shall maintain records of all electronic files of submitted and returned results in connection with the E-Verify program and SSNVS, as well as copies of sworn affidavits submitted by its contractors and subcontractors for six years after the County compensation agreement expires or is terminated.

If this law is enacted, covered employers will be required to notify the County of any failed Social Security Number verification within 14 days of receiving notice of the failed verification. The law does not describe the form and parameters of such notification or address how the County should treat such information.

A covered employer who files a false, fictitious or fraudulent affidavit with the County will be guilty of a Class A misdemeanor, punishable by a fine of not less than $250 nor more than $2,000 or up to six months imprisonment, or both. The law also authorizes civil penalties of no less than $250 nor more than $2,000 against employers who violate the record maintenance requirements. Any employer who violates the law more than two times shall have its financial compensation agreement terminated immediately and shall be barred from bidding on future county contracts and ineligible for future compensation from the county.

The Department of Labor will enforce the provisions of this law. The Department of Labor is authorized to promulgate rules and regulations deemed necessary for the implementation and enforcement of the law.

This law will take effect on the 120th day following its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-everify
RESOLUTION NO. —2011, A LOCAL LAW TO REQUIRE OCCUPATIONAL LICENSEES TO UTILIZE THE SOCIAL SECURITY NUMBER VERIFICATION SERVICE (SSNVS) AND THE E-VERIFY SYSTEM

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2011, a proposed local law entitled, “A LOCAL LAW TO REQUIRE OCCUPATIONAL LICENSEES TO UTILIZE THE SOCIAL SECURITY NUMBER VERIFICATION SERVICE (SSNVS) AND THE E-VERIFY SYSTEM,” and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

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

A LOCAL LAW TO REQUIRE OCCUPATIONAL LICENCIASEES TO UTILIZE THE SOCIAL SECURITY NUMBER VERIFICATION SERVICE (SSNVS) AND THE E-VERIFY SYSTEM

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

Section 1. Legislative Intent.

This Legislature finds and determines that the federal government operates the Social Security Number Verification Service (SSNVS). It is a no-cost service offered by the Social Security Administration's Business Services Online, which allows registered users to verify the names and social security numbers of employees against Social Security Administration records.

This Legislature further finds and determines that the United States Department of Homeland Security and the Social Security Administration have established E-Verify. Under this program, employers can check the I-9 information supplied by employees to insure that an employee’s name, social security number, date of birth and citizenship status match government records.

E-Verify is designed to assist employers in verifying the employment eligibility of all their newly hired employees. SSNVS is designed only to verify the names and social security numbers of existing employees, as well as those newly hired, against Social Security Administration records. SSNVS cannot be used to determine employment eligibility.

Employers can access both systems at no cost and it is relatively easy to use.
This Legislature further finds and determines that by requiring occupational license holders to use both E-Verify and the SSNVS, the County would, thereby,

(i) facilitate the promotion of the federal policy of requiring employers to verify the employment status of potential employees;
(ii) support the eradication of unfair competitive advantages between businesses;
(iii) aid in the elimination of unfair labor practices and exploitations;
(iv) assist in allowing the Social Security Administration to properly credit employees' earnings records, which will be important information in determining their Social Security benefits in the future;
(v) assure taxpayers that employers and employees are paying their fair share of taxes by complying with tax laws; and
(vi) reduce incidents of identity theft.

Therefore, the purpose of this law is to amend Chapter 345 of the Regulatory Local Laws of the Laws of Suffolk County to require that occupational license applicants and applicants for license renewal must represent that they have registered with E-Verify and SSNVS, that the E-Verify program is used to ensure that employees are eligible to work in the United States, and that the SSNVS is only used to verify that existing employees have accurate social security numbers as compared to Social Security Administration records.

Section 2. Amendments.

I.) Chapter 345 of the Regulatory Local Laws of the Laws of Suffolk County is hereby amended to add the following:

Chapter 345
Licensed Occupations
Article I
Provisions Applicable to All Licenses

§ 345-5. Application procedure; information required; qualifications; issuance of license.

****

(M) Every application shall include a representation by the applicant that it is registered to use E-Verify and the federal Social Security Number Verification Service (SSNVS); that it utilizes E-Verify to electronically verify the employment eligibility of newly hired employees, and that the SSNVS is used to verify the accuracy and veracity of existing employees' social security numbers; that it is in compliance with E-Verify program requirements and the directives of the SSNVS handbook and/or manual, including but not limited to, following the SSNVS directives regarding steps to be taken in case of a failed social security number verification. Failure to utilize E-Verify or SSNVS as described herein, shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license in accordance with the applicable provisions of this Chapter.
II.) Chapter 345 of the Regulatory Local Laws of the Laws of Suffolk County is hereby amended to add the following:

Chapter 345
Article XI
Electricians and Plumbers

§ 345-123. Application procedure; qualifications; examinations.

B. Qualifications of applicant

Every application shall include a representation by the applicant that it is registered to use E-Verify and the federal Social Security Number Verification Service (SSNVS); that it utilizes E-Verify to electronically verify the employment eligibility of newly hired employees, and that the SSNVS is used to verify the accuracy and veracity of existing employees’ social security numbers; that it is in compliance with E-Verify program requirements and the directives of the SSNVS handbook and/or manual, including but not limited to, following the SSNVS directives regarding steps to be taken in case of a failed social security number verification. Failure to utilize E-Verify or SSNVS as described herein, shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license in accordance with the applicable provisions of this Chapter.

Section 3. Affirmative Defense.

It shall be an affirmative defense in any hearing or proceeding brought under this law that an applicant or licensee has complied in good faith with the requirements herein.

Section 4. Investigations.

The Suffolk County Department of Labor is hereby authorized and empowered to investigate alleged violations of this law upon the request of the Director of the Suffolk County Office of Consumer Affairs. Authorized employees of the Department of Labor shall be entitled to request and review records maintained by licensees that demonstrate their compliance with this law. Upon the completion of an investigation, the Suffolk County Department of Labor shall forward its findings to the Director of the Suffolk County Office of Consumer Affairs.

Section 5. Promulgation of Rules and Regulations.
A. The Suffolk County Office of Consumer Affairs is hereby authorized, empowered and directed to promulgate such rules and regulations as it deems necessary for the implementation and enforcement of the provisions of this law.

B. The Suffolk County Department of Labor is hereby authorized, empowered and directed to promulgate such rules and regulations as it deems necessary to carry out the investigations described in Section 2 of this law.

Section 6. Applicability.

This law shall apply to all applications for licenses and license renewals submitted to the Office of Consumer Affairs on and after the effective date of this law.

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 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 8. 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 9. Effective Date.

This law shall take effect 120 days after its filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

[ ] Brackets denote deletion of language.
___ Underlining denotes addition of new language.
DATE: MAY 13, 2011

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 2011

TITLE: I.R. NO. 2011; A LOCAL LAW TO REQUIRE OCCUPATIONAL LICENSEES TO UTILIZE THE SOCIAL SECURITY NUMBER VERIFICATION SERVICE (SSNVS) AND THE E-VERIFY SYSTEM

SPONSOR: PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 5/10/11 PUBLIC HEARING: 6/21/11

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED: 

This proposed law would require applicants for occupational licenses to make the following representations at the time of their application:

1. That they have registered to use E-Verify and the Social Security Number Verification Service (“SSNVS”).

2. That they utilize E-Verify and SSNVS to verify the employment eligibility of newly hired employees and the accuracy of existing employees’ social security numbers.

3. That they are in compliance with the E-Verify program requirements and the directives of the SSNVS handbook/manual.

The failure of an applicant to utilize E-Verify or SSNVS will constitute grounds for the imposition of a fine, the suspension or revocation of a license or the denial of an application for the renewal of a license.

The Department of Labor is authorized to investigate violations of this law at the request of the Department of Consumer Affairs (which is wrongfully described in the law as the Office of Consumer Affairs). At the conclusion of its investigations, the Department of Labor will forward its findings to Consumer Affairs.

This law will apply to applications for licenses and license renewals submitted to the County on or after the effective date of this law.
This law will take effect 120 days after it is filed in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\ie-verify - SSNVS
RESOLUTION NO. -2011, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY BY MASTIC BEACH FIRE DEPARTMENT, INC. FOR PUBLIC SAFETY SERVICES FUND DRIVE

WHEREAS, the Mastic Beach Fire Department responds to over 100 calls at the Smith Point County Park each year; and

WHEREAS, the Mastic Beach Fire Department, Inc. (Department), would like to host a fundraising drive at Smith Point County Park in Shirley; and

WHEREAS, the fundraising drive for support of the public-safety services provided by the Department will be held from July 2, 2011 through July 4, 2011, and July 30, 2011 and July 31, 2011; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Two Hundred and Fifty and 00/100 Dollars ($250.00), plus public-safety services rendered by the Department to the Smith Point County Park, payment of which shall be guaranteed by the Department; and

WHEREAS, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured will be provided by the Department; and

WHEREAS, the use of County property for such fund drive for support of the public-safety services provided by the Department would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st RESOLVED, that the use of County-owned property, i.e. the Smith Point County Park in Shirley, by the Mastic Beach Fire Department, Inc. (Department), in consideration of the payment of Two Hundred and Fifty and 00/100 Dollars ($250.00), and in consideration of public-safety services rendered by the Department to the Smith Point County Park, for the purpose of hosting a fund drive by standing at the tollbooths with a sign asking the public to "Help Us Save You", for support of the public safety services provided by the Department from July 2, 2011 through July 4, 2011, and July 30, 2011 and July 31, 2011 between the hours of 7:00 a.m. and 4:30 p.m. each day is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

2nd RESOLVED, that before this event shall be permitted to occur, the Department must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

3rd RESOLVED, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK
COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for support of the public-safety services provided by the Department at Smith Point County Park in Shirley by the Department; and be it further

4th RESOLVED, that the Department shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

5th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

________________________
County Executive of Suffolk County

Date:

s:\res\r-smith-point-mastic-beach-fd-2011
RESOLUTION NO. -2011, TO APPOINT ANDRIANI L. MIKOLAITIS AS A MEMBER OF THE SUFFOLK COUNTY CITIZENS ADVISORY BOARD FOR THE ARTS

WHEREAS, the Citizens Advisory Board for the Arts was created to suggest, review and recommend arts policies and programs for Suffolk County; and

WHEREAS, members of the Citizens Advisory Board for the Arts may be recommended by individual County Legislators and are subject to approval by the full Legislature; and

WHEREAS, Local Law 9-2011 expanded the membership of the Citizens Advisory Board for the Arts to 18 members, with one representative from each Legislative district; now, therefore, be it

1st RESOLVED, that Andriani L. Mikolaitis, currently residing in Amityville, New York, is hereby appointed as a member of the Suffolk County Citizens Advisory Board for the Arts to represent Legislative District No. 15, for a term of office to expire three years subsequent to the effective date of this resolution, pursuant to Section 68-3(C)(1) of the SUFFOLK COUNTY CODE; 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 of Approval:

s:\res\r-appt-citizens-arts-mikolaitis
Andriani L. Mikolaitis

Exhibitions

- October 2010 – Open Studio Show
- July 2010 – Smithtown Township Arts Council Juried Show “X marks the spot” Honorable Mention
- August 2009 - Huntington Arts Council Annual Member Show
- June 2009 – Circle Gallery Juried Show “Long Island Summer” First Place Winner
- January, May, October & December 2009 – Amityville Artists Circle Member Shows
- November 2007 – One Woman Show at the Amityville Public Library
- October 2007 – Open Studio Show
- October 2006 Open Studio Show
- May 2006 First United Methodist Church Art Show and Sale
- Summer 2005 – Huntington Arts Council Members Show
- June 2004 – East End Arts Council “Savor Long Island” Juried Exhibit, “Green Peppers” First Place Winner
- November 2003 - Unveiling of the mural at Amityville Public Library
- June 2002 – BACCA 14th Annual Art Exhibition (Won Honorable Mention in Watercolors category for “Tomatoes from my Garden”)
- April 2002 – Amityville Artists Circle Group Exhibit at the Copiague Library
- January 2002 – One Woman Show at the Amityville Public Library
- September 2001 - Art League of Long Island Member’s Showcase
- June 2001 - East End Arts Council Juried Exhibition “Flora and Fauna”
- April 2001 - Amityville Historical Society “European Coffee Tasting and Art Show
- September 2000 - Art League of Long Island Member’s Showcase
- April 1996 - Art League of Long Island Gallery Exhibit

Grants

- January 2003 – Received a grant from the New York State council on the Arts to create a 40’ long by 4’ high mural in the Amityville Public Library.
- Fall 2001 – Special Opportunity Stipend from the New York Foundation for the Arts and the East End Arts Council

Collections

- Private collections in U.S.A, Sweden, Austria, Greece and Cyprus.
- Government of the Republic of Cyprus (Mission to the UN in New York)

Commissions

- Landscapes
- Portraits

Galleries

- Circle Gallery, Amityville, New York

Education

- 1996-2004 Various Classes and Workshops at Art League of Long Island
- 1996 Nassau Community College, 36 credits in art courses
- 1983 Polytechnic University, New York, BS in Civil Engineering

Affiliations

- Amityville Artists Circle (Member of Executive Board, Past President and Treasurer and Founding Member)
- East End Arts Council
- Huntington Arts Council (Chairperson – New York State Arts Council Grant Application Review Panel in 2003 and 2004)
RESOLUTION NO. -2011, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 (LANG PROPERTY – TOWN OF SHELTER ISLAND) (SCTM NO. 0700-018.00-03.00-004.000)

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 11.57 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 within the County Department of Environment and Energy, 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 within the County Department of Environment and Energy, 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-lang-property-open-space-drinking-water-plan-steps
<table>
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<th>PARCEL</th>
<th>SUFFOLK COUNTY TAX MAP NUMBER</th>
<th>ACRES</th>
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<td>1</td>
<td>District: 0700</td>
<td>±11.57</td>
<td>Gary &amp; Maureen Lang</td>
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<tr>
<td></td>
<td>Section 018.00</td>
<td></td>
<td>PO Box 935</td>
</tr>
<tr>
<td></td>
<td>Block 03.00</td>
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<tr>
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EXHIBIT “A”
RESOLUTION NO. -2011, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE FLANDHAMPTON HOLDINGS LLC PROPERTY – REEVES BAY (TOWN OF SOUTHAMPTON - SCTM# 0900-147.00-02.00-028.001)

WHEREAS, Local Law No. 24-2007, “A Charter Law Extending and Accelerating the Suffolk County ½% 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. 676-2008, 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 Property Acquisition and Management 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 Property Acquisition and Management 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, Open Space component, for a total purchase price of Three Hundred Thirty Thousand Dollars ($330,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<table>
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<tr>
<th>PARCEL</th>
<th>TAX MAP NUMBER</th>
<th>ACRES</th>
<th>REPUTED OWNER AND ADDRESS</th>
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<td>0.60+</td>
<td>Flandhampton Holdings LLC</td>
</tr>
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<td></td>
<td>Section 147.00</td>
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<td>60 East 42nd Street</td>
</tr>
<tr>
<td></td>
<td>Block 02.00</td>
<td></td>
<td>New York, NY 10165</td>
</tr>
<tr>
<td></td>
<td>Lot 028.001</td>
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</table>
and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management 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, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County’s purchase price of Three Hundred Thirty Thousand Dollars ($330,000.00), 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 Three Hundred Thirty Thousand Dollars ($330,000.00), subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management 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 pursuant to Section C12-2(A)(2)(c), this property is not to be developed and One (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

   a.) freshwater/tidal wetlands and buffer lands for same; and be it further

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and be it further

8th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

9th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:
1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) the proposed use of the subject parcel(s) is passive recreation; 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 279-5(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:

s:\res\r-acquisition-Flandhampton-holdings
RESOLUTION NO.  -2011, AUTHORIZING USE OF RAYNOR COUNTY PARK BY THE LAKE RONKONKOMA HERITAGE ASSOCIATION

WHEREAS, the Lake Ronkonkoma Heritage Association is hosting its first annual Motor Parkway "Sunday Drive" to Lake Ronkonkoma Parade and Car Show to honor Lake Ronkonkoma; and

WHEREAS, the Heritage Association was developed with the intent to introduce and showcase all groups of Lake Ronkonkoma that promote history and goodwill to the public, with the theme for this event being "Vintage Lake Ronkonkoma"; and

WHEREAS, the Lake Ronkonkoma Heritage Association would like to use Raynor County Park for its parade, event show and many other smaller events within; and

WHEREAS, this event will be held on Sunday, August 7, 2011 at Raynor County Park; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by the Lake Ronkonkoma Heritage Association; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of One Hundred Fifty Dollars and 00/100 ($150.00), payment of which shall be guaranteed by the Lake Ronkonkoma Heritage Association; now, therefore be it

1st RESOLVED, that the use of County-owned property, i.e., Raynor County Park, in consideration of the payment of One Hundred Fifty Dollars and 00/100 ($150.00), for the purpose of hosting a parade, event show and other smaller events within on Sunday, August 7, 2011, between the hours of 8:00 a.m. and 8:00 p.m., is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the County's receipt of a Certificate of Insurance naming the County of Suffolk as an additional insured from the Lake Ronkonkoma Heritage Association, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd RESOLVED, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER and Section 378-7 of the SUFFOLK COUNTY CODE to issue a permit to the Lake Ronkonkoma Heritage Association. The Department of Parks, Recreation and Conservation and the County Department of Public Works are further authorized, empowered and directed to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for the Lake Ronkonkoma Heritage Association; and be it further

3rd RESOLVED, that the Lake Ronkonkoma Heritage Association also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display
such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

4th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

DATE:  

s:\res\v-use-raynor-park-lake-ronkonkoma heritage assoc
RESOLUTION NO. -2011, TO REAPPOINT FREDERIC
DEFEIS AS A MEMBER OF THE SUFFOLK COUNTY CITIZENS
ADVISORY BOARD FOR THE ARTS

WHEREAS, the term of Frederic DeFeis, as a member of the Suffolk County
Citizens Advisory Board for the Arts, is set to expire on June 27, 2011; now, therefore be it

1st RESOLVED, that Frederic DeFeis, currently residing in Deer Park, New York, is
hereby reappointed as a member of the Suffolk County Citizens Advisory Board for the Arts to
represent Legislative District No. 17, for a three year term of office to expire on June 27, 2014
pursuant to Section 68-3(C)(1) of the SUFFOLK COUNTY CODE; 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\r-reappt-citizens-arts-defeis
Frederic DeFeis
Deer Park, New York

Training
B.A. Degree in English and Speech – Brooklyn College – 1947
M.F.A Degree in Theatre Arts – Fordham University – 1951

Certification
Permanent New York City License to teach speech – Secondary
Permanent New York City License to teach English – Secondary
Permanent New York State License as principal– Secondary

Teaching
• Assistant professor of Theatre (adjunct) Hofstra University-1975-1980
• Teacher of English in city schools for 5 years at Eramus H.S, New
• Chairman of speech and theatre at Seaford H.S - 1955 – 1980

Administration
• Professor of speech and theatre at Iona College, New Rochelle
  1948 - 1950
• Director and administrator of theatre department at Duquesne
  University, Pittsburgh, setting up courses, selecting staff, preparing
  budgets and handling finances. 1950 – 1952
• Dean of Discipline for five years at Bay Ridge High School, dealing
  with hundreds of students of varied sociological and psychological
  backgrounds. 1950 -1955
• Assistant Examiner for the New York City Board of Education,
  working with administrators in the testing and selection of candidates
  for teaching positions in the New York City Schools. 1952-1957
• Director and administrator of theatre program for Republic Aviation
  Corporation, setting up a Theatrical program for industrial personnel.
  1958 – 1963
• Producer – Director of Arena Players – Long Island Repertory Theatre
  1950 - Present
RESOLUTION NO. 2011, TO EXTEND THE DEADLINE FOR THE HEROIN AND OPIATE EPIDEMIC ADVISORY PANEL

WHEREAS, Res. No. 413-2010 established a Heroin and Opiate Epidemic Advisory Panel to provide solutions and suggestions to better address the treatment of youth who are addicted to heroin and opiates, as well as to improve preventative programs; and

WHEREAS, the Panel needs additional time to complete their work; now, therefore be it

1st RESOLVED, that the 13th RESOLVED clause of Resolution No. 413-2010 is hereby amended as follows:

13th RESOLVED, that the Advisory Panel shall expire, and the terms of office of its members terminate, as of June 30, [2011] 2012 at which time the Advisory Panel shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

and be it further

2nd RESOLVED, that all other terms and conditions of Resolution No. 413-2010 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:

s:\res\r-extend-heroin-panel
RESOLUTION NO. -2011, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 163-2011

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 163-2011; 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. 163-2011

In the 1st RESOLVED clause under REVENUES: change the fund number:

FROM:

115-4399-Federal Aid: LIE/HOV Enforcement Program 2011
115-3364-State Aid: LIE/HOV Enforcement Program 2011

TO:

001-4399-Federal Aid: LIE/HOV Enforcement Program 2011
001-3364-State Aid: LIE/HOV Enforcement Program 2011

In the 1st RESOLVED clause under ORGANIZATIONS: change the number:

FROM:

2000-Equipment

TO:

3000-Equipment

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
RESOLUTION NO. -2011, AUTHORIZING PUBLIC HEARING FOR AUTHORIZATION OF APPROVAL TO ALTER RATES FOR NORTH FERRY CO., INC.

WHEREAS, North Ferry Co., Inc. has applied to the Suffolk County Legislature by a Petition dated and verified, August 2, 2011, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Section 131(g) of the Highway Law of the State of New York, Chapter 287 (Ferry Service) of the Suffolk County Code and enacted by Local Law No. 7 of 1982 for the alteration of ferry rates for the regularly scheduled service between Shelter Island, New York and Greenport, New York; now, therefore be it

1st RESOLVED, that consideration of the Petition of the North Ferry Co., Inc. for the purpose of publication of the notice required by the Suffolk County Legislature, the Public Hearing on this Petition shall be held at 6:30 p.m., August 2, 2011, at Hauppauge, New York; and be it further

2nd RESOLVED, that pending the consideration of the Petition and the Public Hearing, the Petition be and is hereby referred to the Public Works and Transportation Committee for its consideration and recommendation to the Suffolk County Legislature.

DATED: ________________________________

APPROVED BY: ________________________

______________________________
County Executive of Suffolk County

Date: ________________________________
RESOLUTION NO. -2011, AUTHORIZATION OF ALTERATION OF RATES FOR NORTH FERRY CO., INC.

WHEREAS, North Ferry Co., Inc. has applied to the Suffolk County Legislature by a verified petition, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Section 131-g of the Highway Law of the State of New York, Chapter 287 (Ferry Service) of the Suffolk County Code and enacted by Local Law No. 7 of 1982 for alteration of its ferry rates for the operating and capital needs of the company; and

WHEREAS, the Legislative Office of Budget Review has submitted its recommendations on said application to this Legislature and made its recommendations of the revisions in the rates requested; and

1st RESOLVED, that the verified petition as of May 1, 2011 of the North Ferry Co., Inc. is approved and the existing North Ferry Co., Inc. rate schedule is hereby modified as follows:

REGULAR SCHEDULED SERVICE BETWEEN SHELTER ISLAND HEIGHTS, NEW YORK AND GREENPORT, NEW YORK

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>CURRENT RATES</th>
<th>PROPOSED RATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>CARS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One-way Car and Driver</td>
<td>$9.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Round Trip Car and Driver</td>
<td>$13.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>SUV Surcharge</td>
<td>$1.00</td>
<td>$ Discontinued</td>
</tr>
</tbody>
</table>

PREPAID 10 TICKET DISCOUNT BOOKS (FOR CARS)

|                      |               |                      |
| Resident One-Way     | $45.00        | $49.00               |
| Resident Round Trip  | $48.00        | $52.00               |
| 5-Day Resident Commuter | $22.00         | $26.00               |
| 6-Day Resident Commuter | $26.00         | $ Discontinued       |
|                      |               | (Use Resident Round Trip Discount Tickets) |

|                      |               |                      |
| Non-Resident One-Way | $57.00        | $62.00               |
| Non-Resident Round Trip | $72.00      | $78.00               |
| 5-Day Non-Resident Commuter | $28.00        | $32.00               |
| 6-Day Non-Resident Commuter | $33.00        | $38.00               |

PASSENGERS – See Definition

|                      |               |                      |
| In Vehicles or Walk-Ons | $2.00         | $2.00                |
| In Commuter Cars       | $2.00 (one-way) | $2.00 (one-way)     |
|                       | $3.00 (round-trip) | $3.00 (round-trip) |
| In Residents Cars      | $2.00 (one-way) | $2.00 (one-way)     |
|                       | $3.00 (round-trip) | $3.00 (round-trip) |
10 Tokens, Resident $15.00 $15.00

**MOTORCYCLES**
One-Way including Driver $6.00 $6.00
Round Trip including Driver $8.00 $8.00

**BICYCLES**
One-Way including Rider $3.00 $3.00
Round Trip including Rider $5.00 $5.00
Round Trip for Work $3.00 per day $15.00 per 5 days

**TRUCKS**
Each Way:

Two-Axle (includes Boat Trailer, Light duty Trailer, Limousine and Driver) $11.00 for 1st 18' 11.00 For 1st 18'
+1.00 per foot over 18' +1.00 per foot over 18'

Three-Axle $18.00 For 1st 18' $18.00 For 1st 18'
+1.00 per foot over 18' +1.00 per foot over 18'

Dump Trucks:
Under 18,000 GVWR $11.00 for 1st 18' $11.00 for 1st 18'
+1.00 per foot over 18' +1.00 per foot over 18'

Over 18,000 GVWR
   Empty Truck rate by axle
   Loaded $10.00+$2.00 per foot $10.00+$2.00 per foot

Trailer
(More than 4 tires)
Commercial Construction Empty $2.00 per foot $2.00 per foot
   Loaded $2.00 per foot $2.00 per foot

Truck-Heavy
(Transit mix, sheet rock, log, sod, cinder block, tank/water/fuel, dumpster, roll-off, or other heavy vehicle) $75.00 $75.00

**BUSES:**

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<th>Mini-Bus</th>
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<td></td>
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**HAZARDOUS MATERIALS**
(Service on small boats only)
if on large boat, rate is $250.00

$100.00 $100.00
Notes – See Exhibit “A”, definitions.
All rates to become effective upon adoption of Resolution

5. FINANCIAL REPORTS AND SUPPORTING INFORMATION

a. Filed herewith as Exhibit “B” are the financial reports for the fiscal years ending December 31 for the years 2009 and 2010, as required by Chapter 287 (FERRY SERVICE) of the Suffolk County Code.

6. RELIEF

a. Your Petitioner respectfully requests that the Suffolk County Legislature grant and authorize the rates set forth in this Petition, pursuant to Section 131(g) of the Highway Law of the State of New York and Chapter 287 (FERRY SERVICES) of the Suffolk County Code.

and be it further

2nd RESOLVED, that the rates authorized by this Resolution shall take effect on the effective date of this Resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
May 16, 2011

Suffolk County Legislature
William H. Rogers Building
725 Veterans Memorial Highway
Smithtown, New York 11787

Re: North Ferry Co., Inc.

Dear Sir/Madam:

Enclosed please find the Verified Petition of Bridgford Hunt and supporting documents associated with the North Ferry Co.’s request for a rate increase.

Please feel free to call if you have any questions. Thank you for your attention to this matter.

Very truly yours,

Thomas C. Sledjeski

TCS/jmc
Encls.
PETITION

TO THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK

1. **NATURE OF APPLICATION**

   a. This application is made pursuant to Section 131 (g) of the Highway Law of the State of New York, Section 71 of the Transportation Corporation Law of the State of New York, Article 8 of the Navigation Law of the State of New York, and Chapter 287 (FERRY SERVICE) of the Suffolk County Code as enacted by Local Law No. 7 of 1982.

   b. Pursuant to Section 131 (g) of the Highway Law of the State of New York, the New York State Legislature has empowered the Suffolk County Legislature to grant alterations in ferry rates upon the application of the ferry operator, for ferries operating wholly within Suffolk County.

   c. Petitioner is seeking relief from the Suffolk County Legislature to provide for an alteration in its existing ferry rates, which will be applicable to the Petitioner's vehicle and passenger ferry service operating between Shelter Island Heights, New York, and Greenport, New York.

2. **PERTINENT FACTS CONCERNING THE PETITIONER**

   a. Petitioner is a for-profit Transportation Corporation organized under the Laws of the State of New York, and has been and remains in good standing under said laws, and is authorized to do business in the State of New York.

   b. Petitioner is duly licensed by the Suffolk County Legislature to operate a vehicle and passenger ferry between Shelter Island Heights, New York and Greenport, New York pursuant to Section 71 of the Transportation Corporations Law of the State of New York, Article 8 of the Navigation Law of New York State, and Chapter 287 (FERRY SERVICE) of the Suffolk County Code, enacted by Local Law No. 7 of 1982.

3. **PRESENT FARE STRUCTURE**

   a. Petitioner has been authorized in its present fare structure pursuant to Resolution No. 1187-2008, approved December 22, 2008. Petitioner has before the Legislature Resolution ____________ that addresses the operating and capital needs of the Company. Resolution ____________ increases the cash one way, round trip and discounted fares and eliminates the SUV surcharge. The CURRENT column refers to fares prior to the anticipated adoption of Res ____________.
4. PROPOSED FARE STRUCTURE

a. Petitioner requests an alteration of the ferry rates and fares authorized as follows:

REGULAR SCHEDULED SERVICE BETWEEN
SHELTER ISLAND HEIGHTS, NEW YORK AND GREENPORT, NEW YORK

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<td>$52.00</td>
</tr>
<tr>
<td>5-day Resident Commuter</td>
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<td>$26.00</td>
</tr>
<tr>
<td>6-day Resident Commuter</td>
<td>$26.00</td>
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<tr>
<td></td>
<td></td>
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</tr>
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<tr>
<td><strong>MOTORCYCLES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Way Including Driver</td>
<td>$6.00</td>
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</tr>
<tr>
<td>Round Trip Including Driver</td>
<td>$8.00</td>
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<td><strong>BICYCLES</strong></td>
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**TRUCKS**

Each Way:

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<tr>
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<th>Rate 1st 18' + per foot</th>
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<tbody>
<tr>
<td>Two-Axle (includes boat trailer, light duty trailer, limousine and driver)</td>
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<td>Three-Axle</td>
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**Dump Trucks:**

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<tr>
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<tr>
<td>Over 18,000 GVWR</td>
<td>Truck rate by axle</td>
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</tr>
<tr>
<td>Empty Loaded</td>
<td>$10.00 + $2.00 per foot</td>
<td>$10.00 + $2.00 per foot</td>
</tr>
<tr>
<td>Trailer (More than 4 tires) Commercial construction Empty Loaded</td>
<td>$2.00 per foot</td>
<td>$2.00 per foot</td>
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<td>Truck-Heavy (Transit mix, sheet rock, log, sod, cinder block, tank/water/fuel, dumpster, roll-off or other heavy vehicle)</td>
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**HAZARDOUS MATERIALS**

(Service on small boats only
If on large boat, rate is $250.00)

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<tr>
<th>Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$100.00</td>
</tr>
</tbody>
</table>

*Notes - See Exhibit "A", definitions. All rates to become effective upon adoption of Resolution*
5. **FINANCIAL REPORTS AND SUPPORTING INFORMATION**

   a. Filed herewith as Exhibit "B" are the financial reports for the fiscal years ending December 31 for the years 2009 and 2010, as required by Chapter 287 (FERRY SERVICE) of the Suffolk County Code.

6. **RELIEF**

   a. Your Petitioner respectfully requests that the Suffolk County Legislature grant and authorize the rates set forth in this Petition, pursuant to Section 131(g) of the Highway Law of the State of New York and Chapter 287 (FERRY SERVICE) of the Suffolk County Code.

   Dated: **May 16, 2011**

   Shelter Island Heights, New York

   **NORTH FERRY CO., INC.**

   **BY**

   Bridgford Hunt
   General Manager

   **VERIFICATION**

   STATE OF NEW YORK )
   ) ss.:
   COUNTY OF SUFFOLK )

   I, Bridgford Hunt, being duly sworn, depose and say:

   I am the General Manager for North Ferry Co., Inc., the Petitioner in this proceeding. I have read the foregoing Petition and know the contents thereof, and the same is true to my own knowledge, except those matters therein stated to be alleged on information and belief, and as to those matters, I believe them to be true.

   **Sworn to before me this 16th day of May, 2011**

   _________________
   Bridgford Hunt

   **JEANNIE M. COAKLEY**
   NOTARY PUBLIC, STATE OF NEW YORK
   NO. 01096176391
   QUALIFIED IN SUFFOLK COUNTY
   COMMISSION EXPIRES 12/24/2011
**SCHEDULE A DEFINITIONS**

**Cars** are vehicles under twenty two (22) feet. This class also includes pick-up trucks or passenger vans less than twenty two (22) feet long. Modified vehicles with changes to the body width or height (excluding roof racks) or profile and vehicles with more than four (4) wheels are not eligible for the use of discount or commuter tickets.

**Resident Round Trip** tickets are not accepted for trips originating in Greenport. Resident one-way tickets may be used for that purpose.

**Round Trip** means same business day, which is from our first boat until our last boat that day.

**Shelter Island Resident:** A Shelter Island property owner, or a person with a New York State Driver's license with a Shelter Island address, or a residential leaseholder with a lease term of a minimum of ten (10) months. Qualified resident commuters will be issued a resident identification certificate or other validation to be shown or displayed when commuting. Resident commuter tickets may also be purchased by validated employees of a Shelter Island-based business.

**Passengers:** A person of ten (10) years of age or older riding in a vehicle or as a walk on. Passengers who are working and accompanying a driver with a commuter ticket will be granted a discounted same day round-trip fare of $3.00. Also, passengers in cars accompanying Shelter Island Residents (as defined above) using resident discount round trip tickets (and initiating their journey from Shelter Island) will also be entitled to the same discounted $3.00 round trip fare. Shelter Island Residents may also use a discount passenger token in a vehicle or as a walk-on.

**Discount Tickets** which are sold only in the office are valid until December of the year following purchase. Expiring tickets may be renewed for an additional year if presented within three (3) months of their expiration.

**Non Resident Commuters** can purchase a ticket (on the boats Monday or Tuesday and in the office through Wednesday) which entitles them to ten (10) or twelve (12) crossings during the course of the week starting Monday morning and ending Sunday night.

**Resident Commuters** can purchase a ticket which entitles them to ten (10) crossings during the course of the week starting Monday morning and ending Sunday night. Resident commuter tickets can be purchased by validated employees of the Shelter Island based businesses. Resident Commuters desiring more trips may purchase Resident Round Trip Discount Tickets at the same price per trip as a ten (10) crossing ticket.

**Bicycle Commuters** who travel to work on bicycles are eligible to buy a weekly commuter ticket. These tickets may only be used when traveling by bicycle or in a vehicle using a commuter ticket.

**Shelter Island Resident Trucks on Account** will be discounted by twenty percent (20%) for Non-Municipal accounts only.
NORTH FERRY CO., INC.

Financial Statements

Years ended December 31, 2009 and 2008
NORTH FERRY CO., INC.

Financial Statements
Years ended December 31, 2009 and 2008

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| as of December 31, 2009 and 2008|   |
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| for the years ended December 31, 2009 and 2008|   |
| Statements of Changes in Stockholder's Equity | 4 |
| for the years ended December 31, 2009 and 2008|   |
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| for the years ended December 31, 2009 and 2008|   |
REPORT OF INDEPENDENT AUDITORS

To the Board of Directors
North Ferry Co., Inc.
Shelter Island Heights, New York

We have audited the accompanying balance sheets of North Ferry Co., Inc. (the "Ferry") as of December 31, 2009 and 2008 and the related statements of income, changes in stockholder's equity, and cash flows for the years then ended. These financial statements are the responsibility of the Ferry's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Ferry as of December 31, 2009 and 2008 and the results of its operations and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Leonard, Mulherin & Greene, P.C.
LEONARD, MULHERIN & GREENE, P.C.
Braintree, Massachusetts

April 8, 2010
NORTH FERRY CO., INC.

Balance Sheets
December 31, 2009 and 2008

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CURRENT ASSETS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and cash equivalents</td>
<td>$874,476</td>
<td>$983,576</td>
</tr>
<tr>
<td>Accounts receivable</td>
<td>94,390</td>
<td>67,921</td>
</tr>
<tr>
<td>Prepaid expenses</td>
<td>95,344</td>
<td>101,888</td>
</tr>
<tr>
<td><strong>Total current assets</strong></td>
<td>1,064,210</td>
<td>1,153,365</td>
</tr>
<tr>
<td>PROPERTY, PLANT AND EQUIPMENT, at cost, net of accumulated depreciation</td>
<td>5,720,201</td>
<td>6,288,578</td>
</tr>
<tr>
<td><strong>OTHER ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deposits</td>
<td>5,672</td>
<td>5,672</td>
</tr>
<tr>
<td><strong>Total assets</strong></td>
<td>$6,790,083</td>
<td>$7,447,615</td>
</tr>
<tr>
<td><strong>LIABILITIES AND STOCKHOLDER'S EQUITY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CURRENT LIABILITIES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts payable, trade</td>
<td>$81,284</td>
<td>$109,053</td>
</tr>
<tr>
<td>Dividend payable</td>
<td>100,000</td>
<td>100,000</td>
</tr>
<tr>
<td>Accrued expenses</td>
<td>197,963</td>
<td>193,998</td>
</tr>
<tr>
<td>Accrued transportation tax</td>
<td>23,037</td>
<td></td>
</tr>
<tr>
<td>Deferred tax liability</td>
<td>27,444</td>
<td>39,347</td>
</tr>
<tr>
<td>Mortgage notes payable, current maturities</td>
<td>223,283</td>
<td>190,815</td>
</tr>
<tr>
<td>Deferred revenue</td>
<td>246,540</td>
<td>244,802</td>
</tr>
<tr>
<td><strong>Total current liabilities</strong></td>
<td>879,531</td>
<td>878,015</td>
</tr>
<tr>
<td><strong>LONG-TERM LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts payable, affiliate</td>
<td>149,150</td>
<td>179,614</td>
</tr>
<tr>
<td>Mortgage notes payable, less current maturities</td>
<td>4,455,881</td>
<td>4,975,206</td>
</tr>
<tr>
<td><strong>Total liabilities</strong></td>
<td>5,484,582</td>
<td>6,032,835</td>
</tr>
<tr>
<td><strong>COMMITMENTS AND CONTINGENCIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>STOCKHOLDER'S EQUITY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Common stock, no par value, 2,000 shares authorized, issued and outstanding</td>
<td>40,000</td>
<td>40,000</td>
</tr>
<tr>
<td>Retained earnings</td>
<td>1,265,521</td>
<td>1,374,780</td>
</tr>
<tr>
<td><strong>Total stockholder's equity</strong></td>
<td>1,305,521</td>
<td>1,414,780</td>
</tr>
<tr>
<td><strong>Total liabilities and stockholder's equity</strong></td>
<td><strong>$6,790,083</strong></td>
<td><strong>$7,447,615</strong></td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
NORTH FERRY CO., INC.

Statements of Income
Years ended December 31, 2009 and 2008

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUE</strong></td>
<td><strong>$ 5,189,252</strong></td>
<td><strong>$ 5,499,530</strong></td>
</tr>
<tr>
<td><strong>OPERATING EXPENSES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payroll and related costs</td>
<td>3,157,456</td>
<td>3,118,920</td>
</tr>
<tr>
<td>Overhead costs</td>
<td>1,009,214</td>
<td>1,035,766</td>
</tr>
<tr>
<td>Other operating costs</td>
<td>510,376</td>
<td>846,795</td>
</tr>
<tr>
<td>Repairs and maintenance</td>
<td>223,927</td>
<td>189,398</td>
</tr>
<tr>
<td>State use tax</td>
<td>3,549</td>
<td>-</td>
</tr>
<tr>
<td>State transportation tax</td>
<td>27,654</td>
<td>24,324</td>
</tr>
<tr>
<td>Total operating expenses</td>
<td><strong>$ 4,932,476</strong></td>
<td><strong>$ 5,215,203</strong></td>
</tr>
<tr>
<td><strong>INCOME FROM OPERATIONS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>256,776</td>
<td>284,327</td>
</tr>
<tr>
<td><strong>OTHER INCOME (EXPENSE)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest income</td>
<td>5,633</td>
<td>6,357</td>
</tr>
<tr>
<td>Miscellaneous income</td>
<td>16,007</td>
<td>19,081</td>
</tr>
<tr>
<td>Gain on sale of M/V Shelter Island</td>
<td>40,000</td>
<td>-</td>
</tr>
<tr>
<td>Interest expense</td>
<td>(330,413)</td>
<td>(338,735)</td>
</tr>
<tr>
<td>Total other expense</td>
<td>(268,773)</td>
<td>(313,317)</td>
</tr>
<tr>
<td>Net loss before federal income taxes</td>
<td>(11,997)</td>
<td>(28,990)</td>
</tr>
<tr>
<td><strong>FEDERAL INCOME TAX BENEFIT</strong></td>
<td>(2,738)</td>
<td>(22,382)</td>
</tr>
<tr>
<td><strong>NET LOSS</strong></td>
<td><strong>$ (9,259)</strong></td>
<td><strong>$ (6,608)</strong></td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
NORTH FERRY CO., INC.

Statements of Changes in Stockholder's Equity
Years ended December 31, 2009 and 2008

<table>
<thead>
<tr>
<th></th>
<th>Common Stock</th>
<th>Retained Earnings</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance, December 31, 2007</td>
<td>$ 40,000</td>
<td>$ 1,481,388</td>
<td>$ 1,521,388</td>
</tr>
<tr>
<td>Dividend declared December 13, 2008</td>
<td>-</td>
<td>(100,000)</td>
<td>(100,000)</td>
</tr>
<tr>
<td>Net loss for the year ended</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>December 31, 2008</td>
<td>-</td>
<td>(8,608)</td>
<td>(8,608)</td>
</tr>
<tr>
<td>Balance, December 31, 2008</td>
<td>$ 40,000</td>
<td>$ 1,374,780</td>
<td>$ 1,414,780</td>
</tr>
<tr>
<td>Dividend declared December 12, 2009</td>
<td>-</td>
<td>(100,000)</td>
<td>(100,000)</td>
</tr>
<tr>
<td>Net loss for the year ended</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>December 31, 2009</td>
<td>-</td>
<td>(9,259)</td>
<td>(9,259)</td>
</tr>
<tr>
<td>Balance, December 31, 2009</td>
<td>$ 40,000</td>
<td>$ 1,265,521</td>
<td>$ 1,305,521</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
NORTH FERRY CO., INC.

Statements of Cash Flows
Years ended December 31, 2009 and 2008

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CASH FLOWS FROM OPERATING ACTIVITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net loss</td>
<td>$ (9,259)</td>
<td>$ (6,608)</td>
</tr>
<tr>
<td>Adjustments to reconcile net loss to net cash provided by operating activities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation</td>
<td>631,213</td>
<td>647,411</td>
</tr>
<tr>
<td>Deferred tax benefit</td>
<td>(11,903)</td>
<td>(28,078)</td>
</tr>
<tr>
<td>Gain on sale of M/V Shelter Island</td>
<td>(40,000)</td>
<td>-</td>
</tr>
<tr>
<td>(Increase) decrease in asset accounts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts receivable</td>
<td>(26,469)</td>
<td>(4,917)</td>
</tr>
<tr>
<td>Prepaid expenses</td>
<td>6,524</td>
<td>1,301</td>
</tr>
<tr>
<td>Increase (decrease) in liability accounts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts payable, trade</td>
<td>(47,769)</td>
<td>(273,370)</td>
</tr>
<tr>
<td>Accounts payable, affiliate</td>
<td>(30,464)</td>
<td>141,442</td>
</tr>
<tr>
<td>Accrued expenses</td>
<td>3,985</td>
<td>22,652</td>
</tr>
<tr>
<td>Accrued transportation tax</td>
<td>23,037</td>
<td>-</td>
</tr>
<tr>
<td>Deferred revenue</td>
<td>1,738</td>
<td>18,994</td>
</tr>
<tr>
<td><strong>Net cash provided by operating activities</strong></td>
<td>500,613</td>
<td>516,827</td>
</tr>
</tbody>
</table>

| **CASH FLOWS FROM INVESTING ACTIVITIES** |       |       |
| Purchase of property and equipment | (62,836) | (1,853,261) |
| Proceeds from sale of M/V Shelter Island | 40,000 | -    |
| **Net cash used in investing activities** | (22,836) | (1,853,261) |

| **CASH FLOWS FROM FINANCING ACTIVITIES** |       |       |
| Repayment of mortgage notes payable | (486,877) | (181,704) |
| Dividend paid                      | (100,000) | (100,000) |
| **Net cash used in financing activities** | (586,877) | (281,704) |

| **Net decrease in cash** | (109,100) | (1,618,138) |
| **Cash and cash equivalents, beginning of year** | 983,576 | 2,601,714 |
| **Cash and cash equivalents, end of year** | $ 874,476 | $ 983,576 |

**SUPPLEMENTAL DISCLOSURES**
Cash paid during the year for

| Interest | $ 330,988 | $ 338,881 |
| Income taxes | $ - | $ - |

The accompanying notes are an integral part of these financial statements.
NORTH FERRY CO., INC.

Notes to Financial Statements
December 31, 2009 and 2008

1 – NATURE OF ORGANIZATION

North Ferry Co., Inc. (the "Ferry") was incorporated in November 1979 for the purpose of operating and maintaining ferry service between Shelter Island and Greenport, New York. The Ferry is a wholly-owned subsidiary of the Shelter Island Heights Property Owners Corporation ("P.O.C.").

2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Accounting and Presentation
The Ferry's financial statements have been prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America. These financial statements may be used only in connection with the consolidated financial statements of P.O.C. and its subsidiary.

Cash and Cash Equivalents
For the purpose of the Statements of Cash Flows, the Ferry considers all highly liquid investments with an initial maturity of three months or less to be cash equivalents.

Property, Plant and Equipment
Property, plant and equipment are recorded at cost. Additions, renewals and betterments of property, plant and equipment are capitalized, unless of a relatively minor amount. Expenditures for repairs and maintenance are expensed as incurred. Depreciation is calculated using straight-line and accelerated methods over the useful life of the assets, ranging from 3 to 39 years.

Accounts Receivable
Accounts receivable are stated at the amount management expects to collect from outstanding balances. The Ferry extends credit terms to certain accounts for ferry services. These accounts include municipalities, school districts, utilities, and local businesses. The Ferry considers all accounts receivable at December 31, 2009 and 2008 to be fully collectible. Accordingly, no allowance for doubtful accounts has been recorded.

Accounts Payable, Affiliate
Accounts payable, affiliate, represents amounts due to the Ferry’s parent company, P.O.C. Each company pays certain common expenses that benefit both companies, such as administrative payroll and benefits, payroll taxes, telephone, insurance, office expenses, etc. The common expenses are allocated to each company on a monthly basis, based on an estimate of usage. Intercompany balances are non-interest bearing.

Deferred Revenue
Deferred revenue represents monies collected in advance for ferry tickets that have not yet been redeemed.

Advertising
The Ferry expenses advertising costs as incurred. Advertising expenses primarily consist of public relations expenses and totaled $1,499 and $4,882 for the years ended December 31, 2009 and 2008, respectively.
2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Federal Income Tax
The Ferry accounts for income taxes in accordance with accounting principles generally accepted in the United States of America which requires recognition of deferred tax liabilities and assets for the expected future tax consequences of events that have been included in the financial statements or tax returns. Under this “liability” method, deferred tax liabilities and assets are determined based on the temporary differences between the financial statement and tax bases of assets and liabilities by applying enacted statutory tax rates applicable to future years in which the differences are expected to reverse.

The Ferry also accounts for uncertainty with regard to income taxes in accordance with generally accepted accounting principles. The Ferry is not aware of any material unrecognized tax benefits or adjustments to liabilities or operations that would be required as of December 31, 2009.

The Ferry’s tax returns for the years ended December 31, 2006 through 2009 are subject to examination by the Internal Revenue Service and state tax authorities, although no such examinations have been initiated as of the date of the Auditors’ Report.

Use Tax
The Ferry incurs a use tax payable to the State of New York based on items purchased outside of New York for use within the state. The total use tax for the year ended December 31, 2009 totaled $3,849.

Transportation Tax
The Ferry incurs a transportation tax payable to the State of New York based on gross transportation revenue. Transportation tax totaled $27,654 and $24,324 for the years ended December 31, 2009 and 2008, respectively.

Fair Value Measurements
Effective January 1, 2009, the Ferry adopted the provisions of generally accepted accounting principles with regard to fair value measurements of financial assets and financial liabilities, and for fair value measurements of non-financial items that are recognized and disclosed at fair value in the financial statements on a recurring basis. The provisions define fair value as the price that would be received in selling an asset or paid in transferring a liability in an orderly transaction between market participants at the measurement date. The provisions also establish a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. Adopting these provisions did not result in any change in the measurement of the carrying value of any of the Ferry’s financial assets or liabilities.

Estimates
The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Subsequent events
The Ferry evaluated events that occurred after December 31, 2009, the balance sheet date, but before the date the financial statements were available to be issued, April 8, 2010, for potential recognition or disclosure in the financial statements. The Ferry did not identify any subsequent events that had a material effect on the accompanying financial statements.
NORTH FERRY CO., INC.

Notes to Financial Statements
December 31, 2009 and 2008

3 – PROPERTY, PLANT AND EQUIPMENT

Property, plant and equipment are summarized below:

<table>
<thead>
<tr>
<th>Asset Cost</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferry boats and boat improvements</td>
<td>$7,482,541</td>
<td>$7,726,283</td>
</tr>
<tr>
<td>Engines and equipment</td>
<td>1,271,254</td>
<td>1,237,083</td>
</tr>
<tr>
<td>Leasehold improvements</td>
<td>1,909,277</td>
<td>1,894,157</td>
</tr>
<tr>
<td>Office building</td>
<td>270,962</td>
<td>270,962</td>
</tr>
<tr>
<td>Furniture, fixtures and office equipment</td>
<td>95,887</td>
<td>82,342</td>
</tr>
<tr>
<td>Web site</td>
<td>4,800</td>
<td>4,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$11,034,721</td>
<td>$11,215,627</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Accumulated Depreciation</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferry boats and boat improvements</td>
<td>$2,655,808</td>
<td>$2,451,348</td>
</tr>
<tr>
<td>Engines and equipment</td>
<td>1,356,655</td>
<td>1,277,836</td>
</tr>
<tr>
<td>Leasehold improvements</td>
<td>1,147,982</td>
<td>1,054,986</td>
</tr>
<tr>
<td>Office building</td>
<td>73,425</td>
<td>66,477</td>
</tr>
<tr>
<td>Furniture, fixtures and office equipment</td>
<td>78,196</td>
<td>74,909</td>
</tr>
<tr>
<td>Web site</td>
<td>2,454</td>
<td>1,493</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$5,314,520</td>
<td>$4,927,049</td>
</tr>
</tbody>
</table>

Leasehold improvements categorized above include ramps, slips, approaches and buildings.

For the years ended December 31, 2009 and 2008, depreciation expense totaled $631,213 and $647,411, respectively.

4 – LINE OF CREDIT

The Ferry has established a $200,000 revolving line of credit agreement with Bridgehampton National Bank. Interest is payable at the bank’s prime rate plus one (3.25% at December 31, 2009) but not less than 5.5%, and principal is payable on demand. The line of credit is secured by all business assets of the Ferry. As of December 31, 2009 and 2008, there were no amounts outstanding under the line of credit agreement.

5 – MORTGAGE NOTES PAYABLE

At December 31, 2009 and 2008, the Ferry was obligated for the following mortgage notes payable:

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,000,000 mortgage note payable, Bridgehampton National Bank, interest at 6.5%, due December 2027, payable in monthly installments of principal and interest of $13,504, secured by MV Manhansett, four other ferry boats, slips, accounts receivable, fixtures and other assets.</td>
<td>$1,635,599</td>
<td>$1,966,894</td>
</tr>
</tbody>
</table>
NORTH FERRY CO., INC.

Notes to Financial Statements
December 31, 2009 and 2008

5 – MORTGAGE NOTES PAYABLE (continued)

<table>
<thead>
<tr>
<th>Description</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,300,000 mortgage note payable, Bridgehampton National Bank, interest at 6.4%, due December 2017, payable in monthly installments of principal and interest of $16,272, secured by M/V Mashomack, three other ferry boats, slips, commercial real estate, accounts receivable, fixtures and other assets.</td>
<td>1,220,040</td>
<td>1,333,256</td>
</tr>
<tr>
<td>$2,000,000 mortgage note payable, Bridgehampton National Bank, interest at 6.4% due April 2025, payable in monthly installments of principal and interest of $13,379, secured by M/V Menantic, four other ferry boats, slips, accounts receivable, fixtures and other assets.</td>
<td>1,823,505</td>
<td>1,865,871</td>
</tr>
<tr>
<td>Less current maturities</td>
<td>223,263</td>
<td>190,815</td>
</tr>
<tr>
<td></td>
<td><strong>$4,455,881</strong></td>
<td><strong>$4,975,206</strong></td>
</tr>
</tbody>
</table>

Future principal maturities are due as follows for the years ending December 31:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>$223,263</td>
</tr>
<tr>
<td>2011</td>
<td>238,039</td>
</tr>
<tr>
<td>2012</td>
<td>263,793</td>
</tr>
<tr>
<td>2013</td>
<td>270,590</td>
</tr>
<tr>
<td>2014</td>
<td>288,499</td>
</tr>
<tr>
<td>2015 and thereafter</td>
<td>3,404,960</td>
</tr>
<tr>
<td></td>
<td><strong>$4,679,144</strong></td>
</tr>
</tbody>
</table>

The Ferry incurred interest costs of $330,413 and $338,735 during the years ended December 31, 2009 and 2008, respectively.

6 – PENSION PLAN

Effective January 1, 1995, the Ferry adopted a 401(k) deferred compensation plan (the "Plan") in association with its parent company, P.O.C. All employees who are at least 18 years of age are eligible to participate in the Plan. Participants may defer up to 10% of their annual compensation and contributions by the Ferry to the Plan are at management's discretion. For the years ended December 31, 2009 and 2008, the Ferry made no contributions to the Plan.

Effective January 1, 1989, the Ferry adopted a defined contribution benefit plan in association with its parent company (P.O.C.).

The Ferry's pension contributions are computed at 10 - 13% of wages (depending on position) up to annual compensation limits as outlined in the Plan. To be eligible for Plan contributions, an employee must have attained the age of 18 and completed at least six months with 1,000 hours of service. For the years ended December 31, 2009 and 2008, contributions to this Plan totaled $202,872 and $192,457, respectively.
NORTH FERRY CO., INC.

Notes to Financial Statements
December 31, 2009 and 2008

7 – FEDERAL INCOME TAX EXPENSE (BENEFIT)

The provision for income tax expense (benefit) is as follows for the years ended December 31:

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>$ 3,776</td>
<td>$ 5,696</td>
</tr>
<tr>
<td>Prior year underpayments</td>
<td>5,389</td>
<td></td>
</tr>
<tr>
<td>Deferred</td>
<td>(11,903)</td>
<td>(28,078)</td>
</tr>
<tr>
<td></td>
<td>$ (2,738)</td>
<td>$(22,382)</td>
</tr>
</tbody>
</table>

The deferred tax liabilities of $27,444 at December 31, 2009 and $39,347 at December 31, 2008, represent the future federal income tax liabilities relative to the Ferry’s use of accelerated depreciation methods for income tax purposes.

8 – RELATED PARTY TRANSACTIONS

The Ferry engages in a variety of activities with its parent company, Shelter Island Heights Property Owners Corporation (“P.O.C”). The companies share certain common expenses, such as administrative payroll and benefits, payroll taxes, telephone, insurance, office expenses, etc. Additionally, the Ferry leases docks, slips, ramps, land, terminal buildings, an engineering building and a parking area from P.O.C.

Activities between the companies consisted of the following for the years ended December 31:

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rent paid to P.O.C. by Ferry</td>
<td>$ 201,870</td>
<td>$ 190,948</td>
</tr>
<tr>
<td>Expenses incurred by Ferry billed to P.O.C.</td>
<td>$ 147,647</td>
<td>$ 164,492</td>
</tr>
<tr>
<td>Expenses incurred by P.O.C. billed to Ferry</td>
<td>$ 75,362</td>
<td>$ 78,801</td>
</tr>
<tr>
<td>Balance due to P.O.C. from Ferry</td>
<td>$ 149,150</td>
<td>$ 179,614</td>
</tr>
<tr>
<td>Dividend paid by Ferry to P.O.C.</td>
<td>$ 100,000</td>
<td>$ 100,000</td>
</tr>
</tbody>
</table>

9 – COMMITMENTS AND CONTINGENCIES

Concentration of Credit Risk

The Ferry maintains its cash in two commercial banks located in New York. The bank accounts are guaranteed by the Federal Deposit Insurance Corporation (FDIC) up to $250,000 per bank per depositor. One of the banks that maintains the Ferry’s cash balances also participates in the Transaction Account Guarantee Program, which temporarily provides separate unlimited FDIC coverage on deposits held in non-interest bearing accounts through June 30, 2010. Cash balances in excess of FDIC limits totaled $243,001 at December 31, 2009.
9 – COMMITMENTS AND CONTINGENCIES (continued)

Leases
The Ferry leases land and buildings from P.O.C. at a combined annual base rent of $33,223 per year. Additionally, the Ferry also leases from P.O.C. the premises commonly known as the ferry docks, slips, ramps, terminal, parking facility and approaches at a base rent of $114,029 per year. The leases allow for an annual adjustment based on the Consumer Price Index and expire in 2021.

The Ferry also leases land at the ferry terminal in Greenport, New York, that contains ferry slips, a ferry house and bulkhead from the Long Island Railroad Company, a division of the Metropolitan Transportation Authority, through August 2021.

Rent expense totaled $238,075 and $225,930 for the years ended December 31, 2009 and 2008, respectively.

Future lease commitments on all lease obligations are as follows for the years ending December 31:

<table>
<thead>
<tr>
<th>Year</th>
<th>Commitment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>$168,900</td>
</tr>
<tr>
<td>2011</td>
<td>169,987</td>
</tr>
<tr>
<td>2012</td>
<td>171,210</td>
</tr>
<tr>
<td>2013</td>
<td>173,274</td>
</tr>
<tr>
<td>2014</td>
<td>174,579</td>
</tr>
<tr>
<td>Thereafter</td>
<td>1,162,668</td>
</tr>
<tr>
<td></td>
<td><strong>$2,020,616</strong></td>
</tr>
</tbody>
</table>

Legal Matters
The Ferry is party to claims arising in the normal course of business. While the ultimate resolution of these claims or proceedings against the Ferry cannot be predicted with certainty, management does not expect that these matters would have a materially adverse effect on the Ferry’s financial position or results of operations and that any potential damages would be covered by insurance.

Union Contract
Employees of the Ferry are subject to the terms and conditions of a collective bargaining agreement between the North Ferry Co., Inc. and Local 333, United Marine Division, International Longshoremen’s Association, AFL-CIO. The agreement was renewed on January 6, 2007 and expires on January 5, 2011. The revised agreement added a longevity clause whereby employees receive a longevity bonus based on years of service. The amended agreement also established a wage increase for operators, pursers and engineers.

Licensing
The Suffolk County Legislature granted the North Ferry Co., Inc. a license to operate a public ferry service between Greenport and Shelter Island Heights, New York. The license covers a five-year period and was renewed in June 2008.

10 – SALE OF FERRY BOAT

During 2009, the Ferry sold one of its boats, the M.V. Shelter Island. As a result of this sale, the Ferry recognized a gain totaling $40,000, which is included in the accompanying Statements of Income.
REPORT ON SUPPLEMENTAL INFORMATION

To the Board of Directors
North Ferry Co., Inc.
Shelter Island Heights, New York

The report on our audits of the basic financial statements of North Ferry Co., Inc. for the years ended December 31, 2009 and 2008 appears on page one. These audits were conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The supplemental information contained on pages 13 and 14 is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we express no opinion on it.

Leonard, Mulherin & Greene, P.C.
Leonard, Mulherin & Greene, P.C.
Braintree, Massachusetts

April 6, 2010
NORTH FERRY CO., INC.

Schedules of Revenue
Years ended December 31, 2009 and 2008
(Unaudited)

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>REVENUE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One-way</td>
<td>$1,489,334</td>
<td>$1,531,470</td>
</tr>
<tr>
<td>Round trip</td>
<td>1,357,359</td>
<td>1,375,688</td>
</tr>
<tr>
<td>Passenger</td>
<td>1,004,514</td>
<td>1,022,784</td>
</tr>
<tr>
<td>Trucks</td>
<td>790,674</td>
<td>948,074</td>
</tr>
<tr>
<td>Commuter, five day</td>
<td>392,580</td>
<td>438,178</td>
</tr>
<tr>
<td>Commuter, six day</td>
<td>81,804</td>
<td>106,948</td>
</tr>
<tr>
<td>Bicycles</td>
<td>58,079</td>
<td>61,093</td>
</tr>
<tr>
<td>Sport Utility Vehicles</td>
<td>14,908</td>
<td>15,295</td>
</tr>
<tr>
<td></td>
<td>$5,189,252</td>
<td>$5,499,530</td>
</tr>
</tbody>
</table>

See Report on Supplemental Information.
NORTH FERRY CO., INC.

Schedules of Expenses
Years ended December 31, 2009 and 2008
(Unaudited)

<table>
<thead>
<tr>
<th>EXPENSES</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payroll and related costs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payroll</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boat crew</td>
<td>1,749,859</td>
<td>1,769,582</td>
</tr>
<tr>
<td>Management and office</td>
<td>319,774</td>
<td>255,681</td>
</tr>
<tr>
<td>Maintenance</td>
<td>245,124</td>
<td>248,315</td>
</tr>
<tr>
<td>Health, dental and life insurance</td>
<td>442,112</td>
<td>461,424</td>
</tr>
<tr>
<td>Pension</td>
<td>202,872</td>
<td>192,457</td>
</tr>
<tr>
<td>Payroll tax</td>
<td>188,837</td>
<td>177,349</td>
</tr>
<tr>
<td>Uniforms</td>
<td>11,078</td>
<td>14,112</td>
</tr>
<tr>
<td><strong>Total payroll and related costs</strong></td>
<td><strong>3,157,456</strong></td>
<td><strong>3,118,920</strong></td>
</tr>
<tr>
<td>Overhead Costs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation</td>
<td>631,213</td>
<td>647,411</td>
</tr>
<tr>
<td>Rent</td>
<td>238,075</td>
<td>225,930</td>
</tr>
<tr>
<td>Insurance</td>
<td>139,926</td>
<td>162,425</td>
</tr>
<tr>
<td><strong>Total overhead costs</strong></td>
<td><strong>1,009,214</strong></td>
<td><strong>1,035,766</strong></td>
</tr>
<tr>
<td>Other Operating Costs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fuel, oil, grease</td>
<td>299,869</td>
<td>591,245</td>
</tr>
<tr>
<td>Boat supplies</td>
<td>66,217</td>
<td>73,505</td>
</tr>
<tr>
<td>Tickets, office, postage</td>
<td>51,672</td>
<td>56,647</td>
</tr>
<tr>
<td>Professional and regulatory fees</td>
<td>46,050</td>
<td>62,862</td>
</tr>
<tr>
<td>Utilities</td>
<td>28,449</td>
<td>32,994</td>
</tr>
<tr>
<td>Auto damages</td>
<td>9,599</td>
<td>4,446</td>
</tr>
<tr>
<td>Entertainment, travel, seminars</td>
<td>5,390</td>
<td>10,919</td>
</tr>
<tr>
<td>Advertising</td>
<td>1,499</td>
<td>4,882</td>
</tr>
<tr>
<td>Automotive</td>
<td>881</td>
<td>2,959</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>770</td>
<td>6,336</td>
</tr>
<tr>
<td><strong>Total other operating costs</strong></td>
<td><strong>510,376</strong></td>
<td><strong>846,795</strong></td>
</tr>
<tr>
<td>Repairs and maintenance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waterfront maintenance</td>
<td>80,700</td>
<td>69,372</td>
</tr>
<tr>
<td>&quot;Mashomack&quot;</td>
<td>42,202</td>
<td>35,830</td>
</tr>
<tr>
<td>&quot;Menantic&quot;</td>
<td>39,659</td>
<td>32,368</td>
</tr>
<tr>
<td>&quot;Manhasset&quot;</td>
<td>35,870</td>
<td>5,912</td>
</tr>
<tr>
<td>&quot;Islander&quot;</td>
<td>13,371</td>
<td>14,022</td>
</tr>
<tr>
<td>&quot;Greenport&quot;</td>
<td>9,019</td>
<td>11,686</td>
</tr>
<tr>
<td>Ferry house and office</td>
<td>3,306</td>
<td>8,916</td>
</tr>
<tr>
<td>&quot;Shelter Island&quot;</td>
<td></td>
<td>7,242</td>
</tr>
<tr>
<td>Road maintenance</td>
<td></td>
<td>4,070</td>
</tr>
<tr>
<td><strong>Total repairs and maintenance</strong></td>
<td><strong>223,927</strong></td>
<td><strong>189,398</strong></td>
</tr>
</tbody>
</table>

See Report on Supplemental Information.
NORTH FERRY CO., INC.

Financial Statements

Years ended December 31, 2010 and 2009
NORTH FERRY CO., INC.

Financial Statements
Years ended December 31, 2010 and 2009

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<th>Page</th>
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</thead>
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<td>Financial Statements</td>
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<tr>
<td>Balance Sheets</td>
<td></td>
</tr>
<tr>
<td>as of December 31, 2010 and 2009</td>
<td>2</td>
</tr>
<tr>
<td>Statements of Income</td>
<td></td>
</tr>
<tr>
<td>for the years ended December 31, 2010 and 2009</td>
<td>3</td>
</tr>
<tr>
<td>Statements of Changes in Stockholder’s Equity</td>
<td></td>
</tr>
<tr>
<td>for the years ended December 31, 2010 and 2009</td>
<td>4</td>
</tr>
<tr>
<td>Statements of Cash Flows</td>
<td></td>
</tr>
<tr>
<td>for the years ended December 31, 2010 and 2009</td>
<td>5</td>
</tr>
<tr>
<td>Notes to Financial Statements</td>
<td></td>
</tr>
<tr>
<td>Suppmentary Information</td>
<td></td>
</tr>
<tr>
<td>Report on Supplementary Information</td>
<td>13</td>
</tr>
<tr>
<td>Schedules of Revenue</td>
<td></td>
</tr>
<tr>
<td>for the years ended December 31, 2010 and 2009</td>
<td>14</td>
</tr>
<tr>
<td>Schedules of Expenses</td>
<td></td>
</tr>
<tr>
<td>for the years ended December 31, 2010 and 2009</td>
<td>15</td>
</tr>
</tbody>
</table>
REPORT OF INDEPENDENT AUDITORS

To the Board of Directors
North Ferry Co., Inc.
Shelter Island Heights, New York

We have audited the accompanying balance sheets of North Ferry Co., Inc. (the "Ferry") as of December 31, 2010 and 2009 and the related statements of income, changes in stockholder's equity and cash flows for the years then ended. These financial statements are the responsibility of the Ferry's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Ferry as of December 31, 2010 and 2009 and the results of its operations and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Leonard, Mulherin & Greene, P.C.
LEONARD, MULHERIN & GREENE, P.C.
Braintree, Massachusetts

May 4, 2011
NORTH FERRY CO., INC.

Balance Sheets
December 31, 2010 and 2009

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CURRENT ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and cash equivalents</td>
<td>$561,583</td>
<td>$874,476</td>
</tr>
<tr>
<td>Accounts receivable</td>
<td>72,640</td>
<td>94,390</td>
</tr>
<tr>
<td>Prepaid expenses</td>
<td>105,342</td>
<td>95,344</td>
</tr>
<tr>
<td>Other current assets</td>
<td>2,200</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total current assets</strong></td>
<td>741,765</td>
<td>1,064,210</td>
</tr>
<tr>
<td><strong>PROPERTY, PLANT AND EQUIPMENT</strong>, at cost, net of accumulated depreciation</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>OTHER ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deferred tax asset</td>
<td>22,650</td>
<td>-</td>
</tr>
<tr>
<td>Deposits</td>
<td>5,672</td>
<td>5,672</td>
</tr>
<tr>
<td><strong>Total assets</strong></td>
<td>$6,144,896</td>
<td>$6,790,083</td>
</tr>
<tr>
<td><strong>LIABILITIES AND STOCKHOLDER’S EQUITY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CURRENT LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts payable, trade</td>
<td>$64,253</td>
<td>$61,284</td>
</tr>
<tr>
<td>Dividend payable</td>
<td>100,000</td>
<td>100,000</td>
</tr>
<tr>
<td>Accrued expenses</td>
<td>219,125</td>
<td>197,963</td>
</tr>
<tr>
<td>Accrued transportation tax</td>
<td>24,593</td>
<td>23,037</td>
</tr>
<tr>
<td>Deferred tax liability</td>
<td>-</td>
<td>27,444</td>
</tr>
<tr>
<td>Mortgage notes payable, current maturities</td>
<td>238,039</td>
<td>223,263</td>
</tr>
<tr>
<td>Deferred revenue</td>
<td>244,454</td>
<td>246,540</td>
</tr>
<tr>
<td><strong>Total current liabilities</strong></td>
<td>890,464</td>
<td>879,531</td>
</tr>
<tr>
<td><strong>LONG-TERM LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts payable, affiliate</td>
<td>44,599</td>
<td>149,150</td>
</tr>
<tr>
<td>Mortgage notes payable, less current maturities</td>
<td>4,219,667</td>
<td>4,455,881</td>
</tr>
<tr>
<td><strong>Total liabilities</strong></td>
<td>5,154,730</td>
<td>5,484,562</td>
</tr>
<tr>
<td><strong>COMMITMENTS AND CONTINGENCIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>STOCKHOLDER’S EQUITY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Common stock, no par value, 2,000 shares authorized, issued and outstanding</td>
<td>40,000</td>
<td>40,000</td>
</tr>
<tr>
<td>Retained earnings</td>
<td>949,966</td>
<td>1,265,521</td>
</tr>
<tr>
<td><strong>Total stockholder’s equity</strong></td>
<td>989,966</td>
<td>1,305,521</td>
</tr>
<tr>
<td><strong>Total liabilities and stockholder’s equity</strong></td>
<td>$6,144,896</td>
<td>$6,790,083</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
NORTH FERRY CO., INC.

Statements of Income
Years ended December 31, 2010 and 2009

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUE</strong></td>
<td>$5,229,709</td>
<td>$5,189,252</td>
</tr>
<tr>
<td><strong>OPERATING EXPENSES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payroll and related costs</td>
<td>3,323,471</td>
<td>3,157,456</td>
</tr>
<tr>
<td>Overhead costs</td>
<td>1,029,725</td>
<td>1,009,214</td>
</tr>
<tr>
<td>Other operating costs</td>
<td>647,823</td>
<td>514,225</td>
</tr>
<tr>
<td>Repairs and maintenance</td>
<td>179,963</td>
<td>223,927</td>
</tr>
<tr>
<td>State transportation tax</td>
<td>33,530</td>
<td>27,654</td>
</tr>
<tr>
<td><strong>Total operating expenses</strong></td>
<td>5,213,612</td>
<td>4,932,476</td>
</tr>
<tr>
<td><strong>INCOME FROM OPERATIONS</strong></td>
<td>16,097</td>
<td>256,776</td>
</tr>
<tr>
<td><strong>OTHER INCOME (EXPENSE)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest income</td>
<td>4,427</td>
<td>5,633</td>
</tr>
<tr>
<td>Miscellaneous income</td>
<td>10,252</td>
<td>16,007</td>
</tr>
<tr>
<td>Gain on sale of M/V Shelter Island</td>
<td>-</td>
<td>40,000</td>
</tr>
<tr>
<td>Interest expense</td>
<td>(296,425)</td>
<td>(330,413)</td>
</tr>
<tr>
<td><strong>Total other expense</strong></td>
<td>(281,748)</td>
<td>(288,773)</td>
</tr>
<tr>
<td>Net loss before federal income taxes</td>
<td>(265,649)</td>
<td>(11,997)</td>
</tr>
<tr>
<td><strong>FEDERAL INCOME TAX BENEFIT</strong></td>
<td>(50,084)</td>
<td>(2,738)</td>
</tr>
<tr>
<td><strong>NET LOSS</strong></td>
<td>$ (215,555)</td>
<td>$ (9,259)</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
NORTH FERRY CO., INC.

Statements of Changes in Stockholder's Equity
Years ended December 31, 2010 and 2009

<table>
<thead>
<tr>
<th></th>
<th>Common Stock</th>
<th>Retained Earnings</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance, December 31, 2008</td>
<td>$ 40,000</td>
<td>$ 1,374,780</td>
<td>$ 1,414,780</td>
</tr>
<tr>
<td>Dividend declared December 12, 2009</td>
<td>-</td>
<td>(100,000)</td>
<td>(100,000)</td>
</tr>
<tr>
<td>Net loss for the year ended December 31, 2009</td>
<td>-</td>
<td>(9,259)</td>
<td>(9,259)</td>
</tr>
<tr>
<td>Balance, December 31, 2009</td>
<td>$ 40,000</td>
<td>$ 1,265,521</td>
<td>$ 1,305,521</td>
</tr>
<tr>
<td>Dividend declared December 11, 2010</td>
<td>-</td>
<td>(100,000)</td>
<td>(100,000)</td>
</tr>
<tr>
<td>Net loss for the year ended December 31, 2010</td>
<td>-</td>
<td>(216,555)</td>
<td>(216,555)</td>
</tr>
<tr>
<td>Balance, December 31, 2010</td>
<td>$ 40,000</td>
<td>$ 949,966</td>
<td>$ 989,966</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
NORTH FERRY CO., INC.

Statements of Cash Flows
Years ended December 31, 2010 and 2009

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>CASH FLOWS FROM OPERATING ACTIVITIES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net loss</td>
<td>$ (215,555)</td>
<td>$ (9,259)</td>
</tr>
<tr>
<td>Adjustments to reconcile net loss to net cash provided by operating activities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation</td>
<td>637,817</td>
<td>631,213</td>
</tr>
<tr>
<td>Deferred tax benefit</td>
<td>(50,094)</td>
<td>(11,903)</td>
</tr>
<tr>
<td>Gain on sale of M/V Shelter Island</td>
<td>-</td>
<td>(40,000)</td>
</tr>
<tr>
<td>(Increase) decrease in asset accounts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts receivable</td>
<td>21,750</td>
<td>(26,469)</td>
</tr>
<tr>
<td>Prepaid expenses</td>
<td>(9,998)</td>
<td>6,524</td>
</tr>
<tr>
<td>Other current assets</td>
<td>(2,200)</td>
<td>-</td>
</tr>
<tr>
<td>Increase (decrease) in liability accounts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts payable, trade</td>
<td>2,969</td>
<td>(47,789)</td>
</tr>
<tr>
<td>Accounts payable, affiliate</td>
<td>(104,551)</td>
<td>(30,464)</td>
</tr>
<tr>
<td>Accrued expenses</td>
<td>21,162</td>
<td>3,965</td>
</tr>
<tr>
<td>Accrued transportation tax</td>
<td>1,556</td>
<td>23,037</td>
</tr>
<tr>
<td>Deferred revenue</td>
<td>(2,086)</td>
<td>1,738</td>
</tr>
<tr>
<td>Net cash provided by operating activities</td>
<td>300,770</td>
<td>500,613</td>
</tr>
</tbody>
</table>

| CASH FLOWS FROM INVESTING ACTIVITIES |           |           |
| Purchase of property and equipment | (292,225) | (62,836)  |
| Proceeds from sale of M/V Shelter Island | -         | 40,000    |
| Net cash used in investing activities | (292,225) | (22,836)  |

| CASH FLOWS FROM FINANCING ACTIVITIES |           |           |
| Repayment of mortgage notes payable | (221,438) | (486,677) |
| Dividend paid                       | (100,000) | (100,000) |
| Net cash used in financing activities | (321,438) | (586,677) |
| Net decrease in cash                | (312,893) | (109,100) |
| Cash and cash equivalents, beginning of year | 874,476   | 983,576   |
| Cash and cash equivalents, end of year | $ 561,583 | $ 874,476 |

SUPPLEMENTAL DISCLOSURES
Cash paid during the year for

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest</td>
<td>$ 296,425</td>
<td>$ 330,988</td>
</tr>
<tr>
<td>Income taxes</td>
<td></td>
<td>-</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
NORTH FERRY CO., INC.

Notes to Financial Statements
December 31, 2010 and 2009

1 – NATURE OF ORGANIZATION

North Ferry Co., Inc. (the "Ferry") was incorporated in November 1979 for the purpose of operating and maintaining ferry service between Shelter Island and Greenport, New York. The Ferry is a wholly-owned subsidiary of the Shelter Island Heights Property Owners Corporation ("P.O.C.").

2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Accounting and Presentation
The Ferry's financial statements have been prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America. These financial statements may be used only in connection with the consolidated financial statements of P.O.C. and its subsidiary.

Cash and Cash Equivalents
For the purpose of the Statements of Cash Flows, the Ferry considers all highly liquid investments with an initial maturity of three months or less to be cash equivalents.

Property, Plant and Equipment
Property, plant and equipment are recorded at cost. Additions, renewals and betterments of property, plant and equipment are capitalized, unless of a relatively minor amount. Expenditures for repairs and maintenance are expensed as incurred. Depreciation is calculated using straight-line and accelerated methods over the useful life of the assets, ranging from 3 to 39 years.

Accounts Receivable
Accounts receivable are stated at the amount management expects to collect from outstanding balances. The Ferry extends credit terms to certain accounts for ferry services. These accounts include municipalities, school districts, utilities, and local businesses. The Ferry considers all accounts receivable at December 31, 2010 and 2009 to be fully collectible. Accordingly, no allowance for doubtful accounts has been recorded.

Accounts Payable, Affiliate
Accounts payable, affiliate represents amounts due to the Ferry's parent company, P.O.C. Each company pays certain common expenses that benefit both companies, such as administrative payroll and benefits, payroll taxes, telephone, insurance, office expenses, etc. The common expenses are allocated to each company on a monthly basis, based on an estimate of usage. Intercompany balances are non-interest bearing.

Deferred Revenue
Deferred revenue represents monies collected in advance for ferry tickets that have not yet been redeemed.

Revenue Recognition
The Ferry's revenue is derived primarily from the sale of ferry tickets and is recognized as the tickets are redeemed.
Federal Income Tax
The Ferry accounts for income taxes in accordance with accounting principles generally accepted in the United States of America which requires recognition of deferred tax liabilities and assets for the expected future tax consequences and benefits of events that have been included in the financial statements or tax returns. Under this "liability" method, deferred tax liabilities and assets are determined based on the temporary differences between the financial statement and tax bases of assets and liabilities by applying enacted statutory tax rates applicable to future years in which the differences are expected to reverse.

The Ferry also accounts for uncertainty with regard to income taxes in accordance with accounting principles generally accepted in the United States of America. The Ferry is not aware of any material unrecognized tax benefits or adjustments to liabilities or operations that would be required as of December 31, 2010.

The Ferry's tax returns for the years ended December 31, 2007 through 2010 are subject to examination by the Internal Revenue Service and state tax authorities, although no such examinations have been initiated as of the date of the Report of Independent Auditors.

Transportation Tax
The Ferry incurs a transportation tax payable to the State of New York based on gross transportation revenue. Transportation tax totaled $33,530 and $27,554 for the years ended December 31, 2010 and 2009, respectively.

Fair Value Measurements
The Ferry applies the provisions of accounting principles generally accepted in the United States of America with regard to fair value measurements of financial assets and financial liabilities, and for fair value measurements of non-financial items that are recognized and disclosed at fair value in the financial statements on a recurring basis. The provisions define fair value as the price that would be received in selling an asset or paid in transferring a liability in an orderly transaction between market participants at the measurement date. The provisions also establish a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. Applying these provisions did not result in any change in the measurement of the carrying value of any of the Ferry's financial assets or liabilities.

Estimates
The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Subsequent events
The Ferry evaluated events that occurred after December 31, 2010, the balance sheet date, but before the date the financial statements were available to be issued, May 4, 2011, for potential recognition or disclosure in the financial statements.

In April 2011, the Ferry entered into an agreement with P.O.C. to borrow up to $250,000 at a rate of 5.5% annually to meet current cash flow needs. Payments of interest only will be due on a monthly basis. The entire principal balance and any unpaid interest will be due December 31, 2011. As of May 4, 2011, the Ferry had borrowed the entire $250,000.
NORTH FERRY CO., INC.

Notes to Financial Statements
December 31, 2010 and 2009

2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Reclassifications
Certain amounts in the 2009 financial statements have been reclassified to conform to the classification in the 2010 financial statements. These reclassifications had no effect on the Ferry’s 2009 net income.

3 – PROPERTY, PLANT AND EQUIPMENT

Property, plant and equipment are summarized below:

<table>
<thead>
<tr>
<th>Asset Cost</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferry boats and boat improvements</td>
<td>$ 7,530,941</td>
<td>$ 7,482,541</td>
</tr>
<tr>
<td>Engines and equipment</td>
<td>1,359,536</td>
<td>1,271,254</td>
</tr>
<tr>
<td>Leasehold improvements</td>
<td>2,041,761</td>
<td>1,909,277</td>
</tr>
<tr>
<td>Office building</td>
<td>275,262</td>
<td>270,962</td>
</tr>
<tr>
<td>Furniture, fixtures and office equipment</td>
<td>114,646</td>
<td>95,887</td>
</tr>
<tr>
<td>Web site</td>
<td>4,800</td>
<td>4,800</td>
</tr>
<tr>
<td></td>
<td>$11,326,946</td>
<td>$11,034,721</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Accumulated Depreciation</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferry boats and boat improvements</td>
<td>$ 3,112,712</td>
<td>$ 2,655,808</td>
</tr>
<tr>
<td>Engines and equipment</td>
<td>1,424,123</td>
<td>1,356,855</td>
</tr>
<tr>
<td>Leasehold improvements</td>
<td>1,245,243</td>
<td>1,147,982</td>
</tr>
<tr>
<td>Office building</td>
<td>80,515</td>
<td>73,425</td>
</tr>
<tr>
<td>Furniture, fixtures and office equipment</td>
<td>86,331</td>
<td>78,196</td>
</tr>
<tr>
<td>Web site</td>
<td>3,413</td>
<td>2,454</td>
</tr>
<tr>
<td></td>
<td>$ 5,952,337</td>
<td>$ 5,314,520</td>
</tr>
</tbody>
</table>

Leasehold improvements categorized above include ramps, slips, approaches and buildings.

For the years ended December 31, 2010 and 2009, depreciation expense totaled $637,817 and $631,213, respectively.

4 – LINE OF CREDIT

The Ferry has established a $200,000 revolving line of credit agreement with Bridgehampton National Bank. Interest is payable monthly at the bank’s prime rate plus one percent (4.25% at December 31, 2010) but not less than 5.5%, and principal is payable on demand. The line of credit is secured by all business assets of the Ferry. As of December 31, 2010 and 2009, there were no amounts outstanding under the line of credit agreement.

5 – MORTGAGE NOTES PAYABLE

At December 31, 2010 and 2009, the Ferry was obligated for the following mortgage notes payable:
NORTH FERRY CO., INC.

Notes to Financial Statements
December 31, 2010 and 2009

5 – MORTGAGE NOTES PAYABLE (continued)

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,000,000 mortgage note payable, Bridgehampton National Bank, interest at 6.5%, due December 2027, payable in monthly installments of principal and interest of $13,504, secured by M/V Manhansett, four other ferry boats, slips, accounts receivable, fixtures and other assets.</td>
<td>$1,579,996</td>
<td>$1,635,599</td>
</tr>
<tr>
<td>$2,300,000 mortgage note payable, Bridgehampton National Bank, interest at 6.4%, due December 2017, payable in monthly installments of principal and interest of $16,272, secured by M/V Mashomack, two other ferry boats, slips, commercial real estate, accounts receivable, fixtures and other assets.</td>
<td>1,099,363</td>
<td>1,220,040</td>
</tr>
<tr>
<td>$2,000,000 mortgage note payable, Bridgehampton National Bank, interest at 6.4% due April 2025, payable in monthly installments of principal and interest of $13,379, secured by M/V Menantic, three other ferry boats, slips, accounts receivable, fixtures and other assets.</td>
<td>1,778,347</td>
<td>1,823,505</td>
</tr>
<tr>
<td>Less current maturities</td>
<td>4,457,706</td>
<td>4,679,144</td>
</tr>
<tr>
<td></td>
<td>238,039</td>
<td>223,263</td>
</tr>
<tr>
<td>$4,219,667</td>
<td>$4,455,881</td>
<td></td>
</tr>
</tbody>
</table>

Future principal maturities are due as follows for the years ending December 31:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>$238,039</td>
</tr>
<tr>
<td>2012</td>
<td>253,793</td>
</tr>
<tr>
<td>2013</td>
<td>270,590</td>
</tr>
<tr>
<td>2014</td>
<td>288,499</td>
</tr>
<tr>
<td>2015</td>
<td>307,594</td>
</tr>
<tr>
<td>2016 and thereafter</td>
<td>3,099,191</td>
</tr>
<tr>
<td></td>
<td>$4,457,706</td>
</tr>
</tbody>
</table>

The Ferry incurred interest costs of $296,425 and $330,413 during the years ended December 31, 2010 and 2009, respectively.

6 – PENSION PLAN

Effective January 1, 1995, the Ferry adopted a 401(k) deferred compensation plan (the “Plan”) in association with its parent company, P.O.C. All employees who are at least 18 years of age are eligible to participate in the Plan. Participants may defer up to 10% of their annual compensation and contributions by the Ferry to the Plan are at management’s discretion. For the years ended December 31, 2010 and 2009, the Ferry made no contributions to the Plan.

Effective January 1, 1989, the Ferry adopted a defined contribution benefit plan in association with its parent company (P.O.C.).
NORTH FERRY CO., INC.

Notes to Financial Statements
December 31, 2010 and 2009

8 – PENSION PLAN (continued)

The Ferry's pension contributions are computed at rates of 10 - 13% of wages (depending on position) up to annual compensation limits as outlined in the Plan. To be eligible for Plan contributions, an employee must have attained the age of 18 and completed at least six months with 1,000 hours of service. For the years ended December 31, 2010 and 2009, contributions to this Plan totaled $212,230 and $202,872, respectively.

7 – FEDERAL INCOME TAX EXPENSE (BENEFIT)

The provision for income tax expense (benefit) is as follows for the years ended December 31:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>$</td>
<td>$3,776</td>
</tr>
<tr>
<td>Prior year underpayments</td>
<td>-</td>
<td>5,389</td>
</tr>
<tr>
<td>Deferred</td>
<td>(50,094)</td>
<td>(11,903)</td>
</tr>
<tr>
<td></td>
<td>$ (50,094)</td>
<td>$(2,738)</td>
</tr>
</tbody>
</table>

The deferred tax asset of $22,650 at December 31, 2010, represents the future federal income tax liability relative to the Ferry's use of accelerated depreciation methods for income tax purposes, offset by the future federal income tax benefit for operating losses that are available to reduce future taxable income.

The deferred tax liability of $27,444 at December 31, 2009, represents the future federal income tax liability relative to the Ferry's use of accelerated depreciation methods for income tax purposes.

8 – RELATED PARTY TRANSACTIONS

The Ferry engages in a variety of activities with its parent company, Shelter Island Heights Property Owners Corporation ("P.O.C"). The companies share certain common expenses, such as administrative payroll and benefits, payroll taxes, telephone, insurance, office expenses, etc. Additionally, the Ferry leases docks, slips, ramps, land, terminal buildings, an engineering building and a parking area from P.O.C.

Activities between the companies consisted of the following for the years ended December 31:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rent paid to P.O.C. by Ferry</td>
<td>$206,678</td>
<td>$201,870</td>
</tr>
<tr>
<td>Expenses incurred by Ferry billed to P.O.C.</td>
<td>$157,634</td>
<td>$147,647</td>
</tr>
<tr>
<td>Expenses incurred by P.O.C. billed to Ferry</td>
<td>$89,360</td>
<td>$76,362</td>
</tr>
<tr>
<td>Balance due to P.O.C. from Ferry</td>
<td>$44,699</td>
<td>$149,150</td>
</tr>
<tr>
<td>Dividend paid by Ferry to P.O.C.</td>
<td>$100,000</td>
<td>$100,000</td>
</tr>
</tbody>
</table>
NORTH FERRY CO., INC.

Notes to Financial Statements
December 31, 2010 and 2009

9 – COMMITMENTS AND CONTINGENCIES

Concentration of Credit Risk
The Ferry maintains its cash in two commercial banks located in New York. The bank accounts are guaranteed by the Federal Deposit Insurance Corporation (FDIC) up to $250,000 per bank per depositor. The FDIC also provides separate unlimited coverage on deposits held in non-interest bearing accounts through December 31, 2012. Cash balances in excess of FDIC limits totaled $28,400 at December 31, 2010.

Leases
The Ferry leases land and buildings from P.O.C. at a combined annual base rent of $33,223 per year. Additionally, the Ferry also leases from P.O.C. the premises commonly known as the ferry docks, slips, ramps, terminal, parking facility and approaches at a base rent of $114,029 per year. The leases allow for an annual adjustment based on the Consumer Price Index and expire in 2021.

The Ferry also leases land at the ferry terminal in Greenport, New York, that contains ferry slips, a ferry house and bulkhead from the Long Island Railroad Company, a division of the Metropolitan Transportation Authority, through August 2021.

Rent expense totaled $244,980 and $238,075 for the years ended December 31, 2010 and 2009, respectively.

Future lease commitments on all lease obligations are as follows for the years ending December 31:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>$169,987</td>
</tr>
<tr>
<td>2012</td>
<td>171,210</td>
</tr>
<tr>
<td>2013</td>
<td>173,274</td>
</tr>
<tr>
<td>2014</td>
<td>174,579</td>
</tr>
<tr>
<td>2015</td>
<td>175,399</td>
</tr>
<tr>
<td>Thereafter</td>
<td>987,267</td>
</tr>
</tbody>
</table>

Legal Matters
The Ferry is party to claims arising in the normal course of business. While the ultimate resolution of these claims or proceedings against the Ferry cannot be predicted with certainty, management does not expect that these matters would have a materially adverse effect on the Ferry's financial position or results of operations and that any potential damages would be covered by insurance.

Union Contract
Employees of the Ferry are subject to the terms and conditions of a collective bargaining agreement between the North Ferry Co., Inc. and Local 333, United Marine Division, International Longshoremen's Association, AFL-CIO. The agreement was renewed on January 6, 2011 and expires on January 5, 2015. The revised agreement established a tier-based compensation scale based on years of service as well as experience level. The revised agreement also allows for the carryover of vacation days each calendar year by all ferry employees, up to a maximum of three days.
NORTH FERRY CO., INC.

Notes to Financial Statements
December 31, 2010 and 2009

9 – COMMITMENTS AND CONTINGENCIES (continued)

Licensing
The Suffolk County Legislature granted the North Ferry Co., Inc. a license to operate a public ferry service between Greenport and Shelter Island Heights, New York. The license covers a five-year period and was renewed in June 2008.

10 – SALE OF FERRY BOAT

During 2009, the Ferry sold one of its boats, the M.V. Shelter Island. As a result of this sale, the Ferry recognized a gain totaling $40,000, which is included in the accompanying Statements of Income.
REPORT ON SUPPLEMENTARY INFORMATION

To the Board of Directors
North Ferry Co., Inc.
Shelter Island Heights, New York

We have audited the financial statements of North Ferry Co., Inc. as of and for the years ended December 31, 2010 and 2009, and our report thereon dated May 4, 2011, which expressed an unqualified opinion on those financial statements, appears on page one. Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The supplementary information, which is the responsibility of management, is presented for purposes of additional analysis and is not a required part of the financial statements. Such information has not been subjected to the auditing procedures applied in the audit of the financial statements, and, accordingly, we do not express an opinion or provide any assurance on it.

Leonard, Mulherin & Greene, P.C.
Leonard, Mulherin & Greene, P.C.
Braintree, Massachusetts

May 4, 2011
NORTH FERRY CO., INC.

Schedules of Revenue
Years ended December 31, 2010 and 2009
(Unaudited)

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>REVENUE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One-way</td>
<td>$ 1,489,425</td>
<td>$ 1,489,334</td>
</tr>
<tr>
<td>Round trip</td>
<td>1,356,539</td>
<td>1,357,359</td>
</tr>
<tr>
<td>Passenger</td>
<td>993,373</td>
<td>1,004,514</td>
</tr>
<tr>
<td>Trucks</td>
<td>822,669</td>
<td>790,674</td>
</tr>
<tr>
<td>Commuter, five day</td>
<td>406,314</td>
<td>392,580</td>
</tr>
<tr>
<td>Commuter, six day</td>
<td>77,011</td>
<td>81,804</td>
</tr>
<tr>
<td>Bicycles</td>
<td>71,871</td>
<td>58,079</td>
</tr>
<tr>
<td>Sport Utility Vehicles</td>
<td>12,507</td>
<td>14,908</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 5,229,709</strong></td>
<td><strong>$ 5,189,252</strong></td>
</tr>
</tbody>
</table>

See Report on Supplementary Information.
### NORTH FERRY CO., INC.

Schedules of Expenses  
Years ended December 31, 2010 and 2009  
(Unaudited)

<table>
<thead>
<tr>
<th>EXPENSES</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payroll and related costs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payroll</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boat crew</td>
<td>1,867,196</td>
<td>1,749,659</td>
</tr>
<tr>
<td>Management and office</td>
<td>295,381</td>
<td>319,774</td>
</tr>
<tr>
<td>Maintenance</td>
<td>260,729</td>
<td>245,124</td>
</tr>
<tr>
<td>Health, dental and life insurance</td>
<td>476,549</td>
<td>442,112</td>
</tr>
<tr>
<td>Pension</td>
<td>212,230</td>
<td>202,872</td>
</tr>
<tr>
<td>Payroll tax</td>
<td>200,245</td>
<td>166,837</td>
</tr>
<tr>
<td>Uniforms</td>
<td>11,141</td>
<td>11,078</td>
</tr>
<tr>
<td><strong>Total payroll and related costs</strong></td>
<td><strong>$ 3,323,471</strong></td>
<td><strong>$ 3,157,456</strong></td>
</tr>
<tr>
<td>Overhead Costs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation</td>
<td>637,817</td>
<td>631,213</td>
</tr>
<tr>
<td>Rent</td>
<td>244,980</td>
<td>238,075</td>
</tr>
<tr>
<td>Insurance</td>
<td>146,928</td>
<td>139,926</td>
</tr>
<tr>
<td><strong>Total overhead costs</strong></td>
<td><strong>$ 1,029,725</strong></td>
<td><strong>$ 1,009,214</strong></td>
</tr>
<tr>
<td>Other Operating Costs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fuel, oil, grease</td>
<td>382,137</td>
<td>299,869</td>
</tr>
<tr>
<td>Boat supplies</td>
<td>87,014</td>
<td>66,217</td>
</tr>
<tr>
<td>Tickets, office, postage</td>
<td>57,258</td>
<td>51,672</td>
</tr>
<tr>
<td>Professional and regulatory fees</td>
<td>65,577</td>
<td>46,050</td>
</tr>
<tr>
<td>Utilities</td>
<td>28,200</td>
<td>26,449</td>
</tr>
<tr>
<td>Auto damages</td>
<td>7,072</td>
<td>9,599</td>
</tr>
<tr>
<td>Entertainment, travel, seminars</td>
<td>9,436</td>
<td>5,390</td>
</tr>
<tr>
<td>Public relations</td>
<td>5,710</td>
<td>1,499</td>
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<tr>
<td>Automotive</td>
<td>2,409</td>
<td>861</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>3,010</td>
<td>4,519</td>
</tr>
<tr>
<td><strong>Total other operating costs</strong></td>
<td><strong>$ 647,823</strong></td>
<td><strong>$ 514,225</strong></td>
</tr>
<tr>
<td>Repairs and maintenance</td>
<td></td>
<td></td>
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<tr>
<td>Waterfront maintenance</td>
<td>46,090</td>
<td>80,700</td>
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<tr>
<td>&quot;Mashomack&quot;</td>
<td>38,914</td>
<td>42,202</td>
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<tr>
<td>&quot;Menantic&quot;</td>
<td>25,084</td>
<td>39,699</td>
</tr>
<tr>
<td>&quot;Manhansett&quot;</td>
<td>24,661</td>
<td>35,670</td>
</tr>
<tr>
<td>&quot;Islander&quot;</td>
<td>17,787</td>
<td>13,371</td>
</tr>
<tr>
<td>&quot;Greenport&quot;</td>
<td>16,406</td>
<td>9,019</td>
</tr>
<tr>
<td>Ferry house and office</td>
<td>5,846</td>
<td>3,306</td>
</tr>
<tr>
<td>Road maintenance</td>
<td>4,275</td>
<td></td>
</tr>
<tr>
<td><strong>Total repairs and maintenance</strong></td>
<td><strong>$ 179,063</strong></td>
<td><strong>$ 223,927</strong></td>
</tr>
</tbody>
</table>

See Report on Supplementary Information.
RESOLUTION NO. 2011, AMENDING THE 2011 OPERATING BUDGET TO SUPPORT THE EAC-SUFFOLK COUNTY CHILDREN'S CENTER AT COHALAN COURT

WHEREAS, the 2011 Operating Budget does not include funds for the EAC-Suffolk County Children's Center at Cohalan Court; and

WHEREAS, the EAC-Suffolk County Children's Center at Cohalan Court provides for supervision of children while their parents attend Court proceedings; and

WHEREAS, the EAC-Suffolk County Children's Center at Cohalan Court provides recreational and educational activities, healthy snacks, and a new book for the children and community referrals for their parents; and

WHEREAS, it is the desire of this Legislature to provide $5,000 for the EAC-Suffolk County Children's Center at Cohalan Court; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

1st RESOLVED, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

<table>
<thead>
<tr>
<th>FD</th>
<th>AGY</th>
<th>UNIT</th>
<th>ACT</th>
<th>OBJ</th>
<th>ACTIVITY NAME</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>EXE</td>
<td>7320</td>
<td>HGV1</td>
<td>4980</td>
<td>Huntington Station Enrichment Center</td>
<td>($5,000)</td>
</tr>
</tbody>
</table>

TO:

<table>
<thead>
<tr>
<th>FD</th>
<th>AGY</th>
<th>UNIT</th>
<th>ACT</th>
<th>OBJ</th>
<th>ACTIVITY NAME</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>EXE</td>
<td>7320</td>
<td>XXXX</td>
<td>4980</td>
<td>EAC-Suffolk County Children's Center at Cohalan Court</td>
<td>+$5,000</td>
</tr>
</tbody>
</table>
and be it further

2\textsuperscript{nd} RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the EAC-Suffolk County Children's Center at Cohalan Court, and be it further

3\textsuperscript{rd} RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the EAC-Suffolk County Children's Center at Cohalan Court.

DATED:

APPROVED BY:

\underline{County Executive of Suffolk County}

\underline{Date:}

T:\BRO\JR 2011 OB Amend- EAC- SC Children's Center at Cohalan Court.docx
RESOLUTION NO. 2011, AUTHORIZING PLANNING STEPS
FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK
COUNTY DRINKING WATER PROTECTION PROGRAM, AS
AMENDED BY LOCAL LAW 24-2007 (CARPENTER FARM
PROPERTY) TOWN OF HUNTINGTON (SCTM NO. 0400-
080.00-02.00-022.000)

WHEREAS, the Suffolk County Drinking Water Protection Program, as amended
by Local Law 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, the Town of Huntington has expressed an interest in sharing the
cost of the acquisition of said parcel; 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 12 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); and be it
further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and
Management within the County Department of Environment and Energy, 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 within the County Department of Environment and Energy, 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-carpenter-farm-passive-recreation-plan-steps
| PARCEL: | SUFFOLK COUNTY	|	| TAX MAP NUMBER: | ACRES: |
|---------|----------------|
| No. 1   | District 0400  | 12 |
|         | Section 080.00 |    |
|         | Block 02.00    |    |
|         | Lot 022.000    |    |

REPUTED OWNER
AND ADDRESS:

Walter Carpenter (Estate of)
c/o Joy B. Chadwick
26 Horseshoe Road
Chelmsford, MA 01824-1030

EXHIBIT “A”
RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ACQUIRING
HUNTINGTON PROPERTY (CARPENTER FARM)

Resolution for Town Board Meeting Dated: May 3, 2011

The following resolution was offered by Councilman Cuthbertson

and seconded by COUNCILWOMAN JACKSON

WHEREAS, on November 3, 1998 the voters of the Town of Huntington approved the establishment of the $15 million Environmental Open Space and Park Fund; on November 4, 2003 Huntington voters extended the program by an additional $30 million; and on November 4, 2008 voters extended the initial $15 million program by an overwhelming 75% margin, and

WHEREAS, the Environmental Open Space and Park Fund Review Advisory (EOSPA) Committee
- received a nomination for a 12-acre site, identified as SCIM 0400-080-02-022.000, located at 55 Old Field Lane in Huntington;
- conducted a field investigation, subsequent to which all site improvements have been removed;
- received indication from representatives of the owner of the property, Estate of Walter Carpenter, that there is a potentially willing seller; and
- recommended that the Town Board pursue acquisition for passive parks uses, potentially including hiking and nature observation, environmental education, and community gardening; and

WHEREAS, the Town Board wishes to proceed with acquisition for this specific real property as recommended by the EOSPA Committee; and

WHEREAS, prior to acquiring an interest in the property, a public hearing is required to be held pursuant to General Municipal Law §247, and

WHEREAS, the Town Board wishes to proceed with acquisition of this specific real property as recommended by the EOSPA Committee as a cooperative project with Suffolk County, and

WHEREAS, prior to acquiring an interest in the property, a public hearing is required to be held pursuant to General Municipal Law §247, and

WHEREAS, it is anticipated that matching cooperative governmental funding will be availed through a Suffolk County land protection program to assist the Town of Huntington in securing ownership rights for this land, and the Town Board assured Town residents prior to the votes on the EOSPA referenda that every effort would be made to leverage local funding, and

WHEREAS, this action is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(21) as it involves conducting studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not
commit the agency to commence, engage in or approve such action and a SEQRA review will be completed by the Town Board prior to any authorization related to this project;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board hereby schedules a public hearing pursuant to General Municipal Law §247.2 for the 6th day of June, 2011 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider acquiring the identified Carpenter Farm Property as passive parkland; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney and Special EOSPA Committee Counsel to take the necessary actions to obtain an appraisal and, upon receipt of appraisal, to facilitate negotiation of a contract to purchase the property identified above; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds from Budget Item PL7197-2109 as necessary for the appraisal, and

BE IT FURTHER

RESOLVED, that the Town Board recommends this open space acquisition to the Director of the Suffolk County Planning Department and Suffolk County Legislature for consideration as a partnership project under a program for which it may qualify with an offer of a portion of matching capital to be provided by the Huntington Environmental Open Space and Park Fund, and

BE IT FURTHER

RESOLVED, that the Town Board directs the Town Clerk to forward a copy of this resolution with a letter to the Suffolk County Planning Director, Presiding Officer of the Suffolk County Legislature and to the County legislators that represent the Town of Huntington, urging support of the proposed cooperative open space initiative to secure the identified Carpenter Farm Property.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone AYE
Councilwoman Susan A. Berland AYE
Councilman Mark A. Cuthbertson AYE
Councilwoman Glenda A. Jackson AYE
Councilman Mark Mayoka AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.
RESOLUTION NO.  -2011, AUTHORIZING A CUSTODIAL LICENSE AGREEMENT WITH INDEPENDENT GROUP HOME LIVING PROGRAM FOUNDATION FOR TWA FLIGHT 800 MEMORIAL, SMITH POINT BEACH COUNTY PARK, SHIRLEY

WHEREAS, Independent Group Home Living Program Foundation is a not-for-profit organization located at 221 North Sunrise Service Road, Manorville, New York; and

WHEREAS, Resolution 249-1999 authorized the erection, on County land, of a memorial in honor of those who lost their lives in the crash of TWA Flight 800 and those who aided in the recovery operation; and

WHEREAS, since 2005, Independent Group Home Living Program Foundation with its own staff and volunteers has assisted the County with maintenance and management of the TWA Flight 800 Memorial at Smith Point Beach County Park; and

WHEREAS, in order to properly assist the County with the maintenance and management of the TWA Flight 800 Memorial, Independent Group Home Living Program Foundation wishes to maintain an office/storage trailer, shed and pickup truck upon County property; and

WHEREAS, Independent Group Home Living Program Foundation would like to enter into a custodial license agreement with the County to assist in the maintenance and management of the TWA Flight 800 Memorial at Smith Point Beach County Park; now, therefore, be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement, for a term of ten (10) years with two (2) optional terms of an additional five (5) years each with Independent Group Home Living Program Foundation, for the maintenance and management of the TWA Flight 800 Memorial at Smith Point County Park, Shirley; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.
DATED:

APPROVED BY:

County Executive of Suffolk County

Date 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
   AUTHORIZING A CUSTODIAL LICENSE AGREEMENT WITH INDEPENDENT GROUP
   HOME LIVING PROGRAM FOUNDATION FOR TWA FLIGHT 800 MEMORIAL, SMITH
   POINT BEACH COUNTY PARK, SHIRLEY.

3. Purpose of Proposed Legislation
   See #2 above.

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

5. If the answer to item 4 is “yes”, on what will it impact? (circle appropriate category)
   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 Impact
   N/A

10. Typed Name & Title of Preparer
    Tom Malanga
    Intergovernmental Relations Coordinator
    Dept. of Parks, Recreation & Conservation

11. Signature of Preparer
    [Signature]

12. Date
    4/1/2011
To: KEN CRANELL, Deputy County Executive

From: JOSEPH J. MONTUORI, Commissioner

CC: CHRISTOPHER KENT, Chief Deputy County Executive

Date: APRIL 1, 2011

Re: INTRODUCTORY RESOLUTION AUTHORIZING A CUSTODIAL LICENSE AGREEMENT WITH INDEPENDENT GROUP HOME LIVING PROGRAM FOUNDATION FOR TWA FLIGHT 800 MEMORIAL, SMITH POINT BEACH COUNTY PARK, SHIRLEY

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name “RESO-PKS-Authorizing Custodial License Agreement with IGHL for Flight 800 Memorial.doc”.

Independent Group Home Living Program Foundation has assisted the County with maintenance and management of the TWA Flight 800 Memorial at Smith Point Beach County Park since 2005. This resolution seeks to formalize the organization’s relationship with the Parks Department and provide the organization with the ability to store equipment on County property in order to fulfill its responsibilities.

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

Enclosures
RESOLUTION NO. 1492-11
INTRO. RES. # 1492-11
INTRODUCED BY THE PRESIDING OFFICER
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. 1492-11 2011
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #855-2011)

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 part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be
made to the respective TOWN as provided by law.
<table>
<thead>
<tr>
<th>KEY</th>
<th>EXPLANATION</th>
<th>RPTL SEC</th>
<th>LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Clerical Error</td>
<td>556</td>
<td>3 years</td>
</tr>
<tr>
<td>B</td>
<td>Unlawful Entry</td>
<td>556</td>
<td>3 years</td>
</tr>
<tr>
<td>C</td>
<td>Error in Essential Fact</td>
<td>556a</td>
<td>3 years</td>
</tr>
</tbody>
</table>

**RESOLUTION NO.**

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

<table>
<thead>
<tr>
<th>Key</th>
<th>Town</th>
<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>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>BROOKHAVEN</td>
<td>08/09</td>
<td>0200 55200 0100 003000</td>
<td>17864.35</td>
<td>0.00</td>
<td>17864.35</td>
</tr>
</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

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

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)

<table>
<thead>
<tr>
<th>County</th>
<th>Town</th>
<th>Economic Impact</th>
</tr>
</thead>
<tbody>
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<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

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

2011

10. Typed Name & Title of Preparer

B.M. Hotchkiss RPAT. I

11. Signature of Preparer

12. Date

May 9, 2011
Additional back-up material regarding IR 1492 is on file in the

Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. ____________________ 2011
TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL #856-2011)

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 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.
RESOLUTION NO.

<table>
<thead>
<tr>
<th>KEY</th>
<th>EXPLANATION</th>
<th>RPTL SEC</th>
<th>LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Clerical Error</td>
<td>556</td>
<td>3 years</td>
</tr>
<tr>
<td>B</td>
<td>Unlawful Entry</td>
<td>556</td>
<td>3 years</td>
</tr>
<tr>
<td>C</td>
<td>Error in Essential Fact</td>
<td>556a</td>
<td>3 years</td>
</tr>
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</table>

RESOLUTION NO.

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

<table>
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<tr>
<th>Key</th>
<th>Town</th>
<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>6018.25</td>
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*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
   2011

10. Typed Name & Title of Preparer
    B.M. Hotchkiss RPAT. I

11. Signature of Preparer

12. Date
    May 9, 2011
Additional back-up material regarding IR 1493 is on file in the

Legislative Clerk's Office, Hauppauge.
RESOLUTION NO. 2011
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #857-2011)

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 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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<td>3 years</td>
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<tr>
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<th>Town</th>
<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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<tr>
<td>A</td>
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<td>95830.04</td>
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<td>18731.36</td>
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*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

**Type of Legislation**

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

**Title of Proposed Legislation**

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

**Purpose of Proposed Legislation**

Yes [ ] No [ ]

SEE NO. 2 ABOVE

**Will the Proposed Legislation Have a Fiscal Impact?**

<table>
<thead>
<tr>
<th>Yes [ ] No X</th>
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</thead>
</table>

**If the answer to item 4 is “yes,” on what will it impact?**

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

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<td>Library District</td>
<td>Fire District</td>
<td></td>
</tr>
</tbody>
</table>

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

N/A

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

N/A

**Proposed Source of Funding**

N/A

**Timing of Impact**

2011

**Typed Name & Title of Preparer**

B.M. Hotchkiss RPAT. I

**Signature of Preparer**

Date May 9, 2011
Additional back-up material regarding IR 1494 is on file in the

Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 2011
TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL# 858-2011)

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 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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<td>3 years</td>
</tr>
<tr>
<td>B</td>
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<tr>
<td>C</td>
<td>Error in Essential Fact</td>
<td>556a</td>
<td>3 years</td>
</tr>
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**RESOLUTION NO.**

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

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<tr>
<th>Key</th>
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<td>4140.37</td>
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*As Provided and Requested By Town Assessor or Receiver of Taxes
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

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

2011

10. Typed Name & Title of Preparer

B.M. Hotchkiss RPAT. I

11. Signature of Preparer

12. Date

May 16, 2011
Additional back-up material regarding IR 1495 is on file in the Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 2011
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #859-2011)

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
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**RESOLUTION NO.**

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</thead>
<tbody>
<tr>
<td>A</td>
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APPROVED BY:________________________
County Executive of Suffolk County     Date of Approval:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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<tr>
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<tbody>
<tr>
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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

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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</thead>
</table>

SEE NO. 2 ABOVE

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

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

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<tr>
<th>County</th>
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</tbody>
</table>

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

2011

10. Typed Name & Title of Preparer

B.M. Hotchkiss RPAT. I

11. Signature of Preparer

12. Date

May 16, 2011
Additional back-up material regarding IR 1496 is on file in the Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 1497-11
INTRODUCED BY THE PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. 2011
TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL #860-2011)

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 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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<tbody>
<tr>
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<td>3 years</td>
</tr>
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<td>556a</td>
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## RESOLUTION NO.

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

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<th>Chargeback Refund, if Tax Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>Riverhead</td>
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<td>103372.17</td>
<td>23776.06</td>
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*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

<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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</tbody>
</table>

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)

<table>
<thead>
<tr>
<th>County</th>
<th>Town</th>
<th>Economic Impact</th>
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<tr>
<td>Village</td>
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</tr>
<tr>
<td>Library District</td>
<td>Fire District</td>
<td></td>
</tr>
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</table>

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

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

2011

10. Typed Name & Title of Preparer  B.M. Hotchkiss RPAT. I

11. Signature of Preparer

12. Date May 16, 2011
Additional back-up material regarding IR 1497 is on file in the

Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 2011
TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL #861-2011)

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 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.
### RESOLUTION NO.  
CONTROL#861-2011

<table>
<thead>
<tr>
<th>KEY</th>
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<th>LIMITATIONS</th>
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<tbody>
<tr>
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<td>Clerical Error</td>
<td>556</td>
<td>3 years</td>
</tr>
<tr>
<td>B</td>
<td>Unlawful Entry</td>
<td>556</td>
<td>3 years</td>
</tr>
<tr>
<td>C</td>
<td>Error in Essential Fact</td>
<td>556a</td>
<td>3 years</td>
</tr>
</tbody>
</table>

### RESOLUTION NO.  
CONTROL#861-2011

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

<table>
<thead>
<tr>
<th>Key</th>
<th>Town</th>
<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>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>ISLIP</td>
<td>09/10</td>
<td>0500 44100 0100 007001</td>
<td>32578.67</td>
<td>27957.84</td>
<td>4620.83</td>
</tr>
</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

   2011

10. Typed Name & Title of Preparer B.M. Hotchkiss RPAT. 1

11. Signature of Preparer

12. Date May 17, 2011
Additional back-up material regarding IR 1498 is on file in the Legislative Clerk's Office, Hauppauge.
RESOLUTION NO. 2011
TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL #862-2011)

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 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.
## RESOLUTION NO. 862-2011

### Table 1: Explanations and Limitations

<table>
<thead>
<tr>
<th>KEY</th>
<th>EXPLANATION</th>
<th>RPTL SEC</th>
<th>LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Clerical Error</td>
<td>556</td>
<td>3 years</td>
</tr>
<tr>
<td>B</td>
<td>Unlawful Entry</td>
<td>556</td>
<td>3 years</td>
</tr>
<tr>
<td>C</td>
<td>Error in Essential Fact</td>
<td>556a</td>
<td>3 years</td>
</tr>
</tbody>
</table>

## RESOLUTION NO. 862-2011

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

### Table 2: Tax Information

<table>
<thead>
<tr>
<th>Key</th>
<th>Town</th>
<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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</thead>
<tbody>
<tr>
<td>A</td>
<td>RIVERHEAD</td>
<td>09/10</td>
<td>0600 11500 0100 024000</td>
<td>21282.52</td>
<td>17508.03</td>
<td>3774.49</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

Page 2 of 2
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
   2011

10. Typed Name & Title of Preparer
11. Signature of Preparer
12. Date May 17, 2011
B.M. Hotchkiss RPAT. I
Additional back-up material regarding IR 1499 is on file in the

Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 2011
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #863-2011)

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 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.
### Explanation of Resolution

<table>
<thead>
<tr>
<th>KEY</th>
<th>EXPLANATION</th>
<th>RPTL SEC</th>
<th>LIMITATIONS</th>
</tr>
</thead>
<tbody>
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<td>A</td>
<td>Clerical Error</td>
<td>556</td>
<td>3 years</td>
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<tr>
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<tr>
<td>C</td>
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<td>556a</td>
<td>3 years</td>
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</tbody>
</table>

---

### Resolution Details

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

<table>
<thead>
<tr>
<th>Key</th>
<th>Town</th>
<th>Year</th>
<th>S.C. Tax</th>
<th>Original Tax</th>
<th>Corrected Tax</th>
<th>Chargeback Refund, if Tax Paid</th>
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</thead>
<tbody>
<tr>
<td>A</td>
<td>RIVERHEAD</td>
<td>08/09</td>
<td>0600 11500 0100 024000</td>
<td>18556.62</td>
<td>15269.66</td>
<td>3285.96</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

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>1. Type of Legislation</td>
<td></td>
</tr>
<tr>
<td>Resolution</td>
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<tr>
<td>2. Title of Proposed Legislation</td>
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<tr>
<td>TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS</td>
<td></td>
</tr>
<tr>
<td>3. Purpose of Proposed Legislation</td>
<td>Yes</td>
</tr>
<tr>
<td>SEE NO. 2 ABOVE</td>
<td></td>
</tr>
<tr>
<td>4. Will the Proposed Legislation Have a Fiscal Impact?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. If the answer to item 4 is &quot;yes,&quot; on what will it impact?</td>
<td>County</td>
</tr>
<tr>
<td></td>
<td>Village</td>
</tr>
<tr>
<td></td>
<td>Library District</td>
</tr>
<tr>
<td>6. If the answer to item 5 is &quot;yes,&quot; Provide Detailed Explanation of Impact</td>
<td>N/A</td>
</tr>
<tr>
<td>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</td>
<td>N/A</td>
</tr>
<tr>
<td>8. Proposed Source of Funding</td>
<td>N/A</td>
</tr>
<tr>
<td>10. Typed Name &amp; Title of Preparer</td>
<td>B.M. Hotchkiss RPAT. I</td>
</tr>
<tr>
<td>11. Signature of Preparer</td>
<td></td>
</tr>
<tr>
<td>12. Date</td>
<td>May 17, 2011</td>
</tr>
</tbody>
</table>
Additional back-up material regarding IR 1500 is on file in the

Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
OSWALDO GUZMAN A/K/A OSWALD GUZMAN
0200-824.00-04.00-021.000

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 824.00, Block 04.00, Lot 021.000, and acquired by tax deed on October 06, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 06, 2010, in Liber 12639, at Page 481, and otherwise known and designated by the Town of Brookhaven, as Lots 4783 & 4784 on a certain map entitled “Map of Mastic Park, Section 5”, and filed in the Office of the Clerk of Suffolk County on Nov. 26, 1920 as certain Map No. 735; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 06, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 06, 2010 in Liber 12639 at Page 481.

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

WHEREAS, DEUTSCHE BANK NATIONAL TRUST COMPANY BY JENNIFER SHANNON, SR. VICE PRESIDENT OF LITTON LOAN SERVICING LP has made application of said above described parcel and DEUTSCHE BANK NATIONAL TRUST COMPANY BY JENNIFER SHANNON, SR. VICE PRESIDENT OF LITTON LOAN SERVICING LP has paid the application fee and has paid $43,275.68, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition
and Management, and/or her designee, be and she hereby is authorized to execute and
acknowledge a Quitclaim Deed to OSWALDO GUZMAN A/K/A OSWALD GUZMAN, 17 Stuyvesant
Avenue, Mastic, NY 11950, to transfer the interest of Suffolk County in the above described
property and on the above described terms.

DATED:

APPROVED BY:________________________________________

County Executive of Suffolk County

Date of Approval: __________________________
May 02, 2011

Tax Map No.: 0200-824.00-04.00-021.000
Name of Last Legal Fee Owner: OSWALDO GUZMAN A/K/A OSWALD GUZMAN

TREASURER'S COMPUTATION.......................... $36,590.82
Taxes........................................... 2010/2011 .................. $6,684.86
License/Storage Fee................................. OPEN
Repairs............................................... OPEN
Miscellaneous Expenses............................ OPEN

TOTAL.................................................. $43,275.68

Monies Received...................................... $43,275.68

RESOLUTION AMOUNT............................... $43,275.68

APPROVED:

[Signature]

PREPARED BY:

Diane Bishop
Redemption Unit
(631)853-5932
COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT 0200
SECTION 824.00
BLOCK 04.00
LOT 021.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06  885.60
2006/07  8907.57
2007/08  8622.02
2008/09  8163.97
2009/10  6321.06

2010/11 PROPERTY TAXES $6,684.86 NOT INCLUDED IN COMPUTATION

TOTAL: 32900.22

B. INTEREST DUE  1948.18
C. TOTAL  34848.40
D. 5% LINE C  1742.42
E. FEE
F. MISC
G. MISC

H. TOTAL DUE  $36,590.82

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York.  13-Apr-11

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 10/10/11

dz
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-824.00-04.00-021.000

2. Title of Proposed Legislation

Authorizing the Director of the Division of Real Property Acquisition and Management and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of impact

   The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

   N/A

8. Proposed Source of Funding

   N/A

9. Timing of Impact

   2011

10. Typed Name & Title of Preparer  Signature of Preparer  Date

    Diane Bishop  [Signature]  3-3-11
May 11, 2011

Ken Crannell, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0200-824.00-04.00-021.000
OSWALDO GUZMAN A/K/A OSWALD GUZMAN

Dear Mr. Crannell:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Pamela J. Greene, Director
Director of Division of Real Property Acquisition and Management

DB:lag

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer’s Computation

Copy of Resolution to:
Ken Crannell, Deputy County Executive (original plus 1 hard copy)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicisko, Inventory
RESOLUTION NO. AUTHORIZING THE SALE.
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
LIBERTY ESTATES, INC., BY ERNEST PEREIRA, PRESIDENT
0200-954.00-02.00-003.001

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements
thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State
of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency
as District 0200, Section 954.00, Block 02.00, Lot 003.001, and acquired by tax deed on November
02, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and
recorded on November 04, 2010, in Liber 12605, at Page 51, and otherwise known and designated
by the Town of Brookhaven, as Suffolk County Tax Map Number District 0200, Section 954.00,
Block 02.00, Lot 003.001; and

FURTHER, notwithstanding the above description, it is the intention of this
conveyance to give title only to such property as was acquired by the County of Suffolk by Tax
Deed on November 02, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County,
New York, and recorded on November 04, 2010 in Liber 12605 at Page 51.

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

WHEREAS, LIBERTY ESTATES, INC., BY ERNEST PEREIRA, PRESIDENT has
made application of said above described parcel and LIBERTY ESTATES, INC., BY ERNEST
PEREIRA, PRESIDENT has paid the application fee and has paid $5,308.25, as payment of taxes,
penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to
Local Law, by applicant, through November 30, 2011, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review
Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action
within the meaning of the State Environmental Quality Review Act and the regulations adopted
thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that
even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law
is a Type II action constituting a legislative decision in connection with routine or continuing agency
administration and management, not including new programs or major reordering of priority. See 6
N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further
responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to LIBERTY ESTATES, INC., BY ERNEST PEREIRA, PRESIDENT, 27 Abbey Lane, Patchogue NY 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY:

____________________________________________________
County Executive of Suffolk County

Date of Approval: ________________________________
May 03, 2011

Tax Map No.: 0200-954.00-02.00-003.001
Name of Last Legal Fee Owner: LIBERTY ESTATES, INC., BY ERNEST PEREIRA, PRESIDENT

| TREASURER'S COMPUTATION                     | $4,634.02 |
| Taxes.................................. | $674.23  |
| License/Storage Fee.......................... | OPEN     |
| Repairs................................... | OPEN     |
| Miscellaneous Expenses....................... | OPEN     |
| **TOTAL**.................................. | **$5,308.25** |

| Monies Received............................ | **$5,308.25** |

| RESOLUTION AMOUNT.......................... | **$5,308.25** |

APPROVED: 

PREPARED BY: 

Diane Bishop 
Redemption Unit 
(631)853-5932 

Accounting 
DB:lag 

Karen Slater 3/11
COMPUTATIO. BY SUFFOLK COUNTY TRE. JURER

DISTRIBUTION: 0200
SECTION: 954.00
BLOCK: 02.00
LOT: 003.001

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07 ........................ 1043.33
2007/08 ......................... 1126.74
2008/09 ......................... 891.98
2009/10 ........................ 929.53

2010/11 PROPERTY TAXES $674.23 NOT INCLUDED IN COMPUTATION

Total: 3991.58

B. INTEREST DUE: 421.78
C. TOTAL: 4413.36
D. 5% LINE C: 220.67
E. FEE
F. MISC
G. MISC

H. TOTAL DUE: $4,634.02

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York: 19-Apr-11

[Diane M. Stuke]
Deputy County Treasurer

**Interest and penalty computed to and including 10/16/11

dz
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X
   Tax Map Number 0200-954.00-02.00-003.001

2. Title of Proposed Legislation
   Authorizing the Director of the Division of Real Property Acquisition and Management and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation
   Convey County owned parcel to prior owner

4. Will the Proposed Legislation have a fiscal impact?   Yes X   No____

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

6. If the answer to item 4 is “yes”, provide detailed explanation of Impact
   The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   2011

10. Typed Name & Title of Preparer   Signature of Preparer   Date 
     Diane Bishop ___________________  Diane Bishop 5.3.11
May 11, 2011

Ken Crannell, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0200-954.00-02.00-003.001
   LIBERTY ESTATES, INC., BY ERNEST PEREIRA, PRESIDENT

Dear Mr. Crannell:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Pamela J. Greene, Director
Director of Division of Real Property Acquisition and Management

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer's Computation

Copy of Resolution to:
- Ken Crannell, Deputy County Executive (original plus 1 hard copy)
- Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
- Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
- Steve Forst, Budget Office (1 hard copy)
- C.E. Reso. Review (electronic copy)

Copy of letter to:
- Eric Kopp, Assistant Deputy County Executive
- Eric C. Naughton, Budget Director
- Sarah Lansdale, Director, Planning Dept.
- Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
- Alice Kubicsko, Inventory
RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
ESTATE OF EMENCE BROWN, BY EVERLY BROWN, AS ADMINISTRATOR
0800-112.00-01.00-001.000

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements
thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of
New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as
District 0800, Section 112.00, Block 01.00, Lot 001.000, and acquired by tax deed on January 05,
2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded
on January 05, 2011, in Liber 12647, at Page 708, and otherwise known and designated by the
Town of Smithtown, as Lot Nos. 35 to 47 inclusive, as shown on a certain map entitled, “Oak Park”
and filed in the Office of the Clerk of Suffolk County on April 23, 1929 as Map No. 752; and

FURTHER, notwithstanding the above description, it is the intention of this
conveyance to give title only to such property as was acquired by the County of Suffolk by Tax
Deed on January 05, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New
York, and recorded on January 05, 2011 in Liber 12647 at Page 708.

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

WHEREAS, ESTATE OF EMENCE BROWN, BY EVERLY BROWN, AS
ADMINISTRATOR has made application of said above described parcel and ESTATE OF
EMENCE BROWN, BY EVERLY BROWN, AS ADMINISTRATOR has paid the application fee and
has paid $8,255.09, as payment of taxes, penalties, interest, recording fees, and any other charges
due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review
Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action
within the meaning of the State Environmental Quality Review Act and the regulations adopted
thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that
even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law
is a Type II action constituting a legislative decision in connection with routine or continuing agency
administration and management, not including new programs or major reordering of priority. See 6
N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further
responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to ESTATE OF EMENCE BROWN, BY EVERLY BROWN, AS ADMINISTRATOR, 118-83 Riverton Street, St. Albans NY 11412, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _______________________________________
County Executive of Suffolk County

Date of Approval: ________________________________
May 10, 2011

**Tax Map No.: 0800-112.00-01.00-001.000**
Name of Last Legal Fee Owner: ESTATE OF EMENCE BROWN, BY EVERLY BROWN, AS ADMINISTRATOR

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>TREASURER'S COMPUTATION</td>
<td>$6,634.94</td>
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<td>Taxes........2010/2011</td>
<td>$1,620.15</td>
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<tr>
<td>License/Storage Fee</td>
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<td>Repairs</td>
<td>OPEN</td>
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<tr>
<td>Miscellaneous Expenses</td>
<td>OPEN</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$8,255.09</strong></td>
</tr>
<tr>
<td>Monies Received</td>
<td>$8,255.09</td>
</tr>
</tbody>
</table>

**RESOLUTION AMOUNT** $8,255.09

**APPROVED:**

[Signature]

**PREPARED BY:**

Diane Bishop
Redemption Unit
(631)853-5932

Accounting
DB:lag
COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT 0800
SECTION 112.00
BLOCK 01.00
LOT 15027

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08 2047.82
2008/09 2064.59
2009/10 1958.03

2010/11 PROPERTY TAXES $1,620.15 NOT INCLUDED IN COMPUTATION

TOTAL: 6070.44

B. INTEREST DUE

C. TOTAL 248.55
D. 5% LINE C 6318.99
E. FEE 315.95
F. MISC
G. MISC

H. TOTAL DUE $6,634.94

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 14-Mar-11

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 09/10/11

dz
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X
   Tax Map Number 0800-112.00-01.00-001.000

2. Title of Proposed Legislation
   Authorizing the Director of the Division of Real Property Acquisition and Management
   and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest
   of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation
   Convey County owned parcel to prior owner

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of Impact
   The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   2011

10. Typed Name & Title of Preparer	Signature of Preparer	Date
    Diane Bishop
    3/7/11
May 12, 2011

Ken Crannell, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0800-112.00-01.00-001.000
ESTATE OF EMENCE BROWN, BY EVERLY BROWN, AS ADMINISTRATOR

Dear Mr. Crannell:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Pamela J. Greene, Director
Director of Division of Real Property Acquisition and Management

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer’s Computation

Copy of Resolution to:
Ken Crannell, Deputy County Executive (original plus 1 hard copy)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory
RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
KENNETH CHURCH 0200-979.00-05.00-009.000 n/k/a 0209-022.00-05.00-009.000

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 979.00, Block 05.00, Lot 009.000 n/k/a District 0209, Section 022.00, Block 05.00, Lot 009.000, and acquired by tax deed on October 06, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 06, 2010, in Liber 12639, at Page 481, and otherwise known and designated by the Town of Brookhaven, as Lots 322-328 inclusive as designated on a map entitled, "Ninth Map of Mastic Beach", and filed in the Suffolk County Clerk's Office on June 17, 1938 as File No. 1259; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 06, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 06, 2010 in Liber 12639 at Page 481.

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

WHEREAS, KENNETH CHURCH has made application of said above described parcel and KENNETH CHURCH has paid the application fee and has paid $26,568.32, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reorganization of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to KENNETH CHURCH, 203 Jefferson Drive, Mastic Beach NY 11751, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: ________________________________

County Executive of Suffolk County

Date of Approval: ________________________
May 09, 2011

Tax Map No.: 0200-979.00-05.00-009.000 n/k/a 0209-022.00-05.00-009.000
Name of Last Legal Fee Owner: KENNETH CHURCH

TREASURER'S COMPUTATION.......................... $23,112.05
Taxes........2010/2011.............................. $3,456.27
License/Storage Fee.................................... OPEN
Repairs................................................. OPEN
Miscellaneous Expenses............................ OPEN

TOTAL........................................... $26,568.32

Monies Received.................................... $26,568.32

RESOLUTION AMOUNT............................. $26,568.32

APPROVED:

[Signature]

Diane Bishop
Redemption Unit
(631)853-5932

Accounting
DB lag
A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06 4256.90
2006/07 4638.07
2007/08 4461.38
2008/09 4219.17
2009/10 3271.82

2010/11 PROPERTY TAXES $3,456.27 NOT INCLUDED IN COMPUTATION

TOTAL: 20847.34

B. INTEREST DUE 1164.14
C. TOTAL 22011.48
D. 5% LINE C 1100.57
E. FEE
F. MISC
G. MISC

H. TOTAL DUE $23,112.05

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

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

22-Mar-11

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 09/18/11

dz
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
Resolution X
Tax Map Number 0200-979.00-05.00-009.000 n/k/a 0209-022.00-05.00-009.000

2. Title of Proposed Legislation
Authorizing the Director of the Division of Real Property Acquisition and Management and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation
Convey County owned parcel to prior owner

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of Impact
   The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   2011

10. Typed Name & Title of Preparer  Signature of Preparer  Date
    Diane Bishop  [Signature]  5/9/11
May 12, 2011

Ken Crannell, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0200-979.00-05.00-009.000 n/k/a 0209-022.00-05.00-009.000
KENNETH CHURCH

Dear Mr. Crannell:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Pamela J. Greene, Director
Director of Division of Real Property Acquisition and Management

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer's Computation

Copy of Resolution to:
Ken Crannell, Deputy County Executive (original plus 1 hard copy)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory
INTRODUCTORY RESOLUTION NO. 1505-11
Laid on Table 6/17/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
SHELDON D. BRENNER
0500-032.00-01.00-120.000

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 032.00, Block 01.00, Lot 120.000, and acquired by tax deed on September 22, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2010, in Liber 12638, at Page 405, and otherwise known and designated by the Town of Islip, as Lots 83 to 87 Inclusive, on a certain map entitled “Map of Lake Hills, Unit 1”, filed in the office of the Clerk of Suffolk County on June 29, 1942 as Map No. 1362; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 22, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2010 in Liber 12638 at Page 405.

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

WHEREAS, AMERICAN HOME MORTGAGE SERVICE, INC. has made application of said above described parcel and AMERICAN HOME MORTGAGE SERVICE, INC. has paid the application fee and has paid $66,177.60, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to SHELDON D. BRENNER, 385 Shelter Road, Ronkonkoma NY 11779, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: ________________________________

County Executive of Suffolk County

Date of Approval: ____________________________
May 06, 2011

Tax Map No.: 0500-032.00-01.00-120.000  
Name of Last Legal Fee Owner: SHELDON D. BRENNER

TREASURER'S COMPUTATION........................................ $57,001.64

Taxes........2010/2011........................................... $9,175.96

License/Storage Fee........................................... OPEN

Repairs............................................................... OPEN

Miscellaneous Expenses....................................... OPEN

TOTAL............................................................... $66,177.60

Monies Received................................................ $66,177.60

RESOLUTION AMOUNT........................................ $66,177.60

APPROVED:                                             PREPARED BY:

Lori Sklar                                          Lori Sklar
Redemption Unit                                     Redemption Unit
(631)853-5937                                       (631)853-5937

Accounting                                           Accounting
LS:tag                                               LS:tag

A. Brenncl  5/12/2011
A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

<table>
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<td>2008/09</td>
<td>11341.71</td>
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<td>2009/10</td>
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**2010/11 PROPERTY TAXES $9,175.96 NOT INCLUDED IN COMPUTATION**

**TOTAL:** 51183.61

B. INTEREST DUE 3103.67
C. TOTAL 54287.28
D. 5% LINE C 2714.36
E. FEE
F. MISC
G. MISC

**H. TOTAL DUE $57,001.64**

**CERTIFICATION BY COUNTY TREASURER**

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 19-Apr-11

_Diane M. Stuke_  
Deputy County Treasurer

**Interest and penalty computed to and including 10/16/11**

dz
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X
   Tax Map Number 0500-032.00-01.00-120.000

2. Title of Proposed Legislation
   Authorizing the Director of the Division of Real Property Acquisition and Management
   and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest
   of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation
   Convey County owned parcel to prior owner

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of impact
   The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   2011

10. Typed Name & Title of Preparer   Signature of Preparer   Date
    Lori Sklar
    5/10/11
RESOLUTION NO.  AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
PAUL FELIX, MARIE FELIX AND PIERRE FELIX
0100-055.00-01.00-036.002

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements
thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of
New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as
District 0100, Section 055.00, Block 01.00, Lot 036.002, and acquired by tax deed on October 19,
2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded
on October 20, 2010, in Liber 12640, at Page 823, and otherwise known and designated by the
Town of Babylon, as Lot No. 4, Block 31, on a certain map entitled “Map 28, New York and
Brooklyn Suburban Investment Company”, filed in the office of the Clerk of Suffolk County on June
1, 1892 as Map No. 44; and

FURTHER, notwithstanding the above description, it is the intention of this
conveyance to give title only to such property as was acquired by the County of Suffolk by Tax
Deed on October 19, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New
York, and recorded on October 20, 2010 in Liber 12640 at Page 823.

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

WHEREAS, WELLS FARGO BANK, NA has made application of said above
described parcel and WELLS FARGO BANK, NA has paid the application fee and has paid
$991.09, as payment of taxes, penalties, interest, recording fees, and any other charges due the
County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review
Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action
within the meaning of the State Environmental Quality Review Act and the regulations adopted
thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that
even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law
is a Type II action constituting a legislative decision in connection with routine or continuing agency
administration and management, not including new programs or major reordering of priority. See 6
N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further
responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to PAUL FELIX, MARIE FELIX AND PIERRE FELIX, 62 Jamaica Avenue, Wyandanch, NY 11798, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: ________________________________

County Executive of Suffolk County

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

May 06, 2011

Tax Map No.: 0100-055.00-01.00-036.002
Name of Last Legal Fee Owner: PAUL FELIX, MARIE FELIX AND PIERRE FELIX

TREASURER'S COMPUTATION.................. $792.14

Taxes........2010/2011.......................... $198.95

License/Storage Fee.................. OPEN

Repairs.................................. OPEN

Miscellaneous Expenses.................. OPEN

TOTAL.................................. $991.09

Monies Received........................ $991.09

RESOLUTION AMOUNT.................. $991.09

APPROVED: 

PREPARED BY: 

Lori Sklar
Redemption Unit
(631)853-5937

A. Brown 5/6/2011
Accounting
LS:lag
COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT 0100  SECTIONS 055.00  BLOCK 01.00  LOT 036.002

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08  255.69
2008/09  266.98
2009/10  189.48

2010/11 PROPERTY TAXES $198.95 NOT INCLUDED IN COMPUTATION

TOTAL:  712.15

B. INTEREST DUE  42.27
C. TOTAL  754.42
D. 5% LINE C  37.72
E. FEE
F. MISC
G. MISC

H. TOTAL DUE  $792.14

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

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

20-Apr-11

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 10/17/11

dz
1. Type of Legislation
   Resolution X
   Tax Map Number 0100-055.00-01.00-036.002

2. Title of Proposed Legislation
   Authorizing the Director of the Division of Real Property Acquisition and Management and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation
   Convey County owned parcel to prior owner

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of impact
   The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   2011

10. Typed Name & Title of Preparer      Signature of Preparer      Date
    Lori Sklar

    Signature
    5/10/11
May 12, 2011

Ken Crannell, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0100-055.00-01.00-036.002
PAUL FELIX, MARIE FELIX AND PIERRE FELIX

Dear Mr. Crannell:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Pamela J. Greene, Director
Director of Division of Real Property
Acquisition and Management

LS:lag

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer’s Computation

Copy of Resolution to:
Ken Crannell, Deputy County Executive (original plus 1 hard copy)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory
RESOLUTION NO. -2011, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 GLEN BELOSTOCK AND ANN DeMARCO (SCTM NO. 0800-019.00-07.00-036.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800 Section 019.00 Block 07.00 Lot 036.000 and acquired by Tax Deed on June 3, 2008 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2008 in Liber 12553 at CP 886 and described as follows, known and designated a Lot 4185 on a certain map entitled "Second Map of San Remo", and filed in the Office of the Clerk of the County of Suffolk on July 7, 1926 as Map No. 180,

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Glen Belostock and Ann DeMarco, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $2,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of $2,500.00, pursuant to said purchase offer; and

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

1st RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1); and be it further,
2nd RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee’s adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Glen Belostock and Ann DeMarco, 7 Beaver Drive, Kings Park, New York 11754.

DATED:

APPROVED BY

________________________________________
County Executive of Suffolk County

Date of Approval:
**SUMMARY STATEMENT**

**DIRECT SALE:**
Suffolk County Local Law No. 13-1976
Tax Map No. 0800-019.00-07.00-036.000

<table>
<thead>
<tr>
<th>ADJOINING OWNER</th>
<th>BID</th>
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</thead>
<tbody>
<tr>
<td>Glen Belostock and Ann DeMarco</td>
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<tr>
<td>7 Beaver Drive</td>
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<td>Kings Park, New York 11754</td>
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<td>7 Beaver Drive</td>
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</table>

**SIZE OF PARCEL: 20' x 100'**
**APPRAISED VALUE: $2,500.00**
**COMMENT: Direct Sale to Adjacent Owner**

Wayne R. Thompson
Property Manager
(631) 853-5971
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution  X  Local Law  X  Charter Law ________

2. Title of Proposed Legislation
   Local Law 13-1976 authorizing the Direct Sale of County owned Real Estate

3. Purpose of Proposed Legislation
   Convey County owned parcel to adjacent owner

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of Impact.
   Income from sale.

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

8. Proposed Source of Funding
   None

9. Timing of Impact
   2011

10. Name & Title of Preparer  Signature of Preparer  Date
    R.J. Bhatt  ________  R.J. Bhatt  5/18/11
    Land Management Specialist
Ken Crannell  
Deputy County Executive  
H. Lee Dennison Bldg. 12th Fl.  
100 Veterans Memorial Highway  
P.O. Box 6100  
Hauppauge, NY 11788

Re: Tax Map Number: 0800-019.00-07.00-036.000

Dear Mr. Crannell:

Enclosed herewith are the original and one copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Pamela J. Greene  
Director of the Division of Real Property Acquisition and Management

PJG:WRT:slb  
Resolution + 1 copy  
Summary Statement  
Tax Map & Aerial Map  
Hagstrom Map  
Sponsor's Memo

Copy to:  
Christopher E. Kent, Chief Deputy County Executive  
Eric Kopp, Assistant Deputy County Executive  
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)  
Thomas A. Isles, Director of Planning  
CE Reso Review, via e-mail
RESOLUTION NO. -2011, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 ANNA WINTOUR (SCTM NO. 0200-971.00-01.00-011.001)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 971.00 Block 01.00 Lot 011.001 and acquired by Tax Deed on August 16, 2004 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 12, 2004 in Liber 12341 at CP 445 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Brookhaven under SCTM # District 0200, Section 971.00, Block 01.00, Lot 011.001; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Anna Wintour, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $3,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $3,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of $3,000.00, pursuant to said purchase offer; and

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

1st RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1); and be it further,
2nd RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Anna Wintour, 172 Sullivan Street, New York, New York 10012.

DATED: 

APPROVED BY

__________________________
County Executive of Suffolk County

Date of Approval:
SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-971.00-01.00-011.001

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<td>$3,000.00</td>
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<td>Susan Lariviere</td>
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</table>

SIZE OF PARCEL: 40' x 128' x variable
APPRAISED VALUE: $3,000.00
COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution  X  Local Law  X  Charter Law

2. Title of Proposed Legislation
   Local Law 13-1976 authorizing the Direct Sale of County owned Real Estate

3. Purpose of Proposed Legislation
   Convey County owned parcel to adjacent owner

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of Impact.
   Income from sale.

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

8. Proposed Source of Funding
   None

9. Timing of Impact
   2011

10. Name & Title of Preparer  Signature of Preparer  Date
    R.J. Bhatt  __________________________  __________________  5/4/11
        Land Management Specialist
Ken Crannell
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0200-971.00-01.00-011.001

Dear Mr. Crannell:

Enclosed herewith are the original and one copy of the proposed resolution with documentation pursuant to:

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Pamela J. Greene
Director of the Division of Real Property Acquisition and Management

PJG:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy to:
Christopher E. Kent, Chief Deputy County Executive
Eric Kopp, Assistant Deputy County Executive
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Thomas A. Isles, Director of Planning
CE Reso Review, via e-mail
RESOLUTION NO. Authorizing the sale, pursuant to local law no. 16-1976, of real property acquired under section 46 of the Suffolk County tax act

John H. Meyer, III
0500-020.00-03.00-060.001

WHEREAS, the County of Suffolk acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of new York, described on the tax map of the Suffolk County Real Property Tax Service Agency as district 0500, section 020.00, block 03.00, lot 060.001, and acquired by tax deed on September 22, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2010, in Liber 12638, at page 405, and otherwise known and designated by the Town of Islip, as lots 17 to 19 inclusive and 48 to 50 inclusive, Block 6, on a certain map entitled "Map of Lake Ronkonkoma Heights, section 1", filed in the office of the Clerk of Suffolk County on July 3, 1930 as map No. 851; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by tax deed on September 22, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2010 in Liber 12638 at page 405.

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

WHEREAS, John H. Meyer, III has made application of said above described parcel and John H. Meyer, III has paid the application fee and has paid $55,044.63, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRa) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRa, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRa 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN H. MEYER, III, P.O. Box 1261, 230 Iroquois Street, Ronkonkoma NY 11779, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: ________________________________
County Executive of Suffolk County

Date of Approval: ______________________________
May 18, 2011

Tax Map No.: 0500-020.00-03.00-060.001
Name of Last Legal Fee Owner: JOHN MEYER III

TREASURER'S COMPUTATION
$48,849.00

Taxes........2010/2011
$6,195.63

License/Storage Fee
OPEN

Repairs
OPEN

Miscellaneous Expenses
OPEN

TOTAL
$55,044.63

Monies Received
$55,044.63

RESOLUTION AMOUNT
$55,044.63

APPROVED:

[Signature]

PREPARED BY:

Lori Sklar
Redemption Unit
(631)853-5937
COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT: 0500
SECTION: 020.00
BLOCK: 03.00
LOT: 060.001

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06 9567.41
2006/07 9920.28
2007/08 9444.43
2008/09 8893.40
2009/10 6098.51

2010/11 PROPERTY TAXES $6,195.63 NOT INCLUDED IN COMPUTATION

TOTAL: 43924.03

B. INTEREST DUE 2598.83
C. TOTAL 46522.86
D. 5% LINE C 2326.14
E. FEE
F. MISC
G. MISC

H. TOTAL DUE $48,849.00

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

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

08-Apr-11

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 10/05/11

dz
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X
   Tax Map Number 0500-020.00-03.00-060.001

2. Title of Proposed Legislation
   Authorizing the Director of the Division of Real Property Acquisition and Management
   and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest
   of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation
   Convey County owned parcel to prior owner

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of Impact
   The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   2011

10. Typed Name & Title of Preparer   Signature of Preparer   Date
    Lori Sklar          5/9/11
May 23, 2011

Ken Crannell, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0500-020.00-03.00-060.001
JOHN H. MEYER, III

Dear Mr. Crannell:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Pamela J. Greene
Director of Division of Real Property Acquisition and Management

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer’s Computation

Copy of Resolution to:
Ken Crannell, Deputy County Executive (original plus 1 hard copy)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory

53
Resoloution No. 1510-11 Laid on Table 6/17/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
NJIDEKA KELLYMAN
0100-092.00-03.00-048.000

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 092.00, Block 03.00, Lot 048.000, and acquired by tax deed on September 01, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 01, 2010, in Liber 12636, at Page 227, and otherwise known and designated by the Town of Babylon, as Lots 52 & 53, on a certain map entitled "Map of Babylon Farms", filed in the office of the Clerk of Suffolk County on August 3, 1933 as Map No. 1138; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 01, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 01, 2010 in Liber 12636 at Page 227.

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

WHEREAS, NJIDEKA KELLYMAN has made application of said above described parcel and NJIDEKA KELLYMAN has paid the application fee and has paid $302.24, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to NJIDEKA KELLYMAN, 222 Suburban Avenue, Deer Park NY 11729, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____________________________________________
County Executive of Suffolk County

Date of Approval: __________________________
April 27, 2011

Tax Map No.: 0100-092.00-03.00-048.000
Name of Last Legal Fee Owner: NJIDEKA KELLYMAN

TREASURER'S COMPUTATION.......................... $302.24

Taxes........2010/2011.................................. PAID

License/Storage Fee.................................. OPEN

Repairs.................................................. OPEN

Miscellaneous Expenses............................ OPEN

_________________________________________________________________________

TOTAL.............................................. $302.24

_________________________________________________________________________

Monies Received..................................... $302.24

_________________________________________________________________________

RESOLUTION AMOUNT............................. $302.24

_________________________________________________________________________

APPROVED:

Lori Sklar
Redemption Unit
(631)853-5937

PREPARED BY:

Karen Slater. 4/27/11
Accounting
LSXag
COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT  SECTION  BLOCK  LOT
0100      092.00  03.00   048.00

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06  271.94

2006/07 THROUGH 2009/10 TAXES PAID BY MORTGAGE COMPANY
2010/11 FIRST HALF TAXES PAID BY MORTGAGE COMPANY

B. INTEREST DUE  15.91
C. TOTAL  287.85
D. 5% LINE C  14.39
E. FEE
F. MISC
G. MISC

----------

H. TOTAL DUE  $302.24

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York.  23-Feb-11

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 08/22/11
1. Type of Legislation

Resolution X
Tax Map Number 0100-092.00-03.00-048.000

2. Title of Proposed Legislation

Authorizing the Director of the Division of Real Property Acquisition and Management and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

6. If the answer to item 4 is “yes”, provide detailed explanation of Impact

The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2011

10. Typed Name & Title of Preparer Signature of Preparer Date

Lori Sklar Sklar 4/27/11
May 4, 2011

Ken Crannell, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0100-092.00-03.00-048.000
NJIDEKA KELLYMAN

Dear Mr. Crannell:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

[signature]

Pamela J. Greene, Director
Director of Division of Real Property
Acquisition and Management

LS:lag

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer’s Computation

Copy of Resolution to:
Ken Crannell, Deputy County Executive (original plus 1 hard copy)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory
RESOLUTION NO.  AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
ROBERT GREENBERG
0600-033.00-06.00-039.004

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements
thereon erected, situate, lying and being in the Town of Riverhead, County of Suffolk, and State of
New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as
District 0600, Section 033.00, Block 06.00, Lot 039.004, and acquired by tax deed on May 10,
2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded
on May 12, 2010, in Liber 12624, at Page 604, and otherwise known and designated by the Town
of Riverhead, as Suffolk County Tax Map Number District 0600, Section 033.00, Block 06.00, Lot
039.004; and

FURTHER, notwithstanding the above description, it is the intention of this
conveyance to give title only to such property as was acquired by the County of Suffolk by Tax
Deed on May 10, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New
York, and recorded on May 12, 2010 in Liber 12624 at Page 604.

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

WHEREAS, ROBERT GREENBERG has made application of said above
described parcel and ROBERT GREENBERG has paid the application fee and has paid
$42,835.60, as payment of taxes, penalties, interest, recording fees, and any other charges due
the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review
Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action
within the meaning of the State Environmental Quality Review Act and the regulations adopted
thereof. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that
even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law
is a Type II action constituting a legislative decision in connection with routine or continuing agency
administration and management, not including new programs or major reordering of priority. See 6
N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further
responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to ROBERT GREENBERG, 6 Park Street, Wading River NY 11792, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: ____________________________
County Executive of Suffolk County

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

April 26, 2011

Tax Map No.: 0600-033.00-06.00-039.004
Name of Last Legal Fee Owner: ROBERT GREENBERG

TREASURER'S COMPUTATION......................... $36,749.44
Taxes.........2010/2011.................................. $6,086.16
License/Storage Fee..................................... OPEN
Repairs.......................................................... OPEN
Miscellaneous Expenses................................... OPEN

TOTAL.................................................. $42,835.60

Monies Received.......................................... $42,835.60

RESOLUTION AMOUNT................................. $42,835.60

APPROVED:                                        PREPARED BY:

Karen A. Waters 4/27/11                         Diane Bishop
Accounting                                      Redemption Unit
                                               (631)853-5932
## COMPUTATION BY SUFFOLK COUNTY TREASURER

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<th>SECTION</th>
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<td>033.00</td>
<td>06.00</td>
<td>039.004</td>
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A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

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<th>Year</th>
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<td>2009/10</td>
<td>6145.09</td>
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</table>

2010/11 PROPERTY TAXES $6,086.16 NOT INCLUDED IN COMPUTATION

**TOTAL:** $32407.81

B. INTEREST DUE

**2591.66**

C. TOTAL

**34999.47**

D. 5% LINE C

**1749.97**

E. FEE

F. MISC

G. MISC

**H. TOTAL DUE $36,749.44**

**CERTIFICATION BY COUNTY TREASURER**

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

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

08-Apr-11

[Signature]

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 10/05/11**

dz
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
Resolution X
Tax Map Number 0600-033.00-06.00-039.004

2. Title of Proposed Legislation
Authorizing the Director of the Division of Real Property Acquisition and Management
and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest
of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation
Convey County owned parcel to prior owner

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

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of Impact
The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding
N/A

9. Timing of Impact
2011

10. Typed Name & Title of Preparer    Signature of Preparer    Date
Diane Bishop    Diane Bishop    4.26.11
May 4, 2011

Ken Crannell, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0600-033.00-06.00-039.004
ROBERT GREENBERG

Dear Mr. Crannell:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Pamela J. Greene, Director
Director of Division of Real Property Acquisition and Management

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer’s Computation

Copy of Resolution to:
Ken Crannell, Deputy County Executive (original plus 1 hard copy)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory
INTRODUCTORY RESOLUTION NO. 1512-11
INTRODUCED BY THE PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE
LAI ON TABLE 6/7/11

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
SEI WONG JUNG AND YANG JA JUNG, HIS WIFE
0208-014.00-02.00-010.000

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements
thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State
of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency
as District 0208, Section 014.00, Block 02.00, Lot 010.000, and acquired by tax deed on October
05, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and
recorded on October 06, 2010, in Liber 12639, at Page 481, and otherwise known and designated
by the Town of Brookhaven, as District 0208, Section 014.00, Block 02.00, Lot 010.000; and

FURTHER, notwithstanding the above description, it is the intention of this
conveyance to give title only to such property as was acquired by the County of Suffolk by Tax
Deed on October 05, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New
York, and recorded on October 06, 2010 in Liber 12639 at Page 481.

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

WHEREAS, SEI WONG JUNG AND YANG JA JUNG, HIS WIFE have made
application of said above described parcel and SEI WONG JUNG AND YANG JA JUNG, HIS
WIFE have paid the application fee and will be paying $69,278.74, as payment of taxes, penalties,
interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law,
by applicant, through November 30, 2011, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review
Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action
within the meaning of the State Environmental Quality Review Act and the regulations adopted
thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that
even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law
is a Type II action constituting a legislative decision in connection with routine or continuing agency
administration and management, not including new programs or major reordering of priority. See 6
N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further
responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to SEI WONG JUNG AND YANG JA JUNG, HIS WIFE, 1144 Stony Brook Rd., Lake Grove NY 11755, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: ____________________________

County Executive of Suffolk County

Date of Approval: ____________________________
April 20, 2011

Tax Map No.: 0208-014.00-02.00-010.000
Name of Last Legal Fee Owner: SEI WONG JUNG AND YANG JA JUNG, HIS WIFE

TREASURER'S COMPUTATION.......................... $63,394.14

Taxes........2010/2011........................................ $5,884.60
License/Storage Fee................................. OPEN
Repairs.................................................. OPEN
Miscellaneous Expenses............................... OPEN

TOTAL....................................................... $69,278.74

Monies to be Received................................. $69,278.74

RESOLUTION AMOUNT................................. $69,278.74

APPROVED:

[Signature]

PREPARED BY:

[Signature]
Diane Bishop
Redemption Unit
(631)853-5932
**CERTIFICATION BY COUNTY TREASURER**

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

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

23-Mar-11

**Interest and penalty computed to and including** 09/19/11

---

### District Tax Summary

A. **Principal Amount Due on All Unpaid Taxes:**

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<thead>
<tr>
<th>Year</th>
<th>Village</th>
<th>Town</th>
<th>Combined</th>
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<td>2003/04</td>
<td>1255.75</td>
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<tr>
<td>2010/11</td>
<td>578.35</td>
<td>NOT DUE YET</td>
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</tbody>
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2010/11 TOWN PROPERTY TAXES $5,884.60 NOT INCLUDED IN COMPUTATION

TOTAL: 57628.75

B. **Interest Due:**

2746.62

C. **Total:**

60375.37

D. **5% Line C**

3018.77

E. **FEE**

F. **MISC**

G. **MISC**

H. **Total Due**

$63,394.14
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X
   Tax Map Number 0208-014.00-02.00-010.000

2. Title of Proposed Legislation
   Authorizing the Director of the Division of Real Property Acquisition and Management
   and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest
   of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation
   Convey County owned parcel to prior owner

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

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of Impact
   The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   2011

10. Typed Name & Title of Preparer   Signature of Preparer   Date
    Diane Bishop                 Diane Bishop          4/2011
May 4, 2011

Ken Crannell, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0208-014.00-02.00-010.000
SEI WONG JUNG AND YANG JA JUNG, HIS WIFE

Dear Mr. Crannell:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

[Signature]

Pamela J. Greene, Director
Director of Division of Real Property Acquisition and Management

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer’s Computation

Copy of Resolution to:
Ken Crannell, Deputy County Executive (original plus 1 hard copy)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory
RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT

AVALONBAY COMMUNITIES
0200-372.00-04.00-044.006

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 372.00, Block 04.00, Lot 044.006, and acquired by tax deed on January 05, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011, in Liber 12647, at Page 724, and otherwise known and designated by the Town of Brookhaven, as Suffolk County Tax Map Number District 0200, Section 372.00, Block 04.00, Lot 044.006; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on January 05, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 05, 2011 in Liber 12647 at Page 724.

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

WHEREAS, AVALONBAY COMMUNITIES has made application of said above described parcel and AVALONBAY COMMUNITIES has paid the application fee and has paid $555,097.04, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to AVALONBAY COMMUNITIES, 135 Pinelawn Rd., Suite 130 South, Melville, NY 11747, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: ____________________________

County Executive of Suffolk County

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

April 26, 2011

Tax Map No.: 0200-372.00-04.00-044.006
Name of Last Legal Fee Owner: AVALONBAY COMMUNITIES

TREASURER'S COMPUTATION............................... $442,550.54
Taxes.........2010/2011........................................ $112,546.50
License/Storage Fee................................. OPEN
Repairs.................................................. OPEN
Miscellaneous Expenses.............................. OPEN

___________________________
TOTAL............................................... $555,097.04

___________________________
Monies Received................................. $555,097.04

___________________________
RESOLUTION AMOUNT............................. $555,097.04

APPROVED:

[Signature]
Karen Slater 4/27/11
Accounting
DB:tag

PREPARED BY:

[Signature] Diane Bishop
Redemption Unit
(631)853-5932
## COMPUTATION BY SUFFOLK COUNTY TREASURER

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<th>DISTRICT</th>
<th>SECTION</th>
<th>BLOCK</th>
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</table>

### A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

<table>
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<th>Year</th>
<th>Amount</th>
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<td>130363.29</td>
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<td>2008/09</td>
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<td>2009/10</td>
<td>135253.60</td>
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**2010/11 PROPERTY TAXES $112,546.35 NOT INCLUDED IN COMPUTATION**

**TOTAL: 403543.31**

| B. INTEREST DUE | 17933.40 |
| C. TOTAL        | 421476.71 |
| D. 5% LINE C    | 21073.84  |
| E. FEE          |          |
| F. MISC         |          |
| G. MISC         |          |

---

| H. TOTAL DUE | $442,550.54 |

---

## CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

**IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 04-Apr-11**

Diane M. Stuke  
Deputy County Treasurer

---

**Interest and penalty computed to and including 10/01/11**

dz
May 4, 2011

Ken Crannell, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0200-372.00-04.00-044.006
AVALONBAY COMMUNITIES

Dear Mr. Crannell:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Pamela J. Greene, Director
Director of Division of Real Property Acquisition and Management

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer’s Computation

Copy of Resolution to:
Ken Crannell, Deputy County Executive (original plus 1 hard copy)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicisko, Inventory

53
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
Resolution X
Tax Map Number 0200-372.00-04.00-044.006

2. Title of Proposed Legislation
Authorizing the Director of the Division of Real Property Acquisition and Management and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation
Convey County owned parcel to prior owner

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

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

   County
   Town
   Other (Specify):

   Village
   School District
   Library District
   Fire District

6. If the answer to item 4 is "yes", provide detailed explanation of Impact
The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding
N/A

9. Timing of Impact
2011

10. Typed Name & Title of Preparer
Diane Bishop

   Signature of Preparer
   Date
   Diane Bishop
   4/26/11
RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
VINCENT VITALE
0800-167.00-01.00-047.000

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements
thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of
New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as
District 0800, Section 167.00, Block 01.00, Lot 047.000, and acquired by tax deed on October 08,
2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded
on October 14, 2010, in Liber 12640, at Page 243, and otherwise known and designated by the
Town of Smithtown, as Lot No. 13, on a certain map entitled “Map of Ronkonkoma Knolls, Section
3”, filed in the office of the Clerk of Suffolk County on September 13, 1946 as Map No. 1500; and

FURTHER, notwithstanding the above description, it is the intention of this
conveyance to give title only to such property as was acquired by the County of Suffolk by Tax
Deed on October 08, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New
York, and recorded on October 14, 2010 in Liber 12640 at Page 243.

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

WHEREAS, VINCENT VITALE has made application of said above described
parcel and has paid the application fee and CHASE HOME FINANCIAL, LLC has paid $1,193.81,
as payment of taxes, penalties, interest, recording fees, and any other charges due the County of
Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

1st - RESOLVED, this Legislature, being the State Environmental Quality Review
Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action
within the meaning of the State Environmental Quality Review Act and the regulations adopted
thereof. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that
even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law
is a Type II action constituting a legislative decision in connection with routine or continuing agency
administration and management, not including new programs or major reordering of priority. See 6
N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further
responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further
2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to VINCENT VITALE, 49 Joseph Place, Nesconset NY 11767, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: ________________________________
County Executive of Suffolk County

Date of Approval: ________________________________
Tax Map No.: 0800-167.00-01.00-047.000
Name of Last Legal Fee Owner: VINCENT VITALE

TREASURER'S COMPUTATION............................... $925.36
Taxes..............2010/2011..................................... $268.45
License/Storage Fee....................................... OPEN
Repairs......................................................... OPEN
Miscellaneous Expenses.................................. OPEN

TOTAL......................................................... $1,193.81

Monies Received............................................ $1,193.81

RESOLUTION AMOUNT...................................... $1,193.81

APPROVED:                                           PREPARED BY:

Karen Slater 4/3/11
Accounting

Lori Sklar
Redemption Unit
(631)853-5937
COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT       SECTION       BLOCK       LOT
0800           167.00        01.00       1514

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2007/08         201.20
2008/09         370.77
2009/10         259.74

2010/11 PROPERTY TAXES $268.45 NOT INCLUDED IN COMPUTATION

TOTAL: 831.71

B. INTEREST DUE  49.58
C. TOTAL         881.29
D. 5% LINE C     44.06

H. TOTAL DUE   $925.36

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 14-Apr-11

[Signature]
Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 10/11/11
dz
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
Resolution  X
Tax Map Number 0800-167.00-01.00-047.000

2. Title of Proposed Legislation
Authorizing the Director of the Division of Real Property Acquisition and Management
and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest
of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation
Convey County owned parcel to prior owner

4. Will the Proposed Legislation have a fiscal impact?  Yes  X  No____

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of Impact
The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding
N/A

9. Timing of Impact
2011

10. Typed Name & Title of Preparer  Signature of Preparer  Date
    Lori Sklar  /s/  4/09/11
May 4, 2011

Ken Crannell, Deputy County Executive
H. Lee Dennison Bldg. – 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0800-167.00-01.00-047.000
VINCENT VITALE

Dear Mr. Crannell:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Pamela J. Greene, Director
Director of Division of Real Property Acquisition and Management

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer’s Computation

Copy of Resolution to:
Ken Crannell, Deputy County Executive (original plus 1 hard copy)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Eric Kopp, Assistant Deputy County Executive
Eric C. Naughton, Budget Director
Sarah Lansdale, Director, Planning Dept.
Lauretta Fischer, Chief Environmental Analyst, Planning Dept.
Alice Kubicsko, Inventory
RESOLUTION NO. 1515-11, AUTHORIZING THE INCLUSION OF NEW PARCELS INTO EXISTING CERTIFIED AGRICULTURAL DISTRICTS IN THE COUNTY OF SUFFOLK

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law provides for a locally-initiated mechanism for the protection and enhancement of New York State’s agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law established and articulates the Agricultural Districts Program, wherein viable agricultural land included within a certified agricultural district receives certain benefits and protections in order to perpetuate farming; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law was amended in 2003 to include Section 303-B which allows county legislative bodies the opportunity to designate an annual thirty-day period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within an existing certified agricultural district; and

WHEREAS, this Legislature designated the month of January as the annual enrollment period during which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within an existing certified agricultural district; and

WHEREAS, ten applications were received from land owners during the 2011 annual enrollment period; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board found the parcels identified by Exhibit “A” consist of predominately viable agricultural land and that inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the existing certified agricultural districts; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board found the parcels identified by Exhibit “B” do not consist of predominately viable agricultural land and that inclusion of such land would not serve the public interest; and

WHEREAS, the parcels identified by Exhibit “C” were recommended for disapproval for inclusion in existing certified agricultural districts by staff but failed to garner a majority vote by the Suffolk County Agricultural and Farmland Protection Board and, therefore, received no action; now, therefore, be it

1st RESOLVED, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk to include the parcels identified by Exhibit “A” into existing certified agricultural districts, as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

2nd RESOLVED, that the petition for inclusion of the parcels identified by Exhibit “A” in existing certified agricultural districts is hereby approved, adopted, and referred to the
Commissioner of the New York State Department of Agriculture and Markets for review of the petition as required by Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law; and be it further

3rd RESOLVED, that the Clerk of the Suffolk County Legislature is hereby directed to submit said petition including this resolution, the report of the Suffolk County Agricultural and Farmland Protection Board, the tax map identification numbers, and tax maps for each parcel of land to be included in an agricultural district to the Commissioner of the New York State Department of Agriculture and Markets; and be it further

4th RESOLVED, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk not to include the parcels identified by Exhibit "B" into existing certified agricultural districts, as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

5th RESOLVED, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk not to include the parcels identified by Exhibit "C" into existing certified agricultural districts due to the failure of the Suffolk County Agricultural and Farmland Protection Board to garner a majority vote; and be it further

6th 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) 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:
ADDENDUM A

1. Board Resolution #AFPB-10-2011
2. Staff Report for Application # OEP-2011-10
3. Board Resolution #AFPB-4-2011
4. Staff Report for Application # OEP-2011-02
5. Board Resolution #AFPB-__-2011
6. Staff Report for Application # OEP-2011-07
7. Board Resolution #AFPB-5-2011
8. Staff Report for Application # OEP-2011-03
9. Board Resolution #AFPB-__-2011
10. Staff Report for Application # OEP-2011-04
11. Board Resolution #AFPB-6-2011
12. Staff Report for Application # OEP-2011-05
13. Board Resolution #AFPB-7-2011
14. Staff Report for Application # OEP-2011-06
15. Board Resolution #AFPB-8-2011
16. Staff Report for Application # OEP-2011-08
17. Board Resolution #AFPB-3-2011
18. Staff Report for Application # OEP-2011-01
20. Staff Report for Application # OEP-2011-09

April 21, 2011
RESOLUTION NO. AFPB-10-2011 OF THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD, PURSUANT TO SECTION 303(B) OF ARTICLE 25-AA OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW, APPROVING TAX MAP PARCELS 0200-133.00-01.00-007.000, 0200-133.00-01.00-008.002, 0200-133.00-01.00-009.001, 0200-133.00-01.00-020.002, 0200-133.00-01.00-023.000, 0200-133.00-03.00-027.002, 0200-133.00-03.00-028.000, 0200-133.00-03.00-029.000, and 0200-133.00-03.00-030.000 FOR INCLUSION IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT AND DISAPPROVING TAX MAP PARCELS 0200-133.00-01.00-021.000 and 0200-133.00-03.00-031.000 FOR INCLUSION IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT (APPLICATION NO. OEP-2011-10)

WHEREAS, pursuant to Section 303(B) of Article 25- AA of the New York State Agriculture and Markets Law, a petition to include the property owned by Robert F. and Jean S. Benner in an existing certified agricultural district has been received by the Suffolk County Agricultural and Farmland Protection Board ("Board") and is identified by application number OEP-2011-10; and

WHEREAS, the property owned by Robert F. and Jean S. Benner and known as "Benner’s Farm" is located in the hamlet of East Setauket, identified by Suffolk County Real Property Tax Map numbers 0200-133.00-01.00-007.000, 0200-133.00-01.00-008.002, 0200-133.00-01.00-009.003, 0200-133.00-01.00-020.002, 0200-133.00-01.00-021.000, 0200-133.00-01.00-023.000, 0200-133.00-03.00-027.002, 0200-133.00-03.00-028.000, 0200-133.00-03.00-029.000, 0200-133.00-03.00-030.000, and 0200-133.00-03.00-031.000 ("premises"); and

WHEREAS, the applicant seeks inclusion of the premises in an existing certified agricultural district; and

WHEREAS, said application was considered by the Board at its meeting on April 21, 2011; now, therefore, be it

1st RESOLVED, that the Board hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §617.5(c)(3) and (20), which completes the SEQRA review; and be it further

2nd RESOLVED, that the Board hereby approves and adopts the report of its staff as may be amended; and be it further

3rd RESOLVED, that the Board hereby approves for recommendation to the Suffolk County Legislature for inclusion in existing certified agricultural district number 3 the following parcels:

1) 0200-133.00-01.00-007.000,
2) 0200-133.00-01.00-008.002,
3) 0200-133.00-01.00-009.003,
4) 0200-133.00-01.00-009.001,
5) 0200-133.00-01.00-020.002,
6) 0200-133.00-01.00-023.000,
7) 0200-133.00-03.00-027.002,
8) 0200-133.00-03.00-028.000,
9) 0200-133.00-03.00-029.000, and
10) 0200-133.00-03.00-030.000; and be it further

4th RESOLVED, that the Board hereby disapproves for recommendation to the Suffolk County Legislature for inclusion in an existing certified agricultural district the following parcels:

1) 0200-133.00-01.00-021.000 and
2) 0200-133.00-03.00-031.000.

Motion by: Lyle C. Wells  Seconded by: Lee Foster

Committee Vote: Ayes 7
Nays 0
Abstentions 0
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<tr>
<th>Committee Member</th>
<th>Appointment</th>
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<th>Nay</th>
<th>Abst.</th>
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<td>FOSTER, Lee</td>
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<td>GULIZIO, Daniel J.</td>
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<td>MOYER, Dale D.</td>
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<td>SC Real Property Tax Service Agency Director</td>
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**Totals**: 7 0 0 4

**Dated**: April 21, 2011

**Location**: Kermit W. Graf Cornell Cooperative Extension Building, 423 Griffing Avenue, Riverhead, NY
STAFF REPORT

Pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law

Application No. OEP-2011-10

Landowner: Robert F. and Jean S. Benner
Applicant: Robert F. and Jean S. Benner, 56 Gnarled Hollow Rd., East Setauket, NY 11733
Tax Map #: 0200-133.00-01.00-007.000 (SCPDR) 0200-133.00-01.00-023.000 (SCPDR)
0200-133.00-01.00-008.002 (SCPDR) 0200-133.00-03.00-027.002 (SCPDR)
0200-133.00-01.00-008.003 0200-133.00-03.00-028.000 (SCPDR)
0200-133.00-01.00-009.001 0200-133.00-03.00-029.000 (SCPDR)
0200-133.00-01.00-020.002 (SCPDR) 0200-133.00-03.00-030.000 (SCPDR)
0200-133.00-01.00-021.000 0200-133.00-03.00-031.000

Property Name: Benner’s Farm
Operation: Vegetables, Fruit

Proposal: The applicant seeks inclusion in existing certified Agricultural District number 3.

Analysis:

The proposal includes 13 parcels — ranging from 0.2± acres to 7.1± acres — that total 12.9± acres in the hamlet of East Setauket, Town of Brookhaven. The subject parcels are located south of Old Town Road, east of Bancroft Street, and west of Gnarled Hollow Road. The County of Suffolk owns the development rights to eight of the 13 parcels, which includes approximately 11 of the 12.9± acres (See above list for further information).

The property has been in active bona fide agricultural production since approximately 1751. The current commercial agricultural operation (i.e., pumpkin and strawberry cultivation, agri-education, and agritourism) generates an average annual gross farm sales between $100,000 and $199,999. In addition, capital improvements totaling between $100,000 and $199,999 have been made over the past seven years. An inspection of the premises on April 19, 2011 confirmed evidence of said enterprise.

Lots 0200-133.00-01.00-021.000 and 0200-133.00-03.00-031.000 appear to be used solely for residential rather than agricultural uses. The former is improved with a residence. The latter is improved with a swimming pool and appears to be associated with the residential use on an adjoining lot (SCTM No. 0200-133.00-03.00-032.000). Neither parcel displays evidence that such lands are actively used in commercial agricultural production or as support land for a commercial agricultural production operation.

More than 50% of the remaining 11 parcels is in active commercial agricultural production, more than 50% of the said parcels contains prime soils and/or soils of statewide significance, and more than 50% of
### Agricultural District 3
#### Brookhaven Town

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<td>Robert F &amp; Jean S Benner</td>
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<td>0.3</td>
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<td>SC PDR</td>
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*3207 Aerial Photography New York State Office for Technology.*

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Prepared April 2011

*PIB PIC PIC*
said land is in the Suffolk County Purchase of Development Rights Program. Thus, there is significant evidence that the premises — excluding lots 21 and 31 — that the premises contain unique and irreplaceable and/or viable agricultural land.

**Staff Recommendation:**

Approve 11.8± acres, as identified below, for recommendation to the Suffolk County Legislature for inclusion in existing certified Agricultural District number 3:

1. 0200-133.00-01.00-007.000,
2. 0200-133.00-01.00-008.002,
3. 0200-133.00-01.00-008.003,
4. 0200-133.00-01.00-009.001,
5. 0200-133.00-01.00-020.002,
6. 0200-133.00-01.00-023.000,
7. 0200-133.00-03.00-027.002,
8. 0200-133.00-03.00-028.000,
9. 0200-133.00-03.00-029.000, and
10. 0200-133.00-03.00-030.000.

Disapprove 1.1± acres, as identified below, for recommendation to the Suffolk County Legislature for inclusion in an existing certified agricultural district:

1. 0200-133.00-01.00-021.000 and
2. 0200-133.00-03.00-031.000.
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<td>Southold</td>
<td>Other (commercial retail)</td>
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*Source: SC Real Property Tax Service Agency

TOTAL ACRES: 72.4
### EXHIBIT B

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*Source: SC Real Property Tax Service Agency

TOTAL ACRES: 506.7
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<td>Shelter Island Heights, Vegetable</td>
<td>Town of Shelter Island</td>
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*Source: SC Real Property Tax Service Agency

**TOTAL ACRES: 241.7**

S.C. Agricultural and Farmland Protection Board
reports are attached to this report in Addendum “A”.

The Board found that 64.0± acres did not consist of predominately viable agricultural land (See Exhibit “B”) and that the inclusion of such land would not assist in maintaining a viable agricultural industry. The corresponding Board resolutions and staff reports are attached to this report in Addendum “A”.

Staff recommended disapproval for inclusion in existing certified agricultural districts the 506.7± acres identified by Exhibit “C”. The Board failed to garner a majority vote for the subject parcels. Therefore, no action was taken (See Addendum “A”).

With the consent of the applicant, the Board tabled the application for the 241.7± acres identified by Exhibit “D”. Please see Addendum “A” for further information.

In conclusion, the Board respectfully submits to the Legislature 15 parcels consisting of 72.4± acres, as identified by Exhibit “A”, for inclusion in existing certified agricultural districts pursuant to Section 303-B of the New York State Agriculture and Markets Law.

April 21, 2011
New York State Agricultural Districts are established in Suffolk County pursuant to Article 25-AA of the New York State Agriculture and Markets Law. This law is the authority for the creation and continuation of agricultural districts in the state and is amended each year, as necessary, to clarify sections of the law in order to foster the continuation of farming.

The existence of agricultural districts encourages the continuation of viable farming operations within Suffolk County. Inclusion within an agricultural district provides the farmer with many benefits. Such agricultural district status limits the exercise of eminent domain on agricultural district parcels and also limits burdensome benefit assessments, special ad valorem levies, and other rates or fees in certain improvement districts or benefit areas for which the farmers would be assessed. Perhaps the most important reason for farms being in an agricultural district is the protection it gives viable farms from nuisance complaints and unduly restrictive local laws. If neighbors are complaining about a farm in the agricultural district the state will support the farm as long as the activities being conducted on the farm are consistent with standard agricultural practices.

In 2003 the Agricultural Districts Law was amended and a new section (303-B) was added to establish an annual 30-day period during which farmers can submit proposals to include viable agricultural land within existing certified agricultural districts. The Suffolk County Legislature ("Legislature") designated the month of January as the 30-day annual open enrollment period ("OEP").

Advertisement of the 2011 OEP commenced in November 2010. The public notice was posted in the office of the Suffolk County Planning Department ("Department") as well as on the website, submitted to Suffolk County’s official newspapers, and provided to both Cornell Cooperative Extension for printing in Suffolk County Agricultural News and the Long Island Farm Bureau for posting on the organization’s website. The 2011 OEP was announced at the November 23, 2010 and January 25, 2011 meetings of the Suffolk County Farmland Committee. Application forms were distributed at the Long Island Agricultural Forum, held at the Eastern Campus of Suffolk County Community College, on January 13, 2011 and January 14, 2011 and were posted on the Department’s website. (Section 303-B does not require public notice of the annual open enrollment period.)

Ten applications identifying 884.8± acres of land requesting inclusion in existing certified agricultural districts were received during the 2011 OEP. The Suffolk County Agricultural and Farmland Protection Board ("Board") convened a public meeting on April 21, 2011 to consider said applications.

The Board found that 72.4± acres consisted of predominately viable agricultural land (See Exhibit “A”) and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the agricultural districts. The principal farm enterprises on those lands included vegetable cultivation (66% of the acres), livestock husbandry (20%), and commercial horse boarding (14%). The corresponding Board resolutions and staff

April 21, 2011
### Agricultural District 1

**Southold Town**

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<th>Acres</th>
<th>Owner</th>
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<td>1000 06900 0500 007001</td>
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**Southold**

**OEP-2011-09**
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

KENNETH J. SCHMITT
CHAIRMAN

STAFF REPORT

Pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law

Application No. OEP-2011-09

Landowner: William J. Bergrath
Applicant: William J. Bergrath, 1375 Ackerly Pond Lane, Southold, NY 11971
Tax Map #: 1000-069.00-05.00-007.001
Operation: Commercial Horse Boarding Operation

Proposal: The applicant seeks inclusion in existing certified Agricultural District number 1.

Analysis: The property consists of approximately 10 acres located on the west side of Ackerly Pond Lane (Bowery Lane), south of Old North Road, and north of Lower Road in the hamlet of Southold, Town of Southold (i.e. 1375 Ackerly Pond Lane, Southold). Moreover, the property is identified by Suffolk County Real Property Tax Map number 1000-069.00-05.00-007.001 (“premises”).

Based on information received from the applicant the property has been in active agricultural production as a commercial horse farm for almost 12 years. The property is ten acres in size and the application states an Average Annual Gross Farm Sales from the premises of $10,000 to $39,999. More than 50% of the property is currently in agricultural production. In addition more than 50% of the property has prime farmland soils. The property’s development rights have not been purchased by either Southold Town or Suffolk County. Thus, there is significant evidence that the premises contain unique and irreplaceable and/or viable agricultural land.

Staff Recommendation:

Approve for recommendation to the Suffolk County Legislature the below parcel for inclusion in existing certified Agricultural District number 1:

1. 1000-069.00-05.00-007.001.
RESOLUTION NO. AFPB-9-2011 OF THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD, PURSUANT TO SECTION 303(B) OF ARTICLE 25-AA OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW, APPROVING TAX MAP PARCEL 1000-069.00-05.00-007.001 FOR INCLUSION IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT (APPLICATION NO. OEP-2011-09)

WHEREAS, pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law, a petition to include the property owned by William J. Bergrath in an existing certified agricultural district has been received by the Suffolk County Agricultural and Farmland Protection Board ("Board") and is identified by application number OEP-2011-09; and

WHEREAS, the property owned by William J. Bergrath and known as “Double B Ranch LTD” is located in the hamlet of Southold, identified by Suffolk County Real Property Tax Map number 1000-069.00-05.00-007.001 ("premises"); and

WHEREAS, the applicant seeks inclusion of the premises in an existing certified agricultural district; and

WHEREAS, said application was considered by the Board at its meeting on April 21, 2011; now, therefore, be it

1st RESOLVED, that the Board hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §617.5(c)(3) and (20), which completes the SEQRA review; and be it further

2nd RESOLVED, that the Board hereby approves and adopts the report of its staff, as may be amended; and be it further

3rd RESOLVED, that the Board hereby approves for recommendation to the Suffolk County Legislature for inclusion in existing certified agricultural district number 1 the following parcel:

1) 1000-069.00-05.00-007.001.

Motion by: Lyle C. Wells  Seconded by: John E. Bokina, Jr.

Committee Vote:

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<th>Appointment</th>
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<th>Nay</th>
<th>Abst.</th>
<th>Not Present</th>
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Totals 7 0 0 4

Dated: April 21, 2011

Location: Kermit W. Graf Cornell Cooperative Extension Building, 423 Griffing Avenue, Riverhead, NY
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Agricultural District 1
Southold Town

East Marion
OEP-2011-01

© 2007 Aerial Photography New York State Office for Technology.

0       1 100       2 200       4 400 Feet
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

KENNETH J. SCHMITT
CHAIRMAN

STAFF REPORT

Pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law

Application No. OEP-2011-01

Landowner: Ghassemi & Co LLC (Sy & Catherine Ghassemi)
Applicant: Sy & Catherine Ghassemi, PO Box 20, Lynbrook, NY 11563
Tax Map #: 1000-031.00-01.00-001.003
Operation: Vegetables

Proposal: The applicant seeks inclusion in existing certified Agricultural District number 1.

Analysis: The property consists of approximately 22.9 acres located north of Main Road (SR 25), east of The Long Way, and west of Rocky Point Road in the hamlet of East Marion, Town of Southold. Moreover, the property is identified by Suffolk County Real Property Tax Map number 1000-031.00-01.00-001.003 (“premises”).

Information provided by the applicant states that the property has been in active agricultural production for forty years and is currently being farmed by an agricultural lessee. The principle agricultural production taking place on the property is the farming of vegetables. The property is 22.9 acres in size and has annual gross farm sales of $10,000 to $39,000.

There is a small area of woodlands in the northern portion of the premises but the majority of the property has been cleared of vegetation. More than 50% of the property has prime farmland soils. In addition greater than 50% of the property is in active agricultural production. Furthermore, Suffolk County has purchased the development rights for the parcel precluding future non-agricultural uses for this property. Thus, there is significant evidence that the premises contain unique and irreplaceable and/or viable agricultural land.

Staff Recommendation:

Approve for recommendation to the Suffolk County Legislature the below parcel for inclusion in existing certified Agricultural District number 1:

1. 1000-031.00-01.00-001.003.
RESOLUTION NO. AFPB-3-2011 OF THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD, PURSUANT TO SECTION 303(B) OF ARTICLE 25-AA OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW, APPROVING TAX MAP PARCEL 1000-031.00-01.00-001.003 FOR INCLUSION IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT (APPLICATION NO. OEP-2011-01)

WHEREAS, pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law, a petition to include the property owned by Ghassemi & Co. LLC in an existing certified agricultural district has been received by the Suffolk County Agricultural and Farmland Protection Board ("Board") and is identified by application number OEP-2011-01; and

WHEREAS, the property owned by Ghassemi & Co. LLC and known as “Sep Farm” is located in the hamlet of East Marion, identified by Suffolk County Real Property Tax Map number 1000-031.00-01.00-001.003 (“premises”); and

WHEREAS, the applicant seeks inclusion of the premises in an existing certified agricultural district; and

WHEREAS, said application was considered by the Board at its meeting on April 21, 2011; now, therefore, be it

1st RESOLVED, that the Board hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §617.5(c)(3) and (20), which completes the SEQRA review; and be it further

2nd RESOLVED, that the Board hereby approves and adopts the report of its staff, as may be amended; and be it further

3rd RESOLVED, that the Board hereby approves for recommendation to the Suffolk County Legislature for inclusion in existing certified agricultural district number 1 the following parcel:

1) 1000-031.00-01.00-001.003.

Motion by: Lee Foster Seconded by: Lyle C. Wells

Committee Vote: Ayes 7
Nays 0
Abstentions 0

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Totals 7 0 0 4

Dated: April 21, 2011

Location: Kermit W. Graf Cornell Cooperative Extension Building, 423 Griffing Avenue, Riverhead, NY
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

KENNETH J. SCHMITT
CHAIRMAN

STAFF REPORT

Pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law

Application No. OEP-2011-08

Landowner: PJH Realty Corp (John Boyle)
Applicant: Bruce A. Anderson, PO Box 2003, Bridgehampton, NY 11932
Tax Map #: 1000-013.00-02.00-007.012 (SC PDR), 1000-013.00-02.00-007.014
Property Name: Jamesons Farm
Operation: Livestock (cattle)

Proposal: The applicant seeks inclusion in existing certified Agricultural District number 1.

Analysis: The proposal includes two parcels — 1000-013.00-02.00-007.012 (11.9+ acres), and 1000-013.00-02.00-007.014 (2.5+ acres) — that total 14.4+ acres in the hamlet of Orient, Town of Southold. Lots 1000-013.00-02.00-007.012 and 1000-013.00-02.00-007.014 are west of Heath Drive, east of Beach Lane, and on the north side of Main Road (SR 25). The County of Suffolk owns the development rights to lot 1000-013.00-02.00-007.012.

The property has been in active bona fide commercial agricultural production (i.e., potato cultivation, commercial horse boarding, and, now, animal husbandry) for approximately 100 years. The current commercial agricultural operation is in its first year; therefore, the average annual gross farm sales have been less than $10,000. However, capital improvements totaling more than $200,000 have been made over the last past seven years. An inspection of the premises on April 19, 2011 confirmed evidence of said recent capital improvements.

Although the operation has generated less than $10,000 in annual gross farm sales during its first year of operation, more than 50% of the premises is in active commercial agricultural production, more than 50% of the premises contains prime soils, and more than 50% of the premises is in the Suffolk County Purchase of Development Rights Program. Thus, there is significant evidence that the premises contain unique and irreplaceable and/or viable agricultural land.

Staff Recommendation:

Approve the below parcels for recommendation to the Suffolk County Legislature for inclusion in existing certified Agricultural District number 1:

1. 1000-013.00-02.00-007.012 and
2. 1000-013.00-02.00-007.014.
RESOLUTION NO. AFPB-8-2011 OF THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD, PURSUANT TO SECTION 303(B) OF ARTICLE 25-AA OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW, APPROVING TAX MAP PARCELS 1000-013.00-02.00-007.012 AND 1000-013.00-02.00-007.014 FOR INCLUSION IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT (APPLICATION NO. OEP-2011-08)

WHEREAS, pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law, a petition to include the property owned by PJH Realty Corp in an existing certified agricultural district has been received by the Suffolk County Agricultural and Farmland Protection Board ("Board") and is identified by application number OEP-2011-08; and

WHEREAS, the property owned by PJH Realty Corp and known as "Jamesons Farm" is located in the hamlet of Orient, identified by Suffolk County Real Property Tax Map numbers 1000-013.00-02.00-007.012 and 1000-013.00-02.00-007.014 ("premises"); and

WHEREAS, the applicant seeks inclusion of the premises in an existing certified agricultural district; and

WHEREAS, said application was considered by the Board at its meeting on April 21, 2011; now, therefore, be it

1<sup>st</sup> RESOLVED, that the Board hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §617.5(c)(3) and (20), which completes the SEQRA review; and be it further

2<sup>nd</sup> RESOLVED, that the Board hereby approves and adopts the report of its staff, as may be amended; and be it further

3<sup>rd</sup> RESOLVED, that the Board hereby approves for recommendation to the Suffolk County Legislature for inclusion in existing certified agricultural district number 1 the following parcels:

1) 1000-013.00-02.00-007.012
2) 1000-013.00-02.00-007.014.

Motion by: Lee Foster Seconded by: Penny Wells LaValle

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**Totals** 7 0 0 4

Dated: April 21, 2011

Location: Kermit W. Graf Cornell Cooperative Extension Building, 423 Griffing Avenue, Riverhead, NY
August 2, 2010

Charles A. Martin
Campanelli and Associates, P.C.
623 Stewart Ave-Suite 203
Garden City, NY 11530

Re: 2010 Agricultural Districts program- William H. Swan Family Farms Project

Dear Mr. Martin:

I have received your letter of July 20, 2010 in which you have asked about the status of the above captioned application. Please be advised that the Suffolk County Agricultural and Farmland Protection Board recommended disapproval of the application. However, the Board did indicate that they would reconsider the application in the future if and when the properties were put into commercial agricultural production or could otherwise be established as viable agricultural lands.

The parcels that were recommended by the Board have been submitted to the Suffolk County Legislature. Following review by the Legislature and a public hearing, the parcels approved will be sent to the New York State Commissioner of Agriculture and Markets for his consideration. Upon approval by the Commissioner, all of the applicants in the 2010 application cycle will be notified of the final outcome of the process.

Please contact me if you have any questions.

Sincerely,

Thomas A. Isles, Director
Department of Planning

cc: Jessica Kalmbacher, Planner
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was disapproved by the Suffolk County Agricultural and Farmland Protection Board ("Board") for inclusion in an existing certified agricultural district. The Board advised the landowner that it would reconsider the petition for inclusion in an existing certified agricultural district if and when the premises had been brought into active bona fide commercial agricultural production and used for such for at least two years.

Absent evidence that the premises are actively used for bona fide commercial agricultural production there is no evidence that the premises contain unique and irreplaceable and/or viable agricultural land. Therefore, staff makes the following recommendation.

Staff Recommendation:

Disapprove the below parcels for recommendation to the Suffolk County Legislature for inclusion in an existing certified agricultural district:

1. 0900-317.00-01.00-024.000,
2. 0900-317.00-01.00-025.000,
3. 0900-317.00-01.00-026.000, and
4. 0900-317.00-01.00-027.000.
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

KENNETH J. SCHMITT
CHAIRMAN

STAFF REPORT
Pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law

Application No. OEP-2011-06

Landowner: Coastal Vision LLC, C&C Shorelands Inc, and Swan Acres LLC (Carolyn S. Parlato)
Applicant: Andrew J. Campanelli, Esq., 623 Stewart Avenue, Suite 203, Garden City, NY 11530
Tax Map #: 0900-317.00-01.00-024.000, -025.000, -026.000, -027.000
Property Name: Weesuck Creek
Operation: Proposed Native Species Nursery
(Note: identified as a proposed native species nursery during the 2010 AD OEP)

Proposal: The applicant seeks inclusion in existing certified Agricultural District number 5.

Analysis:

The proposal includes four parcels — 0900-317.00-01.00-024.000 (0.4± acres), 0900-317.00-01.00-025.000 (1.1± acres), 0900-317.00-01.00-026.000 (4.9± acres), and 0900-317.00-01.00-027.000 (22.2± acres) — that total 28.6± acres in the hamlet of East Quogue, Town of Southampton. Lots 0900-317.00-01.00-024.000 and 0900-317.00-01.00-025.000 are east of Bayberry Lane, west of Josiah Foster Path, and on the south side of Montauk Highway (CR 80). Lot 0900-317.00-01.00-026.000 is south of Montauk Highway (CR 80) and on the west side of Josiah Foster Path. Lot 0900-317.00-01.00-027.000 is south of Montauk Highway (CR 80), west of Josiah Foster Path, and on the east side of Weesuck Creek.

The proposal concerns a proposed native species nursery. An inspection of the premises on April 19, 2011 revealed that lot 0900-317.00-01.00-024.000 is improved with both a residence and a realty office (i.e., in two separate structures). Lot 0900-317.00-01.00-025.000 is predominately wooded. Lot 0900-317.00-01.00-026.000 is entirely wooded. Lot 0900-317.00-01.00-027.000 is predominately wooded but is improved with a dock, a residence, and possibly other nonagricultural structures. There are no signs of commercial agricultural production. Since the application indicates that the average annual gross farm sales is between $10,000 and $39,999, it is believed that such is an estimate of the revenue that could be generated if the parcels were used for a commercial agricultural endeavor rather than an account of actual revenue generated. The absence of commercial agricultural production is further highlighted by the absence of capital investments over the last seven years (i.e., “Below $10,000” as stated on the application form).

The proposal was previously reviewed during the 2010 Agricultural District Open Enrollment Period and
RESOLUTION NO. AFPB-7-2011 OF THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD, PURSUANT TO SECTION 303(B) OF ARTICLE 25-AA OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW, DISAPPROVING TAX MAP PARCELS 0900-317.00-01.00-024.000, 0900-317.00-01.00-025.000, 0900-317.00-01.00-026.000, AND 0900-317.00-01.00-027.000 FOR INCLUSION IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT (APPLICATION NO. OEP-2011-06)

WHEREAS, pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law, a petition to include the property owned by Coastal Vision LLC, C&C Shorelands Inc, and Swan Acres LLC in an existing certified agricultural district has been received by the Suffolk County Agricultural and Farmland Protection Board ("Board") and is identified by application number OEP-2011-06; and

WHEREAS, the property owned by Coastal Vision LLC, C&C Shorelands Inc, and Swan Acres LLC and known as “Weesuck Creek” is located in the hamlet of East Quogue, identified by Suffolk County Real Property Tax Map numbers 0900-317.00-01.00-024.000, 0900-317.00-01.00-025.000, 0900-317.00-01.00-026.000, and 0900-317.00-01.00-027.000 ("premises"); and

WHEREAS, the applicant seeks inclusion of the premises in an existing certified agricultural district; and

WHEREAS, said application was considered by the Board at its meeting on April 21, 2011; now, therefore, be it

1st RESOLVED, that the Board hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §617.5(c)(3) and (20), which completes the SEQRA review; and be it further

2nd RESOLVED, that the Board hereby approves and adopts the report of its staff, as may be amended; and be it further

3rd RESOLVED, that the Board hereby disapproves for recommendation to the Suffolk County Legislature for inclusion in an existing certified agricultural district the following parcels:

1) 0900-317.00-01.00-024.000,
2) 0900-317.00-01.00-025.000,
3) 0900-317.00-01.00-026.000, and
4) 0900-317.00-01.00-027.000.

Motion by: Daniel J. Gulizio Seconded by: Dale D. Moyer
Committee Vote:
Ayes 7
Nays 0
Abstentions 0

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Totals: 7 0 0 4

Dated: April 21, 2011
Location: Kermit W. Graf Cornell Cooperative Extension Building, 423 Griffing Avenue, Riverhead, NY
August 2, 2010

Charles A. Martin
Campanelli and Associates, P.C.
623 Stewart Ave-Suite 203
Garden City, NY 11530

Re: 2010 Agricultural Districts program- William H. Swan Family Farms Project

Dear Mr. Martin:

I have received your letter of July 20, 2010 in which you have asked about the status of the above captioned application. Please be advised that the Suffolk County Agricultural and Farmland Protection Board recommended disapproval of the application. However, the Board did indicate that they would reconsider the application in the future if and when the properties were put into commercial agricultural production or could otherwise be established as viable agricultural lands.

The parcels that were recommended by the Board have been submitted to the Suffolk County Legislature. Following review by the Legislature and a public hearing, the parcels approved will be sent to the New York State Commissioner of Agriculture and Markets for his consideration. Upon approval by the Commissioner, all of the applicants in the 2010 application cycle will be notified of the final outcome of the process.

Please contact me if you have any questions.

Sincerely,

Thomas A. Isles, Director
Department of Planning

cc: Jessica Kalmbacher, Planner
### Agricultural District 5
#### Southampton Town

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</table>
had been brought into active bona fide commercial agricultural production and used for such for at least two years.

Absent evidence that the premises are actively used for bona fide commercial agricultural production there is no evidence that the premises contain unique and irreplaceable and/or viable agricultural land. Therefore, staff makes the following recommendation.

Staff Recommendation:

Disapprove the below parcels for recommendation to the Suffolk County Legislature for inclusion in an existing certified agricultural district:

1. 0900-316.00-01.00-023.000,
2. 0900-316.00-01.00-029.000, and
3. 0900-316.00-01.00-030.000.
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

KENNETH J. SCHMITT
CHAIRMAN

STAFF REPORT
Pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law

Application No. OEP-2011-05

Landowner: East Quogue Development LLC and C&C Shorelands Inc (Carolyn S. Parlato)
Applicant: Andrew J. Campanelli, Esq., 623 Stewart Avenue, Suite 203, Garden City, NY 11530
Tax Map #: 0900-316.00-01.00-023.000, 0900-316.00-01.00-029.000, 0900-316.00-01.00-030.000
Property Name: Kochals
Operation: Proposed Vineyard (Note: identified as a proposed vineyard during the 2010 AD OEP)

Proposal: The applicant seeks inclusion in existing certified Agricultural District number 5.

Analysis:

The proposal includes three parcels — 0900-316.00-01.00-023.000 (0.2± acres), 0900-316.00-01.00-029.000 (1.0± acres), and 0900-316.00-01.00-030.000 (33.1± acres) — that total 34.3± acres in the hamlet of East Quogue, Town of Southampton. Lot 0900-316.00-01.00-023.000 is north of Montauk Highway (CR 80), south of Old Country Road, and on the west side of East End Avenue. Lots 0900-316.00-01.00-029.000 and 0900-316.00-01.00-030.000 are east of Wedgewood Road, west of East End Avenue, and on the north side of Montauk Highway (CR 80).

The proposal concerns a proposed vineyard. An inspection of the premises on April 19, 2011 revealed that lot 0900-316.00-01.00-023.000 is entirely wooded, lot 0900-316.00-01.00-029.000 is improved with a residence, and lot 0900-316.00-01.00-030.000 is predominately wooded but improved with a seasonal grocery store (i.e., “Hampton Farm Market”) and with an office building (i.e., the office of C&C Shorelands Inc.). There are no signs of commercial agricultural production. Since the application indicates that the average annual gross farm sales is between $100,000 and $199,999, it is believed that such is an estimate of the revenue that could be generated if the parcels were used for a commercial agricultural endeavor rather than an account of actual revenue generated. The absence of commercial agricultural production is further highlighted by the absence of capital investments over the last seven years (i.e., “Below $10,000” as stated on the application form).

The proposal was previously reviewed during the 2010 Agricultural District Open Enrollment Period and was disapproved by the Suffolk County Agricultural and Farmland Protection Board (“Board”) for inclusion in an existing certified agricultural district. The Board advised the landowner that it would reconsider the petition for inclusion in an existing certified agricultural district if and when the premises...
WHEREAS, pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law, a petition to include the property owned by East Quogue Development LLC and C&C Shorelands Inc in an existing certified agricultural district has been received by the Suffolk County Agricultural and Farmland Protection Board ("Board") and is identified by application number OEP-2011-05; and

WHEREAS, the property owned by East Quogue Development LLC and C&C Shorelands Inc and known as "Kochals" is located in the hamlet of East Quogue, identified by Suffolk County Real Property Tax Map numbers 0900-316.00-01.00-023.000, 0900-316.00-01.00-029.000, and 0900-316.00-01.00-030.000 ("premises"); and

WHEREAS, the applicant seeks inclusion of the premises in an existing certified agricultural district; and

WHEREAS, said application was considered by the Board at its meeting on April 21, 2011; now, therefore, be it

1st RESOLVED, that the Board hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §617.5(c)(3) and (20), which completes the SEQRA review; and be it further

2nd RESOLVED, that the Board hereby approves and adopts the report of its staff, as may be amended; and be it further

3rd RESOLVED, that the Board hereby disapproves for recommendation to the Suffolk County Legislature for inclusion in an existing certified agricultural district the following parcels:

1) 0900-316.00-01.00-023.000, 2) 0900-316.00-01.00-029.000, and 3) 0900-316.00-01.00-030.000.

Motion by: Daniel J. Gulizio Seconded by: Lee Foster

Committee Vote: Ayes 7 Nays 0 Abstentions 0

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<th>Nay</th>
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Dated: April 21, 2011

Location: Kermit W. Graf Cornell Cooperative Extension Building, 423 Griffing Avenue, Riverhead, NY
August 2, 2010

Charles A. Martin
Campanelli and Associates, P.C.
623 Stewart Ave-Suite 203
Garden City, NY 11530

Re: 2010 Agricultural Districts program- William H. Swan Family Farms Project

Dear Mr. Martin:

I have received your letter of July 20, 2010 in which you have asked about the status of the above captioned application. Please be advised that the Suffolk County Agricultural and Farmland Protection Board recommended disapproval of the application. However, the Board did indicate that they would reconsider the application in the future if and when the properties were put into commercial agricultural production or could otherwise be established as viable agricultural lands.

The parcels that were recommended by the Board have been submitted to the Suffolk County Legislature. Following review by the Legislature and a public hearing, the parcels approved will be sent to the New York State Commissioner of Agriculture and Markets for his consideration. Upon approval by the Commissioner, all of the applicants in the 2010 application cycle will be notified of the final outcome of the process.

Please contact me if you have any questions.

Sincerely,

Thomas A. Isles, Director
Department of Planning

cc: Jessica Kalmbacher, Planner
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Aerial Photography New York State Office of Technology.

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© 2007 Aerial Photography New York State Office for Technology.
there is no evidence that the premises contain unique and irreplaceable and/or viable agricultural land. Therefore, staff makes the following recommendation.

Staff Recommendation:

Disapprove the below parcels for recommendation to the Suffolk County Legislature for inclusion in an existing certified agricultural district:

1. 0900-251.00-01.00-090.000,
2. 0900-289.00-02.00-010.000, and
3. 0900-289.00-02.00-011.000.
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

KENNETH J. SCHMITT
CHAIRMAN

STAFF REPORT
Pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law

Application No. OEP-2011-04

Landowner: Swan Acres LLC and Coastal Vision LLC (Carolyn S. Parlato)
Applicant: Andrew J. Campanelli, Esq., 623 Stewart Avenue, Suite 203, Garden City, NY 11530
Tax Map #: 0900-251.00-01.00-090.000, 0900-289.00-02.00-010.000, 0900-289.00-02.00-011.000
Property Name: The Wright Farm
Operation: Proposed Orchard (Note: identified as a proposed vineyard during the 2010 AD OEP)

Proposal: The applicant seeks inclusion in existing certified Agricultural District number 5.

Analysis:
The proposal includes three parcels — 0900-251.00-01.00-090.000 (55.7± acres), 0900-289.00-02.00-010.000 (3.2± acres), and 0900-289.00-02.00-011.000 (6.3± acres) — that total 65.2± acres in the hamlet of East Quogue, Town of Southampton. Lot 0900-251.00-01.00-090.000 is east of Lewis Road, west of East End Avenue, and north of the MTA right-of-way. Said parcel is located within the Central Pine Barrens Compatible Growth Area. Lots 0900-289.00-02.00-010.000 and 0900-289.00-02.00-011.000 are east of Lewis Road, west of East End Avenue, and north of Old Country Road.

The proposal concerns a proposed orchard. An inspection of the premises on April 19, 2011 revealed that the parcels are predominately wooded and contain no signs of commercial agricultural production. Although the application indicates that the average annual gross farm sales is between $200,000 and $499,999, it is believed that such is an estimate of the revenue that could be generated if the parcels were used for a commercial agricultural endeavor rather than an account of actual revenue generated. The absence of commercial agricultural production is further highlighted by the absence of capital investments over the last seven years (i.e., “Below $10,000” as stated on the application form).

The proposal was previously reviewed during the 2010 Agricultural District Open Enrollment Period and was disapproved by the Suffolk County Agricultural and Farmland Protection Board (“Board”) for inclusion in an existing certified agricultural district. The Board advised the landowner that it would reconsider the petition for inclusion in an existing certified agricultural district if and when the premises had been brought into active bona fide commercial agricultural production and used for such for at least two years.

Absent evidence that the premises are actively used for bona fide commercial agricultural production

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

TELECOPIER (631) 853-4044

(631) 853-5191
- NO ACTION TAKEN -

RESOLUTION NO. AFPB--2011 OF THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD, PURSUANT TO SECTION 303(B) OF ARTICLE 25-AA OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW, DISAPPROVING TAX MAP PARCELS 0900-251.00-01.00-090.000, 0900-289.00-02.00-010.000, AND 0900-289.00-02.00-011.000 FOR INCLUSION IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT (APPLICATION NO. OEP-2011-04)

WHEREAS, pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law, a petition to include the property owned by Swan Acres LLC and Coastal Vision LLC in an existing certified agricultural district has been received by the Suffolk County Agricultural and Farmland Protection Board (“Board”) and is identified by application number OEP-2011-04; and

WHEREAS, the property owned by Swan Acres LLC and Coastal Vision LLC and known as “The Wright Farm” is located in the hamlet of East Quogue, identified by Suffolk County Real Property Tax Map numbers 0900-251.00-01.00-090.000, 0900-289.00-02.00-010.000, and 0900-289.00-02.00-011.000 (“premises”); and

WHEREAS, the applicant seeks inclusion of the premises in an existing certified agricultural district; and

WHEREAS, said application was considered by the Board at its meeting on April 21, 2011; now, therefore, be it

1st RESOLVED, that the Board hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §617.5(c)(3) and (20), which completes the SEQRA review; and be it further

2nd RESOLVED, that the Board hereby approves and adopts the report of its staff, as may be amended; and be it further

3rd RESOLVED, that the Board hereby disapproves for recommendation to the Suffolk County Legislature for inclusion in an existing certified agricultural district the following parcels:

1) 0900-251.00-01.00-090.000,
2) 0900-289.00-02.00-010.000, and
3) 0900-289.00-02.00-011.000.

Motion by: Daniel J. Gulizio Seconded by: Lee Foster
Committee Vote: Ayes 4 Nays 2 Abstentions 1

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Totals: 4 2 1 4

Dated: April 21, 2011

Location: Kermit W. Graf Cornell Cooperative Extension Building, 423 Griffling Avenue, Riverhead, NY

S.C. Agricultural and Farmland Protection Board Meeting 04/21/2011
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Staff Recommendation:

Disapprove for recommendation to the Suffolk County Legislature the below parcel for inclusion in an existing certified agricultural district:

1. 0700-008.00-01.00-005.002.
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

KENNETH J. SCHMITT
CHAIRMAN

STAFF REPORT

Pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law

Application No. OEP-2011-03

Landowner: Eben Fiske Ostby
Applicant: Sara Gordon c/o Peconic Land Trust, 296 Hampton Road, PO Box 1776, Southampton, NY 11969
Tax Map #: 0700-008.00-01.00-005.002
Operation: Vegetable

Proposal: The applicant seeks inclusion in existing certified Agricultural District number 1.

Analysis: The property consists of approximately 241.7 acres located on the north side of Ferry Rd. (S.R. 114), the west side of Manhanset Road, and south of Cobbetts Lane in the hamlet of Shelter Island Heights, Town of Shelter Island. Moreover, the property is identified by Suffolk County Real Property Tax Map number 0700-008.00-01.00-005.002 (“premises”).

Information provided in the current application states that the property has been in active agricultural production for 1 – 2 years. In the past the Suffolk County Agricultural and Farmland Protection Board has used 2 years in agricultural production as a minimum time guideline for the establishment of a property’s active commercial agricultural production.

The application describes that the farming of vegetables is the principle agricultural activity on the property. This activity is stated to occur on 45 acres of the property’s 241.7 acres and results in an average annual gross farm sale of $40,000 to $99,000. The property is mainly wooded with large cleared sections in the eastern portion of the property. In addition more than half of the soils on the property are prime farmland soils.

Currently the property development rights for this parcel have not been acquired by either the Shelter Island Town or Suffolk County. However, development rights acquisition by the Town and County for eastern portions of the property is currently pending. Because New York State Law allows only the inclusion of whole tax parcels into agricultural districts the Board has typically looked to include only parcels having more than 50% in agricultural production. Thus, it appears premature for this entire parcel to be included into Agricultural District # 1 but may be appropriate in the future for portions of the property, contained in separate tax parcels, to be included into the Agricultural District.
RESOLUTION NO. AFPB-5-2011 OF THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD, PURSUANT TO SECTION 303(B) OF ARTICLE 25-AA OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW, CONSIDERING TAX MAP PARCEL 0700-008.00-01.00-005.002 FOR INCLUSION IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT (APPLICATION NO. OEP-2011-03)

WHEREAS, pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law, a petition to include the property owned by Eben Fiske Otsby in an existing certified agricultural district has been received by the Suffolk County Agricultural and Farmland Protection Board ("Board") and is identified by application number OEP-2011-03; and

WHEREAS, the property owned by Eben Fiske Otsby and known as "Sylvester Manor Educational Farm" is located in the hamlet of Shelter Island Heights, identified by Suffolk County Real Property Tax Map ("SCRPTM") number 0700-008.00-01.00-005.002 ("premises"); and

WHEREAS, the applicant seeks inclusion of the premises in an existing certified agricultural district; and

WHEREAS, the staff report finds that the application to include all 241.7± acres of the premises is premature and therefore recommends disapproval; and

WHEREAS, said application was considered by the Board at its meeting on April 21, 2011; now, therefore, be it

1st RESOLVED, that the Board hereby tables said petition for inclusion in an existing certified agricultural district, thereby providing the applicant, the County of Suffolk, and the Town of Shelter Island more time to consider potential development rights acquisitions and to modify the SCRPTM number as may be necessary to reflect said acquisitions.

Motion by: Lyle C. Wells  Seconded by: Dale D. Moyer

Committee Vote:  
Ayes 7
Nays 0
Abstentions 0

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Totals 7 0 0 4

Dated: April 21, 2011

Location: Kermit W. Graf Cornell Cooperative Extension Building, 423 Griffing Avenue, Riverhead, NY
inclusion of whole tax parcels into agricultural districts the Board has typically looked to include only parcels having more than 50% in agricultural production.

While some areas in the northern and eastern portion of the property have been cleared of vegetation a majority of the property is wooded with wetlands located in the eastern portion of the property. It also should be noted that properties development rights have not been purchased for this property.

As stated above, because this property has been in Agricultural production for less than two years and does not appear to have more than 50% of the property in active agricultural production it is not recommended for inclusion in Agricultural District 3.

Staff Recommendation:

Disapprove for recommendation to the Suffolk County Legislature the below parcels for inclusion in an existing certified agricultural district:

1. 0401-001.00-01.00-001.001 and
2. 0401-001.00-01.00-001.002.
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

KENNETH J. SCHMITT
CHAIRMAN

STAFF REPORT
Pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law

Application No. OEP-2011-07

Landowner: Eatons Neck LLC (A. Elizabeth Maumenee)
Applicant: Adam L. Glaser, Santemma & Deutsch LLP Counselors At Law, 575 Underhill Boulevard, Suite 222 Syosset, NY 11791
Tax Map #: 0401-001.00-01.00-001.001, 0401-001.00-01.00-001.002
Operation: Livestock (Horse Training)

Proposal: The applicant seeks inclusion in existing certified Agricultural District number 3.

Analysis: The proposal includes two parcels - 0401-001.00-01.00-001.001 (400.3 acres) and 0401-001.00-01.00-001.002 (41.2 acres) – that total 441.5 acres in the Village of Asharoken and the Town of Huntington. The property (Lots 0401-001.00-01.00-001.001 and 0401-001.00-01.00-001.002) is located on the North side of Eatons Neck Road and east of Creek Road. Furthermore, this property is located in the Village of Asharoken “C” Residence Zoning District. In 2006 the Village of Asharoken amended its Village Code to prohibit all agricultural activities in Residential districts including the “C” Residence Zoning District.

A previous application for inclusion of this property in Agricultural District number 3 was submitted in 2010 to the Suffolk County Agricultural and Farmland Protection Board (Board). The 2010 application was withdrawn by the applicant at the May 3, 2010 Board Meeting. Said applications are very similar with the notable exception that the current 2011 application states that the property has been in active agricultural production since 2010 whereas the previous 2010 application did not specify that the property was currently in active agricultural production.

Information provided in the current application states that the property has been in active agricultural production since 2010. Based on this provided information the property has currently been in agricultural production for less than 2 years. In the past the Board has used 2 years in agricultural production as a minimum time guideline for the establishment of active commercial agricultural production on a property.

The application describes that the principle Agricultural activity is livestock and more specifically horse training involving the purchase and then sale of trained horses. This activity is stated to occur on 430 acres of the 441.5 acres of the property and results in an average annual gross farm sale of $10,000 to $39,000. In the material submitted in the application narrow horse trails are shown to traverse through a large portion of the property. The presence of a horse barn, paddocks, and fields with existing jumps is also noted in the application materials. However, these features do not appear to result in more than 50% of the property being in active agricultural production. Because New York State Law allows only the
RESOLUTION NO. AFPB-____-2011 OF THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD, PURSUANT TO SECTION 303(B) OF ARTICLE 25-AA OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW, APPROVING TAX MAP PARCELS 0401-001.00-01.00-001.001 AND 0401-001.00-01.00-001.002 FOR INCLUSION IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT (APPLICATION NO. OEP-2011-07)

WHEREAS, pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law, a petition to include the property owned by Eatons Neck LLC in an existing certified agricultural district has been received by the Suffolk County Agricultural and Farmland Protection Board (“Board”) and is identified by application number OEP-2011-07; and

WHEREAS, the property owned by Eatons Neck LLC and known as “Sandpiper Farm” is located in the Village of Asharoken, identified by Suffolk County Real Property Tax Map number 0401-001.00-01.00-001.001 and 0401-001.00-01.00-001.002 (“premises”); and

WHEREAS, the applicant seeks inclusion of the premises in an existing certified agricultural district; and

WHEREAS, said application was considered by the Board at its meeting on April 21, 2011; now, therefore, be it

1st RESOLVED, that the Board hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §617.5(c)(3) and (20), which completes the SEQRA review; and be it further

2nd RESOLVED, that the Board hereby approves for recommendation to the Suffolk County Legislature for inclusion in existing certified agricultural district number 3 the following parcels:

1) 0401-001.00-01.00-001.001 and
2) 0401-001.00-01.00-001.002.

Motion by: Lyle C. Wells
Seconded by: Lee Foster

Committee Vote:
- Ayes: 5
- Nays: 1
- Abstentions: 1

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<thead>
<tr>
<th>Committee Member</th>
<th>Appointment</th>
<th>Yay</th>
<th>Nay</th>
<th>Abst.</th>
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Totals: 5 1 1 4

Dated: April 21, 2011
Location: Kermit W. Graf Cornell Cooperative Extension Building, 423 Griffing Avenue, Riverhead, NY
COUNTY OF SUFFOLK

STAFF REPORT
Pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law

Application No. OEP-2011-02

Landowner: Dorothy V. Osborn (Hilary Malecki & Eric Malecki as guardians of the property of Benjamin Malecki & Christine Malecki)

Applicant: Hilary Malecki & Eric Malecki, 148 Long Lane, East Hampton, NY 11937

Tax Map #: 0300-157.00-03.00-008.002

Operation: Vegetables

Proposal: The applicant seeks inclusion in existing certified Agricultural District number 5.

Analysis: The property consists of approximately 13.3 acres located on the north side of Long Lane (CR 59), east of Stephens Hand Path (CR 113), and west of Roberts Lane in the hamlet of East Hampton North, Town of East Hampton (148 Long Lane, East Hampton, NY 11937). Moreover, the property is identified by Suffolk County Real Property Tax Map number 0300-157.00-03.00-008.002 (“premises”).

Information provided by the applicant states that the property has been in active agricultural production for three generations. The principle agricultural production on the property is vegetables. The property is 13.3 acres in size and part of a larger farm operation that has average annual gross farm sales over $500,000 with capital investments of over $200,000.

The property is cleared of vegetation and more than 50% of the premises have prime farmland soil. More than 50% of the premises also appear to be in active agricultural production for vegetables. In addition the Town of East Hampton has purchased the development rights for the parcel precluding future non-agricultural uses for this property. Thus, there is significant evidence that the premises contain unique and irreplaceable and/or viable agricultural land.

Staff Recommendation:

Approve for recommendation to the Suffolk County Legislature the below parcel for inclusion in existing certified Agricultural District number 5:

1. 0300-157.00-03.00-008.002.
RESOLUTION NO. AFPB-4-2011 OF THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD, PURSUANT TO SECTION 303(B) OF ARTICLE 25-AA OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW, APPROVING TAX MAP PARCEL 0300-157.00-03.00-008.002 FOR INCLUSION IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT (APPLICATION NO. OEP-2011-02)

WHEREAS, pursuant to Section 303(B) of Article 25-AA of the New York State Agriculture and Markets Law, a petition to include the property owned by Dorothy V. Osborn in an existing certified agricultural district has been received by the Suffolk County Agricultural and Farmland Protection Board (“Board”) and is identified by application number OEP-2011-02; and

WHEREAS, the property owned by Dorothy V. Osborn and operated by Henry Dunkowski & Son is located in the hamlet of East Hampton North, identified by Suffolk County Real Property Tax Map number 0300-157.00-03.00-008.002 (“premises”); and

WHEREAS, the applicant seeks inclusion of the premises in an existing certified agricultural district; and

WHEREAS, said application was considered by the Board at its meeting on April 21, 2011; now, therefore, be it

1st RESOLVED, that the Board hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §617.5(c)(3) and (20), which completes the SEQRA review; and be it further

2nd RESOLVED, that the Board hereby approves and adopts the report of its staff, as may be amended; and be it further

3rd RESOLVED, that the Board hereby approves for recommendation to the Suffolk County Legislature for inclusion in existing certified agricultural district number 5 the following parcel:

1) 0300-157.00-03.00-008.002.

Motion by: Lee Foster Seconded by: Penny Wells LaValle

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<tr>
<th>Committee Member</th>
<th>Appointment</th>
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<th>Nay</th>
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| Totals                   | 7 | 0 | 0 | 4 |

Dated: April 21, 2011

Location: Kermit W. Graf Cornell Cooperative Extension Building, 423 Griffling Avenue, Riverhead, NY

S.C. Agricultural and Farmland Protection Board Meeting 04/21/2011
Reso. No. AFPB-4-2011
### Exhibit A

Parcels Approved for Inclusion in Existing Certified Agricultural Districts

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## Exhibit B

**Parcels Disapproved for Inclusion in Existing Certified Agricultural Districts**

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Parcels Disapproved for Inclusion in Existing Certified Agricultural Districts

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May 13, 2011

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize the inclusion of fifteen (15) parcels representing seventy two and four-tenths (72.4) acres of farmland into the county’s existing certified agricultural districts. This inclusion of new parcels is being done in accordance with the provisions of Section 303-b of the New York State Agriculture and Markets Law, Article 25-AA, which requires an annual opportunity for property owners to enter into existing certified agricultural districts. These parcels have all been approved by the Agricultural and Farmland Protection Board.

Agricultural districts encourage the continuation of farming by providing the “right to farm” protections and property tax benefits.

Please contact me if you require any additional information.

Sincerely,

Sarah Lansdale, Director
Department of Planning

cc: Christopher E. Kent, Chief Deputy County Executive
Jessica L. Kalmbacher, Planner, Department of Planning
Brendan Chamberlain, Director of Intergovernmental Relations
CE Reso Review (e-mail copy only)
### GENERAL FUND

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

2. **Title of Proposed Legislation**
   - AUTHORIZING THE INCLUSION OF NEW PARCELS INTO EXISTING CERTIFIED AGRICULTURAL DISTRICTS IN THE COUNTY OF SUFFOLK

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

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

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

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

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

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

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

10. **Typed Name & Title of Preparer**
    - Jessica L. Kalmbacher
    - Planner

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

12. **Date**
    - May 12, 2011

---

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

- **Test Executive Analyst**
- **Date**
  - May 26, 2011
RESOLUTION NO. - 2011, AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF BABYLON FOR DRAINAGE IMPROVEMENTS TO CR 96, GREAT EAST NECK ROAD IN THE VICINITY OF EVERGREEN STREET

WHEREAS, Resolution No. 595-2006 amended the 2006 Capital Budget and Program and appropriated funds for Drainage Improvements to CR 96, Great East Neck Road in the Vicinity of Evergreen Street in the Village of Babylon, Town of Babylon; and

WHEREAS, the preliminary design of this project proposed the construction of a recharge basin to remove stormwater from the swale, however, it was further determined that, due to grading issues, this would only remove about twenty percent (20%) of the stormwater; and

WHEREAS, the Village of Babylon has proposed an alternative plan in which the stormwater is routed down a Village street and connected into an existing Village drainage system; and

WHEREAS, the Village plan reduces the estimated project construction costs; and

WHEREAS, the Village has offered to assume responsibility for the letting and management of the construction project on the Village street; and

WHEREAS, it is in the best interests of the County of Suffolk and the Village of Babylon to enter into an Intermunicipal Agreement whereby the Village will make the improvements contemplated by Resolution No. 595-2006 along CR 96, Great East Neck Road in the Vicinity of Evergreen Street, Village of Babylon as outlined and agreed to by the County and Village; and

WHEREAS, the Village of Babylon will maintain, in perpetuity, the weir and leaching field installed under this project, and all costs incurred for the maintenance and repair of these drainage systems shall be borne by the Village of Babylon; now, therefore be it

1st RESOLVED, that, pursuant to New York General Municipal Law §119-o, the County Executive or his designee is hereby authorized to enter into an Intermunicipal Agreement with the Village of Babylon whereby the Village of Babylon will utilize the monies appropriated by Resolution No. 595-2006 to complete improvements along CR 96, Great East Neck Road in the Vicinity of Evergreen Street, Village of Babylon; and be it further

2nd 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) (20) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR") in that the resolution pertains to routine or continuing agency administration and management, not
including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

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
   RESOLUTION NO. - 2011, AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF BABYLON FOR DRAINAGE IMPROVEMENTS TO CR 96, GREAT EAST NECK ROAD IN THE VICINITY OF EVERGREEN STREET

3. Purpose of Proposed Legislation
   SEE NO. 2 ABOVE

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

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

6. If the answer to item 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
   Upon Adoption

10. Typed Name & Title of Preparer
    Nicholas Paglia
    Executive Technician

11. Signature of Preparer

12. Date
    May 27th, 2011

SCIN FORM 175b (10/95)
# FINANCIAL IMPACT

## 2012 PROPERTY TAX LEVY

### COST TO THE AVERAGE TAXPAYER

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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>
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### NOTES:

1. Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property Tax Service, September 2010.
3. Source for equalization rates: Tentative 2010 County Equalization Rates established by the New York State Board of Equalization and Assessments.

---

To be completed by the Executive Budget Office
MEMORANDUM

TO: Ken Crannell, Deputy County Executive

FROM: James K. Peterman, P.E., Chief Deputy Commissioner

DATE: March 15, 2011

RE: Authorizing an Intermunicipal Agreement with the Village of Babylon for Drainage Improvements to CR 96, Great East Neck Road in the Vicinity of Evergreen Street

Attached is a draft resolution and duplicate copy to authorize and Intermunicipal Agreement (IMA) with the Village of Babylon. This IMA will allow for the Village of Babylon to make improvements contemplated by Resolution No. 595-2006, along CR 96, Great East Neck Road in the vicinity of Evergreen Street, utilizing monies appropriated by this resolution to complete these improvements.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “Reso-DPW-IMA Bab Village(Drainage CR96).doc”.

cc: Chris Kent, Chief Deputy County Executive
    Brendan Chamberlain, County Executive Assistant
    Debra Koyler, Principal Financial Analyst
    Michael Mulé, Senior Planner
    William Hillman, P.E., Chief Engineer
    Laura Conway, CPA, Chief Accountant
    Linda Brandolf, CPA, Capital Accounting
    Robert Murphy, Public Works Capital Project Manager
    Theresa D’Angelo, Principal Clerk

RESOLUTION CHECKLIST
SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER
335 YAPHANK AVENUE YAPHANK, N.Y. 11980 FAX (631) 852-4150
(631) 852-4010
RESOLUTION NO. 2011, AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY BIRTHRIGHT OF PECONIC, INC. FOR ITS WALKATHON FUNDRAISER

WHEREAS, Birthright of Peconic, Inc. is a 501(c)(3) nonprofit organization having its principal place of business at 99 West Montauk Highway, Hampton Bays, New York; and

WHEREAS, Birthright of Peconic, Inc. would like to hold its Walkathon Fundraiser at Indian Island County Park in the Town of Riverhead; and

WHEREAS, Birthright of Peconic, Inc. would like to use the pavilion at Indian Island County Park for this event; and

WHEREAS, the Birthright of Peconic, Inc. Walkathon is scheduled to be held on October 8, 2011; and

WHEREAS, Indian Island County Park will be used as the beginning and ending point of the walk route; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by Birthright of Peconic, Inc.; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major readjustment of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that the use of Indian Island Park by Birthright of Peconic, Inc. for the purpose of hosting a fundraiser on Saturday, October 8, 2011, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from Birthright of Peconic and the payment of Two Hundred Dollars ($200.00) event fee (including use of the pavilion), and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4 (A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be
necessary and appropriate to facilitate the hosting of the fundraiser at Indian Island County Park by Birthright of Peconic, Inc..

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date:
APPLICATION FOR PARKLAND GROUP PERMIT

Permit Requested (Check One)
YOUTH GROUP CAMPING _____ GROUP PICNIC _____ ADULT (FAMILY) CAMPING CLUB _____
SPECIAL GROUP EVENT ___(Specify Below)____ GENERAL GROUP _____ (HIKE/FIELD TRIP)

(Horse/Dog Event, Fundraiser, Other)

PARK(S) Requested
1st Choice Indian Island
2nd Choice

DATE(S) Requested
1st Choice Sat. October 8, 2011
2nd Choice

Name of Group/Organization Birthright of Peace Inc.
Address 99 W. Montauk Hwy Hampton Bays Zip Code 11946
Applicant Name Mary Terry
Address 72 Foster Ave.
Applicant Signature Mary Terry
Town Hampton Bays State NY Zip 11946
Today's Date 2/18/11
Arrival Time 7:00 a.m., p.m. Departure Time 1:00 P.M. (Parks Close at Dusk)
Estimated # Attending 100 # Cars/Vans # Buses

ADULT (FAMILY) CAMPING CLUBS: Total # of Families (7 families minimum non-holiday weekends, 10 families minimum holiday weekends)

SPECIAL EVENTS & PICNICS
Will Food/Beverages be provided? YES ___ NO ___ BOTTLED WATER
Is event open to the general public? YES ___ NO ___
If event is open to public AND food/beverages are being provided a SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT must be filed. Non-compliance with Health Services regulations may result in event being shut down.
Is event being catered? YES ___ NO __ Name of Caterer
Will alcoholic beverages be provided? YES ___ NO ___ (If YES the Hold Harmless Agreement attached must be Signed & notarized).
Will alcoholic beverages be sold? YES ___ NO ___ (If YES a Special Event Permit must be filed with the NYS Liquor Authority to obtain a temporary liquor license).
Is this a Fundraiser? YES ___ NO ___ Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4917 a minimum of three months prior to event for permission as Suffolk County Legislative approval is required.
TENTS - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4964 for information.
VENDORS? YES ___ NO ___ List all
Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFCLK COUNTY as an additional insured in the amount of $2,000,000 per occurrence Comprehensive General Liability.

SPECIAL REQUESTS/COMMENTS: WE REQUEST A STAFFER

Office Use Only

DATE(S) APPROVED _______________ AREA ASSIGNED _______________
PARK APPROVED _______________ County Park

Received of _______________ Alcohol Permit Approved (Staff Initials) _______________
Amount $ _______________ Cash MO Credit
Transaction # _______________ Check _______________
SPECIAL INSTRUCTIONS

PERMIT # 035616

PARKS DEPT. APPROVAL _______________
CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFRMS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Maran Corporate Risk Associates, Inc.
300 Hampton Road
Southampton NY 11968

INSURED
Birthright of Peconic Inc.
99 W. Montauk Highway
Hampton Bays NY 11946

CONTACT NAME: Stacia Woolford, AAI
PHONE: (631) 283-8000
FAX: (631) 287-2207
E-MAIL: swoolford@mcrinsurance.com
ADDRESS: 000000441
INSURER(S) AFFORDING COVERAGE: Hartford Fire Insurance Co
NAIC # 19682
INSURER B:
INSURER C:
INSURER D:
INSURER E:
INSURER F:

COVERAGES

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1. Type of Legislation
   Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation
   Authorizing Use of Indian Island County Park by Birthright of Peconic, Inc. for Its Walkathon Fundraiser

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

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

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

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact
   There is a fee of $200.00 collected by the County for use of the park and pavilion.

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

8. Proposed Source of Funding
   N/A

9. Timing Impact
   N/A

10. Typed Name & Title of Preparer
    Tom Malanga
    Intergovernmental Relations Coordinator
    Dept. of Parks, Recreation & Conservation

11. Signature of Preparer
    [Signature]

12. Date
    5/12/2011

SCIN FORM 175b (10/95) Page 1 of 1
TO: KEN CRANNELL, Deputy County Executive

FROM: JOSEPH J. MONTUORI, Chief Deputy Commissioner

CC: CHRISTOPHER KENT, Chief Deputy County Executive

DATE: MAY 12, 2011

RE: INTRODUCTORY RESOLUTION AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY THE BIRTHRIGHT OF PECONIC, INC. FOR ITS WALKATHON FUNDRAISER

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name “RESO-PKS-Birthright of Peconic Fundraising Event.doc.”

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

Enclosures
RESOLUTION NO. -2011, AUTHORIZING USE OF THE LONG ISLAND MARITIME MUSEUM BY THE CYSTIC FIBROSIS FOUNDATION FOR THEIR ANNUAL “SAYVILLE RUN/WALK & BARBEQUE” FUNDRAISER

WHEREAS, Cystic Fibrosis Foundation is a 501(c)(3) nonprofit organization having its principal place of business at 6931 Arlington Road, Suite 200, Bethesda, Maryland and its Long Island office at 425 Broad Hollow Road, Suite 318, Melville, New York; and

WHEREAS, the Cystic Fibrosis Foundation would like to use the Long Island Maritime Museum in West Sayville for the purpose of hosting their Annual “Sayville Run/Walk & Barbeque” Fundraiser to raise money for the Foundation; and

WHEREAS, the fundraiser will be held on the grounds of the Long Island Maritime Museum on Sunday, July 24, 2011; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by the Cystic Fibrosis Foundation; now therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA, and be it further

2nd RESOLVED, that the use of Long Island Maritime Museum by the Cystic Fibrosis Foundation for the purpose of hosting a fundraiser on Sunday, July 24, 2011, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from the Cystic Fibrosis Foundation and the payment of the Five Hundred Dollar ($500.00) event fee to the Long Island Maritime Museum, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at the Long Island Maritime Museum by the Cystic Fibrosis Foundation.

DATED:

APPROVED BY:

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

1. Type of Legislation
   Resolution X   Local Law ____   Charter Law ____

2. Title of Proposed Legislation
   AUTHORIZING USE OF THE LONG ISLAND MARITIME MUSEUM
   BY THE CYSTIC FIBROSIS FOUNDATION FOR THEIR ANNUAL
   "SAYVILLE RUN / WALK & BARBEQUE" FUNDRAISER

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

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

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

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

10. Typed Name & Title of Preparer
    Tom Malanga
    Intergovernmental Relations Coordinator
    Dept. of Parks, Recreation & Conservation

11. Signature of Preparer
    [Signature]

12. Date
    5/12/2011

SCIN FORM 175b (10/95)   Page 1 of 1
LONG ISLAND MARITIME MUSEUM
APPLICATION FOR USE OF FACILITIES

Please read and complete entire application.

APPLICANT'S NAME Cystic Fibrosis Foundation

ORGANIZATION NAME (if applicable)

ADDRESS 425 Broad Hollow Road, Suite 319, Melville, NY 11747

CONTACT NAME

PHONE NUMBER 516-827-1290 E-Mail

REQUEST USE OF (CHECK ALL THAT APPLY)

- ENTIRE GROUNDS (Up to 250 people) ........................................ $1,000.00
- ENTIRE GROUNDS (250+ people) ........................................ Additional $2.00 per person
- GAZEBO (1) ........................................................................... $250.00
- ELWARD SMITH III LIBRARY & GARDEN AREA ..................... $500.00
- ELWARD SMITH III LIBRARY & MAIN GALLERY ..................... $500.00
- STAFF FEE FOR EVENTS ....................................................... $120.00 per hour
- EVENTS EXCEEDING 5 HOURS ................................................ $150.00 per hour

There is a maximum of five (5) hours for all events. If a party extension or additional set-up time is needed, a fee of $150.00 per hour is applied. You must obtain pre-approval for events longer than five (5) hours. **All events must end no later than 10:00 p.m.**

TYPE OF EVENT Run/Walk with BBQ to follow (Please be specific)

Will Food/Beverages be provided? YES x NO

Is event open to the general public? YES x NO

If the event is open to public **AND** food/beverages are being provided, the **SUDBOURGH COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT** must be filed. Non-compliance with Health Services regulations may result in event being shut down.

DATE(S) REQUESTED July 24, 2011 ALTERNATE DATE(S) (THIS IS NOT A RAIN DATE)

EVENT START TIME 5 (AM) (PM) ESTIMATED ATTENDANCE 250

ARRIVAL TIME 12:00 Noon DEPARTURE TIME 9:00 PM
(PREMISES MUST BE VACATED BY 10 PM)

ADDITIONAL TIME NEEDED: Y N Hours Needed

Is event being catered? YES x NO Name of Caterer

PO# Addendum PO# Vendor ID #

Page 5 of 9 LIMM
Will alcoholic beverages be provided? **YES** ☑️ **NO** ☐️

Will alcoholic beverages be sold? **YES** ☐️ **NO** ☑️ (If **YES**, a Special Event Permit must be filed with the NYS Liquor Authority to obtain a temporary liquor license).

Is this a Fundraiser? **YES** ☑️ **NO** ☐️ Please see page 6.

**TENTS** (Excludes Museum tent)
Additional Tent(s) ☐️ Canopy ☐️ Arch ☐️ (Suffolk County Fire Marshall inspection may be required, see attached)

**VENDORS:** **YES** ☐️ **NO** ☑️ List all

---

Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate list if necessary. Vendor(s) chosen must provide a certificate of insurance 2 million dollars general liability, listing BOTH the County of Suffolk and the Long Island Maritime Museum as both Certificate Holder AND Additional Insured on the Policy.

---

Rizwan Rahman
Senior Director of Administration

Applicant Signature: __________________________

Please Print: __________________________

Date: 4/21/10
**OFFICE USE ONLY**

**SCHEDULE OF PAYMENTS AND DEPOSITS**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Date Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENTIRE GROUNDS (Up to 250 People)</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>ENTIRE GROUNDS (250+ People) $2.00 PER PERSON</td>
<td></td>
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</tr>
<tr>
<td>ELWARD SMITH III LIBRARY &amp; GARDEN AREA</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>ELWARD SMITH III LIBRARY &amp; MAIN GALLERY</td>
<td>$500.00</td>
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<tr>
<td>ELWARD SMITH III LIBRARY ONLY</td>
<td>$250.00</td>
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</tr>
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<td>STAFF FEE FOR AFTER HOURS EVENT - PER HOUR Events Exceeding 5 HOURS</td>
<td>$20.00/hr.</td>
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<td>$150.00/hr.</td>
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<td><strong>GARBAGE SECURITY DEPOSIT - Group Size</strong></td>
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<tr>
<td><strong>DEPOSIT TO GUARANTEE RESERVATION - $100.00</strong></td>
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<td></td>
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<tr>
<td><strong>SUB TOTAL</strong></td>
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<td></td>
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<tr>
<td><strong>TOTAL DUE</strong></td>
<td>$1,390.00</td>
<td>1/20/11</td>
</tr>
</tbody>
</table>

**ALL CHECKS ARE TO BE MADE PAYABLE TO:**

**LONG ISLAND MARITIME MUSEUM**

**MAIL TO:**

LONG ISLAND MARITIME MUSEUM
P.O. BOX 184
WEST SAYVILLE, NY 11771

**Michael**
Museum Chairman
Approval Date
(Only Necessary for Fundraisers)

**Tim**
Maritime Museum Staff
Approval Date
Phone: 631-854-4974

**Parks Department Staff**
Phone: 631-854-4951

Page 7 of 9 LIMM 2-2010
SUFFOLK COUNTY DEPARTMENT OF PARKS

THIS "HOLD HARMLESS AGREEMENT" MUST BE SIGNED AND NOTARIZED TO HOLD AN EVENT AT THE LONG ISLAND MARITIME MUSEUM.

HOLD HARMLESS AGREEMENT

THE APPLICANT/ORGANIZATION AGREES TO INDEMNIFY AND SAVE HARMLESS THE COUNTY OF SUFFOLK, ITS OFFICIALS, EMPLOYEES AND AGENTS FROM SUITS, ACTION, DAMAGES AND COST OF EVERY NATURE AND DESCRIPTION RESULTING FROM THE ACTIONS OF THE APPLICANT/ORGANIZATION.

THE APPLICANT/ORGANIZATION AGREES TO INDEMNIFY AND SAVE HARMLESS THE COUNTY OF SUFFOLK FROM ANY LIABILITY OR ACTION ARISING FROM ANY PROPERTY OWNED BY, OR IN THE CARE, CUSTODY AND CONTROL OF THE APPLICANT.

Rizwan Rahman
Senior Director of Administration

4/21/14
DATE

Principal or Authorized Representative
(Aplicant/Organization)

Cystic Fibrosis Foundation
GROUP/ORGANIZATION NAME

NOTARY: Ashlee L. McNaughton

DATE: 4/24/2011

Ashlee L. McNaughton
Notary Public
Montgomery County, Maryland
My Commission Expires Feb. 24, 2015
April 20, 2011

Long Island Maritime Museum
Attn: Felicia Polizzi

Dear Ms. Polizzi:

The Annual Sayville Run/Walk & Barbeque benefiting the Cystic Fibrosis Foundation was established fourteen years ago to raise money and awareness leading to a cure for cystic fibrosis. CF is a life threatening genetic disease that affects over 30,000 children and young adults in the United States.

The Sayville Run/Walk provides an opportunity for serious runners as well as those who are interested in a relaxing walk to support a worthy cause. The 4-mile route, starting and finishing at the Long Island Maritime Museum in West Sayville, winding along the Great South Bay through South Sayville, is a USATF certified course. After the Run/Walk, we would like to host a family barbeque, complete with live entertainment and catered food donated by Panera Bread and Lovin’ Oven for participants, family members and all others interested in joining the fight for a cure.

For the past fourteen years, the people of Sayville and the surrounding Long Island area have united to help find a cure for cystic fibrosis. This run allows them, each year, to come together and run for a unified cause.

Thank you so much for your support in the past and we look forward to working with you again.

Warm regards,

Karen Blank
Director of Development
**ACORD**

**CERTIFICATE OF LIABILITY INSURANCE**

**PRODUCER**: (800) 666-0200  **FAX**: (781) 261-1111  
Eastern Insurance Group LLC  
77 Accord Park Drive  
Unit 124  
Norwell, MA 02061  

**INSURED**: Cystic Fibrosis Foundation  
6931 Arlington Rd  
Bethesda, MD 20814  

**DATE**: 04/21/2011  

**INSURERS AFFORDING COVERAGE**
- **NAIC #**
  - Insurer A: Valley Forge Insurance Co  20508  
  - Insurer B: Transpacific Insurance Co  20494  
  - Insurer C: American Guarantee & Liability  16535  

**COVERAGES**

The policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term of condition of any contract or other document with respect to which this certificate may be issued, may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies. Aggregate limits shown may have been reduced by paid claims.

<table>
<thead>
<tr>
<th>Type of Coverage</th>
<th>Policy Number</th>
<th>Policy Effective Date</th>
<th>Policy Expiration Date</th>
<th>Limits</th>
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<td>01/01/2012</td>
<td>Each Occurrence</td>
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<td>C1057198720</td>
<td>01/01/2011</td>
<td>01/01/2012</td>
<td>Limit $20,000</td>
</tr>
</tbody>
</table>

**Description of Operations / Locations / Vessels / Exclusions Added by Endorsement / Special Provisions**

County of Suffolk is named as additional insured, AZMA, for General Liability only, per written contract or agreement as respects to the location of the fund raising event "Sayville Run" being held on July 24, 2011. (NYNS-Long Island Chapter)
In reply refer to: 0248564828
May 04, 2009 LTR 4167C E0
13-1930701 000000 00 000
00018927
BODC: TE

CYSTIC FIBROSIS FOUNDATION
HEADQUARTERS
6931 ARLINGTON RD STE 200
BETHESDA MD 20814-5269

Employer Identification Number: 13-1930701
Group Exemption Number: 1393
Person to Contact: Tonya Morris
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Apr. 23, 2009, request for information about your tax-exempt status.

Our records indicate that you were issued a determination letter in November 1957, and that you are currently exempt under section 501(c)(03) of the Internal Revenue Code.

Based on the information supplied, we recognized the subordinates named on the list you submitted as exempt from Federal income tax under section 501(c)(03) of the Code.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106 and 2522 of the Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

Michele M. Sullivan
Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations I
TO: KEN CRANNELL, Deputy County Executive
FROM: JOSEPH J. MONTUORI, Commissioner
CC: CHRISTOPHER KENT, Chief Deputy County Executive
DATE: MAY 12, 2011

RE: INTRODUCTORY RESOLUTION AUTHORIZING USE OF THE LONG ISLAND MARITIME MUSEUM BY THE CYSTIC FIBROSIS FOUNDATION FOR THEIR ANNUAL “SAYVILLE RUN / WALK & BARBEQUE” FUNDRAISER

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name “RESO-PKS-Cystic Fibrosis Foundation Fundraising Event at LIMM.doc.”

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

Enclosures
RESOLUTION NO. 2011, AUTHORIZING USE OF CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS MIGHTY NORTH FORK TRIATHLON FUNDRAISER

WHEREAS, an unincorporated entity known as "Event Power" hosts the Mighty North Fork Triathlon events which are sanctioned by USA Triathlon, Inc., a nonprofit corporation having its principal place of business in Colorado Springs, CO; and

WHEREAS, Event Power would like to use Cedar Beach County Park in Southold for the purpose of hosting their Mighty North Fork Triathlon on Sunday, July 10, 2011; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by USA Triathlon, Inc.; now therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA, and be it further

2nd RESOLVED, that the use of Cedar Beach County Park by Event Power for the purpose of hosting a fundraiser on Sunday, July 10, 2011, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from USA Triathlon, Inc. and the payment of the Two Hundred and Twenty-Five Dollars ($225.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Cedar Beach County Park by Event Power.

DATED:

APPROVED BY:

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
   AUTHORIZING USE OF THE CEDAR BEACH COUNTY PARK BY
   EVENT POWER FOR ITS MIGHTY NORTH FORK TRIATHLON
   FUNDRAISER

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

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

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

6. If the answer to item 5 is “yes”, Provide Detailed Explanation of Impact
   There is a fee of $225.00 collected by the County for use of the Park.

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

8. Proposed Source of Funding
   N/A

9. Timing Impact
   N/A

10. Typed Name & Title of Preparer
    Tom Malanga
    Intergovernmental Relations Coordinator
    Dept. of Parks, Recreation & Conservation

11. Signature of Preparer
    [Signature]

12. Date
    5/12/2011
APPLICATION FOR PARKLAND GROUP PERMIT

Permit Requested (Check One)

YOUTH GROUP CAMPING _____ GROUP PICNIC______ ADULT (FAMILY) CAMPING CLUB ______

SPECIAL GROUP EVENT X_ (Specify Below) GENERAL GROUP ____ (HIKE/FIELD TRIP)

Triathlon - Fundraiser (Mighty North Fork Triathlon)

(Horse/Dog Event, Fundraiser, Other)

PARK(S) Requested

1st Choice Cedar Beach, Southold 1st Choice 7/10/2011

2nd Choice __________________________________________ 2nd Choice ____________________________

Name of Group/Organization __________________________ Event Power

Address P.O. Box 1620, Southampton, NY Zip Code 11968

Applicant Name Ralph Rasmussen Phone 631-854-2307 Cell # 717-687-3226

Address 3420 Flanders Ave Applicant Signature

Town Wainscott State NY Zip 11975 Today's Date 11/11/2011

Arrival Time 7:00 a.m./p.m. Departure Time 12:00 p.m. (Parks Close at Dusk)

Estimated # Attending 500 # Cars/Vans 250 # Buses N/A

ADULT (FAMILY) CAMPING CLUBS: Total # of Units ________ (7 unit minimum non-holiday weekends, 10 unit minimum holiday weekends)

SPECIAL EVENTS & PICNICS

Will Food/Beverages be provided? YES X NO

Is event open to the general public? YES X NO

If event is open to the public AND food/beverages are being provided a SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT must be filed. Non-compliance with Health Services regulations may result in event being shut down.

Is event being catered? YES NO X Name of Caterer ________________________________

Will alcoholic beverages be provided? YES NO X (IF YES the Hold Harmless Agreement attached must be signed & notarized).

Will alcoholic beverages be sold? YES NO X (IF YES a Special Event Permit must be filed with the NYS Liquor Authority to obtain a temporary liquor license).

Is this a Fundraiser? YES NO X Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4951 a minimum of three months prior to event for permission as Suffolk County Legislative approval is required.

TENTS - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4951 for information.

VENDORS? YES NO X List all Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFOLK COUNTY as an additional insured in the amount of $2,000,000 per occurrence Comprehensive General Liability.

SPECIAL REQUESTS/COMMENTS:

Office Use Only

DATE(S) APPROVED __________________________ AREA ASSIGNED __________________________ Picnic ___ Youth ___ Adult ___

PARK APPROVED __________________________ County Park __________________________

Received of Alcohol Permit Approved ______ (Staff Initials) Transaction # ______________ Check ______

SPECIAL INSTRUCTIONS __________________________

PERMIT # 033567 PARKS DEPT. APPROVAL __________________________
CERTIFICATE OF INSURANCE

AGENCY:
Entertainment & Sports Insurance eXperts (ESIX)
5660 New Norcakes Drive, Suite 640
Atlanta, Georgia 30328
Phone: 678-324-3300  Fax: 678-324-3303

NAMED INSURED:
USA Triathlon
5825 Delmonico Drive
Colorado Springs, Colorado 80919-2401

EVENT INFORMATION:
Mighty North Fork Triathlon (7/10/2011 - 7/10/2011)

POLICY/COVERAGE INFORMATION:
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

<table>
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<tr>
<th>INS TYPE OF INSURANCE</th>
<th>POLICY NUMBER(S)</th>
<th>EFFECTIVE</th>
<th>EXPIRES</th>
<th>LIMITS</th>
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<tr>
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<td>12/1/2011</td>
<td>GENERAL AGGREGATE (Applies Per Event) $2,000,000</td>
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<td>12:01 AM</td>
<td>12:01 AM</td>
<td>EACH OCCURRENCE $1,000,000</td>
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<tr>
<td>X Occurrence</td>
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<td></td>
<td>DAMAGE TO RENTED PREMISES (Each Occ.) $1,000,000</td>
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<td>MED EXP (Any one person) EXCLUDED</td>
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<tr>
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<td></td>
<td></td>
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<td>PERSONAL &amp; ADV INJURY $1,000,000</td>
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<tr>
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<td>PRODUCTS-COMP/OP AGG $2,000,000</td>
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<td>B UMBRELLA/EXCESS LIABILITY</td>
<td>AXXS02100446-10</td>
<td>12/1/2010</td>
<td>12/1/2011</td>
<td>AGGREGATE (Applies Per Event) $10,000,000</td>
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<tr>
<td>X Occurrence</td>
<td></td>
<td>12:01 AM</td>
<td>12:01 AM</td>
<td></td>
</tr>
</tbody>
</table>

DESCRIPTION OF OPERATIONS/Locations/Vehicles/Exclusions Added by Endorsement/Special Provisions:
The certificate holder is an additional insured, as required by written contract or written agreement, but only for liability arising out of the negligence of the named insured, but only with respect to the USAT sanctioned or approved event specified on this certificate.

This policy excludes any police/law enforcement or Fire Department services rendered or on behalf of the certificate holder.

CERTIFICATE HOLDER:
Suffolk County
P.O. Box 144
West Sayville, New York 11796

NOTICE OF CANCELLATION:
Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

AUTHORIZED REPRESENTATIVE:

[Signature]
EventPower  
P.O. Box 1626  
Southampton, NY 11969  
631.259.4516

January 3, 2011

Leslie Butler  
Suffolk County Parks  
P.O. Box 144  
West Sayville, NY 11796

Dear Leslie,

I submitted the permit application for the use of Cedar Beach for July 10, 2011 for the 13th Annual Mighty North Fork Triathlon. Enclosed please find a check for $225.00. We are currently waiting for the insurance certificate and will forward this on to you as soon as it is in our possession.

The triathlon would start at 6:50 AM and be over by 10:00 AM. We will clean up the parking lot, beach, and roads, and leave the race site by 12:00 PM. The race consists of a 500 meter swim, an 8 mile bike, and a 3.5 mile run.

If you have any questions, please contact me.

Thank you in advance for processing the permit.

Sincerely,

[Signature]

Reuben Kline  
Race Director, Event Power  
reuben@eventpowerli.com  
717.357.0126
Mighty North Fork™ Long Island Triathlon Tour

- Bike course: 8 Miles
- Run course: 3.4 Miles

Start/Finish
Transition Area
TO:        KEN CRANNELE, Deputy County Executive
FROM:     JOSEPH J. MONTUORI, Commissioner
CC:       CHRISTOPHER KENT, Chief Deputy County Executive
DATE:     MAY 12, 2011
RE: INTRODUCTORY RESOLUTION AUTHORIZING USE OF THE CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS MIGHTY NORTH FORK TRIATHLON FUNDRAISER

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Event Power Triathlon Fundraising Event.doc."

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

Enclosures
RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #355

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>
</tr>
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<tbody>
<tr>
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<td>$44,813.30</td>
<td>0.00</td>
<td>$44,813.30</td>
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</table>

Dated:                                           Approved By:

Suffolk County Executive

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

1. Type of Legislation
Resolution
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  NO

5. If the answer to item 5 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
   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
    Angie M. Carpenter
    County Treasurer

11. Signature of Preparer

12. Date
MEMORANDUM

TO:  Brendan Chamberlain, County Executive Assistant for Intergovernmental Relations

FROM:  Angie M. Carpenter, Suffolk County Treasurer

DATE:  May 4, 2011

RE:  RESOLUTION FOR CANCELLATION OF TAXES, CONTROL # 355

Enclosed please find a proposed resolution, which this office requests be submitted to the Suffolk County Legislature for approval.

Also enclosed is any back-up material pertaining to this request.

Should you need anything further, please contact me.

AMC:dz
Enc.
RESOLUTION NO. -2011, AMENDING RESOLUTION NO. 1378-2007, AMENDING THE ADOPTED 2007 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH AN AQUATIC INVASIVE/NUISANCE SPECIES ERADICATION IN CANAAN LAKE, N. PATCHOGUE AND UPPER AND LOWER LAKES, YAPHANK (CP 8710)

WHEREAS, Resolution No. 1378-2007 authorized the County to transfer funds from Fund 477, Water Quality Reserve Fund Balance, to the County's Capital Budget, in connection with an Aquatic Invasive/Nuisance Species Eradication in Canaan Lake, N. Patchogue and Upper and Lower Lakes, Yaphank (CP 8710); and

WHEREAS, the resolution provided funding for planning and construction for this project; and

WHEREAS, construction funding of $50,000 was intended to be used to implement a pilot program, but it has now been determined that the full plan should be implemented directly, and a pilot program will not be needed; and

WHEREAS, additional funding is necessary for planning to allow implementation of the full plan; and

WHEREAS, there exists enough funding in the construction phase of this project to cover the necessary additional planning cost; and

WHEREAS, it is necessary to amend Resolution No. 1378-2007 by re-appropriating $50,000 from construction to planning; now, therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 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; and be it further

2nd RESOLVED, that the 6th RESOLVED clause of Resolution No. 1378-2007 is hereby amended by reducing the appropriation for construction by $50,000, and increasing the appropriation for planning by $50,000 as follows:

6th RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710
Project Title: Water Quality Protection-Aquatic Invasive/Nuisance Species Eradication In Canaan Lake, N. Patchogue, and Upper and Lower Lakes, Yaphank
The table in the document shows the budget and program details for different projects, with a focus on the Planning/Engineering and Construction categories. The revisions are noted with specific amounts such as $1,807,000 for Planning/Engineering and $670,000 for Construction, which appear to be the total costs for each category. The revised amounts for these categories are $200,000W and $50,000W, respectively. The total revised budget is $250,000.

The text continues with a resolution that amends a previous clause of Resolution No. 1378-2007. The amendment describes the transfer of $250,000, detailing the project for Planning/Engineering with specific activities related to the eradication of aquatic invasive species in Canaan Lake and Upper and Lower Lakes, Yaphank. It also includes a note about the evaluation of options for fish passage restoration.

Further resolutions authorize the County Treasurer and County Comptroller to effectuate the associated cash transfers for this capital project.

Brackets and underlining are used to denote deletion and addition of language, respectively.
APPROVED BY:

County Executive of Suffolk County

Date:

T:\BRO\Amend Res_1378-2007.doc
RESOLUTION NO. -2011, AMENDING THE 2011 OPERATING BUDGET TO SUPPORT THE VETERANS OF FOREIGN WARS SUFFOLK COUNTY COUNCIL

WHEREAS, the 2011 Operating Budget does not include sufficient funds for Veterans of Foreign Wars Suffolk County Council; and

WHEREAS, Veterans of Foreign Wars Suffolk County Council administers a Veterans Emergency Assistance Program which provides emergency assistance to eligible active duty or honorably discharged military veterans, spouses, and dependents, including funds for basic living expenses such as food, shelter, and utilities, and

WHEREAS, this program provides valuable services to eligible County residents who have honorably served our Country and those who are currently on active-duty; and

WHEREAS, it is the desire of this Legislature to provide an additional $10,000 to support Veterans of Foreign Wars Suffolk County Council in its mission; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

1st RESOLVED, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

<table>
<thead>
<tr>
<th>FD</th>
<th>AGY</th>
<th>UNIT</th>
<th>ACT</th>
<th>OBJ</th>
<th>OBJECT NAME</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>001</td>
<td>DPW</td>
<td>1363</td>
<td>0000</td>
<td>4410</td>
<td>Rent: Offices &amp; Buildings</td>
<td>($3,168)</td>
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<td>001</td>
<td>PLN</td>
<td>8030</td>
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<td>4560</td>
<td>Fees for Services</td>
<td>($6,832)</td>
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TO:

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<th>UNIT</th>
<th>ACT</th>
<th>OBJ</th>
<th>ACTIVITY NAME</th>
<th>AMOUNT</th>
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<tr>
<td>001</td>
<td>EXE</td>
<td>6510</td>
<td>JDR1</td>
<td>4980</td>
<td>Veterans of Foreign Wars Suffolk County Council</td>
<td>+$10,000</td>
</tr>
</tbody>
</table>

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Veterans of Foreign Wars Suffolk County Council.
DATED:

APPROVED BY:

________________________
County Executive of Suffolk County

Date:

T:\BRO\UR 2011 OB Amendment Veterans of Foreign Wars.doc
RESOLUTION NO. – 2011, AMENDING THE 2011
ADOPTED OPERATING BUDGET TO TRANSFER 100% STATE
AID FUNDING FROM SUFFOLK COUNTY DEPARTMENT OF
HEALTH SERVICES TO THE PEDERSON-KRAG CENTER, INC.
AND TO ACCEPT AND APPROPRIATE 100% ADDITIONAL
STATE AID FROM THE NEW YORK STATE OFFICE OF
ALCOHOLISM AND SUBSTANCE ABUSE SERVICES TO
BRENTWOOD UNION FREE SCHOOL DISTRICT

WHEREAS, New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) has authorized a one-time transfer of $55,000 in 100% State aid already included in the Department of Health Services 2011 Adopted Operating Budget to Pederson-Krag Center, Inc. for prevention staffing; and

WHEREAS, NYS OASAS has also allocated additional one-time funding of $2,400 in 100% State aid to the Brentwood Union Free School District for evidenced based training materials; and

WHEREAS, this additional 100% State aid is not included in the 2011 Adopted Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to transfer funds as follows:

From:

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

<table>
<thead>
<tr>
<th>OBJECT</th>
<th>OBJECT NAME</th>
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<td>Adopted Budget</td>
<td>Increase/Decrease</td>
<td>Modified Budget</td>
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<tr>
<td>1100</td>
<td>Permanent Salaries</td>
<td>$1,329,260</td>
<td>($55,000)</td>
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To:

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

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<thead>
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<th>XORG</th>
<th>OBJECT NAME</th>
<th>2011</th>
<th>2011</th>
</tr>
</thead>
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<tr>
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<td>Adopted Budget</td>
<td>Increase/Decrease</td>
<td>Adopted Budget</td>
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<tr>
<td>ANL7</td>
<td>PEDERSON-KRAG ALCOHOL CLINIC</td>
<td>$1,006,981</td>
<td>+$55,000</td>
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</table>
and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $2,400 in additional State aid as follows:

REVENUES:
001-HSV 3486 State Aid: Narcotics Addiction Control +$2,400

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>
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<th>2011 Increase/Decrease</th>
<th>2011 Modified Adopted Budget</th>
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<tr>
<td>ABZ1</td>
<td>BRENTWOOD UFSD</td>
<td>$175,910</td>
<td>+$2,400</td>
<td>$178,310</td>
</tr>
</tbody>
</table>

and be it further

3rd RESOLVED, that the contracts with Pederson-Krag Center, Inc. and Brentwood Union Free School District be amended to reflect these additional funds; and be it further

4th 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

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 of Approval:

HSV #19-2011
## GENERAL FUND

<table>
<thead>
<tr>
<th></th>
<th>2011 PROPERTY TAX LEVY</th>
<th>2011 COST TO AVG TAXPAYER</th>
<th>2011 AV TAX RATE PER $100</th>
<th>2011 FEV TAX RATE PER $1000</th>
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<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
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<td>$0.00</td>
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## POLICE DISTRICT AND DISTRICT COURT

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<th>2011 AV TAX RATE PER $100</th>
<th>2011 FEV TAX RATE PER $1000</th>
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<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
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## COMBINED

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<th>2011 AV TAX RATE PER $100</th>
<th>2011 FEV TAX RATE PER $1000</th>
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<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
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</table>

**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
1. **Type of Legislation**

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Local Law</th>
<th>Charter Law</th>
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</thead>
<tbody>
<tr>
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**Title of Proposed Legislation**
Amending the 2011 Adopted Operating Budget to transfer 100% State aid funding from Suffolk County Department of Health Services to the Pederson-Krag Center and to accept and appropriate 100% additional State aid from the New York State Office of Alcoholism and Substance Abuse Services to Brentwood Union Free School District.

3. **Purpose of Proposed Legislation**
This legislation is needed to transfer 100% State aid funding from Suffolk County Department of Health Services to the Pederson-Krag Center and to accept and appropriate 100% additional State aid from the New York State Office of Alcoholism and Substance Abuse Services to Brentwood Union Free School District. All these funds will be used for the provision of chemical dependency treatment and prevention programs.

4. **Will the Proposed Legislation Have a Fiscal Impact?**

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

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

6. **If the answer to item 4 is “yes”, Provide Detailed Explanation of Impact:**
Not applicable

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

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

9. **Timing of Impact**
2011

10. **Typed Name & Title of Preparer**
Diane E. Weyer
Principal Financial Analyst

11. **Signature of Preparer**
Theresa Lollo
Principal Financial Analyst

**Date**
5/9/11

SCIN FORM 175b (10/93)
February 16, 2011

Mr. Arthur Fleischer, Acting Director  
Suffolk County Department of Health Services  
Division of Community Mental Hygiene  
North County Complex – Building C928  
P.O. Box 6160  
Hauppauge, NY 11788-0099

Re: 2011 State Aid Funding Authorization

Dear Mr. Fleischer:

Enclosed please find a revised 2011 Office of Alcoholism and Substance Abuse Services (OASAS) State Aid Funding Authorization (SAFA) for your County. This revised SAFA has been issued for the following providers:

- Suffolk County Department of Health Services reflecting a one-time only transfer of funding to Pederson-Krag Center, Inc. for prevention staffing;
- Based on 2011 Prospective Budget and Performance Review removed x-restrictions on Human Understanding and Growth Seminars and Brentwood School District
- Added one-time only funding to Brentwood School District for evidence based programming training and materials

Please return a signed copy of this Authorization as quickly as possible to:

New York State Office of Alcoholism and Substance Abuse Services  
Bureau of Financial Management  
1450 Western Avenue - 4th Floor  
Albany, New York 12203-3526

If you have questions regarding these changes, please contact your Field Office representative.

Sincerely,

Kevin Doheny  
Director, Financial Management
### New York State Office of Alcoholism and Substance Abuse Services
#### State Aid Funding Authorization

**Fiscal Year 2011**

<table>
<thead>
<tr>
<th>Agency</th>
<th>Program Code</th>
<th>Program Name</th>
<th>Gross</th>
<th>Revenue</th>
<th>Net</th>
<th>Funded Net</th>
<th>Funding Code/Source</th>
<th>One-Time</th>
<th>Approved State Aid</th>
<th>Local Share</th>
<th>Non-Funded</th>
<th>Resstr Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>00172</td>
<td>00172</td>
<td>Huntington Youth Bureau Youth Development Research Institute, Inc.</td>
<td>682,065</td>
<td>161,497</td>
<td>520,574</td>
<td>500,574</td>
<td>013F</td>
<td>107,107</td>
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<tr>
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<td>Alternatives Counseling Services, Inc.</td>
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<td>662,002</td>
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<td>013F</td>
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<tr>
<td>00352</td>
<td>00352</td>
<td>The Young Men's Christian Association of Long Island, Incorporated</td>
<td>1,145,453</td>
<td>180,429</td>
<td>965,024</td>
<td>965,024</td>
<td>013F</td>
<td>204,736</td>
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<td>00372</td>
<td>Town of Babylon</td>
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<td>433,476</td>
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<tr>
<td>00667</td>
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<td>Town of Smalltown</td>
<td>671,504</td>
<td>213,478</td>
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<tr>
<td>00785</td>
<td>00785</td>
<td>Brentwood School District</td>
<td>412,453</td>
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<td>013M</td>
<td>3,443</td>
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</table>

**As of: 02/14/2011**

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# New York State Office of Alcoholism and Substance Abuse Services

**State Aid Funding Authorization**

**Fiscal Year: 2011**

**As of: 02/14/2011**

<table>
<thead>
<tr>
<th>Agency Number/Name</th>
<th>Init Code</th>
<th>Program Code Index</th>
<th>PRU Direct</th>
<th>Gross</th>
<th>Revenue</th>
<th>Net</th>
<th>Funded</th>
<th>Net</th>
<th>Funding Code/Source</th>
<th>One-time</th>
<th>Approved State Aid</th>
<th>Local Share</th>
<th>Non-Funded</th>
<th>Restr. Code</th>
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</thead>
<tbody>
<tr>
<td>00826 Retired Senior Volunteer Prog Suffolk</td>
<td>00826</td>
<td>00 00170</td>
<td>00 50170</td>
<td>5,211</td>
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<td>5,109</td>
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<tr>
<td>01788 Family Counseling Services</td>
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<td>00 4916</td>
<td>00 50050</td>
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<td>02011 Riverhead Community Awareness Program</td>
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<td>00 50500</td>
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<td>16320 Hope for Youth Inc.</td>
<td>16320</td>
<td>00 52226</td>
<td>00 50528</td>
<td>229,505</td>
<td>23,827</td>
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<td>0</td>
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<td>20580 Catholic Charities of the Diocese of Rockville Centre</td>
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<td>00 50121</td>
<td>00 50205</td>
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<td>22270 SCO Family of Services</td>
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<td>00 51329</td>
<td>00 50427</td>
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### New York State Office of Alcoholism and Substance Abuse Services
#### State Aid Funding Authorization

**Fiscal Year: 2011**

<table>
<thead>
<tr>
<th>Agency Number/Name</th>
<th>LCC Code</th>
<th>Program Code/Name</th>
<th>Net Gross (000)</th>
<th>Revenue (000)</th>
<th>Gross Revenue</th>
<th>Funded Net</th>
<th>Funded Code/Source</th>
<th>One-time</th>
<th>Approved State Aid (000)</th>
<th>Local Share</th>
<th>Non-Funded Local Share</th>
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<td><strong>Eastern Suffolk BOCES</strong></td>
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<td><strong>3,548,442</strong></td>
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<td><strong>1,202,706</strong></td>
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<td><strong>Town of Hemp</strong></td>
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<td><strong>Agency 26060 Total:</strong></td>
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<td><strong>1,047,129</strong></td>
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<td><strong>741,238</strong></td>
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<tr>
<td><strong>Outreach Development Corporation</strong></td>
<td><strong>Agency 31360 Total:</strong></td>
<td><strong>262,522</strong></td>
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<td><strong>262,522</strong></td>
<td><strong>262,522</strong></td>
<td><strong>229,707</strong></td>
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<td>185,736</td>
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<td><strong>Human Understanding &amp; Growth Seminars</strong></td>
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<td><strong>133,936</strong></td>
<td><strong>61,122</strong></td>
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<tr>
<td><strong>Long Island Gay &amp; Lesbian Youth, Inc.</strong></td>
<td><strong>Agency 45660 Total:</strong></td>
<td><strong>50,000</strong></td>
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(c) NYS Office of Alcoholism and Substance Abuse Services, All Rights Reserved

Page 3 of 5
### New York State Office of Alcoholism and Substance Abuse Services
#### State Aid Funding Authorization

**Fiscal Year: 2011**

**As of: 02/14/2011**

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(c) NYS Office of Alcoholism and Substance Abuse Services, All Rights Reserved
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County Suffolk (62) Summary - All Agencies:

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(c) NYS Office of Alcoholism and Substance Abuse Services, All Rights Reserved
MEMORANDUM

To: James L. Tomarken, MD, MSW, MPH, MBA, FRCPC, FACP
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: March 8, 2011

Subject: REQUEST FOR LEGISLATIVE RESOLUTION

The New York State Office of Alcoholism and Substance Abuse Services (NYSOASAS) has authorized a one-time only transfer of $55,000 in 100% state aid from Suffolk County Department of Health Services that is already included in the 2011 Adopted Operating Budget to Pederson-Krag Center, Inc. for prevention staffing. NYSOASAS has also allocated additional one-time only state aid of $2,400 to Brentwood School District for evidenced based programming training and materials.

The Division of Community Mental Hygiene requests introduction of a legislative resolution to transfer funding to the Pederson-Krag Center, Inc. and accept and appropriate additional state aid funding to Brentwood School District.

We have attached a copy of the New York State Office of Alcoholism and Substance Abuse Services State Aid Funding Authorization dated February 16, 2011 which reflects the funding changes. We have also attached a draft copy of the fiscal impact statement, as well as the resolution to amend the 2011 Adopted Operating Budget to transfer funding from Suffolk County Health Services to the Pederson-Krag Center, Inc. and to accept and appropriate additional 100% state aid.

Thank you.

AF:PM
Attachments
cc: J. Best, A. Rotundo, D. Weyer, L. Wright, S. Reagan, G. Terry, P. Manos
May 9, 2011

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

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution amending the 2011 Adopted Operating Budget to transfer 100% State aid funding from Suffolk County Department of Health Services to the Pederson-Krag Center and to accept and appropriate 100% additional State aid from the New York State Office of Alcoholism and Substance Abuse Services to Brentwood Union Free School District. The $55,000 transferred to Pederson-Krag Center will be used for prevention staffing and the $2,400 in additional State aid to Brentwood UFSD will be used for evidenced based training materials. All these funds are for the provision of chemical dependency treatment and prevention programs.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Anthony Rotundo 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 PK & Brentwood.doc”.

Sincerely,

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

Enclosures

JLT/Iw

C: Christopher E. Kent, Chief Deputy County Executive
    Brendan Chamberlain, Director of Intergovernmental Relations (2 copies)
    Margaret B. Bermel, M.B.A, Director of Health Administrative Services
    Janet DeMarzo, Deputy Commissioner
    Art Flescher, Director of Community Mental Hygiene Services
    Anthony Rotundo, Coordinator of Community Based Drug Programs
    Diane E. Weyer, Principal Financial Analyst
    Frank McCluskey, Principal Financial Analyst
    Sheila Reagan, Senior Program Examiner
RESOLUTION NO. - 2011, ACCEPTING 100% FEDERAL GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO THE DEPARTMENT OF HEALTH SERVICES FOR THE STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) WATER QUALITY MANAGEMENT PLANNING PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ANY RELATED AGREEMENTS

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has awarded 100% Federal grant funds to the Department of Health Services for the SPDES Water Quality Management Planning Program in the amount of $125,000 for the period 04/01/11-03/31/12; and

WHEREAS, this program provides inspections and water sampling data; and

WHEREAS, the Environmental Conservation Law (ECL) authorizes State assistance to municipalities for water quality improvement projects; and

WHEREAS, the County Executive or his designee will be the representative authorized to act on behalf of Suffolk County’s governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions; and

WHEREAS, the County Executive or his designee is also authorized to make application, execute the State Assistance Contract, submit Program documentation, and otherwise act for Suffolk County’s governing body in all matters related to the Program and to State assistance; and

WHEREAS, these funds have been included in the 2011 Adopted Operating Budget; now, therefore be it

1st RESOLVED, that the Suffolk County Legislature hereby authorizes the County Executive or his designee to accept the SPDES Water Quality Management Planning Grant and to execute related agreements to secure said funds in the amount of $125,000; and be it further

2nd 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

3rd 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:
## 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 100% federal grant funds from the United States Environmental Protection Agency passed through the New York State Department of Environmental Conservation to the Department of Health Services for the State Pollutant Discharge Elimination System (SPDES) Water Quality Management Planning Program and authorizing the County Executive to execute any related agreements.

3. **Purpose of Proposed Legislation**
   This legislation is needed to accept 100% federal grant funds from the United States Environmental Protection Agency passed through the New York State Department of Environmental Conservation to the Department of Health Services for the State Pollutant Discharge Elimination System (SPDES) Water Quality Management Planning Program and authorizing the County Executive to execute any related agreements.

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

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

6. **If the answer to item 4 is “yes”, Provide Detailed Explanation of Impact:**
   Not applicable

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

8. **Proposed Source of Funding**
   100% federal grant funds from the New York State Department of Environmental Conservation

9. **Timing of Impact**
   2011

### 10. Typed Name & Title of Preparer
   **Diane E. Weyer**
   Principal Financial Analyst

### 11. Signature of Preparer

### Date
   5-10-11

### 12. Date
   5-27-11
### GENERAL FUND

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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: Diane Weyer
From: Christopher Caci
Date: April 28, 2011
Subject: Request for Resolution – SPDES, Water Quality Management Planning

SPDES, Water Quality Management Planning
Budget Period 04/01/11 – 03/31/12
001-4408
Revenue Code 4910

Please write a resolution to accept a 100% federal grant from the US Environmental protection Agency, passed through New York State Department of Environmental Conservation (NYSDEC) for the above mentioned program. Although funding for this program (both appropriations and revenue) is already included in the 2011 Suffolk County Operating Budget, the NYSDEC has a new procedure which requires a Municipality Resolution for this contract which starts 4/1/11. The resolution should include language which indicates that the County Exec can designate an authorized representative to sign off on grant contracts. Attached is a format of a Municipality Resolution which can be used as a guide.

Thank You for your help and backup is attached.
Attachment B -- Municipal Resolution

Water Quality Improvement Projects and
Nonagricultural Nonpoint Source Projects
Municipal Resolution

Resolution authorizing the items listed below pursuant to the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as federal grant awards available for such projects.

WHEREAS, __________________________ (Legal Name of Municipality)

herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law (AECL®) authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY __________________________ (Governing Body of Municipality)

1. That __________________________ (Name and Title of Designated Authorized Representative)
or such person=s successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;

2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;

3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation

4. That this Resolution take effect immediately.
CERTIFICATE OF RECORDING OFFICER

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the _____________________________

(Name of Governing Body of Applicant)
duly held on the ______ day of __________________, _____; and further that such Resolution has been fully recorded in the _____________________________ in my office.

>Title of Record Book)

In witness thereof, I have hereunto set my hand this __________ day of

___________________, _____.

__________________________
Signature of Recording Officer

If the Applicant has an Official Seal, Impress here.

__________________________
Title of Recording Officer
April 18, 2011

Mr. Wm. H. Spitz
Regional Water Manager
NYS Department of Environmental Conservation
Division of Water - Region One
SUNY @ Stony Brook
50 Circle Road
Stony Brook, NY 11790-3409

Re: Water Quality Management Planning Contract #006137

Dear Mr. Spitz:

Enclosed please find three signed copies of the WORKPLAN for SFY 2011 - 2012 between New York State Department of Environmental Conservation and Suffolk County Department of Health Services for the above.

Very truly yours,

Walter Dawdyak, Jr., P.E.
Chief Engineer

WD/kn
Enclosure.
C: Walter J Hilbert, P.E. - Office of Wastewater Management
    Chris Caci - Federal/State Aid Claims
APPENDIX C

WORKPLAN for SFY 2011-2012

SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES

1. The time period for the tasks specified in this Appendix C shall be April 1, 2011, through March 31, 2012.

2. It is anticipated that funds will become available during this period, up to a maximum of $125,000.00. Such funds will be available to the County on a reimbursement basis, in accordance with the negotiated costs and outputs specified in this Appendix C.

3. All tasks specified in this agreement shall be performed under the direction of Walter Dawydak, P.E., Chief Engineer of the Suffolk County Department of Health Services (SCDHS).

4. Payment and work plan accomplishment report schedule:

   August 15, 2011  1st Quarter Report (April -June)
   November 15, 2011  2nd Quarter Report (July-Sept.)
   February 15, 2012  3rd Quarter Report (Oct.-Dec.)
   May 15, 2012  Final Report (Jan.-March)

5. The agreed upon negotiated costs and the planned outputs are documented on APPENDIX C page 2. A copy of this page, that has been updated to reflect the Actual Year To Date (YTD) outputs, must be submitted as a summary of the Quarterly Report activities. This page will serve as the request for reimbursement.

6. In negotiating the reasonableness of costs, the COORDINATOR and the SCDHS have considered the amount of time that it takes to perform the task, the appropriate level of staff needed to perform the task, and the average cost of those appropriate staff. This information is documented on APPENDIX C page 3 and included as part of the contract approval.

7. Inspection and sampling reports, investigation reports and plan review letters must accompany the payment requests as proof of performance.
## APPENDIX C

**Contract # 006137**

Health Dept.: SCDHS

Workplan for SFY(s): 2011-2012 OR Reimbursement Period:

<table>
<thead>
<tr>
<th>Approved activities</th>
<th>Cost per unit *</th>
<th># of units planned</th>
<th>Annual costs planned</th>
<th># of units in current quarter</th>
<th># of units YTD</th>
<th>Costs current quarter</th>
<th>Costs YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plan &amp; Spec. Reviews</td>
<td>1053</td>
<td></td>
<td>31590</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(On site systems, sewer systems)</td>
<td>30</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inspections &amp; Compliance Annual = A</td>
<td>373</td>
<td></td>
<td>234990</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reacon = R</td>
<td>630</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Complaint Investigations</td>
<td>261</td>
<td></td>
<td>46980</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>1687</td>
<td>180</td>
<td>313580</td>
<td></td>
<td></td>
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<td></td>
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</tbody>
</table>

| Estimated annual receipts | $ _____ |
| Annual costs less receipts | $ _____ |
| Approved contract total at 40% | $ _____ |

* Negotiated costs will be calculated on a reasonable estimate of the number of hours, on average, it takes to accomplish the task using the appropriate level staff. Only direct wages are allowable in calculating this figure; no overhead, indirect or fringe benefit costs are eligible.

Regional Water Engineer: __________________________ Date: ____________

Health Department: __________________________ Date: ____________
APPENDIX C, page 3

WORKPLAN for SFY for 2011-2012

SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES

NEGOTIATED COSTS WORKSHEET

<table>
<thead>
<tr>
<th>Approved Activities</th>
<th>Approved Titles(s)</th>
<th>% of Work Effort</th>
<th>Cost/ Day</th>
<th>Allowed Time</th>
<th>Negotiated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plan &amp; Spec. Review</td>
<td>Engineer</td>
<td>35%</td>
<td>$ 203</td>
<td>3.7 days</td>
<td>$ 1053</td>
</tr>
<tr>
<td></td>
<td>Senior Engineer</td>
<td>50%</td>
<td>$ 282</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Management</td>
<td>15%</td>
<td>$ 388</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Engineer</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inspection &amp; Compliance</td>
<td>Engineer/Sanitarian</td>
<td>60%</td>
<td>$ 209</td>
<td>1.2 days</td>
<td>$ 373</td>
</tr>
<tr>
<td></td>
<td>Sr.</td>
<td>35%</td>
<td>$ 289</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Engineer/Sanitarian</td>
<td>5%</td>
<td>$ 355</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mgmt.</td>
<td></td>
<td>$ 75</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Engr./Sanitarian</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lab sample</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Complaint Investigation</td>
<td>Sanitarian</td>
<td>80%</td>
<td>$ 216</td>
<td>0.8 days</td>
<td>$ 261</td>
</tr>
<tr>
<td></td>
<td>Senior Sanitarian</td>
<td>15%</td>
<td>$ 253</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Management</td>
<td>5%</td>
<td>$ 322</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sanitarian</td>
<td></td>
<td>$ 75</td>
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<tr>
<td></td>
<td>Lab Sample</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

The costs for the program break down as follows:

<table>
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<tr>
<th></th>
<th>Total</th>
<th>Contract</th>
<th>Inkind</th>
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<tbody>
<tr>
<td>Salaries</td>
<td>$140,625.00</td>
<td>0.00</td>
<td>$140,625.00</td>
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<tr>
<td>Fringe Benefits</td>
<td>$46,875.00</td>
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<td>$46,875.00</td>
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<tr>
<td>Equipment</td>
<td>$90,000.00</td>
<td>$90,000.00</td>
<td>$0.00</td>
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<tr>
<td>Supplies</td>
<td>$35,000.00</td>
<td>$35,000.00</td>
<td>$0.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$312,500.00</strong></td>
<td><strong>$125,000.00</strong></td>
<td><strong>$187,500.00</strong></td>
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</tbody>
</table>

Approved Contact TOTAL of $125,000.00 will be utilized by Suffolk County Department of Heath Services to purchase required equipment and supplies.
APPENDIX C, page 4

WORKPLAN for SFY 2011-2012

SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES

FACILITY INSPECTION SCHEDULE*

<table>
<thead>
<tr>
<th>Discharge Class</th>
<th>No. of Facilities</th>
<th>No. of Inspections Per Facility</th>
<th>Total Inspections</th>
</tr>
</thead>
<tbody>
<tr>
<td>04</td>
<td>71</td>
<td>1</td>
<td>71</td>
</tr>
<tr>
<td>01,03</td>
<td>76</td>
<td>3</td>
<td>228</td>
</tr>
<tr>
<td>05,07,09</td>
<td>193</td>
<td>4</td>
<td>772</td>
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<tr>
<td>Totals</td>
<td>340</td>
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<td>1071</td>
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</table>

* See attached lists for facility names and SPDES Permit Numbers. Number of inspections represents the maximum number eligible for reimbursement. The contract may not provide sufficient funding for all inspections (see Planned Outputs - page 2).

Delegation Code Definitions

Decentralized  DEC (Region) writes permit; DEC (DEP, Region) issues permit  
                -or-  
                SCDHS writes permit; SCDHS issues permit

Centralized    DEC (Albany) writes permit; DEC (DEP, Region) issues permit
<table>
<thead>
<tr>
<th>SPDES #</th>
<th>FACILITY NAME</th>
<th>DELEGATION</th>
<th>Assigned To</th>
</tr>
</thead>
<tbody>
<tr>
<td>0267333</td>
<td>ADVANCED ENERGY SYSTEMS</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0267244</td>
<td>Atlaire Pharmaceuticals Inc</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0110701</td>
<td>API ELECTRONICS, INC.</td>
<td>Centralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0228459</td>
<td>ATLANTIS MARINE WORLD &amp; RIVERHEAD FOUNDATION</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0226629</td>
<td>BASF BEAUTY CARE</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0237817</td>
<td>BOHEMIA AUTO WASH</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0268451</td>
<td>C &amp; J CAR WASH CORP</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0271471</td>
<td>Calhoun's Long Island Energy Center</td>
<td>Centralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0266655</td>
<td>CALVERTON ENTERPRISE PARK</td>
<td>Centralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0023453</td>
<td>CALVERTON SEWER DISTRICT</td>
<td>Centralized</td>
<td>Sun, Wann Joe</td>
</tr>
<tr>
<td>0266621</td>
<td>Camp Hero Water District</td>
<td>Decentralized</td>
<td>O'Brien, William</td>
</tr>
<tr>
<td>0226860</td>
<td>CAPSULEWORKS</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0266795</td>
<td>CARC, LLC</td>
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<td>Haas, Cathy</td>
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<tr>
<td>0032760</td>
<td>CONOCO-PHILLIPS - RIVERHEAD TERMINAL (formerly TOSCO)</td>
<td>Decentralized</td>
<td>O'Brien, William</td>
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<tr>
<td>0237175</td>
<td>DeCILLIS CAR WASH</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
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<tr>
<td>0227121</td>
<td>DEER PARK CAR WASH</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
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<tr>
<td>0227242</td>
<td>DON'S KLEEN MACHINE KAR WASH</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0267198</td>
<td>EDGEWOOD ENERGY, LLC</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
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<tr>
<td>0237370</td>
<td>EXPRESSWAY 55 CAR WASH</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0236424</td>
<td>FOREST LABORATORIES</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0195887</td>
<td>FOREST LABORATORIES INC</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0227251</td>
<td>G&amp;P AUTO WASH (Formerly EAGER BEAVER CARWASH)</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0226378</td>
<td>General Terminals (aka SEAMANS)</td>
<td>Decentralized</td>
<td>O'Brien, William</td>
</tr>
<tr>
<td>0237483</td>
<td>GLO N GO SELF SERVICE CAR WASH</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0227315</td>
<td>HUNTINGTON CRESCENT CLUB</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0178152</td>
<td>ILC DATA DEVICE CORP.</td>
<td>Centralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0227196</td>
<td>ISLAND CAR WASH</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0267180</td>
<td>J.W.Picocozzi Terminal</td>
<td>Decentralized</td>
<td>O'Brien, William</td>
</tr>
<tr>
<td>0008125</td>
<td>JURGIELICZ DUCK FARM</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0225282</td>
<td>KEYSSPAN ENERGY - BROOKHAVEN COMBUSTION TURBINE</td>
<td>Centralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0228017</td>
<td>KEYSSPAN ENERGY - EAST HAMPTON INTERNAL COMBUST. FACILITY</td>
<td>Centralized</td>
<td>Haas, Cathy</td>
</tr>
<tr>
<td>0109193</td>
<td>KEYSSPAN ENERGY - HOLTSVILLE LIQUID NATURAL GAS PLANT</td>
<td>Centralized</td>
<td>Haas, Cathy</td>
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<tr>
<td>0226025</td>
<td>KEYSSPAN ENERGY - MONTAUK INTERNAL COMBUSTION FACILITY</td>
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<td>Haas, Cathy</td>
</tr>
<tr>
<td>0005932</td>
<td>KEYSSPAN ENERGY - PORT JEFFERSON POWER STATION</td>
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<td>Haas, Cathy</td>
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<tr>
<td>0226033</td>
<td>KEYSSPAN ENERGY - SOUTHAMPTON INTERNAL COMBUST. FACILITY</td>
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<td>Haas, Cathy</td>
</tr>
<tr>
<td>0228009</td>
<td>KEYSSPAN ENERGY - SOUTHLIEST INTERNAL COMBUSTION FACILITY</td>
<td>Centralized</td>
<td>Haas, Cathy</td>
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<tr>
<td>0235391</td>
<td>KEYSSPAN ENERGY - WEST BABYLON INTERNAL COMBUST. FACILITY</td>
<td>Centralized</td>
<td>Haas, Cathy</td>
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<tr>
<td>0075882</td>
<td>KOSTER-KEUNEN WAXES INC.</td>
<td>Decentralized</td>
<td>Haas, Cathy</td>
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<tr>
<td>0225771</td>
<td>L.I.R.R. - PORT JEFFERSON</td>
<td>Decentralized</td>
<td>Dorman, Sara</td>
</tr>
<tr>
<td>0226855</td>
<td>L.I.R.R. - SPEONIK DIESEL YARD</td>
<td>Decentralized</td>
<td>Dorman, Sara</td>
</tr>
<tr>
<td>0173703</td>
<td>Long Island Macarthur Airport</td>
<td>Decentralized</td>
<td>Dorman, Sara</td>
</tr>
<tr>
<td>0108550</td>
<td>LUITPOLD PHARMACEUTICALS, INC.</td>
<td>Centralized</td>
<td>Haas, Cathy</td>
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<tr>
<td>SPDES #</td>
<td>FACILITY NAME</td>
<td>DELEGATION</td>
<td>Assigned To:</td>
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<td>---------</td>
<td>-------------------------------------------------------------</td>
<td>------------</td>
<td>--------------</td>
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<tr>
<td>0005835</td>
<td>BROOKHAVEN NATIONAL LABORATORY</td>
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<tr>
<td>0005941</td>
<td>KEYSSPAN ENERGY - NORTHPORT POWER STATION</td>
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<tr>
<td>0028344</td>
<td>KEYSSPAN ENERGY - SHOREHAM EMERGENCY DIESEL GEN PLANT</td>
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### DISCHARGE CLASS 05

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<th>DELEGATION</th>
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<tbody>
<tr>
<td>0020079</td>
<td>GREENPORT (V) STP</td>
<td>Centralized</td>
<td>Harding, Paul</td>
</tr>
<tr>
<td>0021342</td>
<td>HUNTINGTON (T) STP</td>
<td>Centralized</td>
<td>Sun, Wann Joe</td>
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<tr>
<td>0020061</td>
<td>RIVERHEAD (T) STP</td>
<td>Centralized</td>
<td>Sun, Wann Joe</td>
</tr>
<tr>
<td>0021750</td>
<td>S.C. SD #01 - PORT JEFFERSON STP</td>
<td>Centralized</td>
<td>Sun, Wann Joe</td>
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<tr>
<td>0104806</td>
<td>S.C. SD #03 - BERGEN POINT</td>
<td>Centralized</td>
<td>Sun, Wann Joe</td>
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<tr>
<td>0023311</td>
<td>S.C. SD #06 - KINGS PARK</td>
<td>Centralized</td>
<td>Sun, Wann Joe</td>
</tr>
<tr>
<td>0206644</td>
<td>S.C. SD #21 - SUNY AT STONY BROOK</td>
<td>Centralized</td>
<td>Sun, Wann Joe</td>
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### DISCHARGE CLASS 07

<table>
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<th>DELEGATION</th>
<th>ASSIGNED TO</th>
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</thead>
<tbody>
<tr>
<td>0199079</td>
<td>EAST HAMPTON (T) SCAVENGER WASTE TREATMENT FACILITY</td>
<td>Decentralized</td>
<td>Sun, Wann Joe</td>
</tr>
<tr>
<td>0226971</td>
<td>F.S. GABRESKI AIRPORT</td>
<td>Decentralized</td>
<td>Harding, Paul</td>
</tr>
<tr>
<td>0199214</td>
<td>FISHERS ISLAND S.T.P.</td>
<td>Decentralized</td>
<td>Harding, Paul</td>
</tr>
<tr>
<td>0024881</td>
<td>NORTHPORT (V) STP</td>
<td>Decentralized</td>
<td>Harding, Paul</td>
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<tr>
<td>0020168</td>
<td>OCEAN BEACH (V) STP</td>
<td>Centralized</td>
<td>Harding, Paul</td>
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<td>0023922</td>
<td>PATCHOQUE (V) STP</td>
<td>Centralized</td>
<td>Harding, Paul</td>
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<td>0085693</td>
<td>S.C. DPW - YAPHANK COUNTY CENTER STP</td>
<td>Centralized</td>
<td>Harding, Paul</td>
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<tr>
<td>0221678</td>
<td>S.C. SD #02 - Tellmadge Woods</td>
<td>Centralized</td>
<td>Harding, Paul</td>
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<tr>
<td>0070033</td>
<td>S.C. SD #05 - STRATHMORE/HUNTINGTON</td>
<td>Decentralized</td>
<td>Harding, Paul</td>
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<tr>
<td>0080683</td>
<td>S.C. SD #07P - TWELVE PINES</td>
<td>Decentralized</td>
<td>Harding, Paul</td>
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<tr>
<td>0076988</td>
<td>S.C. SD #07W - MEDFORD WOODSIDE STP</td>
<td>Decentralized</td>
<td>Harding, Paul</td>
</tr>
<tr>
<td>0065447</td>
<td>S.C. SD #09 - COLLEGE PARK</td>
<td>Decentralized</td>
<td>Harding, Paul</td>
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Memorandum of Understanding (MOU) between
New York State Department of Environmental Conservation (NYSDEC)
and Suffolk County Department of Health Services (SCDHS)
for the Division of Water (DOW) Region 1
State Pollution Discharge Elimination System (SPDES) Program

I. Purpose

The purpose of this MOU is to define the roles and responsibilities of the NYSDEC and SCDHS in implementing the SPDES program within Suffolk County. Pursuant to this MOU, SCDHS is delegated the authority, and accepts the responsibility, to conduct the specified components of the NYSDEC Region 1 DOW program as outlined below. SCDHS will perform its delegated functions in accordance with applicable sections of the NYS Environmental Conservation Law (ECL), the implementing regulations, the DOW Technical and Operational Series (TOGS) memoranda, and by clarifying letters and memos issued by the Regional Water Manager (RWM).

II. Delegated SPDES Permits - SCDHS will draft (utilizing Guidance Manuals prepared by NYSDEC), notice in the ENB (Class 02 facilities discharging less than 10,000 gpd are exempt from noticing), issue, modify, transfer and delete the following SPDES permits (except for, County, State or Federal facilities).

A. (Classes 09 & 02) Minor Significant & Non-Significant Private, Commercial, and Institutional (P/C/I) Facilities, including Community Sewage Treatment Plants (STPs), discharging sewage, without the admixture of industrial or other wastes, to groundwater.

B. (Classes 01, 03, 04, 10) Minor Significant & Non-Significant Industrial Facilities in the following categories discharging industrial wastewater to groundwater;

1. animal feed lots, including duck farms
2. farm wineries producing less than 50,000 gallons of wine per year from their own vineyards
3. food processing, including water treatment/bottling
4. meat processors processing less than 10,000 pounds of meat per week
5. milking parlors
6. oil discharges
7. photographic processing
8. seafood processing
9. small thermal discharges, excluding power plants and those which are combined with process waste discharges not otherwise delegated
10. swimming pools, including filter backwash and pool drainage
III. **Non-Delegated SPDES Permits** - NYSDEC will draft (input concerning facility compliance status and permit requirements, based on inspections and sampling performed by SCDHS, will be provided to NYSDEC by SCDHS during permit drafting), notice in the ENB, issue, modify, transfer and delete the following SPDES permits;

A. (Classes 05, 07) Major & Minor Significant Municipal STPs
   (Class 06) Major P/C/I STPs

B. (Classes 09, 02) Minor Significant & Non-Significant P/C/I Facilities, including Community STPs, discharging sewage without the admixture of industrial or other wastes to surface water and at County, State and Federal facilities discharging to surface or groundwater.

C. (Classes 01, 03, 04, 10) Minor Significant & Non-Significant Industrial Facilities discharging wastewater which are not on the delegated to SCDHS list or which discharge to surface water.

IV. **Wastewater Discharge Permit Renewals** - All permit renewals will be performed by NYSDEC, Central Office, Division of Environmental Permits.

V. **Facility Inspection and Sampling**

A. Inspection and sampling coverage and frequency will be in accordance with an annual written agreement, Appendix C of the 5 year contract, between SCDHS and the NYSDEC DOW. As new facilities become operational, they will be added to the schedule of inspections and sampling included in Appendix C.

B. Non-permitted facilities will be inspected as information on potential violations becomes available and as time permits.

C. Violations discovered as a result of inspection, sampling, DMR review or other means will be communicated to the facility owner through written correspondence. SCDHS will make every effort to make such notices timely and comprehensive. All known violations at the facility should be included and the required corrective action specified.

VI. **Enforcement**

A. SCDHS will maintain the capability to conduct non-formal and formal enforcement activities, including hearings for violations of water pollution control regulations. Violations discovered by SCDHS personnel will generally be enforced by SCDHS. If compliance cannot be gained through non-formal means (letters, conferences) within approximately three months, then formal (hearing) enforcement action should be pursued to secure a specific compliance schedule.

B. SCDHS will provide copies of all notices of violation to the NYSDEC Region 1 DOW.

C. SCDHS will provide a representative to the NYSDEC Region 1 DOW docketing meetings and to quarterly WICSS meetings in order to establish status and priority of cases.
VII. Reporting

A. SCDHS will provide copies of all permits issued, modified, transferred and/or deleted to the following NYSDEC offices;

NYS Department of Environmental Conservation
Division of Water Bureau of Wastewater Permits
625 Broadway
Albany, NY 12233

NYS Department of Environmental Conservation
Regional Water Manager
50 Circle Road, SUNY
Stony Brook, NY 11790-3409

B. NYSDEC will provide copies of all permits issued, modified, transferred and/or deleted to SCDHS, Office of Wastewater Management, 360 Yaphank Ave - Suite 2C, Yaphank, NY 11980.

C. All inspections performed by SCDHS will be reported on forms acceptable to NYSDEC. Copies of all inspection reports will be forwarded to the NYSDEC Region 1 DOW within 45 days of the end of the calendar quarter in which the inspection is performed, and will include sampling reports and facility ratings where applicable.

D. SCDHS will provide information on DOW enforcement cases for which it has lead role to NYSDEC Region 1 DOW on a quarterly basis. Enforcement tracking will include cases of non-permitted discharges, consent order violations, discharges exceeding flow or effluent limitations, non-submittal or late filing of complete Discharge Monitoring Reports (DMRs) and/or Noncompliance Reports (NCRs), improper STP operation and/or maintenance, etc.

E. SCDHS will complete and return SPDES Priority Violation Status Reports received from NYSDEC, within four weeks after receipt, and should include: status of violations; additional identified or alleged violations; respondent and SCDHS actions taken to achieve compliance; and appropriate scheduled follow-up actions. Responses will be sent to both Albany and Region 1.

F. SCDHS will complete and return Schedule Forecast Summary Sheets received from NYSDEC, within four weeks after indicated compliance date. These worksheets are intended to provide at least a three-month forecast of compliance dates to enable scheduling of required compliance inspections and facilitate timely completion of the worksheets. Responses will be sent to Albany and Region 1.
VIII. **MOU Effective Date**

This MOU will take effect immediately upon execution by the Regional Water Manager, NYSDEC and the Chief Engineer, SCDHS.

IX. **MOU Modification or Termination**

Modification or termination of this MOU is subject to a 60-day written notice by either signatory.

Appendix C: Annual WORKPLAN and Facility Inspection Schedule

William H. Spitz, Regional Water Manager, NYSDEC

[Signature]

Date

Walter Dawydiak, PE, Chief Engineer, SCDHS

[Signature]

4/6/11

Date
<table>
<thead>
<tr>
<th>CLASS</th>
<th>APPLICATION</th>
<th>CRITERIA</th>
<th>LEAD AGENCY</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>NY-2C with Supplement A (Industry Specific)</td>
<td>Industrial Significant Minor</td>
<td>NYSDEC or if industry is on the Fully Delegated List in III.C.1, SCDHS</td>
</tr>
<tr>
<td>02</td>
<td>D</td>
<td>P/C/I Non-Significant Minor GWD &lt; 30,000 GPD which meets SCDHS Density Limit no treatment required</td>
<td>SCDHS</td>
</tr>
<tr>
<td>03</td>
<td>NY-2C with Supplement A (Industry Specific)</td>
<td>Industrial Major</td>
<td>NYSDEC</td>
</tr>
<tr>
<td>04</td>
<td>NY-2C or NY-2E if NCCW only</td>
<td>Industrial Non-Significant Minor</td>
<td>NYSDEC or if NCCW only or if industry is on the Fully Delegated List in III.C.1, SCDHS</td>
</tr>
<tr>
<td>05</td>
<td>EPA Form 1 and NY-2A</td>
<td>Municipal STP Major</td>
<td>NYSDEC</td>
</tr>
<tr>
<td>06</td>
<td>EPA Form 1 and NY-2A</td>
<td>P/C/I Major</td>
<td>NYSDEC</td>
</tr>
<tr>
<td>07</td>
<td>EPA Form 1 and NY-2A</td>
<td>Municipal STP Significant Minor</td>
<td>NYSDEC</td>
</tr>
<tr>
<td>09</td>
<td>D</td>
<td>P/C/I Significant Minor GWD &gt; 30,000 GPD or Exceeds SCDHS Density Limit treatment required</td>
<td>SCDHS</td>
</tr>
<tr>
<td>10</td>
<td>NY-2C</td>
<td>Industrial Non-Significant Minor Petroleum Remediation</td>
<td>NYSDEC</td>
</tr>
</tbody>
</table>
Facility Classes

**Major Classes** (DMR necessary) - Permits that achieve 80 or more points on a NPDES PERMIT RATING WORKSHEET developed by the EPA.

- 03 = Industrial
- 05 = Municipal STP
- 06 = P/C/I

**Significant Minor Classes** (DMR necessary) - Permits not identified by the EPA as "Major" or by the Regional Water Manager as "Non-Significant". The word Minor has been retained because the EPA designates their non-Major permits as minor.

- 01 = Industrial
- 07 = Municipal STP
- 09 = P/C/I

**Non-Significant Minor Classes** (No DMR necessary) - Permits not identified by the EPA as "Major" and determined by the Regional Water Manager to pose a minimal water quality risk and not containing limitations for priority pollutants (i.e.: Toxic Code must = N).

- 02 = P/C/I
- 04 = Industrial
- 10 = Industrial/Petroleum Remediation

**General Permit Classes**

- 11 = Stormwater Construction
- 12 = Stormwater Industrial
- 14 = CAFO Large
- 15 = CAFO Medium
- 16 = MS4 Stormwater
Required Items & Check List
For the Submission of Resolutions
Pursuant to IR SOP, 1/8/08

Substance:

☑ Request Letter
☑ Draft Resolution
☑ SEQRA Determination
☑ SCIN 175a
☑ SCIN 175b
☑ e-Copies Sent to CE RESO REVIEW
☑ 3 Hard Copies sent to:
   (Deputy CE for Admin, Chief Deputy CE, Dir of IR)

Form:

☑ e-Copy with Proper Title
☑ Proper Sponsorship Line
☑ Proper Resolution Format
☑ Numbered Resolve Clauses
☑ Proofread Resolution
☑ Preparer's Initials

Background Documentation:

☑ Award Letter (to accept a grant)
☑ Copy of Grant Agreement (if available)
☑ Required Resolved Clause** (If Grant Establishes a Position)

_________________________________________Other Background Documentation

**RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the positions created by this resolution at the conclusion of the grant funding provided for such position created by said grant.
May 9, 2011

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

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution to accept 100% federal grant funds from the United States Environmental Protection Agency passed through the New York State Department of Environmental Conservation to the Department of Health Services for the State Pollutant Discharge Elimination System (SPDES) Water Quality Management Planning Program and authorizing the County Executive to execute any related agreements.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Chris Caci at 3-3178. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is “Reso-HSV-EQ SPDES.doc”.

Sincerely,

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

Enclosures

JLT/Iw

C: Christopher E. Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations (2 copies)
Margaret B. Bernel, M.B.A, Director of Health Administrative Services
Janet DeMarzo, Deputy Commissioner
Walter Dawydiak, Chief Public Health Engineer
Walter Hilbert, Principal Public Health Engineer
Christopher Caci, Senior Contracts Examiner
Diane E. Weyer, Principal Financial Analyst
RESOLUTION NO. 2011
ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY DEPARTMENT OF PROBATION TO IMPLEMENT THE IGNITION INTERLOCK PROGRAM.

WHEREAS, the New York State Division of Criminal Justice Services, Office of Probation and Correctional Alternatives has awarded the Suffolk County Department of Probation $380,327 in federal funds under the GTSC Interlock Device Monitoring Program for the period 10/1/10 – 9/30/11; and

WHEREAS, the funds will allow the collaborative initiative between the New York State Division of Criminal Justice Services, Office of Probation and Correctional Alternatives-GTSC, the Suffolk County District Attorney, and the Suffolk County Probation Department, to implement Leandra’s Law; and

WHEREAS, the GTSC Ignition Interlock Device Monitoring Program will utilize these federal funds to engage in Breath Alcohol Ignition Device monitoring activities in Suffolk County for an estimated 3,317 DWI-related offenders sentenced to probation or Conditional Discharge on or after August 15, 2010, and having conditions requiring the installation and maintenance of Ignition Interlock Devices in vehicles owned or operated by the offender; and

WHEREAS, Probation Department staff will receive sentencing orders from the criminal courts pertaining to adult DWI-related offenders who, as a condition of their sentence, must install and maintain a BAIID in each vehicle owned or operated by the offender and initiate monitoring activities; and

WHEREAS, the 2011 Probation Department budget includes $335,368 for salaries and contracted agencies for this monitoring program; and

WHEREAS, this program plan includes $44,959 in funding for the Suffolk County Department of Probation to pay for overtime that will be required in the program; and

WHEREAS, $44,959 of the $380,327 has not been included in the 2011 Operating Budget to implement this initiative; now, therefore, be it

Resolved, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

1st
REVENUES:
001- 4320 -Federal Aid: Criminal Justice Programs $380,327.00

APPROPRIATIONS

Suffolk County Probation Department
Ignition Interlock Program
001-PRO-3137

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 Personal Services</td>
<td>$44,959</td>
</tr>
<tr>
<td>1120-Overtime</td>
<td>$44,959</td>
</tr>
</tbody>
</table>

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements.

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**  
   Accepting and appropriating 100% Federal pass-through grant funds from the New York State Division of Criminal Justice Services, for the Suffolk County Department of Probation, to implement the Ignition Interlock Program.

3. **Purpose of Legislation**  
   The Probation Department staff will receive sentencing orders from the criminal courts pertaining to adult DWI related offenders who, as a condition of their sentence, must install and maintain a Breath Alcohol Ignition Interlock Device in each vehicle owned or operated by the offender, and initiate monitoring activities.

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  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**  
   None to the County.

8. **Proposed Source of Funding**  
   Federal Grant pass through funding.

9. **Timing of Impact**  
   Immediate

10. **Typed Name & Title of Preparer**  
    Mary Wider  
    Principal Acct. Clerk

11. **Signature of Preparer**  
    Theresa Lollis

12. **Date**  
    May 13, 2011
<table>
<thead>
<tr>
<th>STATE AGENCY</th>
<th>NYS COMPTROLLER'S NUMBER: C523435</th>
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<tbody>
<tr>
<td>Division of Criminal Justice Services</td>
<td>(Contract Number)</td>
</tr>
<tr>
<td>4 Tower Place</td>
<td>ORIGINATING AGENCY CODE: 01490 - Division of Criminal Justice Services</td>
</tr>
<tr>
<td>Albany, NY 12203</td>
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</table>

<table>
<thead>
<tr>
<th>GRANTEE/CONTRACTOR: (Name &amp; Address)</th>
<th>TYPE OF PROGRAMS: GTSC Ignition Interlock Device Monitoring Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suffolk County</td>
<td>DCCS NUMBERS: II0923435</td>
</tr>
<tr>
<td>H Lee Dennison Building</td>
<td>CFDA NUMBERS:</td>
</tr>
<tr>
<td>100 Veterans Memorial Highway</td>
<td></td>
</tr>
<tr>
<td>Hauppauge, NY 11785</td>
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<table>
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<tr>
<th>FEDERAL TAX IDENTIFICATION NO: 11-6000464</th>
<th>INITIAL CONTRACT PERIOD: FROM 10/01/2010 TO 09/30/2011</th>
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</thead>
<tbody>
<tr>
<td>MUNICIPALITY NO: (if applicable) 470100000 000</td>
<td>FUNDING AMOUNT FROM INITIAL PERIOD: $380,327 00</td>
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</table>

<table>
<thead>
<tr>
<th>STATUS:</th>
<th>MULTI-YEAR TERM: (if applicable): 0 1-year renewal options.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor is not a sectarian entry.</td>
<td></td>
</tr>
<tr>
<td>Contractor is not a not-for-profit organization.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CHARITIES REGISTRATION NUMBER:</th>
<th>APPENDIX ATTACHED AND PART OF THIS AGREEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>X APPENDIX A Standard Clauses required by the Attorney General for all State contracts</td>
</tr>
<tr>
<td></td>
<td>X APPENDIX A1 Agency-specific Clauses</td>
</tr>
<tr>
<td></td>
<td>X APPENDIX B Budget</td>
</tr>
<tr>
<td></td>
<td>X APPENDIX C Payment and Reporting Schedule</td>
</tr>
<tr>
<td></td>
<td>X APPENDIX D Program Workplan</td>
</tr>
<tr>
<td></td>
<td>— APPENDIX F Guidelines for the Control and Use of Confidential Funds</td>
</tr>
<tr>
<td></td>
<td>— APPENDIX G Procedural Guidelines for the Control of Surveillance Equipment</td>
</tr>
<tr>
<td></td>
<td>X Other (Identify)</td>
</tr>
</tbody>
</table>

Contractor has ___ has not ___ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.

IN WITNESS THERE OF, the parties hereto have electronically executed or approved this AGREEMENT on the dates of their signatures.

NYS Division of Criminal Justice Services

BY: ____________________________ Date: ____________________________

Office of Program Development and Funding

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

GRANTEE:

BY: Mr. Ed Dumas , Chief Deputy County Executive for Policy and Communications Date: ____________________________

ATTORNEY GENERAL'S SIGNATURE

Title: ____________________________ Date: ____________________________

APPROVED,

Thomas P. DiNapoli, State Comptroller

Title: ____________________________ Date: ____________________________
AGREEMENT

STATE OF NEW YORK
AGREEMENT
This AGREEMENT is hereby made by and between the State of New York agency (STATE) and the public or private agency (CONTRACTOR) identified on the face page hereof.

WITNESSETH:
WHEREAS, the STATE has the authority to regulate and provide funding for the establishment and operation of program services and desires to contract with skilled parties possessing the necessary resources to provide such services; and
WHEREAS, the CONTRACTOR is ready, willing and able to provide such program services and possesses or can make available all necessary qualified personnel, licenses, facilities and expertise to perform or have performed the services required pursuant to the terms of this AGREEMENT;
NOW THEREFORE, in consideration of the promises, responsibilities and covenants herein, the STATE and the CONTRACTOR agree as follows:

I. Conditions of Agreement
A. This AGREEMENT may consist of successive periods (PERIOD), as specified within the AGREEMENT or within a subsequent Modification Agreement(s) (Appendix X) Amendment. Each additional or superseding PERIOD shall be on the forms specified by the particular State agency, and shall be incorporated into this AGREEMENT.
B. Funding for the first PERIOD shall not exceed the funding amount specified on the face page hereof. Funding for each subsequent PERIOD, if any, shall not exceed the amount specified in the appropriate appendix amendment for that PERIOD.
C. This AGREEMENT incorporates the face page attached as presented in the Grants Management System (GMS) AWARD online printable report, and all of the marked appendices identified on the face page hereof.
D. For each succeeding PERIOD of this AGREEMENT, the parties shall prepare new appendices, to the extent that any require modification, and a Modification Agreement. Any terms of this AGREEMENT not modified shall remain in effect for each PERIOD of the AGREEMENT.

To modify the AGREEMENT within an existing PERIOD, the parties shall revise or complete the appropriate appendix form(s). Any change in the amount of consideration to be paid, change in scope, or change in term is subject to the approval of the Office of the State Comptroller. Any other modifications shall be processed in accordance with agency guidelines as stated in Appendix A-1.

E. The CONTRACTOR shall perform all services to the satisfaction of the STATE. The CONTRACTOR shall provide services and meet the program objectives summarized in the Program Workplan (Appendix D) in accordance with: provisions of the AGREEMENT; relevant laws, rules and regulations, administrative and fiscal guidelines; and where applicable, operating certificates for facilities or licenses for an activity or program.
F. If the CONTRACTOR enters into subcontracts for the performance of work pursuant to this AGREEMENT, the CONTRACTOR shall take full responsibility for the acts and omissions of its subcontractors. Nothing in the subcontract shall impair the rights of the STATE under this AGREEMENT. No contractual relationship shall be deemed to exist between the subcontractor and the STATE.
G. Appendix A (Standard Clauses as required by the Attorney General for all State contracts) takes precedence over all other parts of the AGREEMENT.

II. Payment and Reporting
A. The CONTRACTOR, to be eligible for payment, shall submit to the STATE’s designated payment office (identified in Appendix C) any appropriate documentation as required by the Payment and Reporting Schedule (Appendix C) and by agency fiscal guidelines, in a manner acceptable to the STATE.
B. The STATE shall make payments and any reconciliations in accordance with the Payment and Reporting Schedule (Appendix C). The STATE shall pay the CONTRACTOR, in consideration of contract services for a given PERIOD, a sum not to exceed the amount noted on the face page hereof or in the respective Appendix designating the payment amount for that given PERIOD. This sum shall not duplicate reimbursement from other sources for CONTRACTOR costs and services provided pursuant to this AGREEMENT.
C. The CONTRACTOR shall meet the audit requirements specified by the STATE.

III. Terminations
A. This AGREEMENT may be terminated at any time upon mutual written consent of the STATE and the CONTRACTOR.
B. The STATE may terminate the AGREEMENT immediately, upon written notice of termination to the
CONTRACTOR, if the CONTRACTOR fails to comply with the terms and conditions of this AGREEMENT and/or with any laws, rules, regulations, policies or procedures affecting this AGREEMENT.
C. The STATE may also terminate this AGREEMENT for any reason in accordance with provisions set forth in Appendix A-1.
D. Written notice of termination, where required, shall be sent by personal messenger service or by certified mail, return receipt requested. The termination shall be effective in accordance with the terms of the notice.
E. Upon receipt of notice of termination, the CONTRACTOR agrees to cancel, prior to the effective date of any prospective termination, as many outstanding obligations as possible, and agrees not to incur any new obligations after receipt of the notice without approval by the STATE.
F. The STATE shall be responsible for payment on claims pursuant to services provided and costs incurred pursuant to terms of the AGREEMENT. In no event shall the STATE be liable for expenses and obligations arising from the program(s) in this AGREEMENT after the termination date.
IV. Indemnification
A. The CONTRACTOR 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 the CONTRACTOR or its subcontractors pursuant to this AGREEMENT. The CONTRACTOR shall indemnify and hold harmless the STATE 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.
B. The CONTRACTOR is an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of the STATE nor make any claim, demand or application to or for any right based upon any different status.
V. Property
Any equipment, furniture, supplies or other property purchased pursuant to this AGREEMENT is deemed to be the property of the STATE except as may otherwise be governed by Federal or State laws, rules or regulations, or as stated in Appendix A-1.
VI Safeguards for Services and Confidentiality
A. 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.
B. Funds provided pursuant to this AGREEMENT shall not be used for any partisan political activity, or for activities that may influence legislation or the election or defeat of any candidate for public office.
C. Information relating to individuals who may receive services pursuant to this AGREEMENT shall be maintained and used only for the purposes intended under the contract and in conformity with applicable provisions of the laws and regulations, or specified in Appendix A-1.

Certified by - on
APPENDIX A

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, licensor, lessee, lessor 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 previous consent, in writing, of the State and any attempts to assign the contract without the State's written consent are null and void. The Contractor may, however, assign its right to receive payment 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.

7. NON-COLLUSIVE 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 forfeit and 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) FEDERAL EMPLOYER IDENTIFICATION NUMBER and/or FEDERAL SOCIAL SECURITY NUMBER. All invoices or New York State standard vouchers submitted for payment for the sale of goods or services or the lease of real or personal property to a New York State agency must include the payee's identification number, i.e., the seller's or lessor's identification number. The number is either the payee's Federal employer identification number or Federal social security number, or both such numbers when the payee has both such numbers. Failure to include this number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or New York State standard voucher, 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 New York State's Central Accounting System by the Director of Accounting Operations, 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, 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:
(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, 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, demotion, 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 state, 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; or (iii) banking services, insurance policies or the sale of securities. 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 Governor's Office 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 State Finance Law '165. (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. MACBRIDE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles (Chapter 607 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. PURCHASES OF APPAREL. In accordance with State Finance Law 162 (4-a), the State shall not purchase any apparel from any vendor unable or unwilling to certify that: (i) such apparel was manufactured in compliance with all applicable labor and occupational safety laws, including, but not limited to, child labor laws, wage and hours laws and workplace safety laws, and (ii) vendor will supply, with its bid (or, if not a bid situation, prior to or at the time of signing a contract with the State), if known, the names and addresses of each subcontractor and a list of all manufacturing plants to be utilized by the bidder.

All Certified Assurances for federal programs, and DCJS Contract Appendices are also available online for download at http://criminaljustice.state.ny.us/ofpa/forms.htm. (rev)June, 2006

Certified by - on
Award Contract

GTSC Ignition Interlock Device Monitoring Program

Project No. II11-1047-D00
Grantee Name Suffolk County

05/13/2011

APPENDIX A1
AGENCY-SPECIFIC CLAUSES

1. For grant solicitations or direct grant awards announced before April 10, 2006, if this Agreement exceeds $15,000, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If this Agreement is for $15,000 or less, it shall not take effect until it is executed by both parties.

For grant solicitations or direct grant awards announced on or after April 10, 2006, if this Agreement exceeds $50,000, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If this Agreement is for $50,000 or less, it shall not take effect until it is executed by both parties.

2. This Agreement sets forth the entire understanding of the parties and may not be altered or amended except in writing and signed by the parties hereto.

3. The failure of a party to enforce a contractual obligation shall not eliminate the other party’s obligation to perform such contractual obligation.

4. In the event that any provision of this Agreement is determined to be null and void, all remaining provisions shall continue to be in full force and effect.

5. The Grantee must notify DCJS in writing of any change in the number, title, job duties or rate of remuneration of project staff which changes the Personal Service Project Budget line by 10 percent or under. Any change in the number, title, job duties or rate of remuneration of project staff which changes the Project Budget line more than 10 percent must be approved in writing by DCJS prior to implementation. The Grantee agrees to provide DCJS with resumes and supporting documentation upon request.

6. The Grantee shall submit detailed itemization forms for personal service and fringe benefit expenditures, in a format determined by DCJS, with any voucher and Fiscal Cost Reports requesting payment for expenditures.

7. The Grantee must maintain specific documentation as support for project related personal service expenditures, depending upon whether this grant contract project is supported by State or Federal funds:
   A. For State funded grants:

   For all Grantee's staff whose salaries are paid in whole or in part from grant funds provided under this Agreement, the Grantee shall maintain a time recording system which shows the time devoted to the grant project. The system shall consist of time sheets, computerized workload distribution reports, or equivalent systems. The time devoted to grant activities must be determinable and verifiable by DCJS. If time sheets are used, each must be signed by the individual and certified by the individual's supervisor in a higher level position at the end of each time reporting period.
   B. For Federally funded grants:

   Depending upon the nature or extent of personal service provided under this Agreement, the Grantee shall maintain semi-annual (or more frequent) personal service certifications and/or an after-the-fact personnel activity reporting system (or equivalent) which complies with the requirements of the Federal Office of Management and Budget (OMB) Circulars A-21, A-87 or A-122, as applicable:

   1. OMB Circular A-21 [Item J, General provisions for selected items of cost] identifies documentation required for educational institutions as support for grant project personnel costs.
   2. OMB Circular A-87 [Attachment B, Selected Items of Cost] identifies the documentation required for local government agencies as support for grant project personnel costs.
   3. OMB Circular A-122 [Attachment B, Selected Items of Cost] identifies the documentation required for non-profit organizations as support for grant project personnel costs.

The most current version of these Federal OMB Circulars may be viewed on-line at:

https://grants.criminaljustice.state.ny.us/Project/ReportContractAward.jsp
www.whitehouse.gov/omb/circulars.

The Grantee is to ensure full compliance with specific personal service documentation requirements of these OMB Circulars as applicable directly to the Grant recipient and to any sub-recipient (or collaborative agency/organization). Failure to do so may result in disallowance of costs upon audit.

8. Budget amendments are governed as follows:

A. Any proposed modification to the contract which results in a change of greater than 10 percent to any budget category must be submitted for prior approval by DCJS and the NYS Office of the State Comptroller. An Appendix X setting forth the proposed amendment must be electronically signed via the Grants Management System by the Grantee for approval by DCJS and the NYS Office of the State Comptroller before the next voucher and/or fiscal cost report will be approved.

B. For proposed modifications to the contract which result in a change of 10 percent or less to any budget category, the following shall apply:

1. The Grantee is not permitted to reallocate funds between Personal Service and Non-Personal Service budget categories without the prior approval of DCJS. A grant amendment setting forth the proposed reallocation must be approved by DCJS via the Grants Management System before the next voucher and/or fiscal cost report will be approved.

2. Prior approval by DCJS is not required for Non-Personal Service budget changes which are less than 10 percent. A letter signed by the Chief Executive Officer or Fiscal Officer authorizing these changes must be submitted to DCJS with the next voucher or fiscal cost report submission.

9. Space rental provided by this Agreement must be supported by a written lease, maintained on file and made available by the Grantee upon request.

10. The Grantee's request for travel, meals or lodging reimbursement shall be in accordance with Appendix B. Budget, and, unless prior written authorization has been received from DCJS, shall not exceed rates authorized by the NYS Office of the State Comptroller.

11. The Grantee's employment of a consultant must be supported by a written agreement executed by the Grantee and the consultant. A consultant is defined as an individual or organization hired by the Grantee for the stated purpose of accomplishing a specific task relative to the funded project. A copy of the agreement must be submitted to DCJS with the appropriate voucher for payment. All consultant services must be obtained in a manner that provides for fair and open competition. The Grantee shall retain copies of all solicitations seeking a consultant, written agreements and documentation justifying the cost and selection of the consultant. The Grantee further agrees that it shall assume sole and complete responsibility for fulfilling all the obligations set forth in the Agreement and the Grantee must guarantee the work of the consultant as if it were its own.

A. The rate for a consultant should not exceed $450 for an eight-hour day (not including travel and subsistence costs). A rate exceeding $450 per eight-hour day requires prior written approval from DCJS and may be approved on a case-by-case basis where adequate justification is provided and expenses are reasonable and allowable.

B. In addition to the above requirements, a Grantee that is a local government or a not-for-profit must adhere to the following guidelines at a minimum when obtaining consultant services:

1. Consultant services that cost up to $999 under this grant agreement can be obtained at the Grantee's discretion.

2. Consultant services that cost between $1,000 and $4,999 under this grant agreement must be supported by at least three telephone quotes and a record created of such quotes.

3. Consultant services that cost between $5,000 and $9,999 under this grant agreement must be supported by at least three written quotes on a vendor's stationery and a record created of competitive procurement process utilized.

4. A Grantee obtaining consultant services that cost in excess of $10,000 must use a competitive bidding process. Guidance may be obtained from DCJS. At a minimum, the competitive bidding process must incorporate the following: open, fair advertisement of the opportunity to provide services; equal provision of information to all interested parties; reasonable deadlines; sealed bids opened at one time before a committee who will certify the process; establishment of the methodology for evaluating bids before the bids are opened;
and maintenance of a record of competitive procurement process.

C. A Grantee who proposes to obtain consultant services from a particular vendor without competitive bidding, must obtain the prior written approval of DCJS. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and basis upon which the price was determined to be reasonable. Further, such consultant services must be in accordance with the guidelines, bulletins and regulations of the NYS Office of the State Comptroller, State Procurement Council, and the U.S. Department of Justice. A copy of DCJS' approval must also be submitted with the voucher for payment.

D. Notwithstanding the provisions of this paragraph, the Parties agree that DCJS' prior written approval is not required for the employment of a consultant when such employment is secured in relationship to a criminal matter as an expert witness, consultant or investigator. The Parties agree that the employment shall be supported by a written agreement and that all requests for reimbursement shall be supported by documentation identifying the criminal matter involved, services provided, time commitment and schedule. Such agreement and documentation shall be submitted to DCJS with the appropriate voucher for payment.

12. All procurements, other than consultant services, shall be conducted in the following manner. Written justification and documentation for all procurements must be maintained on file and made available upon request. Detailed itemization forms for non-personal service expenditures, in a format determined by DCJS, shall accompany each voucher and Fiscal Cost Report requesting payment. All procurements must be made in a fair and open manner and in accordance with the pre-determined methodology established for evaluating bids (e.g., lowest responsive bidder or best value).

A. A Grantee that is a state entity must make all procurements in accordance with State Finance Law Article 11, and any other applicable regulations.
B. A Grantee that is a local government must make procurements in accordance with General Municipal Law Article 5-A and any other applicable regulations.
C. In addition, a Grantee that is a not-for-profit must also make all procurements as noted below:

1. If the Grantee is eligible to purchase an item or service from a government contract or is able to purchase such item or service elsewhere at a lower than or equal price, then such purchase may be made immediately.
2. A Grantee may purchase any single piece of equipment, single service or multiples of each that cost up to $999 at its discretion.
3. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost between $1,000 and $4,999, a Grantee must secure at least three telephone quotes and create a record for audit of such quotes.
4. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost between $5,000 and $9,999, the Grantee must secure at least three written quotes on a vendor's stationery and maintain a record of the competitive procurement process for audit purposes.
5. A Grantee spending in aggregate of $10,000 and above must use a competitive bidding process. Guidance may be obtained from DCJS. At a minimum, the competitive bidding process must incorporate the following: open, fair advertisement of the opportunity to provide services; equal provision of information to all interested parties; reasonable deadlines; sealed bids opened at one time before a committee who will certify the process; establishment of the methodology for evaluating bids before the bids are opened; and maintenance of a record of competitive procurement process.
6. A Grantee who proposes to purchase from a particular vendor without competitive bidding must obtain the prior written approval of DCJS. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and the basis upon which the price was determined to be reasonable. Further, such procurement must be in accordance with the guidelines, bulletins and regulations of the NYS Office of the State Comptroller, State Procurement Council, and the U.S. Department of Justice. A copy of DCJS' approval must also be submitted with the voucher for payment.

13. Applicable equipment purchased with funds provided by this Agreement as listed in Appendix B, Budget, shall be assigned a unique inventory number. The Grantee shall list all applicable equipment purchased with such funds in the GMS Property Module and print and submit such reports to DCJS/ODPF program representatives with the final program progress report or sooner. Alternatively, the Grantee may use the Equipment Inventory reports prescribed by DCJS to list equipment purchases and submit them to DCJS via postal service. Items of equipment costing less than $500 do not need to be reported on the Equipment Inventory Reports although the Grantee is encouraged to maintain an internal inventory for audit purposes. Upon completion of all contractual requirements by the Grantee, DCJS will consider a request for continued use and
possession of the equipment purchased with grant funds provided the equipment continues to be used in conducting a criminal justice program.

14. Grant funds may be expended only for purposes and activities set forth in this Agreement. Accordingly, the most important single requirement of accounting for this grant is the complete and accurate documentation of grant expenditures. If the Grantee receives funding from two or more sources, all necessary steps must be taken to ensure that grant-related transactions are not commingled. This includes, but is not limited to, the establishment of unique budget codes, a separate cost center, or a separate chart of accounts. Expenditures must be cross-referenced to supporting source documents (purchase orders, contracts, real estate leases, invoices, vouchers, timesheets, mileage logs, etc.). Grantee agrees it shall maintain adequate internal controls and adhere to Generally Accepted Accounting Principles for Government or Generally Accepted Accounting Principles for Not-For-Profit Organizations.

This Agreement may be subject to a fiscal audit by DCJS to ascertain financial compliance with Federal and/or State laws, regulations, and guidelines applicable to this Agreement. Such audits may include review of the Grantee's accounting, financial, and reporting practices to determine compliance with the Agreement and reporting requirements; maintenance of accurate and reliable original accounting records in accordance with governmental accounting standards as well as generally accepted accounting principles; and specific compliance with allowable cost and expenditure documentation standards prescribed by applicable Federal, State, and DCJS guidelines.

15. Where advance payments are approved by DCJS, the Grantee agrees to expend the advance payments in accordance with the purposes set forth in Appendix D and consistent with Appendix B.

16. DCJS reserves the right to suspend program funds if the Grantee is found to be in noncompliance with the provisions of this Agreement or other grant agreements between the Grantee and DCJS or, if the Grantee or principals of the Grantee are under investigation by a New York State or local law enforcement agency for noncompliance with State or Federal laws or regulatory provisions or, if in DCJS' judgment, the services provided by the Grantee under the Agreement are unsatisfactory or untimely. DCJS shall provide the Grantee with written notice of noncompliance. Upon the Grantee's failure to correct or comply with the written notice by DCJS, DCJS reserves the right to terminate this Agreement, recoup funds and recover any assets purchased with the proceeds of this Agreement. DCJS reserves the right to use approved grant related expenditures to offset disallowed expenditures from any grant funded through its offices upon issuance of a final audit report and appropriate notification to the Grantee, or upon reasonable assurance that the Grantee is not in compliance with Agreement terms.

17. The Grantee agrees, as a material condition of the Agreement, to comply with all applicable provisions of the Hatch Act (5 U.S.C. "1501 et seq.) as amended.

18. Program income earned by the Grantee during the funding period as a direct result of the grant award must be reported in writing to DCJS, in addition to any other statutory reporting requirements. This includes income received from seized and forfeited assets and cash, as well as: sale of grant purchased property; royalties; fees for services; and registration/tuition fees. Interest earned on grant funds is not program income unless specified in Appendix D. The Grantee agrees to report the receipt and expenditures of grant program income to DCJS. All income, including interest, generated by the use of these grant funds will be used to enhance the grant project.

19. If applicable, the Grantee agrees to obtain not-for-profit status, a federal identification number, and a charitable registration number (or a declaration of exemption) and to furnish DCJS with this information as soon as it is available.

20. Unless otherwise specified, in accordance with the State Finance Law, the availability of all State funds for liabilities already incurred thereunder shall cease on September 15th of the year following the fiscal year in which the funds were appropriated, unless such funds are reappropriated by the New York State Legislature. To ensure payment, vouchers must be received by DCJS by August 1st of the year following the fiscal year in which the funds were appropriated.

21. The Grantee will submit program progress reports and one final report to DCJS via the GMS system and additional information or amended data as required.

A. Program progress reports will be due within 45 days of the last day of each calendar quarter or on an

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alternate schedule as prescribed in Appendix D. The first program progress report will be due within 45 days of
the last day of the calendar quarter from the start date of the program.

Program progress reports thereafter will continue to be made until such time as the funds subject to this
Agreement are no longer available, have been accounted for, and/or throughout the Agreement period or project
duration.

Calendar quarters, for the purposes of making program progress reports, shall be as follows:
Calendar Quarter; Report Due
January 1 - March 31; May 15
April 1 - June 30; August 15
July 1 - September 30; November 15
October 1 - December 31; February 15

B. The final report, or where applicable interim progress reports, will summarize the project's achievements as
well as describe activities for that quarter.

22. If for any reason the State of New York or the federal government terminates its appropriation through DCJS
or fails to pay the full amount of the allocation for the operation of this program, this Agreement may be
terminated or reduced at the discretion of DCJS, provided that no such reduction or termination shall apply to
allowable costs already incurred by the Grantee where funds are available to DCJS for payment of such costs.
Upon termination or reduction of the Agreement, all remaining funds paid to the Grantee that are not subject to
allowable costs already incurred by the Grantee shall be returned to DCJS. In any event, no liability shall be
incurred by DCJS or by the State of New York beyond monies available for the purposes of this Agreement. The
Grantee acknowledges that any funds due to DCJS because of disallowed expenditures after audit shall be its
responsibility.

23. If Appendix B, Program Budget, makes provisions for overtime payment, the Grantee agrees to submit
vouchers for such payment of overtime charges within 45 days after the last day of the quarter for the reporting
period. The Grantee further agrees to limit overtime earnings to no more than 25 percent (25%) of the
employee's annual personnel cost (salary plus fringe benefits) during the term of this Agreement. No
reimbursements for overtime charges in excess of this 25 percent (25%) limit will be made unless prior written
approval has been obtained from DCJS.

24. None of the goals, objectives or tasks set forth in Appendix D shall be subawarded to another organization
without specific prior written approval by DCJS. Where the intention to make subawards is clearly indicated in
the application, DCJS' approval is deemed given, if these activities are funded as proposed.

If this Agreement makes provisions for the Grantee to subgrant funds to other recipients, the Grantee agrees that
all subgrantees shall be held accountable by the Grantee for all terms and conditions set forth in this Agreement.
The Grantee further agrees that it shall assume sole and complete responsibility for fulfilling all the obligations
set forth in the Agreement and the Grantee must guarantee the work of any subgrantee as if it were its own.

The Grantee agrees that all subgrantee arrangements shall be formalized in writing between the parties
involved. The writing must, at a minimum, include the following information:

-Activities to be performed;
-schedule;
-Project policies;
-Other policies and procedures to be followed;
-Dollar limitation of the Agreement;
-Appendix A, Appendix A-1, Appendix C, Certified Assurances for Federally Supported Projects, Certification
Regarding Lobbying, Debarment and Suspension and any special conditions set forth in the Agreement; and
-Applicable Federal and/or State cost principles to be used in determining allowable costs.

The Grantee will not be reimbursed for subgranted funds unless all expenditures by a subgrantee are listed on
certification forms. Backup documentation for such expenditures must be made available upon request. All
expenditures must be programmatic consistent with the goals and objectives of this Agreement and with the
financial plan set forth in Appendix B.

https://grants.criminaljustice.state.ny.us/Project/ReportContractAward.jsp 5/13/2011
25. Federal Funds

A. In accordance with Federal requirements, a Grantee which receives during its fiscal year $500,000 or more of Federal funds (including pass-through and direct) from all sources, including this Agreement, must agree to have an independent audit of such Federal funds conducted in accordance with the Federal Office of Management and Budget (OMB) Circular A-133. OMB Circular A-133 further requires that the final report for such audit be completed within nine months of the end of the Grantee's fiscal year. The Grantee further agrees to provide one copy of such audit report(s) to DCJS within nine months of the end of its fiscal year(s).

B. In accordance with Federal requirements, a Grantee receiving Federal pass-through funds must also agree to comply with the terms and conditions of any and all applicable Federal OMB Circulars. For the convenience of the Grantee, the following OMB circulars are noted as the most common applicable to federal funds passed through DCJS:

- OMB Circular A 21, Cost Principles for Educational Institutions;
- OMB Circular A 87, Cost Principles for State, Local and Indian Tribal Governments;
- OMB Circular A 102, Grants and Cooperative Agreements With State and Local Governments;
- OMB Circular A 110, Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Non Profit Organizations; and
- OMB Circular A 122, Cost Principles for Non Profit Organizations.

The Parties agree that, dependent upon the status of the Grantee, additional circulars may also be applicable. The most current version of all Federal OMB Circulars may be viewed on-line at: www.whitehouse.gov/omb/circulars.

The Grantee is to ensure full compliance with all cost documentation requirements of OMB Circulars as applicable directly to the Grant recipient and to any sub-recipient (or collaborative agency/organization). Failure to do so may result in disallowance of costs upon audit.

26. Any creative or literary work developed or commissioned by the Grantee with grant support provided by DCJS shall become the property of DCJS, entitling DCJS to assert a copyright therein, unless the parties have expressly agreed otherwise in a written instrument signed by them.

A. If DCJS shares its right to copyright such work with the Grantee, DCJS reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: (a) the copyright in any work developed under a grant, subgrant, or contract under a grant or subgrant; and (b) any rights of copyright to which a Grantee, Subgrantee, or a Contractor purchases ownership with grant support.

B. If the grant support provided by DCJS is federally sponsored, the federal awarding agency also reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: (a) the copyright in any work developed under a grant, subgrant or contract under a grant or subgrant; and (b) any rights of copyright to which a Grantee, Subgrantee, or a Contractor purchases ownership with such grant support.

C. The Grantee shall submit one copy of all reports and publications resulting from this Agreement to DCJS. Any publications must contain the following statement, in visible print, of any document generated pursuant to a grant administered by DCJS:

This project was supported by a grant administered by the New York State Division of Criminal Justice Services. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the Division of Criminal Justice Services.

27. Original records must be retained for six years following the submission of the final claim against this Agreement. In the event of a fiscal audit, the project manager or a designated responsible party must be prepared to produce source documents that substantiate claimed expenditures. DCJS requires that all documentation materials be organized, readily accessible, and cross-referenced to the Fiscal Cost Reports previously submitted. If fiscal records, such as purchase orders, vouchers, payroll registers, payroll tax records, etc., are to be kept in a fiscal office which is separate and apart from the program office, the project manager must have access to these original records. Such fiscal records must readily identify the associated project. In addition, a separate set of records must be retained for each project year.

28. Grant-related expenditures shall be reported on Fiscal Cost Reports and detailed itemization forms provided by DCJS. These reports must be prepared periodically as defined in Appendix C of this Agreement. All reported
expenditures must reconcile to the program accounting records. Prior period adjustments shall be reported in the same accounting period that the correction was made.

VER: 05/05/10
Certified by - on
# APPENDIX B - Budget Summary by Participant

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<thead>
<tr>
<th>#</th>
<th>All Other Expenses</th>
<th>Number</th>
<th>Unit Cost</th>
<th>Total Cost</th>
<th>Grant Funds</th>
<th>Matching Funds</th>
</tr>
</thead>
<tbody>
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<td>$380,327.00</td>
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<td><strong>$380,327.00</strong></td>
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<table>
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<tr>
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<th>Total Project Costs</th>
<th>Total Cost</th>
<th>Grant Funds</th>
<th>Matching Funds</th>
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<td><strong>$380,327.00</strong></td>
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<table>
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<th></th>
<th>Total Contract Costs</th>
<th>Total Cost</th>
<th>Grant Funds</th>
<th>Matching Funds</th>
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<td><strong>$380,327.00</strong></td>
<td><strong>$380,327.00</strong></td>
<td><strong>$0.00</strong></td>
</tr>
</tbody>
</table>
APPENDIX C
PAYMENT AND REPORTING SCHEDULE

NOTE: Additional payment provisions associated with the schedule(s) below are detailed in Appendix A-1.

For All Grantees:

1. The Grantee agrees that this is a reimbursement-based contract; an advance may be provided through Appendix D (Special Conditions). All requests for reimbursement must reflect actual costs that have been disbursed or items received by the Grantee. A purchase order issued without receipt of the items or service is not eligible for reimbursement.

2. Grantees must submit all required fiscal reports, supporting documentation and program progress reports. Failure to meet these requirements will result in the rejection of associated vouchers. Failure to submit the final program report, or interim progress report designated as the final report, may result in a disallowance of 25 percent (25%) of the grant amount. The Grantee must also refund all unexpended advances (see item three below.) Final vouchers, reimbursement payment and reports must be submitted within 45 days of the end of the grant contract period. Failure to voucher within this period may result in the loss of grant funds.

3. If at the end of this grant contract there remains any unexpended balance of the monies advanced under this contract in the possession of the Grantee, the Grantee shall submit a certified check or money order for the unexpended balance payable to the order of the State of New York and return it to the DCJS Office of Finance with its final fiscal cost report within 45 days of termination of this grant contract.

4. Vouchers shall be submitted in a format acceptable to DCJS and the Office of the State Comptroller (see http://www.criminaljustice.state.ny.us/ofpa/forms.htm). 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 Project 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 grant, would have been made available by the Grantee for this program. Requirement b) does not apply to Legislative sponsored State grants.

5. For purposes of prompt payment provisions, the Designated Payment Office for the processing of all vouchers is the DCJS Office of Financial Services. Payment of grant vouchers shall be made in accordance with the provisions of Article XI-A of the State Finance Law (http://caselaw.lp.findlaw.com/nycodes/c113/a19.html). Payment shall be preceded by an inspection period of 15 business days which shall be excluded from calculations of the payment due date for purposes of determining eligibility for interest payments. The Grantee must notify the Office of Finance in writing of a change of address in order to benefit from the prompt payment provision of the State Finance Law. When progress reports are overdue, vouchers will not be eligible for prompt payment.

6. Timely and properly completed New York State vouchers, with supporting documentation when required, shall be submitted to:

NYS Division of Criminal Justice Services
Office of Finance
4 Tower Place
Albany, NY 12203-3764

7. Payment Schedule

PAYMENT and PAYMENT DUE DATE

1: Pending appropriation, 30 days after commencement date of contract with proper documentation or upon receipt of proper documentation, whichever is later.
2-4: Quarterly

A not-for-profit Grantee operating on a multi-year contract may voucher for an optional fifth quarter advance against the succeeding year’s appropriation, pursuant to NYS Finance Law, Section 179-u.

All submitted vouchers will reflect the Grantee’s actual expenditures and will be accompanied by supporting detailed itemizations of personal service and non-personal service expenditures and other documentation as required, and by a fiscal cost report for the reporting period. DCJS reserves the right not to release subsequent grant awards pending Grantee compliance with this Agreement. In the event that any expenditure for which the Grantee has been reimbursed by grant funds is subsequently disallowed, DCJS in its sole discretion, may reduce the voucher payment by the amount disallowed. If necessary, the Grantee may be required to submit a final budget reallocation. Fiscal cost reports must be submitted showing grant expenditures and/or obligations for each quarter of the grant within 45 days after the last day of the quarter for the reporting period.

Advance payments shall be permitted as specified in Appendix A-1, and in the amount specified in Appendix D (Special Conditions).

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 Expenditures
- Expert witness agreement and supporting documentation
- Voucher and Fiscal Cost Report signed
- Written documentation of all required DCJS prior approvals as follows:
  - DCJS approval of non-competitive consultant
  - DCJS approval of non-competitive vendor for services
  - DCJS approval of consultant services reimbursement greater than $450 per eight hour day
  - DCJS approval of change to Personal Services by more than 10 percent
  - DCJS approval to exceed NYS Office of the State Comptroller travel, meals and lodging rates
  - DCJS approval to subaward to another organization
  - DCJS approval for overtime payments exceeding 25 percent of an employee’s annual personnel cost
  - DCJS and NYS Office of the State Comptroller approval to modify Personal Services and Non Personal Services budget categories by more than 10 percent
  - DCJS approval to reallocate funds between Personal Services and Non Personal Services

8. CONTRACT PAYMENTS: Contractor shall provide complete and accurate billing invoices to the agency in order to receive payment. Billing invoices submitted to the agency must contain all information and supporting documentation required by the Contract, the Agency and the State Comptroller. Payment for invoices submitted by the Contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner’s sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Contractor shall comply with the State Comptroller’s procedures to authorize electronic payments. Authorization forms are available at the State Comptroller’s website at www.osc.state.ny.us/epay/index.htm, by email at epunit@osc.state.ny.us, or by telephone at 518-474-4032. Contractor acknowledges that it will not receive payment on any invoices submitted under this Contract if it does not comply with the State Comptroller’s electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

VER012510
Certified by - on

https://grants.criminaljustice.state.ny.us/Project/ReportContractAward.jsp 5/13/2011
APPENDIX D - Work Plan

Goal
To enhance public safety by engaging in Breath Alcohol Ignition Interlock Device (BAIID) monitoring activities for adult DWI offenders who have been sentenced, pursuant to Chapter 496 of the 2009 Laws of New York State, and whose sentence requires the installation and maintenance of Ignition Interlock Devices in vehicles owned or operated by the offender.

Objective #1
To engage in Breath Alcohol Ignition Interlock Device monitoring activities in Suffolk County for an estimated 3,317 DWI-related offenders sentenced to probation or Conditional Discharge on or after August 15, 2010, and having conditions requiring the installation and maintenance of Ignition Interlock Devices in vehicles owned or operated by the offender.

Task #1 for Objective #1
Designated oversight agencies in Suffolk County will receive sentencing orders from the criminal courts pertaining to adult DWI-related offenders who, as a condition of their sentence, must install and maintain a BAIID in each vehicle owned or operated by the offender and initiate monitoring activities.

# Performance Measure
1. The number of Probation and/or Conditional Discharge sentencing orders having BAIID-related conditions received by the county’s designated BAIID monitor(s) from all criminal courts within Suffolk County.

Task #2 for Objective #1
To coordinate the reimbursement for Breath Alcohol Ignition Interlock Device (BAIID) court orders received for designated oversight agencies within Suffolk County.

# Performance Measure
1. The grantee will receive the quarterly reporting form entitled "MONITORS’ REPORT OF IGNITION INTERLOCK DEVICE SENTENCES RECEIVED" which should be submitted in spreadsheet format. This form will provide the DCJS Office of Probation and Correctional Alternatives with basic data as to the monitoring services provided and will also be the basis upon which reimbursement claims are made. Offenders should only be entered in one quarterly report - cases which receive monitoring services subsequent to that initial entry should NOT be entered on subsequent quarterly reports.

During the reporting period for each quarter of the contract year, Suffolk County will submit the required fiscal paper work including vouchers and supporting documentation to the Finance Office of the Division of Criminal Justice Services and upon receipt of reimbursement funds distribute them to the designated agencies.
Award Conditions

Upon approval of this grant by the Office of the State Comptroller, or DCJS for "T" contract only, the Grantee is authorized to initially voucher for advance payment of those prospective expenses previously approved by DCJS not to exceed $0.00 from the total contracted amount. Consistent with paragraph 15 of Appendix A-1 of this grant contract, vouchers for advance payments for the purchase of equipment and supplies must be supported by a copy of the purchase order.

General Conditions

APPENDIX D - Special Conditions

OPCA Special Conditions Notwithstanding any other provisions of the AGREEMENT, the following Special Conditions are incorporated into the AGREEMENT between the parties as though set forth in its entirety therein and shall, with the exception of the provision of Appendix A "Standard Clauses for New York State Contracts", be controlling. A not for profit organization operating on a multi-year contract may, at the sole discretion of the STATE, be issued a fifth quarter advance against the succeeding year's appropriation, pursuant to State Finance Law, Section 179 u. For performance based contracts, Appendix B 1, Program Performance Milestones and Costs, is included herein via the GMS Attachment Module, and is incorporated into the AGREEMENT. A. PROGRAM SERVICES 1. The CONTRACTOR agrees to promptly notify the STATE of any critical incidents involving the respective PROGRAM, its clients/participants or staff, as well as negative media reports, as required by the STATE. 2. The CONTRACTOR shall provide, on STATE supplied case monitoring forms, client/participant specific data as called for and delineated within those forms. Identification of client/participant names and disclosure of other PROGRAM records to the STATE shall be pertinent to performance under this AGREEMENT. B. TERMINATION 1. The STATE shall have the right to terminate this AGREEMENT early for: (i) unavailability of funds; (ii) cause; (iii) without cause, or (iv) upon mutual consent. 2. The STATE may terminate this AGREEMENT if federal/state appropriation authorizations lapse and are not renewed, continued or reenacted or if funds are no longer made available pursuant to the laws controlling such authorizations and availabilities. However, if such authorizations or availabilities lapse and are not renewed, continued or reenacted, as to funds encumbered or available and to the extent of such encumbrances or availabilities, this AGREEMENT shall remain in effect for the duration of such encumbrances or availabilities unless this AGREEMENT is otherwise terminated by the STATE. Although the liquidity of encumbrances or availability of funds may be affected by budgetary hiatuses, a STATE budgetary hiatus will not by itself be construed to lapse this AGREEMENT, provided any necessary STATE appropriations or other funding authorizations therefore are eventually enacted. 3. The STATE may terminate the AGREEMENT immediately for cause upon written notice of termination to the CONTRACTOR: (i) if the STATE determines that the CONTRACTOR and/or any other identified SERVICE PROVIDER(s) fails to comply with the terms and conditions of this agreement and/or with any laws, rules, regulations, policies or procedures affecting this AGREEMENT, including but not limited for reason of vendor responsibility or failure to accurately disclose or (ii) upon a disapproved Service Plan. 4. The STATE reserves the right to terminate this AGREEMENT in the event it is found that the certification filed by the CONTRACTOR in accordance with New York State Finance Law §139 k was intentionally false or intentionally incomplete. Upon such finding, the STATE may exercise its termination right by providing written notification to the CONTRACTOR in accordance with the written notification terms of this AGREEMENT. 5. The STATE may only invoke its right to terminate without cause provided the STATE has given 90 days or more written notice to the CONTRACTOR, except with respect to contractual language contained herein that gives the STATE the general right to terminate at any time. 6. This AGREEMENT may be terminated at any time upon mutual written consent of the STATE and the CONTRACTOR or by the DIVISION serving thirty (30) calendar days written notice upon the other party, as specified by the STATE.

C. SAFEGUARDS FOR SERVICES AND CONFIDENTIALITY 1. The CONTRACTOR agrees that all records on this PROGRAM shall be safeguarded and not be open to indiscriminate public review. Towards this end, the CONTRACTOR shall establish written policies and procedures as to maintenance, security, retention and disposition of such records. The CONTRACTOR shall agree to maintain complete confidentiality of all information concerning applicants, employees, PROGRAM clients/participants, and their families which it may obtain during the course of performing the services of this AGREEMENT unless required in the performance of this AGREEMENT or otherwise authorized by law. Except as authorized by law and for audit purposes as noted above and for provision of PROGRAM services, the CONTRACTOR will not release any of said information, including names and addresses, without prior written permission from the STATE. Records retention and
disposition shall be in accordance with this AGREEMENT and any applicable Federal or State laws, rules or regulations. The STATE shall have access to all CONTRACTOR records relating to the PROGRAM. Information relating to individuals who may receive services pursuant to this CONTRACTOR shall be maintained and safeguarded in conformity with the applicable provisions of laws, regulations and policies and directives of the STATE. 2. The CONTRACTOR specifically agrees to comply with New York State’s "Information Security Breach and Notification Act" as set forth in State Technology Law Section 208 and General Business Law Section 899 aa. The CONTRACTOR shall promptly notify the STATE where there is reasonable belief of breach of security, unauthorized access or unauthorized release of personal computer data containing personal information and take appropriate action with respect to notification of affected individuals and to other required state agencies consistent with such Act. CONTRACTOR shall be liable for the costs associated with such breach if caused by CONTRACTOR’S negligent or willful acts or omissions, or the negligent or willful acts or omissions of CONTRACTOR’S agents, officers, employees or subcontractors.

D. FUNDING 1. For performance based CONTRACTS, the CONTRACTOR, shall promptly provide written notice to the STATE, via a separate letter, of special circumstances experienced by the PROGRAM in achieving its milestones and outcomes. Notwithstanding any fiscal provisions relative to reimbursement for milestones and outcomes, the CONTRACTOR may request written approval of the STATE to adjust a milestone and/or outcome to compensate for over achievement of PROGRAM participants. The reimbursement will be at the agreed upon participant cost for the milestone and/or outcome and in no event exceed the total maximum costs delineated in Appendix B or B1, where applicable. 2. Reimbursement to the CONTRACTOR will be made after the CONTRACTOR submits vouchers and supporting documents as established by the STATE and the CONTRACTOR is otherwise adhering to the AGREEMENT, including submission of necessary reporting documentation in a timely manner. Programmatic data shall be completed and submitted in accordance with timeframes and procedures established by the STATE. Failure to timely report may result in termination of contractual services. The CONTRACTOR agrees to provide detailed fiscal and other programmatic information in keeping with STATE instructions. In addition to the four (4) progress reports in Appendix A-1 which are required, for purposes of this grant award, the CONTRACTOR shall submit quarterly reports and PROGRAM data involving receiving logs (Monitors _z Report of Ignition Interlock Device Sentencing Orders Received form), to OPCA at idreports@dcjs.state.ny.us as follows: October 1st through December 31st - DUE January 30th January 1st through March 31st - DUE April 30th April 1st through June 30th - DUE July 30th July 1st through September 30th - DUE October 30th Funds will be reimbursed to the CONTRACTOR within 30 days of receipt of the claim if the claim and supporting documentation are in order and the CONTRACTOR is otherwise adhering to the terms and conditions of the AGREEMENT. 3. A not for profit organization operating on a multi-year contract may, at the sole discretion of the STATE, be issued a fifth quarter advance against the succeeding year’s appropriation, pursuant to State Finance Law, Section 179 u. 4. Vouchers and supporting documentation should be sent to: NYS Division of Criminal Justice Services Office of Finance 4 Tower Place Albany, NY 12203 5. Reconciliation shall be based upon services provided by the CONTRACTOR and payments made by the STATE consistent with the terms of this AGREEMENT and may occur at any time during the AGREEMENT and shall occur upon termination of the AGREEMENT. The CONTRACTOR shall refund any overpayments made pursuant to this AGREEMENT within ninety (90) calendar days of written notification by the STATE unless written approval is obtained by the STATE.
Suffolk County Indemnification Clause: NOTWITHSTANDING STATE OF NEW YORK AGREEMENT, sections I.F. and IV.A. The State and Contractor agree that Contractor is an independent contractor, and not an employee of the State. If the Contractor enters into subcontracts for the performance of work pursuant to this Agreement, the Contractor shall be solely responsible to the State for performance, whether the work is performed by the Contractor or its subcontractors. Nothing in the subcontract shall impair the rights of the State under this Agreement. No contractual relationship shall be deemed to exist between any subcontractor and the State. Nothing in this Agreement shall impair any right of contribution or indemnification that the Contractor may have against any subcontractor or other third party. To the extent permitted by law, the Contractor shall defend, indemnify and hold harmless the State and federal funding agency, and their respective officers, agents and employees from and against all claims, costs (including reasonable attorney's fees), judgments, liens, encumbrances, losses and liabilities arising out of the intentional acts (within the scope of the employee's duties) or negligent acts or omissions of the Contractor relating to or in any way arising out of the provision of services pursuant to this Agreement.

Certified by - on
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
FROM: Gerard J. Cook, Director of Probation
DATE: May 13, 2011
SUBJECT: Resolution: To accept and appropriate 100% Federal pass-through grant funds from the New York State Division of Criminal Justice Services, to implement the Ignition Interlock Program.

Enclosed for further processing are two copies of a resolution, to accept and appropriate Federal pass-through grant funds from the New York State Division of Criminal Justice Services for the Suffolk County Department of Probation, to implement the Ignition Interlock Program.

This funding will allow the collaborative initiative between the New York State Division of Criminal Justice Services, Office of Probation and Correctional Alternatives-GTSC, the Suffolk County District Attorney, and the Suffolk County Probation Department, to implement Leandra’s Law.

The GTSC Ignition Interlock Device Monitoring Program will utilize these Federal funds to engage in Breath Alcohol Ignition Device monitoring activities in Suffolk County for an estimated 3,317 DWI related offenders, sentenced to probation or conditional discharge on or after August 15, 2010, and having conditions requiring the installation and maintenance of Ignition Interlock Devices in vehicles owned or operated by the offender.

I hope this resolution request meets with your approval. If you have any questions, please contact me at 2-5100, or Mary Wider at 2-5052.

Thank you for your consideration in this regard.

GJC:MW
Enclosures (1 package)

cc: CE RESO REVIEW (e-mail copy)
    Christopher Kent, Chief Deputy County Executive
    Brendan Chamberlain, Intergovernmental Relations (2)
    Theresa Lollo, Principal Financial Analyst, Budget Office
    Evelyn Creen, Federal & State Aid Claims
    James J. Golbin, Ph.D., Chief Planner
    Vivian Tuohy, Admin. I
    Mary Wider, Principal Acct. Clrk
    Payroll Unit
RESOLUTION NO. 1526-11, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES IN THE AMOUNT OF $143,050 FOR THE 2010 TECHNICAL RESCUE/URBAN SEARCH & RESCUE (USAR) GRANT PROGRAM ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

WHEREAS, the New York State Division of Homeland Security and Emergency Services has awarded Suffolk County federal funds under the 2010 Technical Rescue/Urban Search & Rescue (USAR) Grant Program to be implemented by the Suffolk County Department of Fire, Rescue & Emergency Services; and,

WHEREAS, the 2010 Technical Rescue/Urban Search & Rescue (USAR) Grant Program will provide funds to the Department of Fire, Rescue & Emergency Services to enhance technical rescue and USAR at the local level by expanding coverage, enhancing response capabilities and helping to reduce response times statewide; and

WHEREAS, the Department of Fire, Rescue & Emergency Services will utilize this funding to partner with the Suffolk County Vocational Education and Extension Board to update plans and provide required training for the county's USAR team; and

WHEREAS, the grant period is from 11/22/2010 through 07/31/2013 in which the County will receive 100% grant funding in the amount of $143,050 for the 2010 Technical Rescue/Urban Search & Rescue (USAR) Grant Program; and,

WHEREAS, said funds have not been included in the 2011 Operating Budget; and now therefore be it

1st RESOLVED, the County Comptroller and the County Treasurer be and they hereby are authorized to accept $143,050 and appropriate said grant funds as follows:

**2010 TECHNICAL RESCUE/USAR GRANT - $143,050**

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<th>REVENUES</th>
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**ORGANIZATIONS**

Suffolk County Dept of Fire, Rescue & Emergency Services
2010 Technical Rescue/USAR Grant
001-FRE-3423 - $140,489

| 1000 – Personnel Services | $10,439 |
| 1120 – Overtime | $10,439 |

$39,800

2020 – Office Equipment
2070 – Cameras & Photo

$20,800

$19,000
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<tr>
<th>Code</th>
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<td>3500 - Other Supplies</td>
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<td>4000 - Contractual Expenses</td>
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<td>4560 - Fees for Services: Non Employees</td>
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**Employee Benefits**

- **Social Security**
  - 001-EMP - 9030 - $798

**Employee Benefits**

- **Retirement**
  - 001-EMP-9010 - $1,763

**2nd RESOLVED,** that the County Executive be and hereby is authorized to execute related agreements; 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 the 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 of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution _X_  Local Law _____  Charter Law _____

2. Title of Proposed Legislation

   RESOLUTION NO. 2011, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES IN THE AMOUNT OF $143,050 FOR THE 2010 TECHNICAL RESCUE/URBAN SEARCH & RESCUE (USAR) GRANT PROGRAM ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

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

   100% Federal pass through funding, $143,050 to FRES.

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

   N/A

8. Proposed Source of Funding


9. Timing of Impact

   Upon adoption and signed agreement.

10. Typed Name & Title of Preparer
    Nicholas Paglia  Executive Technician

11. Signature of Preparer
    [Signature]

12. Date
    May 31st, 2011

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

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### POLICE DISTRICT AND DISTRICT COURT

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<th>2012 FEV TAX RATE PER $1000</th>
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<td>$0.00</td>
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### COMBINED

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

**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.
1. Type of Legislation

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

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES IN THE AMOUNT OF $143,050 FOR THE 2010 TECHNICAL RESCUE/URBAN SEARCH & RESCUE (USAR) GRANT PROGRAM ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

3. Purpose of Proposed Legislation

The FY2010 Technical Rescue/Urban Search & Rescue (USAR) Grant Program will provide funds to the Department of Fire, Rescue & Emergency Services to enhance technical rescue and USAR at the local level by expanding coverage, enhancing response capabilities and helping to reduce response times statewide. The Department of Fire, Rescue & Emergency Services will utilize this funding to partner with the Suffolk County Vocational Education and Extension Board to update plans and provide required training for the county’s USAR team.

Accept and appropriate 2010 Technical Rescue/USAR Grant funding in the SC Departments of FRES and SCPD.

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)

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

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

$143,050 – FRES

8. Proposed Source of Funding

NYS Division of Homeland Security & Emergency Services pass-through of US Dept of Homeland Security


10. Typed Name & Title of Preparer

| Susan M. Nielsen, Administrator I |

11. Signature of Preparer

| Susan M. Nielsen |

12. Date

| May 16, 2011 |
November 22, 2010

The Honorable Steve Levy
Suffolk County Executive
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788-0099

Dear Mr. Levy:

I am pleased to announce that Suffolk County has been awarded $143,050 from the FY2010 Technical Rescue/Urban Search and Rescue (USAR) Grant Program. Funding for this grant is provided by the U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA). The New York State Division of Homeland Security and Emergency Services (DHSES) will administer the funding on behalf of FEMA.

As outlined in your application, this grant program allocates funding for regional projects to enhance technical rescue and USAR at the local level by expanding coverage, enhancing response capabilities and helping to reduce response times statewide. All funding is subject to both New York State and federal guidelines and regulations.

In order for the State to be able to provide these critical funds to you as quickly as possible, we are requesting that your designated point of contact reach out to the FGPA Contracts Unit at (518) 485-7241 to initiate the contracting process. If you have any immediate questions or would like additional information regarding this project, the FGPA Point of contact is Ms. Alyce Ashe at (518) 457-4537.

Congratulations on your award and I look forward to working with you to administer this program.

Sincerely,

[Signature]

John R. Gibb
Acting Commissioner

1220 Washington Avenue, State Office Building Campus
Building 7A, Suite 710
Albany, NY 12242
TO: Ken Crannell  
Deputy County Executive

FROM: Joseph F. Williams  
Commissioner

DATE: May 16, 2011

SUBJECT: Request for Introductory Resolution: 2010 Technical Rescue Grant

Enclosed for further processing is an introductory resolution and supporting documents to accept and appropriate $143,050 in funding from the US Department of Homeland Security through the NYS Division of Homeland Security for the 2010 Technical Rescue Grant.

The grant provides funding to promote to enhance technical rescue and urban search and rescue (USAR) at the local level by expanding coverage, enhancing response capabilities and helping to reduce response times statewide. The Department of FRES will utilize the funding to partner with the Suffolk County Vocational Education and Extension Board to update plans and provide required training for the county's USAR team.

If you have any questions, please contact John Searing at 24854 or Sue Nielsen at 25338.

JFW:smn

Enclosures

cc: Christopher Kent, Chief Deputy County Executive
RESOLUTION NO. — 2011, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES IN THE AMOUNT OF $100,000 FOR THE 2009 HAZ MAT GRANT PROGRAM ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

WHEREAS, the New York State Division of Homeland Security and Emergency Services has awarded Suffolk County federal funds under the 2009 HazMat Grant Program to be implemented by the Suffolk County Department of Fire, Rescue & Emergency Services; and,

WHEREAS, the 2009 HazMat Grant Program will provide funds to the Department of Fire, Rescue & Emergency Services to promote the development of regional partnerships among the County HazMat community; to build sustainable WMD/HazMat Response and Decontamination Capabilities; and to enhance the standing of the County’s HazMat teams within FEMA’s “typing system”; and

WHEREAS, the Department of Fire, Rescue & Emergency Services will utilize this funding to partner with the Towns of Babylon, Brookhaven, East Hampton, Islip and Southampton, the Brookhaven National Laboratory and SCPD to conduct a Radioactive/Chemical Material Contamination Exercise; a combined “Team Only” Technical decontamination Drill and update of the County Emergency Management Plan Appendix K-County HazMat Plan; and

WHEREAS, this grant is for a thirty-six (36) month period from 08/01/2009 through 07/31/2012 in which the County will receive 100% grant funding in the amount of $100,000 for the 2009 HazMat Grant Program; and,

WHEREAS, said funds have not been included in the 2011 Operating Budget; and now therefore be it

1st RESOLVED, the County Comptroller and the County Treasurer be and they hereby are authorized to accept $100,000 and appropriate said grant funds as follows:

**2009 HazMat Grant Program - $100,000**

**REVENUES**

<table>
<thead>
<tr>
<th>REVENUE</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>001-FRE-4309 - 2009 HazMat Grant</td>
<td>$90,500</td>
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<tr>
<td>001-POL-4309 - 2009 HazMat Grant</td>
<td>$ 9,500</td>
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**ORGANIZATIONS**

Suffolk County Dept of Fire, Rescue & Emergency Services

**2009 HazMat Grant Program**

<table>
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<tr>
<th>REVENUE</th>
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<tr>
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**1000 - Personnel Services**

<table>
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<tr>
<td>1000 - Personnel Services</td>
<td>$11,241</td>
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**1120 - Overtime**

<table>
<thead>
<tr>
<th>REVENUE</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>1120 - Overtime</td>
<td>$11,241</td>
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</tbody>
</table>
3000 – Supplies $ 7,000
3500 – Other Supplies $ 7,000

4000 – Contractual Expenses $69,500
4560 – Fees for Services: Non Employees $30,000
4980 – Contract Agencies
   0000 - Brookhaven Town $ 9,500
   0000 – Babylon Town $ 7,000
   0000 – Islip Town $ 8,500
   0000 – East Hampton Town $ 5,000
   0000 – Southampton Town $ 5,500
   0000 – Brookhaven National Laboratory $ 4,000

Suffolk County Police Department
2009 HazMat Grant Program
001-FRE-3601 - $7,747

1000 – Personnel Services $ 7,747
1120 – Overtime $ 7,747

Employee Benefits
Social Security
001-EMP - 9030 - $971

8000 – Employee Benefits $ 971
8330 – Social Security $ 971

Employee Benefits
Retirement
001-EMP-9010 – $3,541

Employee Benefits $ 3,541
8280 – Retirement $ 3,541

2nd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements; 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 the 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 of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non applicability or non-significance in accordance with this resolution.
DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

RESOLUTION NO. -2011, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES IN THE AMOUNT OF $100,000 FOR THE 2009 HAZ MAT GRANT PROGRAM ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

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

100% Federal pass through funding. $90,500 to FRES and $9,500 to SCPD.

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

N/A

8. Proposed Source of Funding


9. Timing of Impact

Upon adoption and signed agreement.

10. Typed Name & Title of Preparer

Nicholas Paglia
Executive Technician

11. Signature of Preparer

[Signature]

12. Date

May 31st, 2011

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

<table>
<thead>
<tr>
<th>2012 PROPERTY TAX LEVY</th>
<th>2012 COST TO AVG TAXPAYER</th>
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<td>TOTAL</td>
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## POLICE DISTRICT AND DISTRICT COURT

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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
1. Type of Legislation

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ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES IN THE AMOUNT OF $100,000 FOR THE 2009 HAZ MAT GRANT PROGRAM ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

3. Purpose of Proposed Legislation

The NYS Division of Homeland Security & Emergency Services has awarded Suffolk County federal funds to promote the development of regional partnerships among the county hazmat community; to build sustainable WMD/HazMat Response and decontamination capabilities; and to enhance the standing of the county’s hazmat teams within FEMA’s typing system. The Department of Fire, Rescue & Emergency Services will utilize this funding to partner with the Towns of Babylon, Brookhaven, East Hampton, Islip and Southampton, the Brookhaven National Laboratory and SCPD to conduct a Radioactive/Chemical Material Contamination Exercise; a combined “Team Only” Technical decontamination Drill and update of the County Emergency Management Plan Appendix K - County HazMat Plan.

Accept and appropriate 2009 HazMat Grant funding in the SC Department of FRES and SCPD.

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)

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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

<p>| | |</p>
<table>
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<tr>
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<tbody>
<tr>
<td>$90,500 – FRES</td>
<td>$ 9,500 - SCPD</td>
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</table>

8. Proposed Source of Funding

NYS Division of Homeland Security & Emergency Services pass-through of US Dept of Homeland Security

9. Timing of Impact: 08/01/2009 through 07/31/2012

10. Typed Name & Title of Preparer  
Susan M. Nielsen, Administrator I

11. Signature of Preparer  
[Signature]

12. Date  
May 16, 2011

SCIN FORM 175b (10/95)
March 30, 2010

The Honorable Steve Levy
Suffolk County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, New York 11788

Dear Mr. Levy:

I am pleased to announce that the NYS Office of Homeland Security (OHS) is awarding the Suffolk County Department of Fire, Rescue and Emergency Services and its regional partnership $100,000 under the FY2009 HazMat Grant Program. Funding for this initiative is provided by the federal Department of Homeland Security’s State Homeland Security Program (SHSP).

This funding must be used to conduct a Radioactive/Chemical Material Contamination Exercise, a combined “Team Only” Technical Decontamination Drill and an update of CEMP Appendix K, County HazMat Plan, as outlined in your application for funding. Any changes to your budget must be approved in advance by Mr. David Sheppard, the OHS Acting Assistant Director for Federal Grant Program Administration.

Within six months of the date of this award letter, Suffolk County and its regional partners must develop and sign a Regional Partnership Agreement (RPA) to cement the regional HazMat partnership developed through this grant program. To assist in this process, an RPA template is enclosed.

A representative from OHS’s Federal Grant Program Administration Unit will be reaching out to your grant points of contact shortly. If you have any questions about this program, please contact Mr. Tony Pesce at (518) 485-7241.

Congratulations on your award. We look forward to working with you to execute this program.

Sincerely,

Thomas G. Donlon
Director

Enclosure
Copy Furnished:
Mr. John M. Searing, Suffolk County
Lt. Joseph Busweiler, Suffolk County Police Dept. Commanding Officer, Emergency Service Section
Mr. Salvatore Garafalo, Town of Brookhaven Fire Marshall
Mr. James Dunlop, Town of East Hampton HAZMAT Team Leader
Mr. Michael Delgado, Town of Islip HAZMAT Team Leader
Mr. Gilbert Hanse, Town of Babylon Chief Fire Marshall
Mr. Cheryl Kraft, Town of Southampton Fire Marshall
Mr. Charles LaSalla, Brookhaven National Laboratory
TO: Ken Crannell  
Deputy County Executive

FROM: Joseph F. Williams  
Commissioner

DATE: May 16, 2011

SUBJECT: Request for Introductory Resolution: 2009 Haz Mat Grant

Enclosed for further processing is an introductory resolution and supporting documents to accept and appropriate $100,000 in funding from the US Department of Homeland Security through the NYS Division of Homeland Security for the 2009 HazMat Grant.

The grant provides funding to promote the development of regional partnerships among the county hazmat community; to build sustainable WMD/HazMat response and decontamination capabilities; and to enhance the standing of the county's hazmat teams within FEMA's typing system. The Department of FRES will utilize the funding to partner with the Suffolk County Police Dept, the Towns of Babylon, Brookhaven, East Hampton, Islip and Southampton as well as Brookhaven National Lab to conduct a Radioactive/Chemical Material Contamination Exercise; a combined "Team Only" Technical Decontamination Drill and update the County's Emergency Management Plan Appendix K-County HazMat Plan.

If you have any questions, please contact John Searing at 24854 or Sue Nielsen at 25338.

JFW: smn

Enclosures

cc: Christopher Kent, Chief Deputy County Executive
RESOLUTION NO. -2011, AUTHORIZING THE
SALES OF SURPLUS PROPERTY SOLD AT THE
May 11, 2011 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 Environment and
Energy, Division of Real Property Acquisition and Management, on May 11, 2011, 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 Environment
and Energy, 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 A42-4[G] of the Suffolk County Administrative Code provides that the
County Commissioner of Environment and Energy 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 Environment and Energy, 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 the Department of Environment and Energy, Division of Real Property Acquisition and Management, 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;

DATED:

APPROVED BY:
    County Executive of Suffolk County

Date of Approval: ______________________
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<th>Dist</th>
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SUMMARY STATEMENT

AUCTION SALES TO PRIVATE INDIVIDUALS AND CORPORATIONS
LOCAL LAW 13-1976

Amount

County Investment $877,464.29

PURPOSE:

A. Affordable Housing
B. Town Parks
C. Road/Highway
D. Drainage/Recharge Basin
E. Other X

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

WRT:slb
1. Type of Legislation

Resolution   X   Local Law   Charter Law

2. Title of Proposed Legislation

RESOLUTION NO.   -2011, AUTHORIZING THE SALES OF SURPLUS PROPERTY
SOLD AT THE MAY 11, 2011 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   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

2011

10. Typed Name & Title of Preparer

Wayne R. Thompson
Property Manager

Signature of Preparer

Wayne R. Thompson

Date

5/11/11
Ken Crannell  
Deputy County Executive  
H. Lee Dennison Bldg. 12th Fl.  
100 Veterans Memorial Highway  
P.O. Box 6100  
Hauppauge, NY 11788

Re: Resolution Authorizing the Sales of Surplus Property  
Sold at the May 11, 2011 Auction  
Local Law 13 Resolution Authorizing Sale of  
Auctioned Properties as per Exhibit "A"  
(Omnibus Resolution)

Dear Mr. Crannell:

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.

At our May 11, 2011 auction we sold 44 parcels for $689,500.00.00.

Please have the enclosed resolution introduced at the next meeting so that we may proceed with closings on these parcels sold at auction.

Very truly yours,

Pamela J. Greene, Director  
Department of Environment and Energy  
Division of Real Property  
Acquisition and Management

CEK:WRT:slb

cc: Christopher Kent, Chief Deputy County Executive  
Connie Corso, Budget Director  
Brendan Chamberlain, County Executive Assistant (2 hard copies)  
CE Reso Review, via e-mail
RESOLUTION NO. - 2011, ACCEPTING AND APPROPRIATING A GRANT AMENDMENT TO THE NATIONAL SCIENCE FOUNDATION SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS SCHOLARSHIPS PROGRAM (S-STEM) 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has received a grant award from the National Science Foundation for a Science, Technology, Engineering and Mathematics Scholarship Program, in the amount of $522,800, including $14,950 for program administration for year five of the five-year grant, for the period of September 1, 2006 through August 31, 2011; and

WHEREAS, the award has been increased by a supplemental amount of $34,500 for student stipends and travel, bringing the total amount of the grant award to $557,300; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant on May 19, 2011 by Resolution No. 2011.35; and

WHEREAS, the College anticipates spending the total supplemental amount of $34,500 in accordance with the terms of said grant award before August 31, 2011; now therefore be it

1st RESOLVED, that said grant award amendment from the National Science Foundation, for a Science, Technology, Engineering and Mathematics Scholarship Program, in the amount of $34,500, be accepted; and be it further

2nd RESOLVED, that said grant award amendment, in the amount of $34,500, be appropriated for the operation of the program as follows:

REVENUES:
Federal Grant: NSF S-STEM: GC43-GC4311-544237-G000 $34,500

APPROPRIATIONS:
NSF S-STEM 10-11: GC43-GC4311 $34,500

Suffolk County Community College
NSF S-STEM
GC43-GC4311

Contractual Services: $34,500
714560-Fees for Service 34,500

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
RESOLUTION NO. 2011.35  AMENDING THE COLLEGE BUDGET FOR AN AMENDMENT TO THE NATIONAL SCIENCE FOUNDATION SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS SCHOLARSHIP PROGRAM (NSF S-STEM)

WHEREAS, the Suffolk County Community College has received a grant award from the National Science Foundation for a Science, Technology, Engineering and Mathematics Scholarship Program, in the amount of $522,800, including $14,950 for program administration for year five of a five-year grant, for the period of September 1, 2006 through August 31, 2011, and

WHEREAS, the award has been increased by a supplemental amount of $34,500 for student stipends and travel, bringing the total amount of the grant award to $557,300, and

WHEREAS, matching funds are not required, be it therefore

RESOLVED, that the 2010-2011 College budget be amended to reflect an increase in the amount of $34,500, for an NSF S-STEM Program grant, and the College president or his designee is authorized to execute a contract with the administering agency.

Project Director: Dr. Candice J. Foley

Note: No full-time personnel

************
ABSTRACT

Subcontract _____  Grant X  Proposal ___

Funding Source: National Science Foundation

Project Title: NSF Scholarships in Science, Technology, Engineering and Mathematics Program (S-STEM)

Project Director: Dr. Candice J. Foley, Professor of Chemistry

Project Period: September 1, 2006 through August 31, 2011

Campus: Central Administration

Amount of Award: $522,800
Amount of Amendments: $34,500
Amended Award: $557,300
Match / In-kind: None

Full-time Positions: N/A

Reassigned/Overload Time: N/A

No. of Students to be Served: 8
Type of Student to be Served: Economically disadvantaged

Description of Project:
Suffolk County Community College (SCCC) was awarded $522,800 from NSF for a five-year S-STEM Program that enables the College to support and encourage students to pursue careers in science, technology, engineering and math by providing scholarships. The $34,500 amendment to the grant award includes a provision for stipends for seven SCCC students to work as research interns at Brookhaven National Lab, and a stipend and travel funds for one student to participate in a SULI (Science Undergraduate Laboratory Initiative) at Lawrence Berkeley National Laboratory in California.
Research Spending & Results

Award Detail

Awardee: SUFFOLK COUNTY COMMUNITY COLLEGE
Doing Business As Name: Suffolk Community College
PI/PD: Candice J Foley
(631) 451-4302
tocy@stony.suffolk.edu
Co-PI/Co-s: Nina Leonhardt
Peter Mariani
Louis Roccanova
Linda Salatino
Award Date: 09/18/2008
Funds Obligated to Date: $ 557,300
FY 2011=$34,500
FY 2010=$17,000
FY 2009=$9,000
FY 2008=$496,800
Award Start Date: 10/01/2008
Award Expiration Date: 09/30/2011
Transaction Type: Grant
Agency: NSF
Awarding Agency Code: 4900
Funding Agency Code: 4900
CFDA Number: 47.076
Primary Program Source: 495178 H-1B FUND, EHR, NSF
Award Title or Description: Science, Technology, Engineering and Mathematics Scholarship Program for Suffolk County Community College
Federal Award ID Number: 0630944
DUNS ID: 068017815
Parent DUNS ID: 041002973
Program: 5-STEM SCHLR SCI TECH ENG&MATH
Program Officer: Joyce B. Evans
(703) 222-5098
javans@nsf.gov

Awardee Location

Street: 533 College Road
City: Selden
State: NY
ZIP: 11784-2899
County: Suffolk
Country: US
Awardee Cong. District: 01

Primary Place of Performance

Organization Name: Suffolk Community College
Street: 533 College Road
City: Selden
State: NY
ZIP: 11784-2899
County: Suffolk
Country: US
Cong. District: 01

Abstract at Time of Award

This project continues, builds upon, and significantly expands a previously successful NSF-CSEM Scholarship Program. This program (operating from 2001-2006) has already demonstrated significantly higher graduation (71%) and transfer (49%) rates in comparison to the average graduation (24%) and transfer (14%) rates at Suffolk County Community College (SCCC). Additional features being added include: enhanced counseling regarding financial aid, graduation, and transfers; more summer internships, research opportunities, and job shadowing opportunities; frequent on-site tours at partnering institutions; and additional faculty presentations, invited speakers, and non-SCCC mentors for SSTEM-CSEMS scholarship meetings.

The intellectual merits of this project include: (1) the implementation of a revised and improved version of the existing successful joint NSF-CSEMS and SCCC-CSEMS program by a team of project directors who possess diverse academic backgrounds in the sciences, engineering and technology; (2) two Co-PIs on the team who devote much of their time and efforts to recruiting women and underrepresented minorities into SCCC's science and engineering/technology programs (a current NSF-CSEM Co-PI and engineering professor who designed, developed, and currently directs the college's first gender equity program for women pursuing nontraditional careers in engineering and technology, and a key administrator in the Office of Continuing Education, who directs numerous minority recruitment programs, including SCCC's Collegiate Science & Technology Education Program, Science & Technology Entry Program, and Liberty Partnerships Program); and (3) a unique combination of educational and research opportunities for the Scholars, offered in collaboration with Dowling Colleges, Brookhaven National Laboratory and Stony Brook University.

The broader impacts of the project include a greater emphasis on enhancing diversity within SCCC's current core group of NSF Scholars by collaborating with CSTEP to transition 10-15 low income and/or underrepresented students into the NSF-STEMS Program each year.
Award Abstract #0630944

Science, Technology, Engineering and Mathematics Scholarship Program for Suffolk County Community College

NSF Org: DUE
Division of Undergraduate Education

Initial Amendment Date: September 18, 2006

Latest Amendment Date: May 4, 2011

Award Number: 0630944

Award Instrument: Standard Grant

Program Manager: Joyce B. Evans
DUE Division of Undergraduate Education
EHR Directorate for Education & Human Resources

Start Date: October 1, 2006

Expires: September 30, 2011 (Estimated)

Awarded Amount to Date: $557,300

Investigator(s): Candice Foley, foleyca@sunysuffolk.edu (Principal Investigator)
Nina Leonhardt (Co-Principal Investigator)
Linda Sabatino (Co-Principal Investigator)
Louis Roccanova (Co-Principal Investigator)
Peter Maritato (Co-Principal Investigator)

Sponsor: Suffolk Community College
533 College Road
Selden, NY 11784 631/451-4076

NSF Program(s): S-STEM:SCHLR SCI TECH ENG&MATH

Field Application(s):

Program Reference Code(s): SMET, 9178, 7204

Program Element Code(s): 1536

ABSTRACT

This project continues, builds upon, and significantly expands a previously successful NSF-CSEM Scholarship Program. This program (operating from 2001-2006) has already demonstrated significantly higher graduation (71%) and transfer (46%) rates in comparison to the average graduation (24%) and transfer (14%) rates at Suffolk County Community College (SCCC). Additional features being added include: enhanced counseling
regarding financial aid, graduation, and transfers; more summer
internships, research opportunities, and job shadowing opportunities;
frequent on-site tours at partnering institutions; and additional faculty
presentations, invited speakers, and non- (SCCC) mentors for
SSTEM/CSEMS scholarship meetings.

The intellectual merits of this project include: (1) the implementation of a
revised and improved version of the existing successful joint NSF-CSEMS
and SCCC-CSEMS program by a team of project directors who possess
diverse academic backgrounds in the sciences, engineering and technology;
(2) two Co-PIs on the team who devote much of their time and efforts to
recruiting women and underrepresented minorities into SCCC's science and
engineering/technology programs (a current NSF-CSEMS Co-PI and
engineering professor who designed, developed, and currently directs the
college's first gender equity program for women pursuing nontraditional
careers in engineering and technology, and a key administrator in the Office
of Continuing Education, who directs numerous minority recruitment
programs, including SCCC's Collegiate Science & Technology Education
Program, Science & Technology Entry Program, and Liberty Partnerships
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Colleges, Brookhaven National Laboratory and Stony Brook University.

The broader impacts of the project include a greater emphasis on enhancing
diversity within SCCC's current core group of NSF Scholars by collaborating
with CSTEP to transition 10-15 low income and/or underrepresented
students into the NSF-STEMS Program each year.

Please report errors in award information by writing to:
awardsearch@nsf.gov.

The National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230, USA
Tel: (703) 292-5111, FIRS: (800) 877-8339 | TDD: (800) 281-8749

Last Updated: April 2, 2007
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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

ACCEPTING AND APPROPRIATING A GRANT AMENDMENT TO THE NATIONAL SCIENCE FOUNDATION SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS SCHOLARSHIPS PROGRAM (S-STEM) 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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<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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<tr>
<td>Library District</td>
<td>Fire District</td>
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6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact

No impact. Additional grant funds totaling $34,500 for a Science, Technology, Engineering and Mathematics Scholarship Program.

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

Funding must be expended between September 1, 2006 and August 31, 2011.

8. Proposed Source of Funding

Federal National Science Foundation

9. Timing of Impact

THE RESOLUTION IS EFFECTIVE UPON ADOPTION.

10. Typed Name & Title of Preparer

Tricia Saunders, Senior Research Analyst

11. Signature of Preparer

12. Date

5/31/11

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

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## POLICE DISTRICT AND DISTRICT COURT

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<th>2011 AV TAX RATE PER $100</th>
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## COMBINED

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<th>2011 AV TAX RATE PER $100</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.

To be completed by the Executive Budget Office
## STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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

Accepting and Appropriating a Grant Amendment to the National Science Foundation Science, Technology, Engineering and Mathematics Scholarship Program (S-STEM) 100% Reimbursed by Federal Funds at Suffolk County Community College

3. Purpose of Proposed Legislation

To accept and appropriate a grant award amendment, in the amount of $34,500, from the National Science Foundation for a Science, Technology, Engineering and Mathematics Scholarship Program (S-STEM) during the 2010-2011 fiscal year.

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

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

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

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

   The grant amendment will provide $34,500 from the National Science Foundation for a Science, Technology, Engineering and Mathematics Scholarships Program (S-STEM) for student stipends and travel during the 2010-2011 fiscal year. No matching funds required.

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

8. Source of Funding:  
   National Science Foundation

9. Timing of Impact:  
   September 1, 2006 through August 31, 2011

10. Typed Name & Title of Preparer  
    Deborah E. Lesser, M.S.  
    Senior Accountant

11. Signature of Preparer  
    [Signature]

12. Date  
    April 28, 2011

SCIN FORM 175A (10/95)
To: Ken Crannell, Deputy County Executive
   Christopher Kent, Chief Deputy County Executive
   Brendan Chamberlain, Dir., Intergovernmental Relations

From: James Amoroso, V. P. for Business & Financial Affairs

Date: May 10, 2011

Subject: Request for a Resolution Accepting and Appropriating a Grant Amendment for a Suffolk County Community College Program

Enclosed are the application and requisite forms to request acceptance and appropriation of the grant award amendment for a program at Suffolk County Community College.

Proposal ___ Grant Award X Subcontract ___

Program Name: NSF Scholarships in Science, Technology, Engineering & Mathematics Program (S-STEM)

Funder: National Science Foundation

Amount of Grant: $522,800 for five years
Amount of Amendment: $34,500
Amended Grant Total: $557,300
Full Time Positions: None

Please call me if there are questions regarding this request. An e-mail version of the resolution and backup were sent to CE RESO REVIEW:

File name: Reso-SCCC-NSF STEM Scholarships Amend 11.docx
Backup-SCCC-NSF STEM Scholarships Amend 11.docx

cc: Dr. Candice J. Foley, Professor of Chemistry/Physical Science
    Nina Leonhardt, Associate Dean, Continuing Education
    J. Bullard, Jr., Associate Dean for Financial Affairs
    M. L. Araneo, Vice President for Institutional Advancement
May 13, 2011

Mr. Brendan Chamberlain
County Executive Assistant
P.O. Box 6100
Hauppauge, New York 11788

Dear Mr. Chamberlain,

Suffolk County Community College (SCCC) respectfully requests that the attached resolution amending the college budget for its National Science Foundation Science, Technology, Engineering and mathematics Scholarship Program (NSF S-STEM) be considered for a Certificate of Necessity at the June 7, 2011 meeting of the Suffolk County Legislature. This resolution will be considered by the SCCC Board of Trustees at its meeting on May 19, 2011.

The amendment results from $34,500 in additional government support of the College’s prestigious NSF grant award, which will directly fund stipends and travel for eight SCCC students who will be working as undergraduate researchers starting in June. Seven students have accepted appointments for ten-week summer internships at Brookhaven National Laboratory (BNL) and another student has accepted an internship at Lawrence Berkeley National Laboratory in California.

This supplemental funding brings the total amount of SCCC’s NSF grant award to $557,300, which is used to increase the number of students majoring in STEM disciplines, particularly women and minority students. Many SCCC students are first-generation college students, and the summer internship opportunities provided at BNL and Lawrence Berkeley help expose our students to world-class professional staff and allow them to see first-hand the kinds of scientific professions available to them.

If you should require additional information related to this request, please do not hesitate to contact Lori Ann Taggart at (631) 451-4526.

Thank you in advance for your consideration of this request.

Sincerely,

[Signature]

Dr. Shaun L. McKay

Suffolk County Community College promotes intellectual discovery, physical development, social and ethical awareness, and economic opportunities for all through education that transforms lives, builds communities and improves society.

Central Administration
533 College Road
Selden, NY 11784-2899
(631) 451-4122

Ammerman Campus
533 College Road
Selden, NY 11784-2899
(631) 451-4110

Michael J. Grant Campus
Crooked Hill Road
Brentwood, NY 11717-1092
(631) 851-6700

Eastern Campus
121 Speonk-Riverhead Road
Riverhead, NY 11901-3499
(631) 548-2500
RESOLUTION NO. -2011, AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED SURPLUS UNUSED RIGHT-OF-WAY FRONTING A PARCEL OF LAND, HAVING A SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBER OF DISTRICT 0200 SECTION 663.00 BLOCK 03.00 LOT 001.000, PURSUANT TO SECTION 125 OF THE NEW YORK STATE HIGHWAY LAW

WHEREAS, the County of Suffolk is the fee owner of a certain portion of unused right-of-way situated in the Town of Brookhaven, Suffolk County, New York as more fully described in the maps and descriptions attached as Exhibit "1"; and

WHEREAS, said unused portion of right-of-way is surplus to the needs of the County of Suffolk and a new Suffolk County Tax Map Identification Number of District 0200 Section 704.00 Block 02.00 Lot 043.000 has been assigned to said surplus parcel; and

WHEREAS, Section 125 of the New York State Highway Law strictly limits the sale of surplus unused right-of-way to the property owner fronting said unused right-of-way at fair market value; and

WHEREAS, Sills Road Realty, LLC, the present owner of the parcel having a Suffolk County Tax Map Identification Number of District 0200 Section 663.00 Block 03.00 Lot 001.000 has requested to purchase from the County of Suffolk, at fair market value, the surplus and unused right-of-way fronting said tax map parcel; and

WHEREAS, the County of Suffolk did commission appraisals for the requested conveyance that were performed by an independent, outside appraiser selected in accordance with established Suffolk County procedures; and

WHEREAS, upon review of said appraisals in accordance with established Suffolk County procedures, the County of Suffolk determined that the fair market value of the unused and surplus right-of-way fronting the privately owned parcel of real property having Suffolk County Tax Map Identification Number of District 0200 Section 663.00 Block 03.00 Lot 001.000 was One Hundred Thirty Six Thousand & 00/100 ($136,000) Dollars; and

WHEREAS, Sills Road Realty, LLC, the present owner of the parcel having a Suffolk County Tax Map Identification Number of District 0200 Section 663.00 Block 03.00 Lot 001.000 has agreed to pay to the County of Suffolk the sum of One Hundred Thirty Six Thousand & 00/100 ($136,000) Dollars, said sum representing the fair market value of the surplus and unused right-of-way fronting said tax map parcels; now therefore, be it

1st RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR Part 617; and be it further

2nd RESOLVED, that the action will not have a significant adverse impact on the environment for the following reasons:
1. The proposed action will not exceed any of the criteria of Title 6 NYCRR Part 617.7(c), which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2. The proposed action simply transfers ownership of the land;

and be it further

3rd RESOLVED, said parcel is surplus to the needs of the County of Suffolk; and be it further

4th RESOLVED, that this purchase is authorized pursuant to Section 125 of the New York State Highway Law; and be it further

5th RESOLVED, the Suffolk County Department of Public Works is directed to convey said surplus and unused right-of-way described herein to Sills Road Realty, LLC, the present owner of the parcel having a Suffolk County Tax Map Identification Number of District 0200 Section 663.00 Block 03.00 Lot 001.00, or to its successors in interest, for the total sum of One Hundred Thirty Six Thousand & 00/100 ($136,000) Dollars, plus the pro-rata share of the current tax adjustments due at closing along with all recording fees and transfer taxes; and be it further

6th RESOLVED, that the Suffolk County Department of Public Works, will receive and deposit the sum of One Hundred Thirty Six Thousand & 00/100 ($136,000) Dollars, plus the pro-rata share of the current tax adjustments pursuant to said purchase offer; and be it further

7th RESOLVED, that the Commissioner of the Suffolk County Department of Public Works, or his Deputy, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property and upon the above-described terms and conditions to said party or their successors in interest.

DATED:

APPROVED BY:

__________________________________________
County Executive of Suffolk County

Date:
All that certain plot piece or parcel of land, situate, lying and being at Yaphank, County of Suffolk and State of New York, as shown on a survey prepared by Sidney B. Bowne & Sons, LLP dated October 2009 said parcel being more particularly bounded and described as follows:

BEGINNING at a point on the easterly boundary line of County Road 101 (Sills Road) at the northeast corner of Tax Lot 1.1 of district 200, section 704, block 2, as shown on the Suffolk County Tax Map, said point being 75.00 feet easterly measured at a right angle from station 276+12± of the Survey Centerline of County Road 101 (Sills Road);

Running thence North 23°04'16" East 447.31 feet to a point, said point being 75.00 feet easterly measured at a right angle from station 280+60±;

Thence South 05°33'18" East, along the easterly line of Sills Road (CR 101), 146.24 feet to the northerly line of Old Town Road, said point being distant 145± feet easterly measured at a right angle from station 279+31±;

Thence South 89°52'37" East, along the northerly line of Old Town Road, 20.57 feet to a point, said point being 164.00 feet easterly measured at a right angle from station 279+39±;

Thence, South 23°04'08" West 74.79 feet to a point, said point being 164.00 feet easterly measured at a right angle from station 278+64±;

Thence South 77°21'27" West 39.66 feet to a point on the easterly line of Sills Road (CR 101), said point being 125.00 feet easterly measured at a right angle from station 278+57±;

Thence South 23°04'16" West, along the easterly line of Sills Road (CR 101) 336.66 feet to the easterly line of the aforementioned tax lot 1.1, said point being 125.00 feet easterly measured at a right angle from station 275+21±;

Thence North 05°32'19" West, along the easterly line of said tax lot 1.1, a distance of 104.42 feet to the Point of Place of Beginning.

Containing, within said bounds, 25,556 square feet or 0.587 acres more or less.
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution  X  Local Law  ____  Charter Law  ____

2. Title of Proposed Legislation
   AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED SURPLUS UNUSED RIGHT-OF-WAY FRONTING A PARCEL OF LAND, HAVING A SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBER OF DISTRICT 0200 SECTION 663.00 BLOCK 03.00 LOT 001.000, PURSUANT TO SECTION 125 OF THE NEW YORK STATE HIGHWAY LAW

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  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
   COUNTY WITH RECEIVE REVENUE FROM SALE OF THIS PROPERTY

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


10. Typed Name & Title of Preparer
    DEBRA A. KOLYER  PRINCIPAL FINANCIAL ANALYST

11. Signature of Preparer
    [Signature]

12. Date
    6.31.2011

SCIN FORM 175b (10/95)

[Signature]

SST. EXEC. ANALYST
# Financial Impact

## 2011 Property Tax Levy

### Cost to the Average Taxpayer

<table>
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<tr>
<th></th>
<th>2011 Property Tax Levy</th>
<th>2011 Cost to Avg Taxpayer</th>
<th>2011 AV Tax Rate Per $100</th>
<th>2011 FEV Tax Rate Per $1000</th>
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### Police District and District Court

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### Combined

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<td><strong>$0.00</strong></td>
<td></td>
<td><strong>$0.00</strong></td>
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</table>

**Notes:**

1. Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property Tax Service, September 2010.
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: Ken Crannell, Deputy County Executive

FROM: James K. Peterman, P.E., Chief Deputy Commissioner

DATE: March 31, 2011

RE: Authorizing the Conveyance of County-Owned Surplus Unused Right-Of-Way Fronting a Parcel of Land, Having a Suffolk County Tax Map Identification Number of District 0200 Section 663.00 Block 03.00 Lot 001.000, Pursuant to Section 125 of the New York State Highway Law

Attached is a draft resolution and duplicate copy authorizing the Department of Public Works to convey a parcel of real property situated in the Town of Brookhaven, Suffolk County, New York, pursuant to Highway Law §125.

The purpose of this conveyance is to transfer the parcel to the adjoining owner. Under NYS Highway Law §125, this parcel can only be conveyed to the abutting owner (Sills Road Realty, LLC) at fair market value. It cannot be auctioned to third parties. This resolution is required by New York State Highway Law §125.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “Reso-DPW-HWY 125 Conveyance to Sills Rd Realty(043000).doc”.

JKP/WH/td
attach.
cc: Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Debra A. Kolyer, Principal Financial Analyst
Michael Mulé, Senior Planner
William Hillman, P.E., Chief Engineer
Laura Conway, CPA, Chief Accountant
Kathy LaGuardia, Capital Accounting
Theresa D’Angelo, Principal Clerk
RESOLUTION NO. - 2011, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE NATIONAL SCIENCE FOUNDATION FOR AN NSF SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS SCHOLARSHIPS PROGRAM (NSF STEMS II) 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has received an award from the National Science Foundation for a five-year NSF Science, Technology, Engineering and Mathematics Scholarships Program (NSF STEMS II), in the amount of $600,000, for the period of September 1, 2011 through August 31, 2016; and

WHEREAS, the program will provide $54,000 for salaries and the associated fringe benefits, travel, materials and supplies, and consultant fees, and $546,000 for scholarships for economically disadvantaged, underrepresented students in the STEM disciplines; and

WHEREAS, the scholarship funds, in the amount of $109,200 annually, will be administered external to the College operating budget as financial aid; and

WHEREAS, no matching funds are required as the project is 100% reimbursed by Federal funding; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant award on May 19, 2011 by Resolution No. 2011.34; and

WHEREAS, the College anticipates spending the grant award in the amount of $600,000 in accordance with the terms of said grant award before August 31, 2016; now therefore be it

1st RESOLVED, that said grant award from the National Science Foundation, for an NSF Science, Technology, Engineering and Mathematics Scholarships Program (NSF STEMS II), in the amount of $600,000, be accepted; and be it further

2nd RESOLVED, that said grant award, in the amount of $600,000, be appropriated for the operation of the program as follows:

REVENUES:
Federal Grant: NSF STEMS II: GC43-GC4312-544237-G000 $600,000

APPROPRIATIONS:
NSF STEMS II 11-12: GC43-GC4312 $54,000

Suffolk County Community College
NSF STEMS II
GC43-GC4312
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<td>628350-Unemployment Insurance</td>
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<tr>
<td>713100-Instructional Supplies</td>
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<tr>
<td>714350-Travel: College Business</td>
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<tr>
<td>Contractual Services:</td>
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<td>714560-Fees for Service</td>
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</table>

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
RESOLUTION NO. 2011.34  ACCEPTING A GRANT AWARD FROM THE
NATIONAL SCIENCE FOUNDATION FOR A SCIENCE, TECHNOLOGY,
ENGINEERING AND MATHEMATICS SCHOLARSHIPS PROGRAM (NSF
STEMS II)

WHEREAS, Suffolk County Community College has received a grant award from the
National Science Foundation for a five-year NSF Science, Technology, Engineering and
Mathematics Scholarships Program (NSF STEMS II), in the amount of $600,000, for the
period of September 1, 2011 through August 31, 2016, and

WHEREAS, the program will provide $54,000 for salaries and the associated fringe
benefits, travel, materials and supplies, and consultant fees, and $546,000 for scholarships
for economically disadvantaged, underrepresented students in the STEM disciplines, and

WHEREAS, the scholarship funds, in the amount of $109,200 annually, will be
administered external to the College operating budget as financial aid, and

WHEREAS, matching funds are not required, be it therefore

RESOLVED, that a grant award, in the amount of $600,000, from the National Science
Foundation for a five-year NSF Science, Technology, Engineering and Mathematics
Scholarships Program (NSF STEMS II), for the period of September 1, 2011 through
August 31, 2016, is hereby accepted, and the College President or his designee is
authorized to execute a contract with the administering agency.

Project Director: Dr. Candice Foley

Note: No full-time personnel

************
ABSTRACT

Grant Proposal ____ Grant Award  X

Funding Source: National Science Foundation

Project Title: NSF Science, Technology, Engineering and Mathematics Scholarships Program (NSF STEMS II)

Project Director: Dr. Candice Foley, Professor of Chemistry

Project Period: September 1, 2011 through August 31, 2016

Campus: Central Administration

Amount of Award: $ 600,000

In-kind Contribution: none

Full-Time Positions/Reassigned Time: none

No. of Students to be Served: 140

Type of Student to be Served: Economically disadvantaged, underrepresented students in the STEM disciplines

Description of Project:
Suffolk County Community College (SCCC) is providing 140 S-STEM scholarships to students from multiple STEM disciplines. The goal is to graduate and transfer more STEM students by expanding the existing program, increasing the use of technology to expand collaborative partnerships and enhancing peer mentoring. Participants receive financial aid, transfer and career counseling, internships, job shadowing, partner institution tours, and invited speaker presentations. The project aims to integrate research and education with experiences at SCCC, Brookhaven National Laboratory (BNL), and Stony Brook University (SBU), and integrate diversity into NSF Programs by recruiting students in programs for underrepresented populations, including the Collegiate Science and Technology Education Program (CSTEP), Science and Technology Entry Program (STEP), Liberty Partnerships Program (LPP) and Empire State Diversity Honors Scholarship (ESDHS). The extended project is graduating more STEM students from populations underrepresented in STEM professions and assisting them to transfer and complete their educations, directly addressing the significant national shortage of STEM professionals.
Award Abstract #1060582

STEMS II Program for Suffolk County Community College

NSF Org: DUE
Division of Undergraduate Education

Initial Amendment Date: February 28, 2011

Latest Amendment Date: February 28, 2011

Award Number: 1060582

Award Instrument: Standard Grant

Program Manager: Duncan E. McBride
DUE Division of Undergraduate Education
EHR Directorate for Education & Human Resources

Start Date: September 1, 2011

Expires: August 31, 2016 (Estimated)

Awarded Amount to Date: $600000

Investigator(s): Candice Foley foleyca@sunysuffolk.edu (Principal Investigator)
NinaLeonhardt (Co-Principal Investigator)
JeanAnastasia (Co-Principal Investigator)
PeteMaritato (Co-Principal Investigator)
JanetHaff (Co-Principal Investigator)

Sponsor: Suffolk Community College
533 College Road
Selden, NY 11784 631/451-4076

NSF Program(s): S-STEM:SCHLR SCI TECH ENG&MATH

Field Application(s):

Program Reference Code(s): SMET, 9178, 9150

Program Element Code(s): 1536

ABSTRACT

Suffolk County Community College (SCCC) is providing 140 S-STEM scholarships to students from multiple STEM disciplines. The goal is to graduate and transfer more STEM students by expanding the existing program, increasing the use of technology to expand collaborative partnerships, and enhancing peer mentoring. Participants receive financial aid, transfer and career counseling, internships, job shadowing, partner institution tours, and invited speaker presentations. The project aims to (1)
Integrate Research and Education with experiences at SCC, Brookhaven National Laboratory (BNL), and Stony Brook University (SBU), and (2) Integrate Diversity into NSF Programs by recruiting students in programs for underrepresented populations, including the Collegiate Science and Technology Education Program (CSTEP), Science and Technology Entry Program (STEP), Liberty Partnerships Program (LPP) and Empire State Diversity Scholarship (ESDS).

The intellectual merit of the project includes: (1) An innovative joint program led by a diverse team; (2) A co-PI who designed and directs the College's first STEM gender equity program; (3) A co-PI who directs minority recruitment through CSTEP, STEP, and LPP; and (4) Educational and research opportunities offered through a collaborative partnership with BNL and SBU.

The broader impacts follow from enhancing diversity among NSF S-STEM Scholars by collaborating with CSTEP to recruit low income and underrepresented students. This enables participants to receive CSTEP support services, leveraging NSF resources with state- and county-funded programs, such as STEP, LPP, and ESDS. SCC's 2006-2011 scholarship participants demonstrated graduation and transfer rates greater than twice the average of their peers at SCC. The extended project is graduating more STEM students from populations underrepresented in STEM professions and assisting them to transfer and complete their educations, directly addressing the significant national shortage of STEM professionals. Results are being disseminated to the STEM education community through a regular series of presentations at national venues.

Please report errors in award information by writing to:
awardsearch@nsf.gov.
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

**ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE NATIONAL SCIENCE FOUNDATION FOR AN NSF SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS SCHOLARSHIPS PROGRAM (NSF STEMS II) 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes XX 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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</thead>
<tbody>
<tr>
<td>Village</td>
<td>School District</td>
<td>Other (Specify):</td>
</tr>
<tr>
<td>Library District</td>
<td>Fire District</td>
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</tbody>
</table>

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

Grant funds totaling $600,000 for the National Science Foundation Science, Technology, Engineering and Mathematics Scholarships Program.

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

Funding must be expended between September 1, 2011 and August 31, 2016.

8. Proposed Source of Funding

National Science Foundation

9. Timing of Impact

THE RESOLUTION IS EFFECTIVE UPON ADOPTION.

10. Typed Name & Title of Preparer
    Tricia Saunders, Senior Research Analyst

11. Signature of Preparer

12. Date
    5/31/11
### General Fund

<table>
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<tr>
<th></th>
<th>2011 Property Tax Levy</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.
3. Source for equalization rates: Tentative 2010 County Equalization Rates established by the New York State Board of Equalization and Assessments.

To be completed by the Executive Budget Office.
# Statement of Financial Impact

## Of Proposed Suffolk County Legislation

### 1. Type of Legislation
- Resolution **X**
- Local Law _____
- Charter Law _____

### 2. Title of Proposed Legislation
Accepting and Appropriating a Grant Award from the National Science Foundation, for an NSF Science, Technology, Engineering and Mathematics Scholarships Program (NSF STEMS II) 100% Reimbursed by Federal Funds at Suffolk County Community College

### 3. Purpose of Proposed Legislation
To accept and appropriate a grant award, in the amount of $600,000, from the National Science Foundation for an NSF Science, Technology, Engineering and Mathematics Scholarships Program (NSF STEMS II), during the 2011-2012 fiscal year, and continuing through the 2015-2016 fiscal year.

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

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

### 6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact
The grant award will provide $600,000 from the National Science Foundation for an NSF Science, Technology, Engineering and Mathematics Scholarships Program (NSF STEMS II) during the 2011-2012 fiscal year and completing during the 2015-2016 fiscal year. No matching funds required.

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

### 8. Source of Funding:
- National Science Foundation

### 9. Timing of Impact:
- September 1, 2011 through August 31, 2016

### 10. Typed Name & Title of Preparer
- Deborah E. Lesser, M.S.
- Senior Accountant

### 11. Signature of Preparer

### 12. Date
- May 4, 2011

---

SCIN FORM 175A (10/95)
To: Ken Crannell, Deputy County Executive
   Christopher Kent, Chief Deputy County Executive
   Brendan Chamberlain, Dir., Intergovernmental Relations

From: James Amoroso, V. P. for Business & Financial Affairs

Date: May 10, 2011

Subject: Request for a Resolution Accepting and Appropriating a Grant Award for a Suffolk County Community College Program

Enclosed are the application and requisite forms to request acceptance and appropriation of the grant award for a program at Suffolk County Community College.

Proposal ___ Grant Award X Subcontract ___

Program Name: NSF STEMS II

Funder: National Science Foundation

Amount of Award: $600,000
Full Time Positions: None

Please call me if there are questions regarding this request.
An e-mail version of the resolution and backup were sent to CE RESO REVIEW:
File name: Reso-SCCC-NSF STEMS II Award 12.docx
Backup-SCCC-NSF STEMS II Award 12.docx

cc: Dr. Candice Foley, Professor of Chemistry
   Nina Leonhardt, Associate Dean, Office of Continuing Education
   J. Bullard, Jr., Associate Dean for Financial Affairs
   M. L. Araneo, Vice President for Institutional Advancement
RESOLUTION NO. - 2011, ACCEPTING AND APPROPRIATING A GRANT SUBAWARD FROM THE RESEARCH FOUNDATION OF THE STATE UNIVERSITY OF NEW YORK, FOR A PROJECT WIN-WIN, FUNDED BY THE LUMINA FOUNDATION FOR EDUCATION 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has entered into a Subaward agreement with The Research Foundation of the State University of New York for a Project Win-Win, funded by the Lumina Foundation for Education, in the amount of $5,000, for the period of September 15, 2010 through August 30, 2013; and

WHEREAS, the Subaward provides for identifying former Suffolk County Community College students, no longer enrolled anywhere and never awarded any degree, whose records qualify them for associate’s degrees, and get those degrees awarded retroactively, as well as identifying former students who are academically short of an associate’s degree and seek to bring them back to complete the degree; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the Subaward on May 19, 2011 by Resolution No. 2011.33; and

WHEREAS, the College anticipates spending the grant Subaward amount of $5,000 in accordance with the terms of said grant Subaward before August 30, 2013; now therefore be it

1st RESOLVED, that said grant Subaward from The Research Foundation of the State University of New York, for a Project Win-Win, funded by the Lumina Foundation for Education, in the amount of $5,000, be accepted; and be it further

2nd RESOLVED, that said grant Subaward, in the amount of $5,000, be appropriated for the operation of the program as follows:

REVENUES:
Federal Grant: Project Win-Win: GC73-GC7311-544247-G000 $ 5,000

APPROPRIATIONS:
Project Win-Win 10-11: GC73-GC7311 $ 5,000

Suffolk County Community College
Project Win-Win
GC73-GC7311

Personnel: $ 2,500
611570-Full-time Overload 2,500

Fringe Benefits: $ 206
628330-Social Security 191
628350-Unemployment Insurance 15
Equipment:  
712440-Instructional Equipment  
$1,000  
1,000

Supplies:  
713100-Instructional Supplies  
$294  
294

Travel:  
714350-Travel: College Business  
$500  
500

Contractual Services:  
714560-Fees for Service  
$500  
500

DATED:  

APPROVED BY:  
County Executive of Suffolk County

Date of Approval:
RESOLUTION NO. 2011.33   ACCEPTING A SUBAWARD FROM THE RESEARCH FOUNDATION OF THE STATE UNIVERSITY OF NEW YORK FOR A PROJECT WIN-WIN FUNDED BY THE LUMINA FOUNDATION FOR EDUCATION

WHEREAS, Suffolk County Community College has entered into a Subaward agreement with the Research Foundation of the State University of New York for a Project Win-Win, funded by the Lumina Foundation for Education, in the amount of $5,000, for the period of September 15, 2010 through August 30, 2013, and

WHEREAS, the program provides for identifying former Suffolk County Community College students, no longer enrolled anywhere and never awarded any degree, whose records qualify them for associate’s degrees, and get those degrees awarded retroactively, as well as identifying former students who are academically short of an associate’s degree and seek to bring them back to complete the degree, and

WHEREAS, matching funds are not required, be it therefore

RESOLVED, that a Subaward agreement, in the amount of $5,000, from the Research Foundation of the State University of New York for a Project Win-Win, funded by the Lumina Foundation for Education, during the 2010-2011 fiscal year, and continuing through the 2012-2013 fiscal year, is hereby accepted, and the College Executive Vice President has executed a contract with the administering agency.

Project Director: Anna Flack

Note: No full-time personnel

* * * * * * * *
ABSTRACT

Grant Proposal     Grant Subaward  X

Funding Source:  Lumina Foundation for Education, through
                 The Research Foundation of the State University of New York

Project Title:  Project Win-Win

Project Director:  Anna Flack, Central Registrar

Project Period:  September 15, 2010 through August 30, 2013

Campus:  Central
Amount of Subaward:  $5,000
In-kind Contribution:  none

Full-Time Positions/Reassigned Time:  none

No. of Students to be Served:  approx. 2,000

Type of Student to be Served:  Former SCCC students

Description of Project:
Project Win-Win involves 35 colleges in six states (Louisiana, Missouri, New York, Ohio, Virginia, and Wisconsin) in finding former students, no longer enrolled anywhere and never awarded any degree, whose records qualify them for associate’s degrees, and get those degrees awarded retroactively. Simultaneously, this effort will identify former students who are “academically short” of an associate’s degree by no more than 9 credits, find them, and seek to bring them back to complete the degree. “Win-Win,” undertaken at the national level through a partnership of the Institute for Higher Education Policy (IHEP) and the State Higher Education Executive Officers (SHEEO), and funded by the Lumina Foundation for Education, is a major expansion of a Pilot conducted in the fall and spring terms of 2009-2010 in nine of the 35 institutions and under the sponsorship of the Education Trust. Each participating institution receives a small grant to support its efforts, administered, with other support, by its state system central office. All participating institutions are contributing a significant amount of staff time to this effort because they realize the potential of its impact on local graduation rates.
Dear Louis Petrizzo:

Enclosed please find one (1) fully executed original Subcontract Agreement in the amount of $5,000.00 for the period September 15, 2010 through August 30, 2013 for your records.

We have retained one original with our files and I have forwarded one original to Robert Kraushaar for his records.

Thank you and if you have any questions, please do not hesitate to contact our office at (518) 433-4800.

Sincerely,

Kathleen Barberis
Director
Contract and Grant Services

KB/jp
Enclosures
C: Mr. Kraushaar
30. **Survival**

   In the event of termination of this Agreement for any reason, the following sections shall survive termination: 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 26, 27, and 29.

31. **Entire Agreement**

   This Agreement represents the entire agreement and understanding of the parties hereto. No prior writings, conversations, or representations of any nature shall be deemed to vary the provisions of this Agreement.

32. **Order of Precedence**

   In the event of a conflict between this Agreement and Exhibit A, this Agreement shall take precedence and control.

   **IN WITNESS WHEREOF**, the parties hereto have executed this Agreement the day and year last written below. By executing this Agreement, Contractor provides any assurances and/or certifications of compliance required herein.

---

THE RESEARCH FOUNDATION OF
STATE UNIVERSITY OF NEW YORK

By [Signature]
Sharon Finn
Executive Director
Sponsored Programs Office
Date 4/26/11

SUFFOLK COUNTY COMMUNITY
COUNTY

By [Signature]
George Gatta Jr.
Executive Vice President
Date 4/18/11

SUNY SYSTEM ADMINISTRATION

By [Signature]
Robert Kraushaar
Associate Provost
Date 4/4/11
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>XX</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT SUBAWARD FROM THE RESEARCH FOUNDATION OF THE STATE UNIVERSITY OF NEW YORK, FOR A PROJECT WIN-WIN, FUNDED BY THE LUMINA FOUNDATION FOR EDUCATION 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? Yes XX 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

Grant funds totaling $5,000 for project Win-Win.

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

Funding must be expended between September 15, 2010 and August 30, 2013.

8. Proposed Source of Funding

Subaward agreement with the Research Foundation of the State University of New York, funded by the Lumina Foundation for Education

9. Timing of Impact

THE RESOLUTION IS EFFECTIVE UPON ADOPTION.

10. Typed Name & Title of Preparer

Tricia Saunders, Senior Research Analyst

11. Signature of Preparer

12. Date

5/31/11
# Financial Impact
## 2011 Property Tax Levy
### Cost to the Average Taxpayer

<table>
<thead>
<tr>
<th>Fund</th>
<th>2011 Property Tax Levy</th>
<th>2011 Cost to Avg Taxpayer</th>
<th>2011 AV Tax Rate per $100</th>
<th>2011 FEV Tax Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Fund</strong></td>
<td></td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>Police District and District Court</strong></td>
<td></td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>Combined</strong></td>
<td></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 Tax Service, September 2010.
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
# 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 Subaward from The Research Foundation of the State University of New York, for a Project Win-Win, funded by the Lumina Foundation for Education 100% Reimbursed by Federal Funds at Suffolk County Community College

3. **Purpose of Proposed Legislation**
   To accept and appropriate a grant Subaward, in the amount of $5,000, from The Research Foundation of the State University of New York, for a Project Win-Win, funded by the Lumina Foundation for Education, during the 2010-2011 fiscal year, and continuing through the 2012-2013 fiscal year.

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

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

6. **If the answer to item 4 is “yes,” Provide Detailed Explanation of Impact**
   The grant Subaward will provide $5,000 from The Research Foundation of the State University of New York for a Project Win-Win, funded by the Lumina Foundation for Education, to identify former Suffolk County Community College students who never were awarded a degree, but qualify retroactively for a degree, or who are academically short of an associate’s degree and bring them back to complete the degree during the 2010-2011 fiscal year and completing during the 2012-2013 fiscal year. No matching funds required.

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

8. **Source of Funding:**
   - The Research Foundation of the State University of New York, through the Lumina Foundation for Education

9. **Timing of Impact:**
   - September 15, 2010 through August 30, 2013

10. **Typed Name & Title of Preparer**
    - Deborah E. Lesser, M.S.
    - Senior Accountant

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

12. **Date**
    - May 2, 2011

---

**SCIN FORM 175A (10/95)**
To: Ken Crannell, Deputy County Executive
    Christopher Kent, Chief Deputy County Executive
    Brendan Chamberlain, Dir., Intergovernmental Relations

From: James Amoroso, V. P. for Business & Financial Affairs

Date: May 10, 2011

Subject: Request for a Resolution Accepting and Appropriating a
Grant Subaward for a Suffolk County Community College
Program

Enclosed are the application and requisite forms to request
acceptance and appropriation of the grant Subaward for a program at
Suffolk County Community College.

Proposal Grant Award Subcontract _X_

Program Name: Project Win-Win

Funder: The Lumina Foundation for Education, through
        The Research Foundation of the State University of
        New York

Amount of Subaward: $5,000
Full Time Positions: None

Please call me if there are questions regarding this request.
An e-mail version of the resolution and backup were sent to CE RESO
REVIEW:
File name: Reso-SCCC-Project Win Win Award 11.docx
Backup-SCCC-Project Win Win Award 11.docx

cc: Anna Flack, College Registrar
    J. Bullard, Jr., Associate Dean for Financial Affairs
    M. L. Aranego, Vice President for Institutional Advancement
RESOLUTION NO. 2011
ACCEPTING AND APPROPRIATING 100% FEDERAL FUNDS AWARDED BY THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION TO THE SUFFOLK COUNTY DISTRICT ATTORNEY AND AUTHORIZING THE SUFFOLK COUNTY EXECUTIVE TO EXECUTE RELATED AGREEMENTS.

WHEREAS, the United States Department of Justice will provide funding to the Suffolk County District Attorney for participation in the U.S. Department of Justice, Drug Enforcement Administration Task Force; and

WHEREAS, a sum of $17,202.25 will be provided for reimbursement of overtime expense for each participating officer for the period October 1, 2010 through September 30, 2011; and

WHEREAS, the District Attorney has two officers participating in this task force; and

WHEREAS, said funds have not been included in the 2011 Suffolk County Operating Budget; now, therefore, be it

RESOLVED, that the County Executive is authorized to execute any Agreement with the United States Department of Justice, Drug Enforcement Administration, as necessary, to secure said funds; and further

RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted funds in the amount of $34,404.50 as follows:

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-4320-Federal Aid: Crime Control</td>
<td>$34,404.50</td>
</tr>
</tbody>
</table>

APPROPRIATIONS

Suffolk County District Attorney
DEA Task Force
001-DIS-1188

1000 Personal Service
1120-Overtime

$34,404.50
$34,404.50

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
   DEA Overtime

3. Purpose of Proposed Legislation
   Accept funding from the United States Department of Justice
   Drug Enforcement Administration

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 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.
   This program will reimburse $34404.50 of overtime expense for participating officers.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political Subdivision.
   The funding period for this program is 10/1/2010 through 9/30/2011.

8. Proposed Source of Funding
   The United States Department of Justice
   Drug Enforcement Administration

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer
    Craig D. Pavlik
    Deputy Bureau Chief
    Administration

11. Signature of Preparer

12. Date
    3/10/2011

SCIN FORM 175b (10/95)
RESOLUTION NO. 2011 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (CP 8181)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with this Suffolk County Legislature ("Legislature") resulting in a public hearing on June 7, 2011 in relation to the increase and improvement of facilities at Suffolk County Sewer District No. 3 – Southwest, including reduction of Infiltration/Inflow; and

WHEREAS, pursuant to Resolution No. IR 1366-2011, the Clerk of this Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to this Legislature; and

WHEREAS, said public hearing is to be held in Hauppauge, New York in this County on June 7, 2011 at 2:30 p.m., Prevailing Time; and

WHEREAS, this Legislature has duly considered the map and plan and estimate of cost for the proposed increase and improvement of Suffolk County Sewer District No. 3 – Southwest that was submitted to it along with evidence presented at the aforesaid public hearing; now therefore be it

1st RESOLVED, by this Legislature, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature hereby finds and determines that, 1) it is in the public interest to perform the proposed increase and improvement, including the reduction of Infiltration/Inflow, 2) the proposed work is adequate and appropriate, 3) the cost of such increase and improvement shall be set at a maximum of approximately $4,500,000; and 4) the increase and improvement will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature further finds that two other projects (Outfall-Final Effluent Pump Station phase and Infrastructure Improvements, Capital Project Numbers 8108 and 8170, respectively) being implemented for this sewer district, when added to the project will result in an annual unsubsidized increase to the typical property of approximately $35.21 for all projects and $3.54 for this project (CP 8181) for parcels located in either Town. However, the Legislature further finds and determines that there will be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Reserve Fund created by Suffolk County Law (Suffolk County Charter Section 2-12(d)) all residents of sewer districts in Suffolk County experience only a 3% annual increase regardless of any improvements performed in such sewer district with the increase per typical property being $19.17; and
Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature further finds and determines that all property and property owners within the existing Suffolk County Sewer District No. 3 – Southwest will be benefited by such increase and improvement of facilities and that no benefited property has been excluded from the increase and improvement of facilities.

2nd RESOLVED, 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 New York State Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA, and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

jp-bw5-10-11 Reso DPW sd3 Southwest Infiltration/Inflow findings CP 8181
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1.
Type of Legislation
Resolution  X  Local Law  _________  Charter Law  _________

2.
Title of Proposed Legislation
A resolution making certain findings and determinations in relation to the increase and improvement of facilities for Sewer District No. 3 – Southwest (CP 8181).

3.
Purpose of Proposed Legislation
To make certain findings and determinations for the reduction of infiltration/inflow for SCSD No. 3 – Southwest.

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>Sewer District</td>
</tr>
</tbody>
</table>

6.
If the answer to item 4 is "yes," Provide Detailed Explanation of Impact
The findings will allow appropriations to be requested. See item No. 7

7.
Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
$356,400/year (maximum year), however $19.17 per year per typical property based on ASRF subsidy.

8.
Proposed Source of Funding  Serial Bonds

9.
Timing of Impact  2013

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

11. Signature of Preparer  [Signature]

12. Date  5/10/11

SCIN FORM 175B (10/95)
jp-bw5-10-11 Backup-DPW 175B sd3 Southwest infiltration/inflow findings CP 8181
Debra Kolby  Principal Financial Analyst  5/26/11
### GENERAL FUND

<table>
<thead>
<tr>
<th></th>
<th>2011 PROPERTY TAX LEVY</th>
<th>2011 COST TO AVE TAXPAYER</th>
<th>2011 AV TAX RATE PER $100</th>
<th>2011 FEV TAX RATE PER $1000</th>
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<td>TOTAL</td>
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</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

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<thead>
<tr>
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<th>2011 PROPERTY TAX LEVY</th>
<th>2011 COST TO AVE TAXPAYER</th>
<th>2011 AV TAX RATE PER $100</th>
<th>2011 FEV TAX RATE PER $1000</th>
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### COMBINED

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<th>2011 PROPERTY TAX LEVY</th>
<th>2011 COST TO AVE TAXPAYER</th>
<th>2011 AV TAX RATE PER $100</th>
<th>2011 FEV TAX RATE PER $1000</th>
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<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**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.
TO:  Ken Crannell, Deputy County Executive
FROM:  James Peterman, P.E., Chief Deputy Commissioner
SUBJECT:  A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 3 – Southwest (Infiltration/Inflow) CP 8181
DATE:  May 10, 2011

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8181 - SD 3 – Southwest (Infiltration/Inflow) Improvement 5-10-11 and backup filed as Backup-DPW CP 8181 - SD 3 – Southwest (Infiltration/Inflow) Improvement 5-10-11 for the findings resolution of the increase and improvement of Sewer District No. 3 – Southwest. The public hearing is to be held on June 7, 2011. Resolution 368-06 making a SEQRA determination has been adopted. The project is to continue the reduction of extraneous flows into the sewerage facilities by reducing infiltration inflow and includes equipment purchase, rehabilitation by grouting, lining, and in some cases replacement. The total cost associated with the project is $4,500,000 of which is contained in the Adopted 2011 Capital Budget.

We appreciate the resolution being laid on the table.

JP:BW:ni
Attachment
cc:  Christopher Kent, Chief Deputy County Executive
     Gil Anderson, P.E., Commissioner
     Brendan Chamberlain, Director of Intergovernmental Relations
     Lynne Bizzarro, Esq., Chief Deputy County Attorney
     Kathy LaGuardia, Executive Assistant for Finance & Administration
     Debra Kolyer, Principal Financial Analyst
     John Donovan, P.E., Acting Chief Engineer
     Ben Wright, P.E., Principal Civil Engineer
     Robert Murphy, Public Works Capital Projects Manager
     CE Reso Review
     jp-bw5-10-11 Backup-DPW sd3 Southwest I/I findings CP 8181 memo to KCrannell
RESOLUTION NO. , 2011 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (OUTFALL (FINAL EFFLUENT PUMP STATION)) (CP 8108)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with this Suffolk County Legislature ("Legislature") resulting in a public hearing on June 7, 2011 in relation to the rehabilitation and renovations to the Final Effluent Pump Station at Suffolk County Sewer District No. 3 – Southwest; and

WHEREAS, pursuant to Resolution No. IR 1365-2011, the Clerk of this Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to this Legislature; and

WHEREAS, said public hearing is to be held in Hauppauge, New York in this County on June 7, 2011 at 2:30 p.m., Prevailing Time; and

WHEREAS, this Legislature has duly considered the map and plan and estimate of cost for the proposed increase and improvement of Suffolk County Sewer District No. 3 – Southwest that was submitted to it along with evidence presented at the aforesaid public hearing; now therefore be it

1st RESOLVED, by this Legislature, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature hereby finds and determines that, 1) it is in the public interest to perform the construction tasks of the proposed increase and improvement of the first phase of the Outfall Project, i.e., the Final Effluent Pump Station and associated ultraviolet disinfection system linked to that work, 2) the proposed work is adequate and appropriate, 3) the cost of such construction for the increase and improvement shall be set at a maximum of approximately $35,000,000; and 4) the increase and improvement will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature further finds that two other projects (Bergen Point Infrastructure Improvements and sewer system improvements, Capital Project Numbers 8170 and 8181, respectively) being implemented for this sewer district, when added to the project will result in an annual unsubsidized increase to the typical property of approximately $35.21 for all projects and $27.58 for this project (CP 8108) for parcels located in either Town. However, this Legislature further finds and determines that there will be no fiscal impact to the benefited properties since pursuant to the Suffolk County Assessment Stabilization Reserve Fund created by Suffolk County Law (Suffolk County Charter Section 2-12(d)) all residents of sewer district in Suffolk County experience only a
3% annual increase regardless of any improvements performed in such sewer district with the increase per typical property being $19.17; and

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature further finds and determines that all property and property owners within the existing Suffolk County Sewer District No. 3 – Southwest will be benefited by such planning of the increase and improvement of facilities and that no benefited property has been excluded from the increase and improvement of facilities.

2nd RESOLVED, 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 New York State Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA, and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date of Approval:

jp-bw5-10-11 Reso DPW sd3 Outfall (FEPS) findings CP 8108
1. **Type of Legislation**
   - Resolution **X**
   - Local Law __________
   - Charter Law __________

2. **Title of Proposed Legislation**
   - A resolution making certain findings and determinations in relation to the construction of the increase and improvement of facilities for Sewer District No. 3 – Southwest (CP 8108) (Outfall (Final Effluent Pump Station)).

3. **Purpose of Proposed Legislation**
   - To make certain findings and determinations for the construction of (Outfall (Final Effluent Pump Station)) improvements for SCSD No. 3 – Southwest.

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):
     - Sewer District
     - Library District
     - Fire District

6. **If the answer to item 4 is "yes," Provide Detailed Explanation of Impact**
   - The findings will allow appropriations to be requested. See item No. 7

7. **Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.**
   - $2,772,000/year (maximum year), however, $19.17 per year per typical property based on ASRF subsidy.

8. **Proposed Source of Funding**
   - Serial Bonds

9. **Timing of Impact**
   - 2013

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

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

12. **Date**
    - 5/10/11

---

SCIN FORM 175B (10/95)
jp-bw5-10-11 Backup-DPW 175B s3 Outfall (FEPS) Findings CP 8108
## GENERAL FUND

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<tr>
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<th>2011 PROPERTY TAX LEVY</th>
<th>2011 COST TO AVG TAXPAYER</th>
<th>2011 AV TAX RATE PER $100</th>
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## POLICE DISTRICT AND DISTRICT COURT

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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.
TO: Ken Crannell, Deputy County Executive
FROM: James Peterman, P.E., Chief Deputy Commissioner
SUBJECT: A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 3 – Southwest (Outfall (Final Effluent Pump Station)) CP 8108
DATE: May 10, 2011

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8108 - SD 3 – Southwest (Outfall (Final Effluent Pump Station)) Improvement 5-10-11 and backup filed as Backup-DPW CP 8108 - SD 3 – Southwest (Outfall (Final Effluent Pump Station)) Improvement 5-10-11 for the findings resolution of the increase and improvement of Sewer District No. 3 – Southwest. The public hearing is to be held on June 7, 2011. The project is to provide rehabilitation and renovation of the final effluent pump station discharging to the ocean outfall. The improvements will extend the service life and provide redundancy and links the hydraulics and impact of the proposed ultraviolet disinfection system. The total cost associated with the project is $35,000,000 of which is contained in the Adopted 2011 Capital Budget.

We appreciate the resolution being laid on the table.

JP:BW:ni
Attachment
cc: Chris Kent, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Chief Deputy County Attorney
Kathy LaGuardia, Executive Assistant for Finance & Administration
Debra Kolyer, Principal Financial Analyst
John Donovan, P.E., Acting Chief Engineer
Ben Wright, P.E., Principal Civil Engineer
Robert Murphy, Public Works Capital Projects Manager
CE Reso Review
jp-bw5-10-11 Backup-DPW sd3 Outfall (FEPS) findings CP 8108 memo to KCrannell
RESOLUTION NO. , 2011 AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM, TRANSFERRING FUNDS FROM THE ASSESSMENT STABILIZATION RESERVE FUND, AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 21 – SUNY (CP 8121)

WHEREAS, the SUNY Wastewater Treatment Plant requires improvements to meet the requirements of discharge to the Long Island Sound; and

WHEREAS, consultant assistance has been procured and is progressing; and

WHEREAS, as the project has been developed, unanticipated changes in scope resulted from directives by NYSDEC along with tasks associated with a request to modify the permit concluding that additional planning could save as much as $20 million in construction costs and operational enhancements which were beyond the original design fee available; and

WHEREAS, the Adopted Capital Program for 2011 includes “Other” funds for planning, design and supervision, and construction which will be required in requests at the end of 2011; and

WHEREAS, it has been determined that funds in the amount of $350,000 will be necessary to perform modeling and additional planning and engineering work; and

WHEREAS, it is proposed that $350,000 be appropriated in the planning line item of the budget utilizing Assessment Stabilization Reserve Funds; and

WHEREAS, the Administrative Head of Sewer District No. 21 – SUNY has requested that the amendment of the capital budget and program and the appropriation of additional funds utilizing the Assessment Stabilization Reserve Fund; 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 2011 Capital Budget; 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 transfer of $350,000 in Assessment Stabilization Reserve Funds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-seven (77), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 461-2006; and be it further
2nd RESOLVED, that the Assessment Stabilization Reserve Fund shall provide the sum of $350,000 for the purpose of continuing the planning phase of the project; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2011 Adopted Operating Budget, transfer funds and accept proceeds as follows:

<table>
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<th>Interfunds</th>
<th>Amount</th>
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<tr>
<td>404-IFT-E527 - Transfer to Fund 527</td>
<td>$350,000</td>
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<tr>
<td>527-IFT-R404 – Transfer from Fund 404</td>
<td>$350,000</td>
</tr>
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</table>

and be it further

4th RESOLVED, that the 2011 Capital Budget be and it hereby is amended as follows:

Project No.: 8121
Project Name: Improvements to Sewer District No. 21 – SUNY

<table>
<thead>
<tr>
<th>COST ELEMENTS</th>
<th>TOTAL EST'D COST</th>
<th>CURRENT 2011 CAPITAL BUDGET &amp; PROGRAM</th>
<th>REVISED 2011 CAPITAL BUDGET &amp; PROGRAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Planning, Design &amp; Supervision</td>
<td>$2,238,000</td>
<td>$300,000</td>
<td>$350,000-A $300,000-O</td>
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<tr>
<td>3. Construction</td>
<td>$18,070,000</td>
<td>$4,000,000</td>
<td>$4,000,000-O</td>
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<tr>
<td>TOTAL</td>
<td>$20,308,000</td>
<td>$4,300,000</td>
<td>$4,650,000</td>
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</tbody>
</table>

and be it further

5th RESOLVED, that the funds in the amount of $350,000 from the Assessment Stabilization Reserve Fund be and they hereby are appropriated as follows:

<table>
<thead>
<tr>
<th>PROJECT NO.</th>
<th>PROJECT TITLE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>527-CAP-8121.111</td>
<td>Improvements to Sewer District 21 – SUNY Planning, Design &amp; Supervision</td>
<td>$350,000</td>
</tr>
</tbody>
</table>

and be it further

6th RESOLVED, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such
terms and conditions as he may deem necessary relating to the improvements to SD 21 - SUNY; and be it further

7th 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), (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.

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**
   - Amending the 2011 Capital Budget and Program, Transferring Funds from the Assessment Stabilization Reserve Fund, and Appropriating Funds in Connection with Improvements to Suffolk County Sewer District No. 21 – SUNY (CP 8121)

3. **Purpose of Proposed Legislation**
   - To appropriate funds to continue the planning task of the project.

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

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

6. **If the answer to item 4 is "yes," Provide Detailed Explanation of Impact**
   - Although the project cost of funding is based on $350,000, the district rates will only increase by 3% per year.

7. **Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.**
   - 2011 $350,000

8. **Proposed Source of Funding**
   - ASRF

9. **Timing of Impact**
   - 2011-2012

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

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

12. **Date**
    - 5/10/11

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

<table>
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<tr>
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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.

To be completed by the Executive Budget Office
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

FROM: James Peterman, P.E., Chief Deputy Commissioner

SUBJECT: Amending the 2011 Capital Budget and Program, Transferring Funds from the Assessment Stabilization Reserve Fund, and Appropriating Funds in Connection with Improvements to Suffolk County Sewer District No. 21 – SUNY (CP 8121)

DATE: May 10, 2011

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8121 SD #21 – SUNY ASRF Improvements dated 5-10-11 and backup filed as Reso-Backup DPW CP 8121 SD #21 – SUNY ASRF Improvements dated 5-10-11. The resolution transfers Assessment Stabilization Reserve Funds for planning purposes.

The planning and design phase of the project is proceeding with the anticipated goal of expanding the wastewater treatment facility and meeting the effluent limitations of the Long Island Sound. Due to unanticipated changes in scope as a result of directives by New York State Department of Environmental Conservation, the tasks associated with our request to modify the permit which could save $20 million in construction cost and operational enhancement, the original design fee is insufficient. Additional work is necessary in modeling Port Jefferson Harbor as well as developing project documents in accordance with the NYSDEC compliance schedule. Notwithstanding, the adopted capital program for 2011 including funds in planning, design and supervision, and construction the funds being requested are in addition to those which will be requested as document preparation and SEQRA issues are completed. This resolution is, therefore, to add $350,000 in the planning, design and supervision line item of the Capital Budget and utilizing Assessment Stabilization Reserve Funds.

We would appreciate the draft resolution being laid on the table at your convenience.

JP:BW:ni
Encl.
cc: Chris Kent, Chief Deputy County Executive
    Gil Anderson, P.E., Commissioner
    Brendan Chamberlain, Director of Intergovernmental Relations
    Lynne Bizzarro, Esq., Chief Deputy County Attorney
    Kathy LaGuardia, Executive Assistant for Finance & Administration
    Debra Kolyer, Principal Financial Analyst
    John Donovan, P.E., Chief Engineer, Sanitation
    Ben Wright, P.E., Principal Civil Engineer, Sanitation
    Robert Murphy, Public Works Capital Projects Manager
    CE Reso Review
    jp-bw5-10-11 Backup DPW ASRF Improvements sd21-SUNY CP 8121 memo to KCrannell
RESOLUTION NO. -2011, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 - LANDING ROAD PROPERTY – TOWN OF BROOKHAVEN (SCTM NOS. 0200-027.00-03.00-001.001, 0200-027.00-03.00-001.002, 0200-027.00-03.00-001.003, 0200-027.00-03.00-001.004 AND 0200-027.00-03.00-001.005)

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 5.433 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 within the County Department of Environment and Energy, 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 within the County Department of Environment and Energy, 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:

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<th>PARCEL</th>
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<th>ACRES</th>
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**TOTAL ACREAGE** 5.433

**EXHIBIT “A”**
RESOLUTION NO. 2011, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 - NEW HOPE REVIVAL CHURCH PROPERTY - TOWN OF BROOKHAVEN (SCTM NO. 0200-876.00-03.00-001.000)

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 12.75 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 within the County Department of Environment and Energy, 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 within the County Department of Environment and Energy, 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:\resvr-new-hope-revival-church-property-open-space-plan-steps
<table>
<thead>
<tr>
<th>PARCEL</th>
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<th>ACRES</th>
<th>REPUTED OWNER AND ADDRESS</th>
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<tr>
<td>1</td>
<td>District 0200</td>
<td>12.75</td>
<td>Christ Church, Inc.</td>
</tr>
<tr>
<td></td>
<td>Section 876.00</td>
<td></td>
<td>PO Box 11</td>
</tr>
<tr>
<td></td>
<td>Block 03.00</td>
<td></td>
<td>Shirley, NY 11967</td>
</tr>
<tr>
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<td>Lot 001.000</td>
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EXHIBIT “A”
RESOLUTION NO. 2011, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 (OLD NECK CREEK PROPERTY – TOWN OF BROOKHAVEN) (SCTM NOS. 0200-855.00-02.00-001.000, 0200-856.00-01.00-001.000 AND 0200-856.00-04.00-002.000)

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 22.6 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 within the County Department of Environment and Energy, 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 within the County Department of Environment and Energy, 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-old-neck-creek-property-open-space-plan-steps
<table>
<thead>
<tr>
<th>PARCEL</th>
<th>SUFFOLK COUNTY TAX MAP NUMBER</th>
<th>ACRES</th>
<th>REPUTED OWNER AND ADDRESS</th>
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<tbody>
<tr>
<td>1</td>
<td>District 0200, Section 855.00, Block 02.00, Lot 001.00</td>
<td>2.9</td>
<td>Joseph Monaco, Sr. 42 Senix Avenue Center Moriches, NY 11934</td>
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<tr>
<td>2</td>
<td>District 0200, Section 856.00, Block 01.00, Lot 001.00</td>
<td>17.7</td>
<td>South Moriches Realty LLC 500 Old Country Road Garden City, NY 11530</td>
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<td>3</td>
<td>District 0200, Section 856.00, Block 04.00, Lot 002.000</td>
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<td>South Moriches Realty LLC 500 Old Country Road Garden City, NY 11530</td>
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Total Acreage 22.6

EXHIBIT “A”
RESOLUTION NO. -2011, AUTHORIZING PLANNING
STEPS FOR THE ACQUISITION OF DEVELOPMENT RIGHTS
UNDER THE SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO.
24-2007 - SZUSTER FARM PROPERTY - TOWN OF
BROOKHAVEN (SCTM NOS. 0200-500.00-01.00-001.003 p/o)

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
farmland development rights pursuant to Chapter 8 of the Suffolk County Code; 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)(f)
of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax
proceeds, for the acquisition of farmland development rights of such lands; now, therefore be it

1st RESOLVED, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of
approximately 38.34 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 farmland development rights use; 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 within the County Department of Environment and Energy, 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 within the County Department of Environment and Energy, 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\v-szuster-farm-development-rights-plan-steps
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<th>PARCEL</th>
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<th>AND ADDRESS</th>
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<td>38.34</td>
<td>John Stehle</td>
<td>210 Yaphank/Middle Island Rd Yaphank, NY 11980</td>
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RESOLUTION NO. -2011, AUTHORIZING PLANNING
STEPS FOR THE ACQUISITION OF DEVELOPMENT RIGHTS
UNDER THE SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO.
24-2007 - LONGMEADOW FARM PROPERTY - TOWN OF
BROOKHAVEN (SCTM NOS. 0200-974.20-02.00-021.100)

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
farmland development rights pursuant to Chapter 8 of the Suffolk County Code; 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)(f)
of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax
proceeds, for the acquisition of farmland development rights of such lands; now, therefore be it

1st RESOLVED, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of
approximately 24+ 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 farmland development rights use; 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 within the County Department of Environment and Energy, 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 within the County Department of Environment and Energy, 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-longmeadow-farm-development-rights-plan-steps
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<td>Post-Morrow Foundation, Inc.</td>
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<td>Section 974.20</td>
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<td>PO Box 204</td>
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EXHIBIT “A”
VOID IR 1542
RESOLUTION NO. 2011, ESTABLISHING A SOBER HOME OVERSIGHT BOARD

WHEREAS, Suffolk County wants to provide individuals recovering from substance abuse with sober living facilities that provide a safe environment and supportive atmosphere with appropriate treatment to aid in successful recovery; and

WHEREAS, the State of New York has failed to properly regulate sober homes to ensure that it provides safe and appropriate housing to persons in recovery from drug and/or alcohol addiction; and

WHEREAS, Resolution No. 805-2010 authorized the Department of Social Services to issue a request for qualifications ("RFQ") to identify responsible qualified organizations and/or individuals to operate sober homes in Suffolk County and provide such services with incentives and referrals for providing such services; and

WHEREAS, the Department of Social Services is responsible for inspecting government subsidized housing for safety, including sober home facilities; and

WHEREAS, the Department of Social Services will need to expand inspections in sober homes that have been qualified by the County pursuant to the RFQ to ensure that the criteria outlined therein for treatment and sobriety are being met; and

WHEREAS, the Department of Social Services should have the support of an organized group of experts in the field of substance abuse and treatment to assist in the implementation of the RFQ and advise on oversight to ensure that the standards set forth in the RFQ are adhered to by qualified sober home providers; now, therefore be it

1st RESOLVED, that a Sober Home Oversight Board is hereby established to finalize rules and regulations, in cooperation with the Suffolk County Department of Social Services ("DSS") and the Department of Health Services' Division of Community Mental Hygiene Services ("DHS"), regarding the implementation of the criteria contained in the request for qualifications ("RFQ") for sober home operators, as authorized by Resolution No. 805-2010, and to advise DSS and DHS on the oversight and enforcement of the requirements contained in the RFQ on sober home operators who are determined by the County to be qualified, responsible providers; and be it further

2nd RESOLVED, that the oversight board shall consist of the following eighteen (18) members:

1.) a representative of the Suffolk County Department of Social Services Housing Department, to be selected by the Commissioner of the Department of Social Services;

2.) a representative of the Suffolk County Department of Health Services, Division of Community Mental Hygiene Services;

3.) a representative of the Suffolk County Police Department;
4.) a representative of the Suffolk County Probation Department;

5.) a representative of Suffolk County ambulance and/or EMS providers;

6.) the New York State OASAS representative for Long Island;

7.) the New York State Office of Mental Health representative for Long Island;

8.) a representative of the Brookhaven Town Code Enforcement Department;

9.) a representative of the Long Island Council on Alcohol and Drug Dependency;

10.) a representative of South Oaks Hospital;

11.) a representative of Hope House;

12.) a representative of the YMCA Drug and Alcohol Treatment Program;

13.) a representative of Outreach;

14.) a representative of LICAN;

15.) a representative of the Quality Consortium;

16.) a representative of the Long Island Recovery Advocates;

17.) a consumer of sober home services, to be selected by the Long Island Council on Alcohol and Drug Dependency; and

18.) the chairperson of the Suffolk County Legislature’s Health and Human Services Committee;

and be it further

3rd RESOLVED, that the Board 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 purpose of organization and the appointment of a Chairperson, Vice Chairperson and a Secretary; and be it further

4th RESOLVED, the members of said Board shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

5th RESOLVED, that ten members shall constitute a quorum for the purpose of transacting the business of the Board at both regular and special meetings; and be it further

6th RESOLVED, that the Board 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 Chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least seven members of the Commission. Written notice of the time and place of
such special meetings shall be provided by the Secretary to each member at least four days before the date fixed by the notice for such special meeting; and be it further

7th RESOLVED, that the Board 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 in the proper performance of its duties and functions as it deems necessary; and be it further

8th RESOLVED, that the Board may delegate to any member of the Board the power and authority to conduct such hearings and meetings; and be it further

9th RESOLVED, that the Board shall submit a written report of its activities by December 31st of each year to each member of the Legislature, the County Executive, and the Welfare to Work Commission; and be it further

10th 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-sober home oversight board
RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW ELIMINATING FINANCIAL DISCLOSURE REQUIREMENTS FOR FARMLAND COMMITTEE MEMBERS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2011, a proposed local law entitled, "A LOCAL LAW ELIMINATING FINANCIAL DISCLOSURE REQUIREMENTS FOR FARMLAND COMMITTEE MEMBERS" now, therefore, be it

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

LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK
A LOCAL LAW ELIMINATING FINANCIAL DISCLOSURE REQUIREMENTS FOR FARMLAND COMMITTEE MEMBERS

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 Local Law 52-2010 amended the County’s Farmland Development Rights Acquisition Program.

This Legislature also finds that Local Law 52-2010 included a provision requiring, for the first time, that members of the Farmland Committee file a financial disclosure statement with the Suffolk County Ethics Commission on an annual basis.

This Legislature further determines that the volunteer members of the Farmland Committee should not be subject to financial disclosure requirements.

Therefore, the purpose of this law is to amend Chapter 8 of the SUFFOLK COUNTY CODE to eliminate the financial disclosure requirement for Farmland Committee Rights members.

Section 2. Amendments.

I. Paragraph (C) of Section 8-4 of the SUFFOLK COUNTY CODE, titled “Financial Disclosure”, is hereby repealed.

II. Paragraphs (D), (E), (F), (G), and (H) of Section 8-4 of the SUFFOLK COUNTY CODE shall be re-lettered as (C), (D), (E), (F) and (G).

Section 3. Applicability.

This law shall eliminate the requirement for Farmland Committee members to file a financial disclosure statement for the year 2010 and for every year thereafter.
Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

[ ] Brackets denote deletion of existing language

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-financial-disclosure-farmland
DATE: JUNE 2, 2011
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW ELIMINATING FINANCIAL DISCLOSURE REQUIREMENTS FOR FARMLAND COMMITTEE MEMBERS

SPONSOR: LEGISLATOR ROMAINE

DATE OF RECEIPT BY COUNSEL: 5/20/11 PUBLIC HEARING: 6/21/11
DATE ADOPTED/NOT ADOPTED: __________ CERTIFIED COPY RECEIVED: __________

This proposed local law would eliminate the requirement that members of the Farmland Committee file a financial disclosure statement on an annual basis with the Suffolk County Ethics Commission.¹

This law would have a retroactive effect, relieving Farmland Committee members of their obligation to file a financial disclosure statement for calendar year 2010.

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:\rule28\farmland committee

¹ The financial disclosure requirement for Farmland Committee members was first imposed in 2010 by the enactment of Local Law No. 52-2010.
RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO.
-2011, A LOCAL LAW BANNING THE RETAIL SALE OF
PUPPIES IN SUFFOLK COUNTY TO COMBAT THE PROBLEM
OF PUPPY MILLS

WHEREAS, there was duly presented and introduced to this County Legislature
at a meeting held on , 2011, a proposed local law entitled, "A LOCAL LAW
BANNING THE RETAIL SALE OF PUPPIES IN SUFFOLK COUNTY TO COMBAT THE
PROBLEM OF PUPPY MILLS" now, therefore, be it

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

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

A LOCAL LAW BANNING THE RETAIL SALE OF PUPPIES IN
SUFFOLK COUNTY TO COMBAT THE PROBLEM OF PUPPY
MILLS

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, every year, 4 to 5 million
unwanted dogs die in shelters across America.

This Legislature also finds and determines that hundreds of thousands of
puppies are born in puppy mills annually in the United States.

This Legislature further finds and determines that puppy mills are large breeding
businesses that breed their animals frequently and sell the puppies to pet stores. These mills
keep the animals in unsafe living conditions and provide minimal care to the dogs in order to
keep profit margins as high as possible.

This Legislature determines that conditions in puppy mills are stark; puppies and
their mothers are kept in small, unclean cages that are unprotected from extreme temperature
fluctuations, are undernourished, are not provided with veterinary care or socialization, and are
at an increased risk for serious health problems and genetic defects.

This Legislature further finds that the vast majority of puppies available for sale at
retail pet stores are the products of puppy mills.

This Legislature also determines that Suffolk County has a responsibility to
promote animal welfare.

This Legislature further determines that a restriction on the retail sale of puppies
bred outside of Suffolk County will provide the dual benefits of increasing consumer awareness
of puppy mills and ensure that those puppies which are sold in Suffolk County are either bred locally or are obtained from shelters or animal rescue organizations.

Therefore, the purpose of this law is to ban the retail sale of puppies from breeders outside of Suffolk County.

**Section 2. Definitions.**

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

"ANIMAL RESCUE ORGANIZATION" shall mean any not-for-profit organization which is dedicated to pet adoption and takes unwanted, abandoned, abused or stray animals with the intent to find the animal a suitable new permanent home. Animal rescue organizations are not required to have a dedicated shelter for rescued animals, but may have volunteers which take animals in the care of the organization into their residences temporarily.

"ANIMAL SHELTER" shall mean any public or privately owned organization in Suffolk County which maintains property, buildings or structures for the purpose of harboring animals which may be stray, unwanted, lost, abandoned or abused and seeks to find appropriate permanent homes for such animals. For the purpose of this law, the term "animal shelter" shall not apply to a facility commonly known as a "boarding kennel," where the ownership of the animal is not transferred; a facility commonly known as a "pet store," where animals are offered for sale as all or part of a business; an animal hospital owned, operated or supervised by a licensed veterinarian; or a facility where the owner or operator is licensed by the New York State Department of Environmental Conservation as a nuisance wildlife control agent or wildlife rehabilitator.

"BREEDER" shall mean any person who breeds nine or more dogs per year.

"DOG" shall mean an animal of the Canidae family of the order Carnivora.

"PET STORE" shall mean a business establishment or individual(s) who obtain puppies through wholesale channels with the intent to sell the animals in the retail market, but shall not include animal shelters or other animal rescue organizations.

"PET STORE OPERATOR" shall mean a person who owns or operates a pet store, or both.

"PUPPY" shall mean any dog that is less than one year old.

**Section 3. Requirements.**

Any pet store or pet store operator in Suffolk County shall only display, sell, deliver, offer for sale or adoption, barter, auction, give away or otherwise dispose of a puppy which comes from an animal shelter, an animal rescue organization or a breeder located in Suffolk County that can prove the puppy's mother is on their premises.

**Section 4. Enforcement.**

This law shall be enforced by the Suffolk County Department of Consumer Affairs.
Section 5. Penalties.

Any person who knowingly violates the provisions of this law shall be subject to a civil penalty of five hundred dollars ($500) per puppy being offered for sale for an initial violation of the law and a penalty of one thousand dollars ($1,000) per puppy being offered for sale for each subsequent violation. Any alleged violations of this law shall be subject to an administrative hearing.

Section 6. Administrative Hearing

No fine shall be imposed until after a hearing has been held before the Director of the Suffolk County Office of Consumer Affairs upon at least seven business days' notice to the person upon whom such fine is to be levied. Such notice shall be served either personally or by certified mail, return receipt requested, to the last known address of said person and shall state the date and place of the hearing as well as enumerate the grounds constituting the allegations against such person. Said person may be represented by counsel and may produce witnesses in his or her own behalf. A record of the hearing shall be taken and preserved. For purposes of such hearing, the Director of the Suffolk County Office of Consumer Affairs may administer oaths, take testimony, subpoena witnesses and compel the production of books, papers, records or other documents deemed pertinent to the subject of the hearing.

Section 7. Applicability.

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

Section 8. 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 9. 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 10. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\\laws\\-ban sale puppy mill dogs
DATE: June 2, 2011
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW BANING THE RETAIL SALE OF PUPPIES IN SUFFOLK COUNTY TO COMBAT THE PROBLEM OF PUPPY MILLS

SPONSOR: LEGISLATOR COOPER

DATE OF RECEIPT BY COUNSEL: 6/1/11 PUBLIC HEARING: 6/21/11

This proposed local law would require that pet stores¹ and pet store operators² only display, offer for sale, sell, barter, give away or otherwise dispose of puppies which come from the following suppliers: animal shelters³, an animal rescue organization⁴, or a breeder⁵ located in Suffolk County that can prove the puppy’s mother is on their premises.

This law will be enforced by the Suffolk County Department of Consumer Affairs.

Violation of this law shall be subject to a civil penalty of five hundred dollars ($500.00), per puppy, for an initial violation of the law and a penalty of one thousand dollars ($1,000.00), per puppy, for each subsequent violation. No fine shall be imposed until after an administrative hearing has been held before the Commissioner of the Department of Consumer Affairs.

¹ “Pet Store” is defined as “a business establishment or individual(s) who obtain puppies through wholesale channels with the intent to sell the animals in the retail market, but shall not include animal shelters or other animal rescue organizations.”
² “Pet Store Operator” is defined as “a person who owns or operates a pet store, or both.”
³ “Animal Shelter” is defined as “any public or privately owned organization in Suffolk County which maintains property, buildings or structures for the purpose of harboring animals which may be stray, unwanted, lost, abandoned or abused and seeks to find appropriate permanent homes for such animals.” This term does not apply to boarding kennels, pet stores, animal hospitals or facilities licensed by the New York State Department of Environmental Conservation for nuisance wildlife control or wildlife rehabilitation.
⁴ “Animal Rescue Organization” is defined as any not-for-profit organization which is dedicated to pet adoption and takes unwanted, abandoned, abused or stray animals with the intent to find the animal a suitable new permanent home. Animal rescue organizations are not required to have a dedicated shelter for rescued animals, but may have volunteers which take animals in the care of the organization to their residences temporarily.”
⁵ “Breeder” is defined as “any person who breeds nine or more dogs per year.”
This law will take effect ninety (90) days subsequent to its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-puppy mill puppies
RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO.
-2011, A LOCAL LAW AMENDING CHAPTER 260A OF THE
SUFFOLK COUNTY CODE PERTAINING TO
DEMONSTRATIONS AT FUNERAL SERVICES

WHEREAS, there was duly presented and introduced to this County Legislature
at a regular meeting held on , 2011 a proposed local law entitled “A LOCAL LAW
AMENDING CHAPTER 260A OF THE SUFFOLK COUNTY CODE PERTAINING TO
DEMONSTRATIONS AT FUNERAL SERVICES”, and said local law in final form is the same
as when presented and introduced; now, therefore be it

RESOLVED, that said local law be enacted as follows:

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

A LOCAL LAW AMENDING CHAPTER 260A OF THE SUFFOLK COUNTY
CODE PERTAINING TO DEMONSTRATIONS AT FUNERAL SERVICES

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 under Local Law 30-2010, this
Legislature imposed restrictions upon persons who engage in demonstrations at funerals in
order to protect the legitimate privacy and other interests of grieving family members, and to
protect the peaceful nature of cemeteries and other funeral locations.

This Legislature further finds and determines that subsequent to the enactment
of Local Law 30-2010, the United States Supreme Court issued a ruling in the case of Snyder v. Phelps reaffirming the First Amendment rights of persons to engage in certain types of funeral
demonstrations, while at the same time confirming a government’s right to impose reasonable,
content neutral restrictions on such demonstrations. The Supreme Court decision furnished
guideposts for permissible government regulations.

Therefore, the purpose of this local law is to make revisions to Chapter 260A of
the County Code to provide content neutral, reasonable time, place and manner regulation of
funeral demonstrations while continuing to afford a full opportunity for the exercise of free
speech and other constitutional rights, consistent with the guidelines set forth by the United
States Supreme Court in Snyder v. Phelps.

Section 2. Amendments.

Chapter 260A of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Article I
Demonstrations at Funeral Services

A. No person in the County of Suffolk shall engage in a demonstration within [150] 750 feet of any church, mortuary or other location at which a funeral is being held within one hour prior to the commencement of any funeral, during any funeral, or until one hour following the completion of any funeral.

B. No person in the County of Suffolk shall engage in a demonstration within [300] 750 feet of any cemetery at which a funeral is being held within one hour prior to the commencement of any funeral, during any funeral, or until one hour following the completion of any funeral, nor shall any person impede the access to or egress from such cemetery.

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 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) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.
Brackets denote deletion of existing language. Underlining denotes addition of new language.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\lawsil-amend-demonstration-funerals
DATE: June 2, 2011

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. 2011: A LOCAL LAW AMENDING CHAPTER 260A OF THE SUFFOLK COUNTY CODE PERTAINING TO DEMONSTRATIONS AT FUNERALS

SPONSOR: LEGISLATOR STERN

DATE OF RECEIPT BY COUNSEL: 6/1/11 PUBLIC HEARING: 6/21/11

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law would amend Chapter 260A of the SUFFOLK COUNTY CODE, which sets limits on demonstrations at funerals.

Currently, demonstrations are prohibited within 150 feet of any church, mortuary or other funeral location or within 300 feet of any cemetery during the following times: within one hour prior to a funeral, during a funeral or for one hour following a funeral. This law would prohibit demonstrations within 750 feet of any of the above-stated locations during the designated periods.

This 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-amend funeral demonstrations
OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK

GEORGE NOLAN  
COUNSEL TO THE LEGISLATURE  
email: george.nolan@suffolkcountyny.gov

DATE: June 2, 2011  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011: A LOCAL LAW AMENDING CHAPTER 260A OF THE SUFFOLK COUNTY CODE PERTAINING TO DEMONSTRATIONS AT FUNERALS

SPONSOR: THE PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE AND LEG. STERN

DATE OF RECEIPT BY COUNSEL: 6/1/11  
PUBLIC HEARING: 6/21/11

DATE ADOPTED/NOT ADOPTED:  
CERTIFIED COPY RECEIVED: 

This proposed local law would amend Chapter 260A of the SUFFOLK COUNTY CODE, which sets limits on demonstrations at funerals.

Currently, demonstrations are prohibited within 150 feet of any church, mortuary or other funeral location or within 300 feet of any cemetery during the following times: within one hour prior to a funeral, during a funeral or for one hour following a funeral. This law would prohibit demonstrations within 750 feet of any of the above-stated locations during the designated periods.

This 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-amend funeral demonstrations
RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A CHARTER LAW UTILIZING ASSESSMENT STABILIZATION RESERVE FUND SURPLUSES FOR ENHANCING SEWER CAPACITY AND COUNTY-WIDE TAXPAYER PROTECTION

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on 2011, a proposed local law entitled, "A CHARTER LAW UTILIZING ASSESSMENT STABILIZATION RESERVE FUND SURPLUSES FOR ENHANCING SEWER CAPACITY AND COUNTY-WIDE TAXPAYER PROTECTION;" now, therefore, be it

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

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

A CHARTER LAW UTILIZING ASSESSMENT STABILIZATION RESERVE FUND SURPLUSES FOR ENHANCING SEWER CAPACITY AND COUNTY-WIDE TAXPAYER PROTECTION

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

Section 1. Legislative Intent.

The Legislature finds and determines that the Assessment Stabilization Reserve Fund (ASRF) received funding from 1985 to 1989. In 1989 the quarter cent allocation was redirected to Fund 475-the Water Quality Protection Reserve Fund. ASRF received no additional tax revenue until 1994.

The Legislature further finds and determines that the passage of Local Law No. 35-1999 renewed ASRF funding through the deposit of 35.7% of total revenues generated by the quarter cent sales tax. The passage of Local Law No. 24-2007 reduced the transfer to ASRF to 25% of sales tax receipts.

The Legislature further finds and determines that ASRF was initially established to mitigate spikes in costs associated with operating the County's Sewer Districts to users within the districts of our sanitary sewers. Eligibility to access these funds is based upon piercing a predetermined threshold of cost increase; currently three percent. Today the Fund not only mitigates increases to user fees but also provides loans to existing districts for infrastructure improvements within the capital budget.

The Legislature further finds and determines that the Adopted 2011 Operating Budget estimated a year-end ASRF fund balance in excess of $154 million by December 31, 2011. In addition, the Budget Review Office recommended review of legislation to determine whether these funds are narrowly limited to rate mitigation and to determine what, if any changes, are necessary to assure their availability for enhancing existing capacity.
Therefore, the purpose of this law is to provide budgetary tools to use excess fund balances in ASRF for enhancing existing capacity and improving overall sewerage and water protection, and providing County-wide taxpayer protection generally.

Section 2. Amendments.

Section 12-2(D) of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

Article XII
Suffolk County Drinking Water Protection Program

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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, and every subsequent fiscal year through fiscal year 2021.

1.) In the event such fund balance exceeds $140 million in fiscal year 2011, or any subsequent fiscal year through 2021, sixty-two and one-half of one (62.5%) percent of the excess fund balance may be used, via a duly adopted and approved legislative resolution, for installation, improvement, maintenance and operation of sewer infrastructure and sewage treatment plants, and for the installation of residential and commercial enhanced nitrogen removal septic systems. No less than $1.5 million shall be appropriated in fiscal year 2011, or any subsequent fiscal year through 2021, 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.

2.) Thirty-seven and one-half of one (37.5%) percent of the excess fund balance shall be appropriated to a contingency or a tax stabilization reserve fund established pursuant to section 6-e of the General Municipal Law (County Fund 403 or any successor fund), to a reserve fund for bonded indebtedness established pursuant to section 6-h of the General Municipal Law, or to a retirement contribution reserve fund established pursuant to section 6-r of the General Municipal Law (County Fund 420 and any successor fund).

****
Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and 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:
DATE: JUNE 2, 2011
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A CHARTER LAW UTILIZING ASSESSMENT STABILIZATION RESERVE FUND SURPLUSES FOR ENHANCING SEWER CAPACITY AND COUNTY-WIDE TAXPAYER PROTECTION

SPONSOR: PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE AND LEGISLATORS D'AMARO, BARRAGA, CILMI AND MURATORE

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

This law would amend the sewer taxpayer protection component of the County’s Drinking Water Protection Program.

Under current law, 25% of the revenues generated by the Drinking Water Protection Program’s one-quarter cent sales and compensating use tax goes for sewer taxpayer protection. These monies are deposited in the Assessment Stabilization Reserve Fund ("ASRF"), and used to stabilize taxes within the County’s 22 sewer districts and to first instance funding for capital projects within these sewer districts.

The subject law would place a $140 million cap on the ASRF beginning in 2011 and continuing through 2021. If the fund’s balance exceeds that cap, the excess monies would be used for new purposes as follows:

1) 62.5% of the excess monies would be earmarked for installation, improvement, maintenance, and operation of sewer infrastructure and sewage treatments plants, and for the installation of residential and commercial enhanced nitrogen removal septic systems. No less than $1.5 million would be appropriated for the nitrogen removal septic systems in each fiscal year.

2) 37.5% of the excess fund balance would be appropriated to the County’s tax stabilization reserve fund, debt reserve fund or retirement contribution reserve fund.
This law is made subject to a permissive referendum.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-enhance-sewer-capacity-taxpayer-protection
HOME RULE MESSAGE REQUESTING THE
STATE OF NEW YORK TO AUTHORIZE SUFFOLK
COUNTY TO DISCONTINUE USE OF CERTAIN
LAND FOR PARK PURPOSES AND SELL SUCH
PROPERTY TO THE FIRST BAPTIST CHURCH OF
BAY SHORE (SENATE BILL S.4416-B AND
ASSEMBLY BILL A.07456-A)

WHEREAS, Suffolk County acquired a 0.16 acre parcel of land
adjacent to the First Baptist Church of Bay Shore through tax foreclosure; and

WHEREAS, Suffolk County has dedicated said parcel as parkland;

and

WHEREAS, the First Baptist Church of Bay Shore would like to
purchase the land from the County; and

WHEREAS, Suffolk County must obtain State authorization to sell a
parcel which has been dedicated for parkland purposes; and

WHEREAS, if the subject parcel is sold to the First Baptist Church
of Bay Shore, Suffolk County will purchase property of equal or greater value to
the subject parcel and dedicate the purchased land as parkland; now, therefore,
be it

1st RESOLVED, that this Legislature hereby requests the State of New
York to enact Senate Bill S.4416-B and Assembly Bill A.07456-A to authorize the
County of Suffolk to discontinue the use of certain County lands as parkland and
to sell and convey such lands to the First Baptist Church of Bay Shore; and be it
further; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to
forward copies of this Resolution to Governor Andrew M. Cuomo; to the Majority
Leader of the New York State Senate Dean Skelos; to the Speaker of the New
York State Assembly Sheldon Silver; to the Minority Leaders of the New York
State Senate and the New York State Assembly; and to each member of the
Long Island delegation to the New York State Legislature.

DATED:

s:\memres\hr-1st Baptist church bay shore
A07456 Text:

STATE OF NEW YORK

7456--A

2011-2012 Regular Sessions

IN ASSEMBLY

May 4, 2011

Introduced by M. of A. RAMOS -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the county of Suffolk to discontinue the use of certain county lands as parkland and to sell and convey such lands to the First Baptist Church of Bay Shore

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The county of Suffolk, acting by and through its governing body, is hereby authorized to permanently discontinue as parklands, and to sell and convey, upon such terms and conditions as such governing body shall deem to be reasonable, to the First Baptist Church of Bay Shore the land described in section three of this act.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the county of Suffolk dedicate an amount equal to or greater than the fair market value of the property being alienated by this act for the acquisition of additional parklands and/or for capital improvements to existing park and recreational facilities.

§ 3. The lands to be permanently discontinued as parklands and alienated, and conveyed are described as follows:

ALL that certain plot, piece or parcel of land situate, lying and being at Bay Shore, Town of Islip, County of Suffolk and State of New York, known and designated as lot numbers 70 and 71 on the Map of Ford-
ham Tract, filed in the Office of Suffolk County Clerk on October 19,
1912 as Map No. 270, said property being bounded and described as
follows:

BEGINNING at a point on the easterly side of Harrison Avenue (Forks
Road) at the southwesterly corner of Lot 69 on said map, said point
being distant 370.61 feet southeasterly from the corner formed by the

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[ ] is old law to be omitted. LBD10523-08-1

A. 7456--A

northeasterly side of Harrison Avenue and the easterly side of Second
Avenue (2nd Avenue);
RUNNING THENCE North 53 degrees 20 minutes 00 seconds East, 171.25
feet to Penataquit Brook;
THENCE South 68 degrees 22 minutes 29 seconds East, 80.53 feet along
Penataquit Brook to the southerly side of Lot 71 on said map;
THENCE South 56 degrees 55 minutes 00 seconds West, 187.70 feet along
the southerly side of Lot 71 to the westerly side of Harrison Avenue on
said map;
THENCE North 59 degrees 28 minutes 00 seconds East, 61.43 feet along
the northeasterly side of Harrison Avenue (Forks Road) to the southwes-
terly corner of Lot 69, the point or place of BEGINNING.

Containing 11,097 Square Feet, more or less.
Reference Suffolk County Tax Map District 0500 Section 341 Block 02
Lot 64.

S 4. The discontinuance and conveyance of parkland authorized by the
provisions of this act shall not occur until the county of Suffolk has
complied with any federal requirements pertaining to the alienation or
conversion of parklands, including satisfying the Secretary of the Inter-
ior that the conversion complies with all conditions which the Secre-
tyary of the Interior deems necessary to assure the substitution of other
lands shall be equivalent in fair market value and recreational useful-
ness to the lands being alienated or converted.

S 5. In the event that the park lands to be dedicated by the county of
Suffolk pursuant to this act are not of equal or greater fair market
value and usefulness as park lands than the park lands to be disconti-
ued, the county of Suffolk shall dedicate the difference of fair market
value and/or usefulness of the lands to be alienated and the lands to be
dedicated for the acquisition of additional park lands and/or capital
improvements to existing park and recreational facilities.

S 6. This act shall take effect immediately.
AN ACT to authorize the county of Suffolk to discontinue the use of certain county lands as parkland and to sell and convey such lands to the First Baptist Church of Bay Shore

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The county of Suffolk, acting by and through its governing body, is hereby authorized to permanently discontinue as parklands, and to sell and convey, upon such terms and conditions as such governing body shall deem to be reasonable, to the First Baptist Church of Bay shore the land described in section three of this act.

Section 2. The authorization provided in section one of this act shall be effective only upon the condition that the county of Suffolk dedicate an amount equal to or greater than the fair market value of the property being alienated by this act for the acquisition of additional parklands and/or for capital improvements to existing park and recreational facil-
4416.txt

S 3. The lands to be permanently discontinued as parklands and alienated, and conveyed are described as follows:

ALL that certain plot, piece or parcel of land situate, lying and being at Bay Shore, Town of Islip, County of Suffolk and State of New York, known and designated as lot numbers 70 and 71 on the Map of Fordham Tract, filed in the Office of Suffolk County Clerk on October 19, 1912 as Map No. 270, said property being bounded and described as follows:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [] is old law to be omitted.

S. 4416--B

BEGINNING at a point on the easterly side of Harrison Avenue (Forks Road) at the southwesterly corner of Lot 69 on said map, said point being distant 370.61 feet southeasterly from the corner formed by the northeasterly side of Harrison Avenue and the easterly side of Second Avenue (2nd Avenue);

RUNNING THENCE North 53 degrees 20 minutes 00 seconds East, 171.25 feet to Penataquit Brook;

THENCE South 68 degrees 22 minutes 29 seconds East, 80.53 feet along Penataquit Brook to the southerly side of Lot 71 on said map;

THENCE South 56 degrees 55 minutes 00 seconds West, 187.70 feet along the southerly side of Lot 71 to the westerly side of Harrison Avenue on said map;

THENCE North 59 degrees 28 minutes 00 seconds East, 61.43 feet along the northeasterly side of Harrison Avenue (Forks Road) to the southwesterly corner of Lot 69, the point or place of BEGINNING.

Containing 11,097 Square Feet, more or less.

Reference Suffolk County Tax Map District 0500 Section 341 Block 02 Lot 64.

S 4. The discontinuance and conveyance of parkland authorized by the provisions of this act shall not occur until the county of Suffolk has complied with any federal requirements pertaining to the alienation or conversion of parklands, including satisfying the Secretary of the Interior that the conversion complies with all conditions which the Secretary of the Interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and recreational usefulness to the lands being alienated or converted.

S 5. In the event that the park lands to be dedicated by the county of Suffolk pursuant to this act are not of equal or greater fair market value and usefulness as park lands than the park lands to be discontinued, the county of Suffolk shall dedicate the difference of fair market value and/or usefulness of the lands to be alienated and the lands to be dedicated for the acquisition of additional park lands and/or capital improvements to existing park and recreational facilities.

S 6. This act shall take effect immediately.

Go to top Page display time = 0.0209 sec
MEMORANDUM

DATE: May 24, 2011

TO: Tim Laube, Clerk of the Legislature

FROM: George Nolan, Counsel to the Legislature

RE: Home Rule Message Requesting the State of New York to Authorize Suffolk County to Discontinue Use of Certain Land for Park Purposes and Sell Such Property to the First Baptist Church of Bay Shore (Senate Bill S.4416-B and Assembly Bill A.07456-A)

Pursuant to the request of Legislator Barraga, enclosed please find the above referenced Home Rule Message, with appropriate back-up, for immediate filing.

GN:tm
Enclosure

cc: Hon. Thomas F. Barraga, County Legislator, 11th District

s:\\File-HR First Baptist Church