2144. Authorizing certain technical correction to Adopted Resolution No. 934-2010. (Co. Exec.) **WAYS & MEANS**

2145. Adopting Local Law No. -2010, A Local Law to regulate the sale of tattoo equipment in Suffolk County. (Barraga) **HEALTH & HUMAN SERVICES**

2146. To extend the deadline for the Task Force to Study the Feasibility of Suffolk County Community College assuming the operation of the Vanderbilt Museum. (Horsley) **ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY**

2147. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Valena Haye (SCTM No. 0100-058.00-06.00-019.000). (Co. Exec.) **WAYS & MEANS**

2148. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (Incorporated Village of East Hampton) (SCTM No. 0301-002.00-01.00-016.000). (Co. Exec.) **WAYS & MEANS**

2149. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Janice Cooke-Giugliano (SCTM No. 0400-245.00-02.00-017.000). (Co. Exec.) **WAYS & MEANS**

2150. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Jocelyn Jean (SCTM No. 0500-122.00-03.00-004.000). (Co. Exec.) **WAYS & MEANS**

2151. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Rose Lacascia, as surviving tenant by entirety (SCTM Nos. 0100-020.00-03.00-002.000 and 0100-020.00-03.00-003.000). (Co. Exec.) **WAYS & MEANS**

2152. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Frank Catalfamo and Mary A. Catalfamo, his wife (SCTM No. 0200-980.50-01.00-048.001). (Co. Exec.) **WAYS & MEANS**

2153. 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 Donald Humel, by Christine Humel as administrator as to a 60% interest and Philip Humel, as heir to the estate of Elsie Humel per Suffolk County Surrogate's Court File 381-A-1970 as to a 20% interest and Bruce Humel, as heir to the estate of Elsie Humel per Suffolk County Surrogate's Court File 381-A-1970 as to a 20% interest (SCTM No. 0500-213.00-02.00-011.000). (Co. Exec.) **WAYS & MEANS**

2154. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Angela Bowman (SCTM No. 0700-025.00-01.00-058.000). (Co. Exec.) **WAYS & MEANS**
2155. Updating Resolution No. 1045-2008 requiring identification of County purchasing personnel pursuant to New York General Municipal Law Section 104-b(f). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2156. Adopting Local Law No. -2010, A Local Law to alert consumers to the health risks associated with energy drinks. (Nowick) HEALTH & HUMAN SERVICES

2157. Approving the Vector Control Plan of the Department of Public Works Division of Vector Control pursuant to Section C8-4(B)(2) of the Suffolk County Charter. (Co. Exec.) HEALTH & HUMAN SERVICES

2158. Transferring Escrow Account Revenue Funds to the Capital Fund, amending the 2010 Capital Budget and Program and appropriating funds for improvements to Suffolk County Sewer District No. 7 – Medford (CP 8150). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2159. Transferring Escrow Account Revenue Funds to the Capital Fund, amending the 2010 Capital Budget and Program and appropriating funds for improvements to Suffolk County Sewer District No. 7 – Medford (CP 8119). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2160. Transferring Escrow Account Revenue Funds to the Capital Fund, amending the 2010 Capital Budget and Program and appropriating funds for improvements to Suffolk County Sewer District No. 11 – Selden (CP 8117). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2161. Appropriating funds in connection with the safety improvements at the police firearms shooting range in Westhampton (CP 3111). (Co. Exec.) PUBLIC SAFETY

2162. Appropriating funds in connection with the replacement of existing fireworks burn pits (CP 3016). (Co. Exec.) PUBLIC SAFETY

2163. Amending the Adopted 2010 Capital Budget and Program and appropriating funds in connection with the Water Quality Model - Phase V (CP 8237). (Co. Exec.) HEALTH & HUMAN SERVICES

2164. Accepting and appropriating Federal funding in the amount of $17,202 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the FBI Joint Terrorism Task Force with 83.37% support. (Co. Exec.) PUBLIC SAFETY

2165. Accepting and appropriating supplemental funding in the amount of $63,157.49 in reimbursement funds from Sprint Nextel for federally mandated rebanding of Suffolk County Public Safety Communications Network with 100% support. (Co. Exec.) PUBLIC SAFETY

2166. Accepting and appropriating Federal funding in the amount of $17,202 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department’s participation in the Tactical Diversion Task Force FY11 with 83.37% support. (Co. Exec.) PUBLIC SAFETY
2167. Authorizing the sales of surplus property sold at the October 20 and 21, 2010 Auction pursuant to Local Law No. 13-1976 as per Exhibit "A" (Omnibus Resolution). (Co. Exec.) WAYS & MEANS

2168. Reappointing George Proios as a member of the Suffolk County Soil and Water Conservation District. (Losquadro) ENVIRONMENT, PLANNING & AGRICULTURE

2169. Amending the Adopted 2010 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2010 Capital Budget and Program, and appropriating funds in connection with Reeves Bay Watershed Management Plan Stormwater Remediation Component (CP 8240.325). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

2170. A Resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 3 - Southwest (CP 8180). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2171. Appropriating funds in connection with dredging of County waters (CP 5200). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2172. Appropriating funds in connection with construction and rehabilitation of highway maintenance facilities (CP 5048). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2173. Appropriating funds in connection with the rehabilitation of parking lots, drives and curbs at County facilities (CP 1678). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2174. Appropriating funds in connection with the improvements to County environmental recharge basins (CP 5072). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2175. Appropriating funds in connection with building safety improvements (CP 1603). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2176. Appropriating funds in connection with safety improvements at various intersections (CP 3301). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2177. Appropriating funds in connection with traffic signal improvements (CP 5054). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2178. Appropriating funds in connection with intersection improvements on CR 94, Nugent Drive (Center Drive) at CR 51, East Moriches-Riverhead Road and CR 63, East Moriches-Riverhead Road at CR 104, Quogue-Riverhead Road and NYS Route 24, Flanders Road, Towns of Riverhead and Southampton (CP 5557). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2179. Amending the 2010 Capital Budget and Program and appropriating funds in connection with the County share for participation in the replacement of CR 16, horseblock Road over the LIRR Bridge, Town of Brookhaven (CP 5850). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2180. Amending the 2010 Capital Budget and Program and appropriating funds in connection with the County share for the replacement of Smith Point Bridge over Narrow Bay, Town of Brookhaven (CP 5838). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2181. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Nazzarena Console and Michael Console, as tenants by the entirety (SCTM No. 0100-021.00-01.00-079.000). (Co. Exec.) WAYS & MEANS

2182. 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 Grasilda M. Angelo, by Veronica Angelo-Heizman, as administrator (SCTM No. 0200-700.00-02.00-006.000). (Co. Exec.) WAYS & MEANS

2183. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 840-2010). (Co. Exec.) BUDGET & FINANCE

2184. Accepting and appropriating Federal funding in the amount of $51,606 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Safe Streets Task Force FFY11 with 83.37% support. (Co. Exec.) PUBLIC SAFETY

2185. Accepting and appropriating Federal funding in the amount of $17,202 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Long Island Cyber Crime Task Force (LICCTF) with 83.37% support. (Co. Exec.) PUBLIC SAFETY

2186. Accepting and appropriating a grant in the amount of $800,000 from the United States Department of Justice, Office on Violence Against Women, for Project SCOPE (Suffolk County Orders of Protection Enforcement) administered by the Suffolk County Police Department with 98.46% support. (Co. Exec.) PUBLIC SAFETY

2187. Approving a license agreement for Polly Weigand to reside at Black Duck Lodge at Hubbard County Park, Flanders. (Co. Exec.) PARKS & RECREATION

2188. Authorizing First Amendment of a License Agreement with Long Island Greenbelt Trail Conference for Blydenburgh-Weld House, Smithtown and Pine Barrens Trailside Information and Exhibit Center, Manorville. (Co. Exec.) PARKS & RECREATION

2189. Accepting and appropriating Federal funding in the amount of $16,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department’s participation in the Regional Fugitive Task Force with 83.37% support. (Co. Exec.) PUBLIC SAFETY

2190. Accepting and appropriating 100% Federal funds awarded by the FBI to the Suffolk County Department of Probation and authorizing the County Executive to execute related agreements. (Co. Exec.) PUBLIC SAFETY
2191. Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 3 – Southwest (Sludge Management Plan) (CP 8180). (Co. Exec.) **PUBLIC WORKS & TRANSPORTATION**

2192. Authorizing the County Comptroller and County Treasurer to close certain capital projects and transfer funds. (Co. Exec.) **BUDGET & FINANCE**

2193. Amending the map of the County Road System to remove County System Road No. 38, North Sea Road-Noyac Road (from a point located approximately 500+ feet north of Millstone Brook Road, northerly and easterly ending at the westerly boundary of the Village of Sag Harbor) and authorizing the County Executive to execute an agreement with the Town of Southampton transferring ownership and maintenance of said roadway to the Town of Southampton. (Co. Exec.) **PUBLIC WORKS & TRANSPORTATION**

2194. Amending the 2010 Capital Budget and Program, appropriating funds and accepting a Community Capital Assistance Program (CCAP) grant in the amount of $165,000 from the Dormitory Authority of the State of New York for the installation of a concealed fire sprinkler system at the main house at Deepwells County Park (CP 7510). (Co. Exec.) **PARKS & RECREATION**

2195. Amending the Adopted 2010 Capital Budget and appropriating 100% State Grant Funds from the New York State Department of Health and the Dormitory Authority of the State of New York to the Suffolk County Department of Health Services for construction and renovations for the Mental Health Integration Project (CP 4043). (Co. Exec.) **HEALTH & HUMAN SERVICES**

2196. Appropriating funds in connection with the purchase of equipment for the John J. Foley Skilled Nursing Facility (CP 4041). (Co. Exec.) **HEALTH & HUMAN SERVICES**

2197. Accepting and appropriating 100% Federal grant funds passed through the New York State Division of Criminal Justice Services, to the Department of Health Services for a DNA Burglary Backlog Reduction Initiative. (Co. Exec.) **HEALTH & HUMAN SERVICES**

2198. Amending the 2010 Adopted Operating Budget to accept and appropriate 100% Federal grant funds passed through the New York State Department of Health to the Suffolk County Department of Health Services for the CDC Expanded HIV Testing Program. (Co. Exec.) **HEALTH & HUMAN SERVICES**

2199. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Beechwood Moriches Building Corp. property – Forge River watershed addition (Town of Brookhaven). (Co. Exec.) **ENVIRONMENT, PLANNING & AGRICULTURE**
2200. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Fergus Shaw III and Arthur Shaw property - Forge River Watershed - Town of Brookhaven (SCTM Nos. 0200-675.00-04.00-019.000, 0200-675.00-04.00-032.000, 0200-675.00-04.00-033.000, 0200-675.00-04.00-035.001 and 0200-675.00-04.00-035.002). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

2201. Authorizing a lease agreement with Joe Burns Contracting for use of property at Francis S. Gabreski Airport. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

2202. Appropriating funds in connection with rehabilitation of plumbing system at the Suffolk County Vanderbilt Museum (CP 7447). (Cooper)

2203. Appropriating funds in connection with the rewiring of historic structures at the Suffolk County Vanderbilt Museum (CP 7445). (Cooper)

2204. Appropriating funds in connection with restoration of facades at the Suffolk County Vanderbilt Museum (CP 7441). (Cooper)

2205. Authorizing the County Executive to enter into an agreement with Heritage-Riverhead Retail Developers, LLC and accepting a payment of money in lieu of performance of certain mitigation measures, constructed under Capital Project 5529, Old Country Road, Riverhead, and placing this payment into a debt reserve account to pay down the debt service on Capital Project 5529. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2206. Authorizing the sale, pursuant to Local Law No. 16-1976, of Real Property acquired under Section 46 of the Suffolk County Tax Act Barbara Sukowa (SCTM No. 0500-497.00-03.00-048.000). (Co. Exec.) WAYS & MEANS

2207. Amending the 2010 Capital Budget and Program and appropriating funds in connection with expansion of the Sheriff’s Enforcement Division at the Criminal Court Building (CP 3013). (Co. Exec.) PUBLIC SAFETY

2208. Adopting Local Law No. -2010, A Local Law implementing the Charter Commission’s recommendation regarding the terms of the Presiding Officer and Deputy Presiding Officer. (Romaine) WAYS & MEANS

2209. Appointing a member of the Suffolk County Vocational, Education, and Extension Board (Dr. Alan B. Groveman). (Stern) PUBLIC SAFETY

2210. Adopting Local Law No. -2010, A Local Law to ban the sale of energy drinks to minors in Suffolk County. (Nowick) HEALTH & HUMAN SERVICES

2211. Levying Unpaid Water Rents. (Pres. Off.)

2212. Implementing Budget, Staff, and Taxes for the year 2011 (Discretionary). (Pres. Off.)

2213. Implementing Budget, Staff, and Taxes for the year 2011 (Mandated). (Pres. Off.)
2214. Authorizing that the Tax Warrants be signed by the Presiding Officer and Clerk of
the County Legislature and that they be annexed to the tax rolls for the collection of
taxes. (Pres. Off.)

2215. Approving the return of the fund balance of the general fund, police district fund,
and District Court District Fund to the taxpayers of the towns of Suffolk County.
(Pres. Off.)

2216. Approving the tabulations of Town Charges and fixing the tax levies and charges to
the towns under the County Budget for fiscal year 2011. (Pres. Off.)

2217. Amending Resolution No. 1061-2010, Determining Equalized Real Property
Valuations for the Assessment Rolls of the 10 Towns. (Pres. Off.)

2218. Adopting Local Law No. -2010, A Local Law requiring the posting of “Cash Only”
signs at restaurants. (Co. Exec.) CONSUMER PROTECTION

2219. Adopting Local Law No. -2010, A Local Law requiring store closure on
Thanksgiving Day. (Co. Exec.) CONSUMER PROTECTION
RESOLUTION NO. -2010, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 934-2010

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 934-2010; and

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

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

1st

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

Resolution No. 934-2010

Change the 6th RESOLVED clause the Project No.:

FROM:

525-CAP-8710.128

TO:

525-CAP-8710.129

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW TO REGULATE THE SALE OF TATTOO EQUIPMENT IN SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010, a proposed local law entitled, "A LOCAL LAW TO REGULATE THE SALE OF TATTOO EQUIPMENT IN SUFFOLK COUNTY" now, therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO REGULATE THE SALE OF TATTOO EQUIPMENT IN SUFFOLK COUNTY

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the SUFFOLK COUNTY SANITARY CODE strictly regulates the tattoo and body art industry to protect public health and safety.

This Legislature also finds and determines that professional tattoo artists use tattoo machines, also known as “guns” and “irons”, and other equipment to apply tattoos.

This Legislature further finds and determines that the improper use of tattoo equipment in the application of a tattoo can cause injury, bacterial infection, or transmission of blood-borne diseases, like Hepatitis C and HIV.

This Legislature finds that some suppliers of tattoo equipment sell tattoo machines to persons untrained in their use, even opening kiosks at shopping malls to sell their products directly to the public.

This Legislature determines that the sale of tattoo equipment to persons without professional tattooing credentials increases the risk to public health and safety, as these individuals may apply tattoos on others without following important regulations to protect both the customer and artist from harm.

This Legislature also finds that Suffolk County should regulate the sale of tattoo equipment to ensure that it is available only to trained professionals who will use it in a safe manner.

Therefore, the purpose of this law is to prohibit the sale of tattoo equipment to persons who are not certified as professional tattoo artists in Suffolk County.
Section 2. Definitions.

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

"CERTIFIED TATTOO ARTIST" shall mean any individual who applies tattoos and has been certified by the Suffolk County Department of Health Services as a Certified Body Artist or has been certified, registered or otherwise licensed by another jurisdiction and has written documentation of same.

"CERTIFIED TATTOO ARTIST APPRENTICE" shall mean any individual who is supervised in the application of tattoos by a certified tattoo artist and who has been certified by the Suffolk County Department of Health Services as a Certified Body Artist Apprentice.

"TATTOO EQUIPMENT" shall mean any machine or mechanical instrument manufactured and used solely to apply tattoos.

"PERSON" shall mean any individual, firm, partnership, corporation, company, society, association, or any organized group of persons whether incorporated or not.

Section 3. Requirements.

No person shall sell tattoo equipment to another person within Suffolk County unless the prospective purchaser provides written documentation that they are a certified tattoo artist or certified tattoo artist apprentice.

Section 4. Penalties.

Persons selling tattoo equipment in violation of any portion of this law shall be guilty of an unclassified misdemeanor, punishable by a fine not to exceed $1,000 and/or up to one year in jail.

Section 5. Applicability.

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

Section 6. 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 7. 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 8. Effective Date.**

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\-sale tattoo machines
Body Designs International Inc.  
1755 Sunrise Hwy  
Bay Shore, NY 11706  
631-968-0141

Legislator Thomas Barraga  
187 Sunrise Hwy Suite C  
West Islip, NY 11795

October 16, 2010

Dear Legislator Barraga,

I would like to take a moment to thank you for the warm reception that you extended to us yesterday. This is a very important matter and we are thankful for your help.

This three fold problem is something that needs addressing before it reaches epidemic proportions.

1. The Tattoo Industry is a regulated industry. There are many unscrupulous suppliers out there who will sell to anyone; including the general public. As this is a regulated industry I propose to you a bill that would make it a criminal offence to sell equipment to anyone except licensed artists. Here in Suffolk County wallet sized licenses could be issued along with our current certification program.

2. There are kiosks in both the Roosevelt Field Mall and Green Acres Mall that are selling tattoo and body piercing equipment to anyone without any verification. I personally purchased equipment from both. Copies of their business cards are attached. Please do not let this come into our county; as we have already seen an increase of the number of severe infections coming out of private homes, with the work being done by unlicensed people, who do not have any idea of what they are doing.

3. Although it is against Health Department Codes, people are working unlicensed out of their homes. I ask that we propose a bill that would take this matter away from the Health Department and make it a Penal Law, under Suffolk County Statutes with severe penalties.

Again, I would like to thank you again for your concerns in this matter.

Sincerely,

Michael Fenn  
Body Designs Int. Inc.
DATE: DECEMBER 2, 2010
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. 2145-2010; A LOCAL LAW TO REGULATE THE SALE OF TATTOO EQUIPMENT IN SUFFOLK COUNTY

SPONSOR: LEGISLATOR BARRAGA

DATE OF RECEIPT BY COUNSEL: 11/22/2010 PUBLIC HEARING: 12/21/2010
DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law would require that tattoo equipment\(^1\) be sold in Suffolk County only to persons providing written documentation that they are a certified tattoo artist\(^2\) or certified tattoo artist apprentice\(^3\).

Violation of this law shall constitute an unclassified misdemeanor, punishable by a fine of up to one thousand dollars ($1,000) and/or up to one year in jail.

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-sale-tattoo-machines

\(^1\) “Tattoo equipment” is defined as “any machine or mechanical instrument manufactured and used solely to apply tattoos.”

\(^2\) “Certified tattoo artist” is defined as “any individual who applies tattoos and has been certified by the Suffolk County Department of Health Services as a Certified Body Artist or has been certified, registered or otherwise licensed by another jurisdiction and has written documentation of same.”

\(^3\) “Certified tattoo artist apprentice” is defined as “any individual who is supervised in the application of tattoos by a certified tattoo artist and who has been certified by the Suffolk County Department of Health Services as a Certified Body Artist Apprentice.”
RESOLUTION NO. 2146 - 2010, TO EXTEND THE DEADLINE FOR THE TASK FORCE TO STUDY THE FEASIBILITY OF SUFFOLK COUNTY COMMUNITY COLLEGE ASSUMING THE OPERATION OF THE VANDERBILT MUSEUM

WHEREAS, Resolution No. 122-2009 established a Task Force to Study the Feasibility of Suffolk County Community College Assuming the Operation of the Vanderbilt Museum; and

WHEREAS, the Task Force is required to issue a written report to the members of the County Legislature and the County Executive containing its findings and determinations, along with any recommendations for action; and

WHEREAS, Resolution No. 804-2009 amended Resolution No. 122-2009 to extend the deadline for submission of the Task Force’s written report to December 31, 2010; and

WHEREAS, the Task Force has determined that it needs additional time to complete the inquiry and establish its findings and recommendations; and

WHEREAS, Suffolk County seeks to ensure that the Task Force is provided with sufficient time to thoroughly review the issues it has been entrusted to examine; now, therefore be it

1st RESOLVED, that the 12th RESOLVED clause of Resolution No. 122-2009 is hereby amended as follows:

12th RESOLVED, that this special Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than December 31, 2011 [2010] for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

and be it further

2nd RESOLVED, that the 13th RESOLVED clause of Resolution No. 122-2009 is hereby amended as follows:

13th RESOLVED, that the Task for shall expire, and the terms of office of its members terminate, as of December 31, 2011 [2010] at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

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.

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

DATED:

APPROVED BY:

____________________________
County Executive of Suffolk County

Date:

s:\res\r-extend Vanderbilt feasibility task force
Introductory Resolution No. 2147-10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976
VALENA HAYE
(SCTM NO. 0100-058.00-06.00-019.000)

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 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 058.00 Block 06.00 Lot 019.000 and acquired by Tax Deed on July 10, 2003 from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003 in Liber 12260 at CP 584 and described as follows, known and designated as Lots 9 & 10 in Block 35 on a certain map entitled "Map of Colonial Springs", and filed in the Office of the Clerk of the County of Suffolk on March 16, 1926 as Map No. 223,

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, Valena Haye, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $3,500.00. 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 $3,500.00, 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 $3,500.00, 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 Valena Haye, 69 Lake Drive, Wyandanch, New York 11798.

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. 0100-058.00-06.00-019.000

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<th>ADJOINING OWNER</th>
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<tr>
<td>Valena Haye 69 Lake Drive</td>
<td>$3,500.00</td>
<td></td>
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<tr>
<td>Wyandanch, New York 11798</td>
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</tbody>
</table>

SIZE OF PARCEL: 40' x 135'  
APPRaised VALUE: $3,500.00  
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
   2010

10. Name & Title of Preparer          Signature of Preparer          Date
    R.J. Bhatt – LMS IV
November 18, 2010

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: 0100-058.00-06.00-019.000

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
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Thomas A. Isles, Director of Planning
CE Reso Review, via e-mail
RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(INCORPORATED VILLAGE OF EAST HAMPTON)
(SCTM 0301-002.00-01.00-016.000)

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of East Hampton, Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0301 Section 002.00, Block 01.00 Lot 016.000 and acquired by Tax Deed on July 3, 2008 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 9, 2008 in Liber 12557 at CP 356 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of East Hampton under Suffolk County Tax Map No. District 0301 Section 002.00, Block 01.00 Lot 016.000; and

WHEREAS, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

WHEREAS, the Incorporated Village of East Hampton, has requested that the County of Suffolk convey the parcel described in Exhibit A annexed hereto; and

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

1st RESOLVED, that Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Incorporated Village of East Hampton, for the sum of $538.89 plus the pro rata share of the current tax adjustment due at closing; and be it further

2nd RESOLVED, that the Incorporated Village of East Hampton will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for highway purposes; with all right title and interest reverting to the County of Suffolk in the event that the Incorporated Village of East Hampton, at any time, uses or attempts to use said subject parcel for other than highway purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for highway purposes; and be it further
3rd RESOLVED, that said quitclaim deed tendered by Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4th 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)

DATED: ______________________

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
VILLAGE OF EAST HAMPTON
Settled 1643 - Incorporated 1920
86 MAIN STREET
EAST HAMPTON, N.Y. 11937-2730
WWW.EASTHAMPTONVILLAGE.ORG
631-324-4150
FAX 631-324-4189
OFFICE OF
VILLAGE ADMINISTRATOR

CERTIFICATE OF RECORDING OFFICER

THIS IS TO CERTIFY THAT, at a legally convened meeting of the Board of Trustees duly held on October 7, 2010, a motion was made by Trustee Elbert T. Edwards, seconded by Trustee Barbara S. Borsack and carried unanimously by the Board of Trustees of the Inc. Village of East Hampton to adopt Resolution #26-2010 (below); and further that such Resolution #$26-2010 has been fully recorded in the Board of Trustees Minutes in my office.

RESOLUTION #26-2010

Resolved, the Village of East Hampton is interested in acquiring title to tax map #301-002:00-01.00-016.000 from Suffolk County for purpose of maintaining said parcel for open space, drainage, or public highway purposes.

ADOPTED: October 7, 2010

Paul F. Rickenbach, Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Board of Trustees of the Village of East Hampton this 7th day of October, 2010

(SEAL)

Larry Cantwell
Village Administrator
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution ___ X___ Local Law _________ Charter Law _______

2. Title of Proposed Legislation
   Section 72-h, General Municipal Law authorizing the sale of County owned Real Estate to a Municipality

3. Purpose of Proposed Legislation
   Convey County owned parcel to the Incorporated Village of East Hampton, for highway purposes

4. Will the Proposed Legislation have a fiscal impact?   Yes ___ X___ No _____

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

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

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

8. Proposed Source of Funding
   Unknown

9. Timing of Impact
   2010

10. Typed Name & Title of Preparer   Signature of Preparer   Date
    R.J. Bhatt-LMS IV   Bhatt  11/18/10
November 18, 2010

Ken Crannell
Deputy County Executive
H. Lee Dennison Building - 12th Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, NY 11788

Re: Tax Map No.: 0301-002.00-01.00-016.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real
Estate to a Municipality, State, or Federal Government.

Dear Mr. Crannell:

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

Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Incorporated
Village of East Hampton, for municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,

Pamela J. Greene
Director of 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 w/ Resolution to:
Christopher E. Kent, Chief Deputy County Executive
Brendan Chamberlain, Director, International Relations (2 hard copies)
Eric Naughton, Budget Director
Thomas A. Isles, Director of Planning
CE Reso Review via e-mail
Introductory Resolution No. 2149-10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 JANICE COOKE-GIUGLIANO (SCTM NO. 0400-245.00-02.00-017.000)

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 Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400 Section 245.00 Block 02.00 Lot 017.000 and acquired by Tax Deed on October 2, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 6, 2003 in Liber 12276 at CP 223 and described as follows, known and designated as Lots 42 and 43 in Block E on a certain map entitled "Map of Locust Park", and filed in the Office of the Clerk of the County of Suffolk on August 23, 1909 as Map No. 428,

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, Janice Cooke-Giugliano, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $3,800.00. 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 $3,800.00, 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 $3,800.00, 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 Janice Cooke-Giugliano, 37 Ida Court, Dix Hills, New York 11746.

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. 0400-245.00-02.00-017.000

<table>
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<tr>
<th>ADJOINING OWNER</th>
<th>BID</th>
<th>BID</th>
<th>BID</th>
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</table>
| Janice Cooke-Giugliano  
37 Ida Court  
Dix Hills, New York 11746  
0400-245.00-02.00-15.000 & 016.000 | $3,800.00  |     |     |
| Giuseppina & Pietro Libardi  
39 Ida Court  
Dix Hills, New York 11746  
0400-243.00-02.00-051.000 | $0         |     |     |

SIZE OF PARCEL: 40' x 102' x 20' x 100'
APPRaised VALUE: $3,800.00
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
   2010

10. Name & Title of Preparer  Signature of Preparer  Date
    R.J. Bhatt – LMS IV  R.J. Bhatt  11/18/10
November 18, 2010

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: 0400-245.00-02.00-017.00

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,

[Signature]
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
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

JOCELYN JEAN
0500-122.00-03.00-004.000

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 122.00, Block 03.00, Lot 004.000, and acquired by tax deed on September 28, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 29, 2009, in Liber 12601, at Page 425, and otherwise known and designated by the Town of Islip, as part of Lot 33 on a certain map entitled “Map of Pinewood Manor”, filed in the Office of the Suffolk County Clerk on June 18, 1926 as Map No. 252; 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 28, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 29, 2009 in Liber 12601 at Page 425.

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, JOCELYN JEAN has made application of said above described parcel and JOCELYN JEAN has paid the application fee and has paid $1,452.89, 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 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 JOCELYN JEAN, 19 South Lane, Huntington NY 11743, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: ____________________________________________

County Executive of Suffolk County

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

Tax Map No.: 0500-122.00-03.00-004.000
Name of Last Legal Fee Owner: JOCELYN JEAN

November 16, 2010

TREASURER'S COMPUTATION................. $1,452.89
Taxes........2009/2010....................... OPEN
License/Storage Fee.......................... OPEN
Repairs........................................ OPEN
Miscellaneous Expenses.................... OPEN

TOTAL........................................ $1,452.89
Monies Received............................. $1,452.89

RESOLUTION AMOUNT....................... $1,452.89

APPROVED:

[Signature]

PREPARED BY:

[Signature]
Lori Sklar
Redemption Unit
(631)853-5937
COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRIBUTION DETAILS:

0500
122.00
03.00
004.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

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2009/10 PROPERTY TAXES PAID BY BAC TAX SERVICES

TOTAL:

1276.21

B. INTEREST DUE

107.49

C. TOTAL

1383.70

D. 5% LINE C

69.19

E. FEE

F. MISC

G. MISC

H. TOTAL DUE

$1,452.89

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.

27-Aug-10

Diane M. Stuke
Deputy County Treasurer

*Interest and penalty computed to and including 02/23/11
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X
   Tax Map Number 0500-122.00-03.00-004.000

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
   2010

10. Typed Name & Title of Preparer Submission Date
    Lori Sklar
    Signature of Preparer
    11/16/10
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
ROSE LACASCIA, AS SURVIVING TENANT BY ENTIRETY
0100-020.00-03.00-002.000
0100-020.00-03.00-003.000

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 020.00, Block 03.00, Lot 002.000, and acquired by tax deed on September 23, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009, in Liber 12601, at Page 256, and otherwise known and designated by the Town of Babylon,

Parcel I – 0100-020.00-03.00-002.000
Lots p/o 11 and p/o 12 in Block 11 on a certain map entitled “Map of Deer Park Terrace, Section 6”, filed in the Office of the Suffolk County Clerk on June 20, 1927 as Map No. 653;

Parcel II – 0100-020.00-03.00-003.000
Lots p/o 13 and p/o 14 in Block 11 on a certain map entitled “Map of Deer Park Terrace, Section 6”, filed in the Office of the Suffolk County Clerk on June 20, 1927 as Map No. 653; 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 23, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009 in Liber 12601 at Page 256.

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, ROSE LACASCIA, AS SURVIVING TENANT BY ENTIRETY has made application of said above described parcel and ROSE LACASCIA, AS SURVIVING TENANT BY ENTIRETY has paid the application fee and has paid $585.76, 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 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 ROSE LACASCIA, AS SURVIVING TENANT BY ENTIRETY, 11 Kenmore Street, Huntington NY 11746, 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: ________________
November 16, 2010

Tax Map No.: 0100-020.00-03.00-002.000
0100-020.00-03.00-003.000
Name of Last Legal Fee Owner: ROSE LACASCIA, AS SURVIVING TENANT BY ENTIRETY

TREASURER'S COMPUTATION: $585.76
Taxes........2009/2010.......................... OPEN
License/Storage Fee............................. OPEN
Repairs.......................................... OPEN
Miscellaneous Expenses........................ OPEN

TOTAL........................................ $585.76

Monies Received............................... $585.76

RESOLUTION AMOUNT........................ $585.76

APPROVED:

[Signature]

PREPARED BY:

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

2006/07  89.97
2007/08  94.27
2008/09  46.09
2009/10  47.51

TOTAL:  277.84

B. INTEREST DUE  23.69
C. TOTAL         301.53
D. 5% LINE C     15.08
E. FEE
F. MISC
G. MISC

H. TOTAL DUE $316.61

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.

26-Oct-10

Diane M. Stuke
Deputy County Treasurer

*Interest and penalty computed to and including 04/24/11
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0100-020.00-03.00-002.000
  0100-020.00-03.00-003.000

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

2010

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

Lori Sklar ___________ Lori Sklar ___________ 11/16/10
A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07: 78.87
2007/08: 82.33
2008/09: 36.88
2009/10: 37.99

TOTAL: 236.07

B. INTEREST DUE

20.26

C. TOTAL

256.33

D. 5% LINE C

12.82

E. FEE

F. MISC

G. MISC

H. TOTAL DUE

$269.15

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.

26-Oct-10

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 04/24/11

dz
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
FRANK CATALFAMO AND MARY A. CATALFALMO, HIS WIFE
0200-980.50-01.00-048.001

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 980.50, Block 01.00, Lot 048.001, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 04, 2007, in Liber 12520, at Page 725, and otherwise known and designated by the Town of Brookhaven, Lot No. 2821 as designated on a certain map entitled, “Fifth Map of Mastic Beach, Suffolk County, Long Island, NY” and filed in the Office of the Suffolk County Clerk on September 2, 1930 as File No. 1005; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 04, 2007 in Liber 12520 at Page 725.

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, FRANK CATALFAMO AND MARY A. CATALFALMO, HIS WIFE have made application of said above described parcel and FRANK CATALFAMO AND MARY A. CATALFALMO, HIS WIFE have paid the application fee and STEWART TITLE INSURANCE COMPANY has paid $925.82, 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 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
2<sup>nd</sup> - 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 FRANK CATALFAMO AND MARY A. CATALFALMO, HIS WIFE, 41 Bay Road, Patchogue NY, 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

November 17, 2010
Tax Map No.: 0200-980.50-01.00-048.001
Name of Last Legal Fee Owner: FRANK CATALFAMO AND MARY A. CATALFALMO, HIS WIFE

TREASURER'S COMPUTATION........................................ $925.82
Taxes..............2009/2010.................................................. INCLUDED
License/Storage Fee....................................................... OPEN
Repairs................................................................. OPEN
Miscellaneous Expenses................................................. OPEN

TOTAL................................................................. $925.82

Monies Received........................................................ $925.82

RESOLUTION AMOUNT................................................ $925.82

APPROVED:

[Signature] [Date]

PREPARED BY:

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

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**A. Principal Amount Due On All Unpaid Taxes:**

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<td>94.30</td>
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**Total:** 750.59

**B. Interest Due:**

| Amount | 131.15 |

**C. Total:**

| Amount | 881.74 |

**D. 5% Line C**

| Amount | 44.09 |

**E. Fee**

**F. Misc**

**G. Misc**

**H. Total Due**

| Amount | $925.82 |

**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.

03-Nov-10

Diane M. Stuke  
Deputy County Treasurer

**Interest and penalty computed to and including 05/02/11**

dz
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X
   Tax Map Number 0200-980.50-01.00-048.001

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
   Library District
   Town
   School District
   Economic Impact
   Other (Specify):
   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
   2010

10. Typed Name & Title of Preparer     Signature of Preparer     Date
    Diane Bishop                        
    11/17/10
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 DONALD HUMEL, BY CHRISTINE HUMEL AS ADMINISTRATOR AS TO A 60% INTEREST AND PHILIP HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST AND BRUCE HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST

0500-213.00-02.00-011.000

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 213.00, Block 02.00, Lot 011.000, and acquired by tax deed on July 18, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 22, 2008, in Liber 12558, at Page 867, and otherwise known and designated by the Town of Islip, Suffolk County Tax Map Number District 0500, Section 213.00, Block 02.00, Lot 011.000; 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 July 18, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 22, 2008 in Liber 12558 at Page 867.

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, MORTGAGEE, ERNEST E. RANALLI, ESQ. RETIREMENT PLAN & TRUST has made application of said above described parcel and MORTGAGEE, ERNEST E. RANALLI, ESQ. RETIREMENT PLAN & TRUST has paid the application fee and has paid $7,884.39, 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 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 DONALD HUMEL, BY CHRISTINE HUMEL AS ADMINISTRATOR AS TO A 60% INTEREST AND PHILIP HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST AND BRUCE HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST, 45 Sarah Drive, Farmingdale, New York 11735 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**

November 08, 2010

Tax Map No.: 0500-213.00-02.00-011.000  
Name of Last Legal Fee Owner: ESTATE OF DONALD HUMEL, BY CHRISTINE HUMEL AS ADMINISTRATOR AS TO A 60% INTEREST AND PHILIP HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST AND BRUCE HUMEL, AS HEIR TO THE ESTATE OF ELSIE HUMEL PER SUFFOLK COUNTY SURROGATE'S COURT FILE 381-A-1970 AS TO A 20% INTEREST

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<th>Description</th>
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<tr>
<td>TREASURER'S COMPUTATION</td>
<td>$6,870.56</td>
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<td>Taxes 2009/2010</td>
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<td>Repairs</td>
<td>OPEN</td>
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<td>Miscellaneous Expenses</td>
<td>OPEN</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$7,884.39</strong></td>
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<td>Monies Received</td>
<td><strong>$7,884.39</strong></td>
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<tr>
<td><strong>RESOLUTION AMOUNT</strong></td>
<td><strong>$7,884.39</strong></td>
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**APPROVED:**  
Karen A. Gates, 11/10/10  
Accounting

**PREPARED BY:**  
Diane Bishop  
Redemption Unit  
(631)853-5932
DISTRICT  0500
SECTION  213.00
BLOCK  02.00
LOT  011.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06  1535.09
2006/07  1610.14
2007/08  1270.23
2008/09  1324.49

2009/10 PROPERTY TAXES $1,013.83 NOT INCLUDED IN COMPUTATION

TOTAL:  5739.95

B. INTEREST DUE  803.44
C. TOTAL  6543.39
D. 5% LINE C  327.17
E. FEE:
F. MISC
G. MISC

H. TOTAL DUE  $6,870.56

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. 18-Aug-10

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 02/14/11

dz
1. Type of Legislation
Resolution X
Tax Map Number 0500-213.00-02.00-011.000

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
   Village
   Library District
   Economic Impact
   School District Other (Specify):
   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
2010

10. Typed Name & Title of Preparer
Diane Bishop

   Signature of Preparer
   Date
   Diane Bishop 1/9/18
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
ANGELA BOWMAN
0700-025.00-01.00-058.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements
thereon erected, situate, lying and being in the Town of Shelter Island, County of Suffolk, and State
of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency
as District 0700, Section 025.00, Block 01.00, Lot 058.000, and acquired by tax deed on March 05,
2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded
on March 05, 2010, in Liber 12618, at Page 360, and otherwise known and designated by the
Town of Shelter Island, as Plot No. 8, 34 & 35, in Block No. 7 as shown on a certain map entitled,
"Map of Section One, Silver Beach" and filed in the Office of the Clerk of Suffolk County, on July
27, 1929 as Map No. 191; 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 March 05, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New
York, and recorded on March 05, 2010 in Liber 12618 at Page 360.

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, ANGELA BOWMAN has made application of said above described
parcel and ANGELA BOWMAN has paid the application fee and has paid $20,728.95, 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
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 ANGELA BOWMAN, 18 Coves End Lane, Sag Harbor NY 11963, 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.: 0700-025.00-01.00-058.000
Name of Last Legal Fee Owner: ANGELA BOWMAN

TREASURER'S COMPUTATION .................. $16,728.95
Taxes .................. 2009/2010 ............... INCLUDED
License/Storage Fee .................................. $4,000.00
Repairs .................................. OPEN
Miscellaneous Expenses .................. OPEN

TOTAL .................................. $20,728.95

Monies Received .................................. $20,728.95

RESOLUTION AMOUNT ...................... $20,728.95

APPROVED:

[Signature]

[Name]

Accounting

PREPARED BY:

[Signature]

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

**DISTRICT**
0700

**SECTION**
025.00

**BLOCK**
01.00

**LOT**
058.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

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<th>Year</th>
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<td>2009/10</td>
<td>1569.72</td>
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**TOTAL:** 15086.94

B. INTEREST DUE

845.39

C. TOTAL

15932.33

D. 5% LINE C

796.62

E. FEE

F. MISC

G. MISC

H. TOTAL DUE

$16,728.95

**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.

02-Sep-10

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including**

03/01/11

dz
1. Type of Legislation
Resolution X
Tax Map Number 0700-025.00-01.00-058.000

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
   Village
   Library District

   Town
   School District

   Economic Impact
   Other (Specify):
   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
2010

10. Typed Name & Title of Preparer
Diane Bishop

   Signature of Preparer
   Date
   1/18/18
RESOLUTION NO. -2010, UPDATING RESO. NO. 1045-2008
REQUIRING IDENTIFICATION OF COUNTY PURCHASING PERSONNEL PURSUANT TO NEW YORK GENERAL MUNICIPAL LAW SECTION 104-b

WHEREAS, Legislative Resolution No. 1045-2008, "Requiring Identification Of County Purchasing Personnel to the County’s Procurement Policies and Procedures," identified the individual or individuals responsible for purchasing and their respective titles as required by section 104-b(f) of the General Municipal Law; and

WHEREAS, General Municipal Law Section 104-b(f) also requires such information be updated biennially; now therefore be it

1st RESOLVED, that the following County personnel are hereby authorized, empowered and directed to implement the foregoing County procurement policies and procedures:

a.) Kathleen Koppenhoefer, General Services Manager, Department of Public Works;

b.) Gilbert Anderson, Commissioner, Department of Public Works;

c.) Anita S. Katz, Commissioner Board of Elections; and

d.) Wayne Rogers, Commissioner Board of Elections.

and be it further

2nd RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Park 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

__________________________

County Executive of Suffolk County

Date:
RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW TO ALERT CONSUMERS TO THE HEALTH RISKS ASSOCIATED WITH ENERGY DRINKS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010, a proposed local law entitled, "A LOCAL LAW TO ALERT CONSUMERS TO THE HEALTH RISKS ASSOCIATED WITH ENERGY DRINKS" now, therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ALERT CONSUMERS TO THE HEALTH RISKS ASSOCIATED WITH ENERGY DRINKS

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 energy drinks are very popular, particularly among young people.

This Legislature also finds and determines that energy drinks are classified as dietary supplements and are not currently regulated by the FDA.

This Legislature further finds and determines that energy drinks contain up to 800 milligrams of caffeine per serving, the equivalent of eight cups of coffee. The exact caffeine content of these drinks is not required to be disclosed as nutritional information.

This Legislature finds that energy drinks also contain a blend of herbal supplements, vitamins and amino acids, such as glucose, guarana, taurine, vitamin B6, vitamin B12, yerbamate, bitter orange, ginger, ginkgo, St. John’s wort, and ginseng, the exact contents of which are also not disclosed.

This Legislature determines that the potent combination of caffeine, sugar, carbohydrates, herbs, vitamins and amino acids found in energy drinks can pose significant health risks to consumers.

This Legislature also finds that consuming energy drinks can have significant adverse effects, including aggravating heart conditions, cause headaches, rapid heartbeat, nervousness, irritability, sleeplessness, dehydration, abnormal heart rhythms, and stomach upset and even death.
This Legislature finds that consuming energy drinks can be particularly
dangerous for individuals with heart problems and may interfere with medications prescribed for
certain conditions, including attention deficit disorder, allergies, asthma, and birth control pills.

This Legislature also determines that energy drinks are frequently combined with
alcohol, which can mask an individual's intoxication level, leading to increased alcohol
consumption and additional health risks.

This Legislature finds that most consumers are unaware of the serious health
risks posed by consuming energy drinks.

Therefore, the purpose of this law is to require retail establishments that sell
energy drinks in Suffolk County to post signs informing consumers of the negative effects
associated with consuming energy drinks.

Section 2. Definitions.

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

"ENERGY DRINK" shall mean a soft drink that is classified as a dietary supplement not
regulated by the Food and Drug Administration and that contains 80 or more milligrams of
caffeine per 8 fluid ounces and generally includes a combination of methylxanthines, B vitamins
and herbal ingredients and other ingredients which are advertised as being specifically designed
to provide or increase energy.

"RETAIL ESTABLISHMENT" shall mean any outlet, store, shop, mercantile establishment or
other place of business engaged in the retail sale of goods or merchandise directly to
consumers for consumption on or off premises, and shall include vending machines.

Section 3. Sign Requirements.

Any retail establishment in Suffolk County that sells or offers for sale energy
drinks shall post a sign or poster which shall have conspicuous lettering in all capital letters and
not less than a quarter inch in height on a contrasting background stating:

ENERGY DRINKS WARNING

ENERGY DRINKS MAY CONTAIN LARGE QUANTITIES OF CAFFEINE AND
OTHER INGREDIENTS, INCLUDING HERBAL SUPPLEMENTS, AMINO ACIDS
AND VITAMINS. CONSUMPTION OF THESE BEVERAGES MAY
AGGRAVATE HEART CONDITIONS, CAUSE HEADACHES, RAPID
HEARTBEAT, DEHYDRATION, DISRUPTION OF SLEEP PATTERNS AND
CONCENTRATION, AND IN RARE CASES, DEATH. THESE EFFECTS MAY
BE MAGNIFIED IN CHILDREN UNDER AGE 19. THE INGREDIENTS OF
THese DRINKS MAY INTERFERE WITH CERTAIN PRESCRIPTION
MEDICATIONS FOR ATTENTION DEFICIT DISORDER, ASTHMA,
ALLERGIES, BIRTH CONTROL AND OTHER CONDITIONS. MIXING ENERGY
DRINKS WITH ALCOHOL OR OTHER DRUGS MAY POSE ADDITIONAL
HEALTH RISKS.
Section 4. Penalties.

Violation of this law shall be punishable by a civil fine of up to two hundred fifty dollars ($250) for a first violation, with subsequent violations punishable by a fine of up to seven hundred fifty dollars ($750).

Section 5. Rules and Regulations.

The Commissioner of the Department of Health Services is hereby authorized and empowered to promulgate rules and regulations necessary for the implementation of the provisions of this law.

Section 6. Applicability.

This law shall apply to all actions occurring on or 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 on the one hundred twentieth (120th) day immediately subsequent to filing in the Office of the Secretary of State.

DATED:

APPROVED BY:
DATE: DECEMBER 2, 2010
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. 2156-2010; A LOCAL LAW TO ALERT CONSUMERS TO THE HEALTH RISKS ASSOCIATED WITH ENERGY DRINKS

SPONSOR: LEGISLATOR NOWICK

DATE OF RECEIPT BY COUNSEL: 11/29/2010 PUBLIC HEARING: 12/21/2010
DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law would require all retail establishments¹ that sell energy drinks² in Suffolk County to post signs stating the risks associated with consuming energy drinks.

This law will be enforced by the Department of Health Services. Violation of this law shall be punishable by a civil fine of up to two hundred fifty dollars ($250) for a first violation, with subsequent violations punishable by a fine of up to seven hundred fifty dollars ($750).

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

GEORGE NOLAN
Counsel to the Legislature

GN:
s:rule28\28-signs-energy-drinks

¹ “Retail establishment” is defined as “any outlet, store, shop, mercantile establishment or other place of business engaged in the retail sale of goods or merchandise directly to consumers for consumption on or off premises, and shall include vending machines.”

² “Energy drink” is defined as “a soft drink that is classified as a dietary supplement not regulated by the Food and Drug Administration and that contains 80 or more milligrams of caffeine per 8 fluid ounces and generally includes a combination of methylxanthines, B vitamins and herbal ingredients and other ingredients which are advertised as being specifically designed to provide or increase energy.”
RESOLUTION NO. - 2010, APPROVING THE VECTOR CONTROL PLAN OF THE DEPARTMENT OF PUBLIC WORKS DIVISION OF VECTOR CONTROL PURSUANT TO SECTION C8-4(B)(2) OF THE SUFFOLK COUNTY CHARTER

WHEREAS, the Department of Public Works, Division of Vector Control is responsible for the suppression of mosquitoes, ticks and other arthropods which are vectors of human disease and require public action for control; and

WHEREAS, Section C8-4(B)(2) of the Suffolk County Charter requires the annual filing of a Vector Control Plan with the Legislature outlining the work to be done, methods to be employed and general description of lands to be entered to carry out these responsibilities; and

WHEREAS, the Vector Control 2011 Annual Plan of Work was filed with the Clerk of the Legislature; and

WHEREAS, at its meeting on October 20, 2010, the Suffolk County Council on Environmental Quality recommended a determination that the Vector Control 2011 Annual Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions as set forth in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement, as approved by Suffolk County in Resolution No. 285-2007, and that, therefore, no further compliance is required pursuant to Title 6 New York Code of Rules and Regulations (NYCRR) Section 617.10(d)(1) and the State Environmental Quality Review Act, N.Y. Envtl. Conserv. Law Art. 8 (SEQRA); and

WHEREAS, this Legislature, being the SEQRA lead agency, has independently considered the FGEIS, Findings Statement, Environmental Assessment Form (EAF) and relevant testimony and materials concerning the same; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that, as demonstrated in the Environmental Assessment Form and relevant documents and testimony, the Vector Control 2011 Annual Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement as approved by Suffolk County in Resolution No. 285-2007; and, be it further

2nd RESOLVED, and determined that, pursuant to Title 6 New York Code of Rules and Regulations Section 617.10(d)(1), implementation of this action requires no further SEQRA compliance; and, be it further

3rd 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; and be it further
4th RESOLVED, that the Vector Control 2011 Annual Plan of Work is hereby approved in its entirety.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
## Statement of Financial Impact

### 1. Type of Legislation

- Resolution: **X**
- Local Law: _____
- Charter Law: _____

### 2. Title of Proposed Legislation

**RESOLUTION NO. 2010-2010, APPROVING THE VECTOR CONTROL PLAN OF THE DEPARTMENT OF PUBLIC WORKS DIVISION OF VECTOR CONTROL PURSUANT TO SECTION C8-4(B)(2) OF THE SUFFOLK COUNTY CHARTER**

### 3. Purpose of Proposed Legislation

**APPROVAL IS REQUIRED UNDER THE COUNTY CHARTER TO CONTINUE THE VECTOR CONTROL PROGRAM.**

### 4. Will the Proposed Legislation Have a Fiscal Impact?  

**Yes**: **X**  
**No**: _____

### 5. If the answer to item 4 is "yes", on what will it impact?  

- **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

**FUNDING IS INCLUDED IN THE OPERATING BUDGET.**

### 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 Approval.**

### 10. Typed Name & Title of Preparer  

Debra Kolyer  
Principal Financial Analyst

### 11. Signature of Preparer

[Signature]

### 12. Date

November 15, 2010

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

2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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
The Suffolk County Department of Public Works, Division of Vector Control, is responsible under the County Charter for controlling mosquito infestations that are of public health importance. The Division's responsibility is to control mosquito infestations that significantly threaten public health, or create social or economic problems for the communities in which they occur. The Division meets its responsibilities in consultation with the Suffolk County Department of Health Services (SCDHS) and the appropriate federal, state and local agencies. This Plan of Work has been prepared pursuant to and in compliance with the Vector Control and Wetlands Management Long Term Plan and Generic Environmental Impact Statement (the Long Term Plan). The Long Term Plan was approved by the County Legislature as Resolution 285-2007 on March 20, 2007 and signed by the County Executive on March 22, 2007. The 2011 Annual Plan of Work is therefore governed by State Environmental Quality Review Act (SEQRA) Regulation 617.10(d)(1) which provides the following: "When a final generic EIS has been filed under this part (1) no further SEQR compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement." This issue is also discussed in the Findings, appended hereto, pages 7 and 58. This Annual Plan complies with the reporting requirements in Executive Order 15-2007 (Suffolk County Vector Control Pesticide Management Committee) and Resolution 285-2007 (which adopts the Findings Statement for the Long-Term Plan). The reporting requirements of Resolution 285-2007 are satisfied within this Annual Plan, and the Pesticide Management Committee will submit a report to CEQ independently to satisfy Executive Order 15-2007.

2011 SUMMARY

1. Water Management: Water Management activities will conform to the guidelines outlined in the Long Term Plan and Finding statement's Wetlands Best Management Practices (BMP's). Because the Wetlands Stewardship Program is in its initial phases, 2011 water management will be consist primarily of maintenance of existing structures as described in BMP's 2, 3 and 4 in the Findings Statement and Long Term Plan. Other water management activity will depend on the guidance of the Wetlands Stewardship Program as it develops definitions of wetlands health and guidance for additional BMP's. Any water management work, other than measures specified in BMP's 2, 3, and 4, would have to undergo review under SEQRA, and would be subject to Suffolk County's Council of Environmental Quality (CEQ) review, as well. As per the attached Findings, machine ditch maintenance will be minimal (a maximum of 50,000 linear feet, and probably significantly less). Notice of all machine maintenance work will be provided to CEQ, prior to commencing the work.
2. Larval Control: Perform approximately 15,000 inspections of larval sites. Treat approximately 30,000 acres with Vectobac (*Bacillus thuringiensis israelensis* or *Bti*), Vectolex (*Bacillus sphaericus*) or Altosid (methoprene).

3. Adult Control: Conduct adult control when infestations are severe and widespread and/or necessary to respond to the presence of pathogens.

4. Research and Surveillance: Collect and process 10,000-12,000 larval and adult mosquito samples, depending on mosquito populations and viral activity. Collect and process approximately 50,000 mosquitoes for arbovirus surveillance. Evaluate the effectiveness of treatments. Perform special studies of problem areas, such as identifying the sources of unusual infestations or finding larval habitats of problem species.

**Technical and Institutional Framework for Vector Control**

To achieve this goal, the Division employs an integrated control program. Control measures are employed in a hierarchical manner that emphasizes prevention, and are guided by a surveillance program to ensure that control measures are only directed to address a clear need. Control proceeds from the more permanent, generally more “environmentally friendly” measures such as water management and biological control through the highly specific larvicides, and uses chemical controls such as adulticides only after other measures prove to be either insufficient or not feasible. This integrated approach is recognized as the most effective and environmentally sound manner in which to conduct a mosquito control program.

Because mosquitoes are of public health importance, the Division works closely with SCDHS. SCDHS operates the Arthropod-Borne Disease Laboratory, with operational support provided by the Division. The laboratory conducts surveillance for mosquito populations and disease activity. The results of this surveillance are used to guide and evaluate the Division’s control work. During times of a public health threat, the Division comes under the operational control of SCDHS. SCDHS is also responsible for other activities related to mosquitoes and the public health, such as medical surveillance, sanitation, environmental monitoring, community outreach and public education.

The New York State Department of Health (DOH) provides important support to the program by analyzing mosquito samples for pathogens, providing technical advice and determining when a public health threat exists. DOH also provides significant assistance with public education, as well as financial aid for vector surveillance and control. Because mosquito control involves work in environmentally sensitive areas and the use of pesticides, environmental compliance and protection are important components of the program. The Division is heavily regulated and subject to inspection under a series of New York State Department of Environmental Conservation (DEC) permits, as well as regulations pertaining to the use of pesticides and licensing of applicators. Close contact is maintained with DEC, United States Fish and Wildlife Services (USFWS) and other agencies throughout the year to ensure that all work is conducted to a high environmental standard.
2011 PROGRAM COMPONENTS

WATER MANAGEMENT: All field personnel (36), 20 trucks, 6 trailers, 6 tracked vehicles and 2 drainage pipe cleaners conduct this component. It is performed from January 1 to April 30, and October 1 to December 31 (approximate dates).

Water management is a functional way to reduce the need for pesticide applications. The Division expects to conduct water management in each of the County's ten towns. The work will be performed on a priority, as needed basis. Highest priority is assigned to larval habitats where infestations have the greatest potential for negative impact. In particular, areas that showed unexpectedly high infestations in 2010 will have high priority over the coming winter. Water management activities will be carried out in such a manner so that the primary goal of the work will be to protect the health of the marsh.

The purpose of water management is to minimize mosquito production through maintaining existing systems of ditches, culverts and other structures that drain off surface water and/or allow access to potential larval habitats by predatory fish. In some cases, the current ditch system has become an important component of the wetland as it exists today, and maintenance of the system is necessary to maintain tidal flow, fish habitat, or existing vegetative patterns. Much of this is maintenance work that may not require a permit, but is nonetheless conducted after consultation with the New York State Department of Environmental Conservation (DEC) to ensure consistency with conservation of the wetland. Sometimes, work to restore a system, even within its original configuration, requires a permit. In such cases, work is performed under permit and in cooperation with the DEC. Now that the Long Term Plan has been approved, all water management activities will be conducted with appropriate notification to and oversight by—the Wetlands Stewardship Committee and Council for Environmental Quality (CEQ), as outlined in the Findings Statement of the Suffolk County Legislature that was adopted by Suffolk County Resolution 285-2007. Because the Wetlands Stewardship Committee has not yet completed its work in establishing standards for BMP's, water management in 2011 will probably be limited to maintenance activities described in the Wetlands Best Management Practices (BMP’s). Existing pipes and culverts may be replaced in place and in kind (BMP 2). There will be cleaning of a maximum of 200,000 linear feet of upland and freshwater wetland ditches with hand labor to maintain the flow of water in mosquito habitats (BMP 3). Machine maintenance of ditches in tidal wetlands will be limited to the minimum needed to maintain those ditches or other structures that provide tidal flow or otherwise serve a critical ecological or public health need, and will total no more than 50,000 linear feet (BMP 4). If the Wetlands Stewardship approves the use of additional BMP’s they will be used, subject to appropriate approval process that they will define.

CONTROL OF MOSQUITO LARVAE: All field personnel conduct larval control during the active mosquito season. Most crews conduct ground larviciding, while a heavy equipment crew assists in helicopter larvicide applications. This component is conducted during the active mosquito season of May 1 to September 30 (approximate dates). Larval control is most often
employed when water management has not been able to completely prevent mosquito production. It also is used when water management has not been conducted or is not appropriate. Larval control is the Division's second most important control method. Ground crews visit known larval habitats, check for the presence of larvae, obtain larval specimens for identification in the laboratory and apply larvicides if necessary. Field crews also eliminate larval habitats by unclogging pipes, removing containers or otherwise eliminating standing water. While the acreage of these sites is small, their proximity to residential areas makes them important. Ground crews also respond to complaints from the public. Over 90% of the larvicides used by the Division is applied in the major salt marshes and other wetlands, by helicopter. These marshes are surveyed at least weekly, or after flood tides. If larvae are discovered, a contract helicopter applies larvicide. For salt marshes and similar habitats, either liquid Bti (Bacillus thuringiensis israelensis) or liquid Altosid (methoprene) is applied, based on larval stage, temperature, and weather conditions. Larval control is used only if inspection of a site reveals or has the potential for significant larval production.

The larval control products to be used in 2011 and the conditions under which they are used are described as follows:

Altosid Liquid Larvicide concentrate (methoprene, EPA 2724-446) – Aerial application to tidal and freshwater marshes.

Altosid Liquid Larvicide (methoprene, EPA 2724-392) – Ground application to tidal and freshwater marshes, as well as other temporarily flooded areas.

Altosid Pellets (methoprene, EPA 2724-448) – Ground application to intermittently or permanently flooded areas such as freshwater swamps, catch basins, drainage areas and recharge basins, provided that they are not fish habitats.

Altosid XR-G (methoprene, EPA 2724-451) – Ground or aerial application to tidal wetlands; ground application to intermittently flooded freshwater areas; aerial application in freshwater areas in response to Eastern Equine Encephalitis (EEE) or West Nile Virus (WNV) with case-by-case approval by DEC.

Altosid XR Briquets (methoprene, EPA 2724-421) – Catch basins and other drainage or artificial structures that are not fish habitats. XR briquets will be used in May and June, with follow up treatments using Vectoclear or Altosid pellets as necessary.

Valent BioSciences Vectobac CG (Bti, EPA 73049-19) – Ground application to intermittently flooded freshwater and tidal areas.

Valent BioSciences Vectoclear CG (B. sphaericus, EPA 73049-20) – Aerial or ground application to freshwater and tidal areas that hold water for more than 7 days, such as ditches, impounded marshes, swamps, ponds; catch basins in July and August.

Valent BioSciences Vectobac 12 AS (Bti, EPA 73049-38) – Aerial application to tidal and freshwater marshes; ground application to intermittently flooded areas such as tidal and freshwater marshes.

Summit B.t.i. Briquets (Bti, EPA 6218-47) – Catch basins, ground depressions, artificial sites.

Fourstar Briquets 90 (Bti plus B. sphaericus, EPA 83362-3) – Trial use in catch basins, artificial sites.
The equipment to be used for larval control includes various trucks for crew transportation, samplers such as dippers and mosquito traps, truck-mounted hydraulic sprayers, backpack sprayers and granular blowers, plus specially-equipped helicopters for larvicide applications on areas too large or inaccessible for ground treatment. All pesticide applications will use DEC-registered materials and be conducted under appropriate DEC permits and in accordance with label directions and other relevant State and Federal law.

The Division has developed technical guidelines for larval surveillance and control that determine where and when larvicides are used and what materials are chosen for a particular situation. These guidelines emphasize the use of bacterial products when possible and reserve methoprene for those situations where bacterial products are unlikely to be effective. As per the Findings for the Long Term Plan and Executive order 15-2007, the Pesticide Management Committee will report on the results of its review of literature on methoprene and potential impacts, as well as on research sponsored by the County. The County is committed to implementing a Pesticide Reduction Action Plan, that will seek to further accelerate pesticide reduction. As part of this Pesticide Reduction Action Plan, the County will continue to work with technical experts to further refine protocols related to larval monitoring and larvicide usage, consistent with the Long-Term Plan and GEIS. The County is not aware of any new data, studies or reports which contravene research, reports and Findings of the Long Term Plan with respect to larval treatment guidelines or thresholds. Therefore, those Findings are still valid, and control this Annual Plan.

In accordance with the Division's priorities and goals, approximately 1,500 of the 2,077 major larval habitats known to the Division will be surveyed and controlled if necessary throughout the active season. These known habitats consist primarily of freshwater wetlands and salt marshes, as well as roadside ditches, recharge areas and other non-wetland sites. The remaining major larval habitats and the 100,000+ artificial larval sites will be controlled on a complaint basis, as resources permit. Maps showing major larval habitats requiring control are on file at the Division's office in Yaphank.

**CONTROL OF ADULT MOSQUITOES:** This control method is conducted from approximately June 1 through September 15. It is done on an overtime basis; because the need for it is so highly variable it is not efficient to dedicate staff full time to it. This is a tertiary form of control, and the smallest component of the program. It is carried out only when adult infestations constitute an immediate threat of mosquito-borne disease (as determined by SCDHS) or there is a severe and widespread infestation of vector species, as determined by surveys and/or public complaints, in consultation with SCDHS. When virus has not been detected in a community, adulticiding is conducted when the Division can identify an area where there is 1) evidence of mosquitoes biting residents (such as complaints to the Division or requests by public officials); 2) the Division can confirm the existence of a problem by trap counts, landing rates or other staff observations; 3) control is technically and environmentally feasible and 4) the problem is unlikely to resolve itself (through dispersal or weather changes) or may spread without intervention. While the need for adult control can be reduced by the other program components, it is not possible to control all larval sites in Suffolk County for several reasons. Higher than normal rainfall can increase the need for adult control and some sites cannot be expeditiously treated due to independent
permitting requirements, as is the case for larval habitats in the Wilderness portions of Fire Island. In addition, new or unexpected larval habitats always seem to occur, despite the best efforts of the program. It is not appropriate to treat for adult mosquitoes in every area where residents express a concern. Adult control is conducted only when it is clear, based on complaints, Division surveillance and SCDHS consultation that a substantial portion of a community is infested with vector species or there is a threat of mosquito-borne disease. Then, the entire affected area is treated. This strategy treats relatively few areas, but those that are treated receive sufficient control to reduce the problem. The guidelines for adult control will be those described in the GEIS Findings Statement.

Adult control can be deemed to be necessary under two separate operational scenarios. One is defined as a “Vector Control” (public health nuisance) application; the other is defined a “Health Emergency” application. In either case, pesticide use decisions are only made on the basis of scientifically-determined surveillance data.

Vector Control adulticide applications are made to reduce large numbers of human biting mosquitoes. Criteria for conducting a Vector Control treatment include:

1. Evidence of mosquitoes biting residents (there is no problem unless people are affected):
   - Service requests from public - mapped to determine extent of problem.
   - Requests from community leaders, elected officials.
2. Verification of problem by SCVC (service requests must be confirmed by objective evidence):
   - New Jersey trap counts higher than generally found for area in question (at least 25 females of human-biting species per night).
   - Centers for Disease Control (CDC) portable light trap counts of 100 or more.
   - Landing rates of one per minute over a five minute period.
   - Confirmatory crew reports from problem area or adjacent larval habitats.
3. Control is technically and environmentally feasible (pesticides should only be used if there will be a benefit):
   - Weather conditions predicted to be suitable (no rain, winds to be less than 10 mph, temperature to be 65°F or above).
   - Road network adequate and appropriate for truck applications.
   - Legal restrictions on the treatment of wetlands, open water buffers, and no-spray list members in the treatment zone will not create untreated areas that would prevent adequate coverage to ensure treatment efficacy.
   - There are no issues regarding listed or special concern species in the treatment area.
   - Meeting label restrictions for selected compounds will not compromise expected treatment efficacy.
4. Likely persistence or worsening of problem without intervention (pesticides should not be used if the problem will resolve itself):
   - Considerations regarding the history of the area, such as the identification of a chronic problem area.
   - Determination if the problem will spread beyond the currently affected area absent intervention, based on the life history and habits of the species involved.
   - Absent immediate intervention, no relief from the problem can be expected.
Crew reports from adjacent larval habitats suggest adults will soon move into populated areas.

Life history factors of mosquitoes present – i.e., if a brooded species is involved, determining if the brood is young or is naturally declining.

Seasonal and weather factors, in that cool weather generally alleviates immediate problems, but warm weather and/or the onset of peak viral seasons exacerbate concerns.

Determining, if the decision is delayed, if later conditions will prevent treatment at that time or not. Conversely, adverse weather conditions might remove most people from harm’s way.

In essence, criteria 1 and 2 are necessary thresholds which must be met, prior to a treatment being considered, while criteria 3 and 4 are countervailing factors that would indicate treatment is not required despite the presence of an infestation. With enhanced surveillance, there will be rigorous, numeric validation of mosquito control infestation near a potentially affected population in all cases. Treatment will not occur unless criteria 1 and 2 are satisfied through a combination of surveillance indicators, although not all surveillance techniques may be feasible in every setting and situation. The County is not aware of any new data, studies or reports which contravene research, reports and Findings of the Long Term Plan with respect to adulticide treatment guidelines or thresholds. Therefore, those Findings are still valid, and control this Annual Plan.

Vector Control applications will normally be made by truck. Necessary public notices will be issued in a timely manner (normally, at least 24 hours pre-application), and appropriate precautions will be made to meet DEC restrictions on applications, and to avoid “No Spray” properties. If necessary to protect sensitive resources, buffer areas will be provided between the sensitive area and the application equipment. A 150-foot buffer from freshwater wetlands will be provided to avoid the need for DEC Article 24 (Freshwater Wetlands) permits unless a permit or other authorization from DEC has been received. For this and future Annual Plans of Work, the County will continue to review the issue of buffers, in cooperation with DEC and CEQ.

The need for Health Emergency treatments is determined by the New York State Department of Health West Nile Virus Response Plan for mosquito-borne disease. Because of the persistent presence of WNV in the County, the County perpetually begins each year in Risk Category 2. The New York State Department of Health has determined that there is an ongoing threat to the public health from West Nile Virus, and no longer declares health threats on a year-by-year basis for WNV. As indicators of pathogen presence accumulate (positive dead birds, positive pools of mosquitoes), the Commissioner of the SCDHS determines the need for control measures. If the risk assessments made by SCDHS indicate that risks to the residents of an area of the County are no longer tolerable, the Commissioner will, in conjunction with DEC and SCVC, determine the optimal treatment area to reduce risks of disease transmission to people. In 2009 and previous years, an Emergency Authorization were requested from DEC if freshwater wetlands were involved to eliminate the need for an Article 24 (Freshwater Wetlands) permit. In 2010, NYSDEC issued an Article 24 permit to allow adulticide applications in freshwater wetlands or adjacent areas if necessary to protect the public health and replace the use of Emergency Authorizations. This permit controls the use of adulticides in and adjacent to freshwater.
wetlands in 2011. The permit covers Health Emergency applications throughout the County and will also allow Vector Control applications in and adjacent to some freshwater wetlands in heavily developed areas of southern Brookhaven. Appropriate required public notices will be issued. Pre-application mosquito sampling will be conducted (for efficacy determinations). If, as is almost always the case for Health Emergency applications, an aerial application is proposed, a helicopter using the Adapco Wingman guidance system will be used to optimize the delivery of the pesticide.

Efficacy measurements will be made following as many adulticide applications as weather conditions and resources allow. The Long-Term Plan also calls for the establishment of resistance testing for the more commonly used compounds.

The Long-Term Plan proposed a general reliance on resmethrin, a synthetic pyrethroid, as the adulticide pesticide. Resmethrin has been found to be an effective pesticide for mosquito control, can be used for ultra-low volume applications for truck and aerial delivery, undergoes rapid decay in the environment, and, as discussed below, has few identified non-target effects when applied as proposed under the Long-Term Plan. Sumithrin, a similar pyrethroid, is proposed to be the primary back-up to resmethrin, and the primary pesticide for any hand-held applications. The Long-Term Plan also identifies two other pyrethroids, permethrin and natural pyrethrins, as potential adulticide compounds. Neither is preferred; however, permethrin is a more widely available product that is manufactured by more than one company, and so may continue to be available under conditions when the patented, less-widely used pyrethroids may not be. Natural pyrethrins are identified as a potentially useful compound because its label allows for use over agricultural areas. In addition to the pyrethroids, malathion, an organophosphate pesticide, was identified as a potential adulticide. Malathion would be used under very specialized conditions, such if thermal fogging were needed, daylight applications were called for, or if resistance testing indicated pyrethroid applications would be ineffective in meeting the goals of the application. All of these pesticides would be applied at the maximum label rate, as that is the best way of achieving effective mosquito control and is helpful in avoiding the development of pesticide resistance. The adulticides included in this Annual Plan have been fully evaluated in the GEIS for the Long-Term Plan, and this Annual Plan is fully consistent with the attached Findings. For future Annual Plans of Work, the County will continue to review available pesticides and alternatives.

PUBLIC EDUCATION: Mosquito problems resulting from larval habitats around homes and yards, containers, drains and the like, is generally brought to the Division's attention through residents' requests for service. Control of these "domestic" mosquitoes is promoted through education and appeal to individual property owners. Given the WNV threat posed by these mosquitoes, especially *Culex pipiens*, SCDHS has taken on a leading role in public education. SCDHS has an Educator to assist in this effort, and Sanitarians are utilized to require property owners to clean up potential mosquito larval sites. Public education includes the distribution of pamphlets, telephone contact, site visits, media exposure and presentations to various citizens' groups and associations. In addition, the Division offers assistance to residents in eliminating sources of mosquitoes on their property, and leaves "door hangers" with educational information.
at properties they visit. Upgrades to the Division computer systems and cooperation with Health Services and MIS have allowed the establishment of a Web page on the Internet. The appearance of the exotic, container-breeding species *Aedes japonicus* and *Aedes albopictus* means this component will take on increasing importance, since the public’s cooperation will be needed to control these larval habitats.

PUBLIC NOTIFICATION AND THE “NO-SPRAY” REGISTRY: In 2000, the County passed new laws to improve required public notification for adult mosquito control. As a result, there is now an increased use of the media and extensive outreach to local officials. The Health Services Web site is used to post spray maps. For each adulticide application, over 150 faxes are sent to various officials and other interested parties. Newsday and News12 post spray schedules and maps. It is important to recognize that adulticide applications are very sensitive to the weather, especially aerial pyrethroid applications. The need to inform the public will need to be balanced with the need to conduct operations promptly, within weather windows and before the problem spreads and more acreage needs treatment. It is usually not appropriate to provide more than 24 hours notice in most cases, because beyond that time, weather forecasts are not very reliable. Attempts to provide more than 24-hour notice often result in many spray operations being announced and then cancelled. These cancellations are very confusing to the public. Despite these difficulties, the County provides 48-hour notice for aerial adulticide applications whenever possible.

In addition to the standard public notification procedures, the County is exploring the use of its “Code-Red” automated calling and messaging system as a means of providing more thorough public notice for adulticiding. This system allows automated phone calls to be placed to all telephones in an area designated for treatment. The system would ensure that nearly everyone in the area knows about the operation. Technical and operational details of exactly how the system would work have not yet been determined.

The Division maintains a “no-spray” registry of residences where adult mosquito control is not desired. During ground applications the application unit is shut off 150 feet prior to passing such a residence and not turned on until 150 feet after. For aerial control, a system has been devised for identifying and avoiding areas with a minimum radius of \( \frac{1}{4} \) mile, more than 65% of the area is residential and where more than 35% of the residences are on the registry. This registry represents an effort to balance the desires of those residents who want control of adult mosquitoes with those who oppose the use of pesticides. At this writing, the “no-spray” registry lists several hundred properties, most of which are in areas where serious infestations are rare. When control is required to deal with a public health emergency, the Commissioner of SCDHS can override the list. Even then list members are telephoned prior to applications in their area. In addition to this legally required registry, the Division maintains listings of beekeepers and organic farms. Beekeepers’ properties are generally avoided or beekeepers are notified before treatments so that they can protect their hives.

SURVEILLANCE AND RESEARCH: All control operations are based on information obtained from surveillance and research. This operation will be performed by one Health Services Laboratory Chief, one DPW Entomologist, one DPW Biologist, two Health Services
Entomologists, one Programmer/Analyst, one Vector Control Supervisor, two DPW Laboratory Technicians, two auto equipment operators and eight vehicles. The two Automotive Equipment Operators become part of this activity from May through September. Two student interns will also provide valuable assistance during the summer. Knowledge of mosquito populations, species composition and arbovirus activity is used to guide and evaluate control measures. Arbovirus surveillance allows the Division, in cooperation with the County and State Health Departments, to gauge the potential for disease transmission and take appropriate action.

A) Mosquito population surveillance: Approximately 12,000 larval and adult mosquito surveys are analyzed each year. These surveys are necessary for locating infestations, directing control efforts and evaluating the effectiveness of those efforts. The mosquito species that breed in various locations are determined from larval samples. Numbers of adult mosquitoes in residential areas are estimated from a network of approximately 29 New Jersey light traps in fixed locations throughout the County. New Jersey traps provide a dead sample three to five times per week. Some 50,000 mosquitoes per year from these traps are identified and counted. In addition, virus surveillance is based on live mosquitoes captured in portable CDC traps (see below).

B) Arbovirus surveillance in mosquitoes: Viral surveillance will be directed primarily at two pathogens, EEE and WNV. Surveillance will be conducted according to the latest CDC and State DOH guidelines, modified for Suffolk County’s unique environment. To monitor virus activity, CDC light traps and gravid traps are placed on a weekly or rotating basis at various locations throughout the County. These sites are chosen based on their history of viral activity or the presence of viral indicators such as the finding of birds with WNV in the area. The Division collects and processes approximately 50,000 live, adult mosquitoes annually for viral analysis. In 2010, the samples will be sorted by species, frozen, and sent to Albany for arbovirus analysis in the State DOH laboratory.

C) Bird and other surveillance: SCDHS, State DOH, DEC and CDC monitor other WNV indicators such as unusual bird deaths or the number of dead birds sighted in an area. The presence of WNV-positive birds is a strong indicator of virus activity in an area. The County picks up selected dead birds for WNV testing. The County conducts a rapid, field test (the RAMP test) and sends the birds to a NY State DEC lab for necropsy and more sophisticated virus testing. There are also indications that the number of dead bird sightings in an area is a surrogate indicator of risk. There will also be SCDHS monitoring of hospitals and outreach to physicians to quickly detect any human cases.

D) Efficacy monitoring: While the Division has always monitored the effectiveness of the control program in a variety of ways, there will be an increased effort in this area, based on trial work to develop methods conducted in 2007. In particular, trapping of adult mosquitoes before and after adulticide events will be conducted using carbon dioxide baited CDC light traps. While the number of adult mosquitoes in New Jersey traps and other traps is a key indicator of the overall success of the larval control program, additional effort will be directed toward before and after sampling of treated areas to confirm the efficacy of the treatment methods used. For methoprene applications, this requires bringing pupae from the
treated areas back to the laboratory to determine if they emerge, something that is very labor intensive.

E) Special surveys and field investigations: The Entomologist and other staff also conduct special surveys to determine the source of mosquito problems when these turn up in places where they are not expected. For instance, a survey was conducted that found the larval habitats causing an early season infestation in Belle Terre, allowing larval crews to prevent further trouble through the summer. Likely upcoming work includes determining the causes of late-season increases in salt marsh mosquitoes in certain parts of the County such as Heckscher State Park and factors leading to the increase in the southern salt marsh mosquito, *Aedes taeniorhynchus* in recent years. Given the somewhat unpredictable ways mosquitoes seem to find to cause problems for Suffolk residents, it is important that the Division retain a flexible ability to investigate issues as they come up.

F) Support for Wetlands Stewardship activities: Vector Control continues to provide support for monitoring and other investigations related to Wetlands Stewardship activities. In particular, Division staff assists in the monitoring of the Integrated Marsh Management (IMM) project at Wertheim National Wildlife Refuge. In addition, the Division will assist the Wetlands Stewardship Program in identifying and evaluating prospective sites for future IMM projects, particularly those that will help meet Long Term Plan goals for pesticide use reduction.

G) Other provisions of the Work Plan notwithstanding, Vector Control may participate in limited research, monitoring, and demonstration projects in cooperation with other levels of government such as the State, Towns or federal agencies such as the US Fish and Wildlife Service or Army Corps of Engineers. These activities, which are not part of this Plan, will be subject to separate permitting and SEQRA compliance, and would be subject to CEQ and Wetlands Stewardship Committee review as well.
Pesticide Use in 2010

The Findings Statement for the Long Term Plan requires Vector Control to provide an annual report of pesticide use to the Legislature. In compliance with this requirement, the table below summarizes the use of pesticides by the Division in 2010. The acres treated are compiled by multiplying the total used by the standard dose. In a Duplex treatment, the same acres are treated with both products. The corrected acres represent the total actually treated by subtracting acres of Duplex mix from the total larvicide use to avoid counting the same treatment twice.

### Suffolk County Pesticide Acreage Estimates for 2010

<table>
<thead>
<tr>
<th>Product</th>
<th>Active ingredient</th>
<th>Amount used</th>
<th>Units</th>
<th>Air/Ground Application</th>
<th>2010 Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Larvicides</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Altosid Liquid Larvicide (5% methoprene)</td>
<td>Methoprene</td>
<td>11.63</td>
<td>gal</td>
<td>Ground</td>
<td>180</td>
</tr>
<tr>
<td>Altosid Liquid Larvicide concentrate (20%methoprene)</td>
<td>Methoprene</td>
<td>146.5</td>
<td>gal</td>
<td>Aerial</td>
<td>11008</td>
</tr>
<tr>
<td>Altosid pellets</td>
<td>Methoprene</td>
<td>313</td>
<td>lbs</td>
<td>Ground</td>
<td>43</td>
</tr>
<tr>
<td>Altosid XR-G</td>
<td>Methoprene</td>
<td>320</td>
<td>lbs</td>
<td>Ground</td>
<td>34</td>
</tr>
<tr>
<td>Valent BioSciences Vectobac 12 AS</td>
<td>Bti</td>
<td>3191</td>
<td>gal</td>
<td>Air/Ground</td>
<td>15752</td>
</tr>
<tr>
<td>Summit Bti briquets</td>
<td>Bti</td>
<td>660</td>
<td>ea</td>
<td>Ground</td>
<td>1</td>
</tr>
<tr>
<td>Valent BioSciences Vectobac CG</td>
<td>Bti</td>
<td>3105</td>
<td>lbs</td>
<td>Ground</td>
<td>362</td>
</tr>
<tr>
<td>Valent BioSciences Vectolex CG</td>
<td><em>B. sphaericus</em></td>
<td>15146</td>
<td>lbs</td>
<td>Ground</td>
<td>768</td>
</tr>
<tr>
<td>Altosid XR briquets</td>
<td>Methoprene</td>
<td>34887</td>
<td>ea</td>
<td>Ground</td>
<td>84</td>
</tr>
<tr>
<td>Larvicide total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>28232</td>
</tr>
<tr>
<td>Duplex Vectobac 12AS + Altosid 20%</td>
<td>methoprene+Bti tank mix (included above)</td>
<td></td>
<td>Aerial</td>
<td></td>
<td>5500</td>
</tr>
<tr>
<td>Corrected acreage</td>
<td>Total - Duplex</td>
<td></td>
<td></td>
<td></td>
<td>22732</td>
</tr>
<tr>
<td>Adulticides</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scourge 18/54</td>
<td>resmethrin</td>
<td>117</td>
<td>gal</td>
<td>Ground/Air</td>
<td>51840</td>
</tr>
<tr>
<td>Anvil 10+10 ULV</td>
<td>sumithrin</td>
<td>16.5</td>
<td>gal</td>
<td>Ground</td>
<td>2667</td>
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<tr>
<td>Adulticide acreage</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>54507</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Ken Crannel, Deputy County Executive
FROM: James Peterman, P.E.
Chief Deputy Commissioner
DATE: October 28, 2010
RE: Resolution to Adopt the Vector Control Annual Plan of Work – Year 2011

By memorandum dated September 28, 2010 our Year 2011 Vector Control Annual Plan of Work was filed with the Clerk of the Suffolk County Legislature pursuant to Article VIII, Section C8-4,B (2) of the Suffolk County Administrative Code and distributed to the members of the Suffolk County Legislature for appropriate review.

I have attached a draft resolution and hereby request that you initiate the process to have a resolution introduced to the Legislature to adopt the 2011 Work Plan. The Council on Environmental Quality (CEQ) met on October 20, 2010 and approved a resolution determining that the proposed 2011 Vector Control Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions as set forth in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement as approved by Suffolk County in 2007. Therefore, no further SEQR compliance is required pursuant to 6 NYCRR, Part 617.10(d)(1).

If you have any questions, please do not hesitate to contact me.

Enclosures
cc: Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations (2 hard copies)
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Carrie Meek Gallagher, Commissioner, Department of Environment and Energy
Dominick Ninivaggi, Vector Control Superintendent
CE Reso Review (e-mail)
RESOLUTION NO. 2010, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD (CP 8150)

WHEREAS, the sewage conveyance system of Sewer District No. 7 – Medford requires improvement; and

WHEREAS, the Administrative Head of Sewer District No. 7 - Medford has requested that previously received connection fees, which are deposited in escrow accounts, be appropriated to cover costs associated with the improvements to the sewer system; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, sufficient funds are available in the escrow accounts established and containing connection fees to cover the costs of the construction; and

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-seven (67) is eligible for approval in accordance with the provisions of Resolution 471-1994 as revised by Resolution 461-2006; and be it further

2nd RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

<table>
<thead>
<tr>
<th>From Escrow Account</th>
<th>To Capital Fund Sewer Revenues</th>
<th>Amount</th>
<th>Accrued Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Springhill Suites</td>
<td>527-8122</td>
<td>$320,970</td>
<td>Yes</td>
</tr>
<tr>
<td>BR 1608</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total SCSD #7</td>
<td></td>
<td>$320,970</td>
<td>Yes</td>
</tr>
</tbody>
</table>

and be it further

3rd RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed $320,970 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

4th RESOLVED, that the 2010 Capital Budget be and it hereby is amended as follows:
Program No.: 8150
Project Name: IMPROVEMENTS TO COUNTY SEWER DISTRICT NO. 7 - MEDFORD

<table>
<thead>
<tr>
<th>TOTAL EST'D COST</th>
<th>CURRENT 2010 CAPITAL BUDGET &amp; PROGRAM</th>
<th>REVISED 2010 CAPITAL BUDGET &amp; PROGRAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Construction</td>
<td>$845,990</td>
<td>$225,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$845,990</td>
<td>$225,000</td>
</tr>
</tbody>
</table>

E = Escrow Funds
X = Serial Bonds

and be it further

5th RESOLVED, that the proceeds of $320,970 in revenues transferred to the Capital Fund, plus accrued interest to date, be and 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-8150.315</td>
<td>Improvements to County Sewer District No. 7</td>
<td>$320,970+</td>
</tr>
<tr>
<td></td>
<td>- Medford</td>
<td>Accrued Interest</td>
</tr>
</tbody>
</table>

and be it further

6th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (2) in that the resolution concerns the replacement, rehabilitation and or reconstruction of a facility in kind on the same site, and do not commit the agency to commence, engage in or approve such actions, as 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. 2010-7, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7-MEDFORD (CP8150)

3. Purpose of Proposed Legislation
To request appropriation of escrow account revenues for the project.

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

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

6. If the answer to item 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.
$320,970 plus accrued interest.

8. Proposed Source of Funding
Escrow Account Revenues

9. Timing of Impact
2010

10. Typed Name & Title of Preparer
Debra Kolyer
Principal Financial Analyst

11. Signature of Preparer

12. Date
November 15, 2010

SCIN FORM 175b (10/95)
### 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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

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

### COMBINED

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

**NOTES:**
1) Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property Tax Service, September 2009.
3) Source for equalization rates: Tentative 2009 County Equalization rates established by the New York State Board of Equalization and Assessments.

To be completed by the Executive Budget Office
TO: Ken Crannell, Deputy County Executive

FROM: James Peterman, P.E., Chief Deputy Commissioner

DATE: October 19, 2010

SUBJECT: DRAFT RESOLUTION TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD (CP 8150)

Attached is a draft resolution and appropriate forms with backup for Sewer District No. 7 – Medford improvement funds which is filed as Reso-DPW sd7-Medford Improvements (CP 8150) with backup filed as Backup DPW sd7-Medford Improvements SCIN Form 175a and 175b – (CP 8150). The project is to provide infrastructure improvements to the sewer system. The total requested amount to be transferred is approximately $320,970 plus accrued interest. The requested funds are to be placed in the referenced capital project.

We would appreciate the resolution being laid on the table as soon as possible.

JP:BW:ni
Attachment
cc: Ed Dumas, Chief Deputy County Executive
    Gil Anderson, P.E., Commissioner
    Brendan Chamberlain, Director of Intergovernmental Relations
    Lynne Bizzarro, Esq., Deputy County Attorney
    Laura Conway, CPA, Chief Accountant
    Carmine Chiusano, Budget Office
    Ben Wright, P.E., Principal Civil Engineer
    John Donovan, P.E., Principal Civil Engineer
    CE Reso Review
    jp-bw10-19-10Reso-DPW sd7-Medford escrow CP 8150 memo to KCranell
RESOLUTION NO. 2010, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD (CP 8119)

WHEREAS, the wastewater treatment plant of Sewer District No. 7 – Medford requires improvement; and

WHEREAS, the Administrative Head of Sewer District No. 7 - Medford has requested that previously received connection fees, which are deposited in escrow accounts, be appropriated to cover costs associated with the improvements to the wastewater treatment plant; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, sufficient funds are available in the escrow accounts established and containing connection fees to cover the costs of the construction; and

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-two (72) is eligible for approval in accordance with the provisions of Resolution 471-1994 as revised by Resolution 461-2006; and be it further

2nd RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

<table>
<thead>
<tr>
<th>From Escrow Account</th>
<th>To Capital Fund Sewer Revenues</th>
<th>Amount</th>
<th>Accrued Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Island Builders</td>
<td>527-8122</td>
<td>$36,570.00</td>
<td>Yes</td>
</tr>
<tr>
<td>BR 1446</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enecon/Silveri</td>
<td>527-8122</td>
<td>$4,500.00</td>
<td>Yes</td>
</tr>
<tr>
<td>BR 880.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Springhill Suites</td>
<td>527-8122</td>
<td>$258,930.00</td>
<td>Yes</td>
</tr>
<tr>
<td>BR 1608</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total SCSD #7</td>
<td></td>
<td>$300,000.00</td>
<td>Yes</td>
</tr>
</tbody>
</table>

and be it further

3rd RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed $300,000 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further
4th RESOLVED, that the 2010 Capital Budget be and it hereby is amended as follows:

Program No.: 8119
Project Name: IMPROVEMENTS TO COUNTY SEWER DISTRICT NO. 7 - MEDFORD

<table>
<thead>
<tr>
<th>TOTAL EST'D COST</th>
<th>CURRENT 2010 CAPITAL BUDGET &amp; PROGRAM</th>
<th>REVISED 2010 CAPITAL BUDGET &amp; PROGRAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Construction</td>
<td>$2,520,380</td>
<td>$0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$2,520,380</td>
<td>$300,000-E</td>
</tr>
<tr>
<td>E - Escrow Funds</td>
<td>$0</td>
<td>$300,000</td>
</tr>
</tbody>
</table>

and be it further

5th RESOLVED, that the proceeds of $300,000 in revenues transferred to the Capital Fund, plus accrued interest to date, be and 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-8119.315</td>
<td>Improvements to County Sewer District No. 7 - Medford</td>
<td>$300,000+ Accrued Interest</td>
</tr>
</tbody>
</table>

and be it further

6th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (2) in that the resolution concerns the replacement, rehabilitation and or reconstruction of a facility in kind on the same site, and do not commit the agency to commence, engage in or approve such actions, as 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. - 2010, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7-MEDFORD (CP8119)

3. Purpose of Proposed Legislation
To request appropriation of escrow account revenues for the project.

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 Economic Impact
   Village 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.
$300,000 plus accrued interest.

8. Proposed Source of Funding
Escrow Account Revenues

9. Timing of Impact
2010

10. Typed Name & Title of Preparer
Debra Kolyer
Principal Financial Analyst

11. Signature of Preparer

12. Date
November 15, 2010

SCIN FORM 175b (10/95)
<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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL FUND</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>POLICE DISTRICT AND DISTRICT COURT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>COMBINED</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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 Peterman, P.E., Chief Deputy Commissioner

DATE: October 19, 2010

SUBJECT: DRAFT RESOLUTION TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD (CP 8119)

Attached is a draft resolution and appropriate forms with backup for Sewer District No. 7 – Medford improvement funds which is filed as Reso-DPW sd7-Medford Improvements (CP 8119) with backup filed as Backup DPW sd7-Medford Improvements SCIN Form 175a and 175b – (CP 8119). The project is to provide infrastructure improvements to the wastewater treatment plant. The total requested amount to be transferred is approximately $300,000 plus accrued interest. The requested funds are to be placed in the referenced capital project.

We would appreciate the resolution being laid on the table as soon as possible.

JP:BW:ni
Attachment
cc: Ed Dumas, Chief Deputy County Executive
    Gil Anderson, P.E., Commissioner
    Brendan Chamberlain, Director of Intergovernmental Relations
    Lynne Bizzarro, Esq., Deputy County Attorney
    Laura Conway, CPA, Chief Accountant
    Carmine Chiusano, Budget Office
    Ben Wright, P.E., Principal Civil Engineer
    John Donovan, P.E., Principal Civil Engineer
    CE Reso Review
    jp-bw10-19-10Reso-DPW sd7-Medford escrow CP 8119 memo to KCrannell
RESOLUTION NO. 2010, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 – SELDEN (CP 8117)

WHEREAS, the sewage conveyance and wastewater treatment plant of Sewer District No. 11 – Selden requires improvements; and

WHEREAS, the Administrative Head of Sewer District No. 11 - Selden has requested that previously received connection fees, which are deposited in escrow accounts, be appropriated to cover costs associated with improvements to the wastewater treatment plant and sewer system; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, sufficient funds are available in the escrow accounts established and containing connection fees to cover the costs of construction; and

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy (70) is eligible for approval in accordance with the provisions of Resolution 471-1994 as revised by Resolution 461-2006; and be it further

2nd RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

<table>
<thead>
<tr>
<th>From Escrow Account</th>
<th>To Capital Fund Sewer Revenues</th>
<th>Amount</th>
<th>Accrued Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nelin Property</td>
<td>527-8122</td>
<td>$176,744.40</td>
<td>Yes</td>
</tr>
<tr>
<td>BR 1552</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seeley Subdivision</td>
<td>527-8122</td>
<td>$11,910.00</td>
<td>Yes</td>
</tr>
<tr>
<td>BR 1567</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Royal Health &amp; Racquet</td>
<td>527-8122</td>
<td>$63,591.46</td>
<td>Yes</td>
</tr>
<tr>
<td>BR 1565</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Samantha Drive</td>
<td>527-822</td>
<td>$4,764.00</td>
<td>Yes</td>
</tr>
<tr>
<td>BR 1568</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seeley Subdivision</td>
<td>527-822</td>
<td>$11,910.00</td>
<td>Yes</td>
</tr>
<tr>
<td>BR 1567</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total SCSD #7</td>
<td></td>
<td>$268,919.86</td>
<td>Yes</td>
</tr>
</tbody>
</table>

and be it further
3rd RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed $268,919.86 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

4th RESOLVED, that the 2010 Capital Budget be and it hereby is amended as follows:

Program No.: 8117
Project Name: IMPROVEMENTS TO COUNTY SEWER DISTRICT NO. 11 - SELDEN

<table>
<thead>
<tr>
<th>Total Est'd Cost</th>
<th>Current 2010 Capital Budget &amp; Program</th>
<th>Revised 2010 Capital Budget &amp; Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>$6,522,245</td>
<td>$0</td>
<td>$268,919.86 - E</td>
</tr>
<tr>
<td>$6,522,245</td>
<td>$0</td>
<td>$268,919.86</td>
</tr>
</tbody>
</table>

E – Escrow Funds

and be it further

5th RESOLVED, that the proceeds of $268,919.86 in revenues transferred to the Capital Fund, plus accrued interest to date, be and 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-8117.312</td>
<td>Construction Improvements to County Sewer District No. 11 - Selden</td>
<td>$268,919.86+ Accrued Interest</td>
</tr>
</tbody>
</table>

and be it further

6th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations (“NYCRR”) Section 617.5 (2), in that the resolution concerns the replacement, rehabilitation and or reconstruction of a facility in kind on the same site, and do not commit the agency to commence, engage in or approve such actions, as 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

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

2. Title of Proposed Legislation

RESOLUTION NO. 2010-2010, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 11-SELDEN (CP8117)

3. Purpose of Proposed Legislation

To request appropriation of escrow account revenues for the project.

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

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

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

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

N/A

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

$268,919.86 plus accrued interest.

8. Proposed Source of Funding

Escrow Account Revenues

9. Timing of Impact

2010

10. Typed Name & Title of Preparer
    Debra Kolyer
    Principal Financial Analyst

11. Signature of Preparer

12. Date
    November 15, 2010

SCIN FORM 175b (10/95)
# FINANCIAL IMPACT
## 2010 PROPERTY TAX LEVY
### COST TO THE AVERAGE TAXPAYER

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

## POLICE DISTRICT AND DISTRICT COURT

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

## COMBINED

<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>
</tr>
</thead>
<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 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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 Peterman, P.E., Chief Deputy Commissioner

DATE: October 19, 2010

SUBJECT: DRAFT RESOLUTION TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 – SELDEN (CP 8117)

Attached is a draft resolution and appropriate forms with back up for Sewer District No. 11 – Selden improvement funds which is filed as Reso-DPW sd 11-Selden Improvements CP 8117 with backup filed as Backup DPW sd 11-Selden Improvements SCIN Form 175a and 175b - CP 8117. The project is to provide infrastructure improvements to the wastewater treatment plant and sewer system. The total requested amount to be transferred is approximately $270,000 plus accrued interest. The requested funds are to be placed in the referenced capital project.

We would appreciate the resolution being laid on the table as soon as possible.

JP:BW:ni
Attachment

cc: Ed Dumas, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, Director of Intergovernmental Relations
Lynne Bizarro, Esq., Deputy County Attorney
Laura Conway, CPA, Chief Accountant
Carmine Chiusano, Budget Office
Ben Wright, P.E., Principal Civil Engineer
John Donovan, P.E., Principal Civil Engineer
CE Reso Review
jp-bw10-19-10 Reso-DPW sd11-Selden escrow CP 8117 memo to KCrannell
RESOLUTION NO. -2010, APPROPRIATING FUNDS IN CONNECTION WITH THE SAFETY IMPROVEMENTS AT THE POLICE FIREARMS SHOOTING RANGE IN WESTHAMPTON (CP 3111)

WHEREAS, the Police Commissioner has requested funds to plan the replacement of the existing roof and sound buffers at the firearms shooting range in Westhampton; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said planning under Capital Project No. 3111; and

WHEREAS, Resolution No. 471-1994, as amended by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2010 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $30,000 in Suffolk County Serial Bonds; now therefore be it

1st RESOLVED, that it is determined that this program with a priority ranking of fifty-four (54) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Env. Con. Law Art. 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations (“NYCRR”) Section 617.5(c)(20),(21) and (27), in that the resolution concerns conducting concurrent environmental, engineering, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, and adoption of a local legislative decision in connection with same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of $30,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Proj. No.</th>
<th>JC</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-3111.110</td>
<td>21</td>
<td>Firearms Shooting Range, Safety Improvements</td>
<td>$30,000</td>
</tr>
</tbody>
</table>
DATED:  

APPROVED BY:

County Executive of Suffolk County

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

1. Type of Legislation
   Resolution ___ X ___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation
   RESOLUTION NO. -2010, APPROPRIATING FUNDS IN CONNECTION WITH THE SAFETY IMPROVEMENTS AT THE POLICE FIREARMS SHOOTING RANGE IN WESTHAMPTON (CP 3111)

3. Purpose of Proposed Legislation
   SEE NO. 2 ABOVE

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

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

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact
   SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
   SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding
   SERIAL BONDS

9. Timing of Impact
   2011

10. Typed Name & Title of Preparer
    Tricia Saunders, Senior Research Analyst

11. Signature of Preparer
    [Signature]

12. Date
    November 11, 2010

SCIN FORM 175b (10/95)
### 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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$6,365</td>
<td>$0.01</td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

<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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

### COMBINED

<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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$6,365</td>
<td>$0.01</td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

### NOTES:

2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/1/2010</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5/1/2011</td>
<td>1.500%</td>
<td>$5,764.75</td>
<td>$600.00</td>
<td>$6,364.75</td>
<td>$6,364.75</td>
</tr>
<tr>
<td>5/1/2012</td>
<td>2.000%</td>
<td>$5,880.05</td>
<td>$242.35</td>
<td>$6,122.40</td>
<td>$6,364.75</td>
</tr>
<tr>
<td>5/1/2013</td>
<td>2.000%</td>
<td>$5,997.65</td>
<td>$183.55</td>
<td>$6,181.20</td>
<td>$6,364.75</td>
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<tr>
<td>5/1/2014</td>
<td>2.000%</td>
<td>$6,117.60</td>
<td>$123.58</td>
<td>$6,241.18</td>
<td>$6,364.75</td>
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<tr>
<td>5/1/2015</td>
<td>2.500%</td>
<td>$6,239.95</td>
<td>$62.40</td>
<td>$6,302.35</td>
<td>$6,364.75</td>
</tr>
</tbody>
</table>

| Totals     |        | $30,000.00 | $1,823.76 | $31,823.76         | $31,823.76          |
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
   Suffolk County Executive’s Office

FROM: Richard Dormer, Police Commissioner

DATE: October 27, 2010

SUBJECT: INTRODUCTORY RESOLUTION REQUEST

Per the 2010 Adopted Capital Budget, the Police Department requests the introduction of a revised resolution to appropriate funds in connection with safety improvements at the firearms shooting range in Westhampton for 2010 under Capital Project No. 3111. The $300,000 in construction was deleted for 2010.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles “Reso-POL-C.P. 3111R-2010”; “Backup-POL-C.P. 3111-SCIN 175A.2”; “Backup-POL-C.P. 3111-SCIN 175B.2”; and “Back-up POL-C.P. 3111-cover letter2-2010.

If you have any questions, please contact Edward Webber, Chief of Support Services Division, at 852-6230.

/ms
Att.

cc: Christopher Kent, Chief Deputy County Executive
    Brendan Chamberlain, Director of Intergovernmental Relations
    Roger K. Shannon, Deputy Police Commissioner
    Robert Anthony Moore, Chief of Department
    Edward Webber, Chief, Support Services Division
    Robert Scharf, Lieutenant, C.O., Staff Services Bureau
    Jack Ozer, Sergeant, C.O., Firearms Training Section
    Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau
RESOLUTION NO. 2010, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF EXISTING FIREWORKS BURN PITS (C. P. 3016)

WHEREAS, the Police Commissioner has requested funds for a study to determine the best alternatives for the disposal of fireworks seized by the Suffolk County Police Department; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said study under Capital Project No. 3016; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2010 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $60,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that it is determined that this program with a priority ranking of forty-six (46) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Env. Con. Law Art. 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5(c)(20),(21) and (27), in that the resolution concerns conducting concurrent environmental, engineering, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, and adoption of a local legislative decision in connection with same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of $60,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Proj. No.</th>
<th>JC</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-3016.110</td>
<td>21</td>
<td>Replacement Existing Fireworks Burn Pits</td>
<td>$60,000</td>
</tr>
</tbody>
</table>

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
1. Type of Legislation

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

2. Title of Proposed Legislation

RESOLUTION NO. -2010, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF EXISTING FIREWORKS BURN PITS (CP 3016)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer  11. Signature of Preparer  12. Date

Tricia Saunders, Senior Research Analyst  

November 11, 2010

SCIN FORM 175b (10/95)
# FINANCIAL IMPACT
## 2011 PROPERTY TAX LEVY
### COST TO THE AVERAGE TAXPAYER

<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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL FUND</strong></td>
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<tr>
<td>TOTAL</td>
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<td>$0.00</td>
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<td><strong>POLICE DISTRICT AND DISTRICT COURT</strong></td>
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<td>TOTAL</td>
<td>$12,730</td>
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<td><strong>COMBINED</strong></td>
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<td>TOTAL</td>
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**NOTES:**
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
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<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
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<tr>
<td>11/1/2010</td>
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<td>5/1/2011</td>
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<td>$60,000.00</td>
<td>$3,647.52</td>
<td>$63,647.52</td>
<td>$63,647.52</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
Suffolk County Executive’s Office

FROM: Richard Dormer, Police Commissioner

DATE: October 27, 2010

SUBJECT: INTRODUCTORY RESOLUTION REQUEST

Per the 2010 Adopted Capital Budget, the Police Department is requesting again (the original was submitted in February 2010) the introduction of a resolution to appropriate funds in connection with the replacement of existing fireworks burn pits under Capital Project No. 3016.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles “Reso-POL-C.P. 3016-2010”; “Backup-POL-C.P. 3016-SCIN 175A”; “Backup-POL-C.P. 3016-SCIN 175B.2”; and “Back-up POL-C.P. 3016-cover letter2-2010.

If you have any questions, please contact Edward Webber, Chief of Support Services Division, at 852-6230.

/ms
Att.

cc: Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations
Roger K. Shannon, Deputy Police Commissioner
Robert Anthony Moore, Chief of Department
Edward Webber, Chief, Support Services Division
Stuart Cameron, Deputy Inspector, C.O., Special Patrol Bureau
Robert Scharf, Lieutenant, C.O., Staff Services Bureau
Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau

ACCREDITED LAW ENFORCEMENT AGENCY
30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000
RESOLUTION NO. - 2010, AMENDING THE ADOPTED 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE WATER QUALITY MODEL – PHASE V (CP 8237)

WHEREAS, Resolution 983-2009 authorized the payment of $200,000 to Suffolk County by the Suffolk County Water Authority (SWCA) for continued studies and implementation of the comprehensive Water Resources Management Plan for Suffolk County (Plan); and

WHEREAS, Resolution No. 983-2009 further authorized any actions or authorization as may have been necessary to effectuate the intent and requirement of said Resolution; and

WHEREAS, the funds authorized for acceptance by resolution 983-2009 have been received by Suffolk County from the SCWA, and two hundred thousand dollars ($200,000) as authorized by Resolution 983-2009 needs to be appropriated to the Water Quality Model – Phase V (Capital Project 8237); and

WHEREAS, the 2010 Adopted Capital Budget and Program does not include funds to cover the full cost of said request under Capital Project 8273 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

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

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further

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, 21, and 27 of Title 6 of New York Code of Rules and Regulations (“NYCRR”), and the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the 2010 Capital Budget and Program be and is hereby amended as follows:

Project Number: 8237
Project Title: Water Resource Management

<table>
<thead>
<tr>
<th>Total</th>
<th>Current</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Est'd</td>
<td>Capital Budget</td>
<td>Capital Budget</td>
</tr>
<tr>
<td>Cost &amp; Program</td>
<td>&amp; Program</td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>Planning</td>
<td>$1,675,000</td>
<td>$100,000B</td>
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<tr>
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<td>$100,000B</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$200,000S</td>
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<tr>
<td>TOTAL</td>
<td>$1,675,000</td>
<td>$100,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$300,000</td>
</tr>
</tbody>
</table>

And be it further

4th RESOLVED, that the Suffolk County Water Authority funds are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-8237.114</td>
<td>40</td>
<td>Water Quality Model Phase - V</td>
<td>$200,000</td>
</tr>
</tbody>
</table>

5th RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and transfer the Suffolk County Water Authority funds to Capital project 8237

DATED:

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

### Title of Proposed Legislation

Amending the Adopted 2010 Capital Budget and Program and appropriating funds in connection with the Water Quality Model – Phase V (CP 8237).

### Purpose of Proposed Legislation

This legislation is needed to transfer and appropriate funds to Capital Project 8237 for continued studies and implementation of the Comprehensive Resources Management Plan for Suffolk County.

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

- **YES**
- **NO**

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

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

### If the answer to item 4 is “yes”, Provide Detailed Explanation of Impact:

Not applicable

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

None

### Proposed Source of Funding

Suffolk County Water Authority

### Timing of Impact

2010-2011

### Typed Name & Title of Preparer

Beth A. Reynolds  
Principal Executive Analyst

### Signature of Preparer

Beth A. Reynolds

### Date

11/10/10
### GENERAL FUND

<table>
<thead>
<tr>
<th></th>
<th>2010 PROPERTY TAX LEVY</th>
<th>2010 COST TO AVG TAXPAYER</th>
<th>2010 AV TAX RATE PER $100</th>
<th>2010 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
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<td>$0.00</td>
<td></td>
<td>$0.00</td>
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### POLICE DISTRICT AND DISTRICT COURT

<table>
<thead>
<tr>
<th></th>
<th>2010 PROPERTY TAX LEVY</th>
<th>2010 COST TO AVG TAXPAYER</th>
<th>2010 AV TAX RATE PER $100</th>
<th>2010 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
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### COMBINED

<table>
<thead>
<tr>
<th></th>
<th>2010 PROPERTY TAX LEVY</th>
<th>2010 COST TO AVG TAXPAYER</th>
<th>2010 AV TAX RATE PER $100</th>
<th>2010 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**

3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 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
October 22, 2010

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 transfer funds from [Budget Office to fill in] to the Water Quality Model – Phase V (CP 8237). This legislation is needed to transfer and appropriate funds to Capital Project 8237 for continued studies and implementation of the Comprehensive Resources Management Plan for Suffolk County. Funding has already been collected from the Suffolk County Water Authority and two hundred thousand dollars ($200,000) needs to be transferred into Capital Project 8237.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Walter Dawydjak at 2-5800. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is “Reso-HSV-CP 8237 SCWA funds.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. Bemel, M.B.A, Director of Health Administrative Services
   Janet DeMarzo, Deputy Commissioner
   Walter Dawydjak, Chief Public Health Engineer
   Diane E. Weyer, Principal Financial Analyst
August 4, 2010

Ms. Connie Corso
Deputy County Executive for Budget and Finance
H. Lee Dennison Building, 10th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788

Dear Deputy County Executive Corso:

I hope this letter finds you well.

I am writing regarding Resolution 983-2009, which was approved by the Suffolk County Legislature and signed by the County Executive. As you may recall, this resolution provided for 34 easements on Suffolk County owned properties for potential Water Authority use. It also forgave $1.4 million owed under a 2005 Stipulation of Settlement between the County and the Water Authority that favored the Water Authority. Lastly it provided $200,000 from the Water Authority for the completion of the Comprehensive Water Resource Plan.

Since the resolution's approval, it is my understanding the funding for the Comprehensive Water Resource Plan has been not been appropriated. The law specifically states that if funding is not appropriated the $200,000 reverts back to the Water Authority. It is my hope that this can be avoided and the appropriation be made quickly so that this much needed work may be completed. The funds should be appropriated to Fund 525 CAP 8237.114.

I have attached a copy of the Resolution for your review. Please feel free to contact me at (631) 563-0353 should you have any questions.

Sincerely,

Jeffrey W. Szabo
Chief Executive Officer

bcc: M. Tent
RESOLUTION NO. 2164-10, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE FBI JOINT TERRORISM TASK FORCE WITH 83.37% SUPPORT.

WHEREAS, the United States Department of Justice, Federal Bureau of Investigation, has made $17,202 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the FBI Joint Terrorism Task Force; and

WHEREAS, the operational period of the project is from October 1, 2010 through September 30, 2011; and

WHEREAS, said reimbursement funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said reimbursement funding as follows:

REVENUE:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-4381-Federal Aid: FBI Joint Terrorism Task Force FY11</td>
<td>$17,202</td>
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ORGANIZATIONS:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Department (POL) FBI Joint Terrorism Task Force FY11 001-POL-3651</td>
<td>$17,202</td>
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<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000-Personal Services 1120-Overtime Salaries</td>
<td>17,202</td>
</tr>
</tbody>
</table>

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately $3,432 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, Federal Bureau of Investigation.

DATED:

APPROVED BY:

County Executive of Suffolk County

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

1. Type of Legislation

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

2. Title of Proposed Legislation

**ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE FBI JOINT TERRORISM TASK FORCE WITH 83.37% SUPPORT.**

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)

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

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

The resolution provides $17,202. Non-reimbursable benefits totaling $3,432 are included in the operating budget.

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

The operational period of the program is from October 1, 2010 and September 30, 2011. Fringe benefits are included in the operating budget.

8. Proposed Source of Funding

United States Department of Justice

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer

   Tricia Saunders, Senior Research Analyst

11. Signature of Preparer

12. Date

   11-11-10

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

<table>
<thead>
<tr>
<th></th>
<th>2010 PROPERTY TAX LEVY</th>
<th>2010 COST TO AVG TAXPAYER</th>
<th>2010 AV TAX RATE PER $100</th>
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<td>TOTAL</td>
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## POLICE DISTRICT AND DISTRICT COURT

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<tr>
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<th>2010 PROPERTY TAX LEVY</th>
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<th>2010 AV TAX RATE PER $100</th>
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## COMBINED

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<td>$0.00</td>
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<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 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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
    Suffolk County Executive's Office

FROM: Edward Webber, Chief of Support Services
      Suffolk County Police Department

DATE: October 28, 2010

SUBJECT: Resolution Packets & SCIN Forms for
         The FBI Joint Terrorism Task Force Program (JTTF) FY11

Attached please find two copies of the following for the FBI Joint Terrorism Task Force FY11 Program:

1. Draft Resolution.
2. SCIN Forms.
5. Copy of the Cost Reimbursement Agreement and the Notice of Reimbursement Limit for fiscal year 2011.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you as always for your assistance with this project.

EW/sck
Att.
cc: Evelyn Creen, Federal & State Aid Claims Examiner
    Christopher Kent, Chief Deputy County Executive
COORDINATION OF GRANT APPLICATION OR CONTRACT

County of Suffolk

DATE 10/28/10

Submitting Department/Agency
Suffolk County Police Department

Location
30 Yaphank Avenue, Yaphank, NY 11980

Contact Person In Department/Agency
Sarah Furey
Senior Grants Analyst

Telephone Number
852-6042

Grant Application Due Date
N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: FBI JTTF (Joint Terrorism Task Force) FY11

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 111-242, Continuing Appropriations Act, 2011, U. S. Department of Justice, Administered by the Federal Bureau of Investigation

3. Grant/Contract Status (Check One Box)
   A. ___ New Program Application
   B. ___ Renewal Application
   C. ___ Supplemental (Specify) ________________________________
   D. ___ Extension of Funding Period
   E. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
   This funding will provide reimbursement for the Suffolk County Police Department’s participation in the FBI Joint Terrorism Task Force.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract
   From: 10/1/10  
   To: 09/30/11

2. Financial Assistance Requested

<table>
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<th>SOURCE</th>
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<td>State</td>
<td>$</td>
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<td>$</td>
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<tr>
<td>Private</td>
<td>$</td>
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<tr>
<td>County</td>
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SCIN FORM 164
3. Explanation of Requested County Financial Assistance

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<tr>
<th>Category</th>
<th>Total Requested</th>
<th>Personnel Costs Requested</th>
<th>Non-Personnel Costs Requested</th>
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<tbody>
<tr>
<td>TOTAL COUNTY SHARE:</td>
<td>$3,432</td>
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<tr>
<td>A. Cash Contribution</td>
<td>$3,432</td>
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<td>$3,432</td>
</tr>
<tr>
<td>B. In-Kind Contribution</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?

  X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

   Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

   In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½” X 11” sheet).

   N/A

---

**III. COUNTY EXECUTIVE'S OFFICE REVIEW**

1. Intergovernmental Relations Division Review:
   - Approved
   - Disapproved

2. Signature of Coordinator

3. Date

4. Comments

5. Budget Office Review:
   - Approved
   - Disapproved

6. Signature of Budget Director

7. Date

8. Comments
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Resolution
   Accepting & appropriating Federal funding in the amount of $17,202 from
   the United States Department of Justice, Federal Bureau of Investigation,
   for the Suffolk County Police Department's participation in the FBI Joint
   Terrorism Task Force with 83.37% support.

3. Purpose of Proposed Legislation
   To accept $17,202 from the United States Department of Justice, Federal
   Bureau of Investigation, to allow the continued participation of the
   Suffolk County Police Department in the FBI Joint Terrorism Task Force.

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:
   The County will incur approximately $3,432 in fringe benefits on overtime
   as these costs are not allowed under this funding program, but in exchange
   the County will receive $17,202 which will allow the Suffolk County Police
   Department to participate in the FBI Joint Terrorism Task Force.

7. Total financial Cost of Funding over 5 years on each affected political or
   Other Subdivision:
   None

8. Proposed Source of Funding
   The United States Department of Justice, Federal Bureau of Investigation

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer  11. Signature of Preparer  12. Date
    Susan C. Krause
    Grants Technician
    10/28/10

SCIN FORM NO. 175b (10/95)
Zhayde Sinnott SCPD Command 3420
Suffolk County Police Department
Federal & State Aid Claims Unit
Riverhead County Center, Rm N216
300 Center Drive
Riverhead, NY 11901

Dear Ms Sinnott:

The monthly overtime reimbursement for each Task Force Officer assigned to the FBI's Joint Terrorist Task Force is $1,433.52 for the fiscal year 2011. This is an increase of $24.92 from the monthly overtime reimbursement for fiscal year 2010 of $1,408.60. The increase will take effect for any overtime reimbursement requests from October 2010 to September 2011.

If you have any questions or problems, please do not hesitate to call Administrative Specialist Michael Hayes at 646-696-3065. Thank you very much.

Sincerely,

Gregory A. Fowler
Special Agent in Charge

By: Brad Carpenter
Supervisory Special Agent
Additional back-up material regarding IR 2164 is on file in the Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 2165-10, ACCEPTING AND APPROPRIATING SUPPLEMENTAL FUNDING IN THE AMOUNT OF $63,157.49 IN REIMBURSEMENT FUNDS FROM SPRINT NEXTEL FOR FEDERALLY MANDATED REBANDING OF SUFFOLK COUNTY PUBLIC SAFETY COMMUNICATIONS NETWORK WITH 100% SUPPORT.

WHEREAS, the Federal Communications Commission has mandated reconfiguration of the 800 MHz band of communications frequencies in Suffolk County in order to minimize harmful interference to public safety radio communications, requiring equipment replacement and 800 MHz frequency reconfiguration; and

WHEREAS, the Federal Communications Commission has directed that Sprint Nextel bear the cost of said frequency reconfiguration; and

WHEREAS, Sprint Nextel made available an initial amount of $1,147,710 in funding to support Suffolk County's efforts to reconfigure the 800 MHz band of communications frequencies; and

WHEREAS, said funding of $1,147,710 was accepted by the Legislative adoption of Resolution Number 21-2009; and

WHEREAS, Sprint Nextel has made available additional funding in the amount of $63,157.49 for a total award of $1,210,867.49; and

WHEREAS, the operational period of the program will be from April 10, 2008 through November 5, 2010; and

WHEREAS, said supplemental reimbursement funds totaling $63,157.49 have not been included in the 2010 Suffolk County Operating Budget; now, therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

REVENUE:
001-2775 - Other Revenue Unspecified: 800 MHz Rebanding $63,157.49

ORGANIZATIONS:

Police Department (POL)
800 MHz Rebanding
001-POL-3266

1000 Personnel $52,521.82
1120-Overtime Salaries 52,521.82

Employee Benefits
Retirement
001-EMP-9010

8000-Employee Benefits $6,617.75
8280-Employee Retirement System 6,617.75
2nd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements between Suffolk County and Sprint Nextel.

DATED: 

APPROVED BY:

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

1. Type of Legislation

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

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING SUPPLEMENTAL FUNDING IN THE AMOUNT OF $63,157.49 IN REIMBURSEMENT FUNDS FROM SPRINT NEXTEL FOR FEDERALLY MANDATED REBANDING OF SUFFOLK COUNTY PUBLIC SAFETY COMMUNICATIONS NETWORK WITH 100% SUPPORT.

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)

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

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

The resolution provides $63,157 for overtime necessary to complete additional work required for this project.

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

The funds provided by this grant must be expended between April 10, 2008 and November 5, 2010.

8. Proposed Source of Funding

Sprint Nextel

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer  Tricia Saunders, Senior Research Analyst
11. Signature of Preparer
12. Date 11-12-10

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

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<th>2010 AV TAX RATE PER $100</th>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2010 AV TAX RATE PER $100</th>
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</thead>
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<tr>
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### COMBINED

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<th>2010 AV TAX RATE PER $100</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 2009-2010.

3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009-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
COORDINATION OF GRANT APPLICATION OR CONTRACT
County of Suffolk

DATE 10/21/2010

<table>
<thead>
<tr>
<th>Submitting Department/Agency</th>
<th>Location</th>
<th>Grant Application Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suffolk County Police Department</td>
<td>30 Yaphank Avenue, Yaphank</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Contact Person In Department/Agency Telephone Number
Sarah Furey 852-6042
Sr. Grants Analyst

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter “NA”. If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2” X 11” sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title 800 MHz Rebanding

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Federal Communications Commission Report and Orders dated 8/6/04 and 12/22/04, funded by Sprint Nextel per FCC Orders, administered by the 800 MHz Transition Administrator

3. Grant/Contract Status (Check One Box)
   A. ___New Program Application
   B. ___Renewal Application
   C. ___Supplemental (Specify) 800 MHz Rebanding Program
   D. ___Extension of Funding Period
   E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.). Program will provide reimbursement of Suffolk County Police Department costs related to 800 MHz band radio frequency reconfiguration.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract
   From 4/10/08 To: 11/5/2010

2. Financial Assistance Requested

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<td></td>
<td>$</td>
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<tr>
<td>State</td>
<td>$</td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>Private</td>
<td>$1,147,710</td>
<td>100%</td>
<td>$63,157.49</td>
</tr>
<tr>
<td>County</td>
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<tr>
<td>Total</td>
<td>$1,147,710</td>
<td>100%</td>
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SCIN FORM 164
3. Explanation of Requested County Financial Assistance

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<th>Personnel Costs Requested</th>
<th>Non-Personnel Costs Requested</th>
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</thead>
<tbody>
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<tr>
<td>B. In-Kind Contribution</td>
<td>$0</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?  
   X     YES     NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

Financial assistance will continue until project is completed to the satisfaction of the Transition Administrator

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½” X 11” sheet).

---

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review: Approved
   Disapproved

2. Signature of Coordinator

3. Date

4. Comments

5. Budget Office Review: Approved
   Disapproved

6. Signature of Budget Director

7. Date

8. Comments

SCIN FORM 164
COUNTY OF SUFFOLK

POLICE DEPARTMENT

MEMORANDUM

TO: Ken Crannell, Deputy County Executive
   Suffolk County Executive’s Office

FROM: Edward Webber, Chief of Support Services
       Suffolk County Police Department

DATE: October 27, 2010

SUBJECT: Resolution Packet & SCIN Forms for 800 MHz Rebanding Program
          Supplemental Funding

Attached please find two copies of the following for the Sprint Nextel funded 800 MHz
Program supplemental funding:

1. Grant Resolution.
2. Grant SCIN Forms.
5. Copy of the agreement between Suffolk County and Sprint Nextel
6. Copy of Amendment 3, supplemental funding document

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review.
Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

The resolution will allow the County to accept an additional $63,157.49 in funding (an initial amount
of $1,147,710 was accepted by Resolution #21-2009) from Sprint Nextel to reimburse the Suffolk County
Police Department for costs associated with the reconfiguration of the 800 MHz radio frequency band, to
improve public safety radio communications.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior
Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, 852-6601.

Thank you for your assistance with this project.

EW/sck
cc: Evelyn Creen, Federal & State Aid Claims Examiner
    Christopher Kent, Chief Deputy County Executive
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution _X___ Local Law ____ Charter Law ____

2. Title of Proposed Resolution
   ACCEPTING AND APPROPRIATING SUPPLEMENTAL FUNDING IN
   THE AMOUNT OF $63,157.49 IN REIMBURSEMENT FUNDS FROM
   SPRINT NEXTEL FOR FEDERALLY MANDATED REBANDING OF
   SUFFOLK COUNTY PUBLIC SAFETY COMMUNICATIONS NETWORK
   WITH 100% SUPPORT.

3. Purpose of Proposed Legislation
   To accept funding to reimburse Suffolk County Police Department for costs
   incurred in reconfiguring radio frequency communications equipment for the
   800 MHz frequencies. Mandated reconfiguration of the 800 MHz frequencies
   will ensure less interference with public safety radio communications from
   outside sources.

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 answer to Item 5 is "Yes," provide detailed explanation of impact:
   Without the proposed funding from Sprint Nextel, the County would be forced
   to bear the full burden of the mandated reconfiguration.

7. Total financial Cost of Funding over 5 years on each affected political or
   Other Subdivision: Project is 100% funded by Sprint Nextel.

8. Proposed Source of Funding
   Sprint Nextel, as mandated by Federal Communications Commission

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer  11. Signature of Preparer  12. Date
    Susan C. Krause
    Grants Technician
    10/21/2010

SCIN FORM NO. 175b (10/95)
Additional back-up material regarding IR 2165 is on file in the Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE TACTICAL DIVERSION TASK FORCE FY11 WITH 83.37% SUPPORT.

WHEREAS, the United States Department of Justice, Drug Enforcement Administration (DEA), has made $17,202 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the Tactical Diversion Task Force FY2011; and

WHEREAS, said project is part of a multi-agency task force designed to assist the DEA in investigations and enforcement of Federal, State, and Local Laws surrounding controlled substance pharmaceuticals; and

WHEREAS, the operational period of the Program is from October 1, 2010 through September 30, 2011; and

WHEREAS, said reimbursement funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said reimbursement funding as follows:

REVENUE:  Amount

001-4340-Federal Aid: Tactical Diversion Task Force FY11  $17,202

ORGANIZATIONS:

Police Department (POL)
Tactical Diversion Task Force FY11

1000-Personal Services  $17,202
1120-Overtime Salaries  17,202

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately $3,432 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, Drug Enforcement Administration.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
# Statement of Financial Impact

## 1. Type of Legislation

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

## 2. Title of Proposed Legislation

**Accepting and Appropriating Federal Funding in the Amount of $17,202 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department's Participation in the Tactical Diversion Task Force FY11 with 83.37% Support.**

## 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)

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

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

The resolution provides $17,202. Non-reimbursable benefits totaling $3,432 are included in the operating budget.

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

The operational period of the program is from October 1, 2010 and September 30, 2011. Fringe benefits are included in the operating budget.

## 8. Proposed Source of Funding

United States Department of Justice

## 9. Timing of Impact

**Effective upon adoption.**

## 10. Typed Name & Title of Preparer

| Tricia Saunders, Senior Research Analyst |

## 11. Signature of Preparer

| Signature |

## 12. Date

| 11-11-10 |
### GENERAL FUND

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<th>2010 AV TAX RATE PER $100</th>
<th>2010 FEV TAX RATE PER $1000</th>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2010 AV TAX RATE PER $100</th>
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<th>2010 AV TAX RATE PER $100</th>
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</table>

**NOTES:**


2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.

3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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
I. BACKGROUND INFORMATION

1. Grant Title: Tactical Diversion Task Force FY11

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 111-242, Continuing Appropriations Act, 2011, U. S. Department of Justice, Administered by the Drug Enforcement Administration

3. Grant/Contract Status (Check One Box)
   A. ___ New Program Application
   B. ___X Renewal Application
   C. ___ Supplemental (Specify) ________________________________
   D. ___ Extension of Funding Period
   E. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
   This funding will provide reimbursement for the Suffolk County Police Department’s participation in the DEA sponsored Tactical Diversion Task Force FY11, targeting illegal activities surrounding controlled substance pharmaceuticals.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract
   From: 10/1/2010
   To: 09/30/2011

2. Financial Assistance Requested

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SCIN FORM 164
3. Explanation of Requested County Financial Assistance

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4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?

   X YES    NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

   Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

   In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2” X 11” sheet).

   N/A

III. COUNTY EXECUTIVE’S OFFICE REVIEW

1. Intergovernmental Relations Division Review: Approved Disapproved

   2. Signature of Coordinator

   3. Date

4. Comments

5. Budget Office Review: Approved Disapproved

   6. Signature of Budget Director

   7. Date

8. Comments

SCIN FORM 164
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
    Suffolk County Executive's Office
FROM: Edward Webber, Chief of Support Services
      Suffolk County Police Department
DATE: September 25, 2010
SUBJECT: Resolution Packets & SCIN Forms for
         The Tactical Diversion Task Force FY11 Reimbursement Program

Attached please find two copies of the following for the United States Department of Justice, Drug Enforcement Administration sponsored Tactical Diversion Task Force FY11 program:

1. Draft Resolution.
2. SCIN Forms.
5. Copy of the Agreement between the United States Department of Justice, Drug Enforcement Administration and the Suffolk County Police Department.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you as always for your assistance with this project.

EW/sck
Att.
cc: Evelyn Creen, Federal & State Aid Claims Examiner
    Christopher Kent, Chief Deputy County Executive
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Resolution
   Accepting & appropriating Federal funding in the amount of $17,202 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department’s participation in the Tactical Diversion Task Force FY11 with 83.37% support.

3. Purpose of Proposed Legislation
   To accept $17,202 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department’s participation in the Tactical Diversion Task Force FY11, targeting illegal activities surrounding controlled substance pharmaceuticals.

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 answer to Item 5 is “Yes,” provide detailed explanation of impact:
   The County will incur approximately $3,432 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will receive $17,202 to be used to participate in joint operations designed to enforce and investigate illegal activities surrounding controlled substance pharmaceuticals.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:
   None

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
    Susan C. Krause
    Grants Technician

11. Signature of Preparer
    [Signature]

12. Date
    9/30/2010

SCIN FORM NO. 175b (10/95)
Additional back-up material regarding IR 2166 is on file in the
Legislative Clerk’s Office, Hauppauge.
Introductory Resolution No. -2010  Laid on Table 12/7/10

Introduced by the Presiding Officer at the request of the County Executive Steve Levy

RESOLUTION NO. -2010, AUTHORIZING THE SALES OF SURPLUS PROPERTY SOLD AT THE OCTOBER 20 & 21, 2010 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 October 20 & 21, 2010, 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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<td>Arun Kumar Bahl</td>
</tr>
</tbody>
</table>
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Legislation
   RESOLUTION NO. -2010, AUTHORIZING THE SALES OF SURPLUS PROPERTY
   SOLD AT THE OCTOBER 20 & 21, 2010 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
    Date 10/26/10
SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building - 2nd Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

AUCTION SALES TO PRIVATE INDIVIDUALS AND CORPORATIONS
LOCAL LAW 13-1976

County Investment

Amount $1,431,689.61

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
October 26, 2010

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 October 20 & 21, 2010 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 October 20 & 21, 2010 auction we sold 129 parcels for $1,919,380.00.

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,

[Signature]

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

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. -2010, REAPPOINTING GEORGE PROIOS AS A MEMBER OF THE SUFFOLK COUNTY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, the Suffolk County Board of Supervisors established a Soil and Water Conservation District by Resolution No. 245-1964; and

WHEREAS, the term of office of George Proios as a member of the Soil and Water Conservation District expired on October 31, 2010; now, therefore be it

1st RESOLVED, that George Proios, residing at 17 Woodbury Road, Farmingville, New York, 11738, hereby is reappointed as a member of the Suffolk County Soil and Water Conservation District for a term to expire on October 31, 2013, said reappointment having been made pursuant to the provisions of Section 6 of the NEW YORK SOIL & WATER CONSERVATION DISTRICTS LAW.

Dated:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER
GEORGE PROILOS
• Farmingville, NY 11738 • (631) • Cell: (516)

GOVERNMENT EXECUTIVE
Local/ State government official; Environmental Professional; Water Quality Specialist.

Award-winning, professionally recognized, and accomplished government executive administering environmental programs within agencies, departments, and districts. Facilitates federal, state, and local municipal environmental compliance as Assistant County Executive, Board Chairman, Director of Environmental Protection, Chief Environmental Analyst. Ability to define complex issues, conduct studies and surveys, obtain and research data, and analyze, formulate, and deliver solution-based, comprehensive advice.

Objective:
Actively seeking a challenging position to develop productive partnerships with governmental agencies, elected officials, the private sector, and citizen organizations within leading environmental, and natural resource protection program development.

Strengthens:
Combined strength in creative problem solving with management program initiatives, blending idealism with political reality, and devising new methods to improve procedural and system efficiency, building relationships among professional, private, public, and government organizations.

TEAM-BASED LEADERSHIP EXPERIENCE

Soil & Water Conservation District Board Chairperson • Water Authority Board Member • State Soil & Water Conservation Committee Chairperson • Brookhaven Town Zoning Board of Appeals, • New York Association of Conservation Districts • Resource Conservation & Development Council.

National Urban Run-Off Program • Suffolk County Comprehensive Water Supply Plan • Source Water Assessment Program • Best Management Practices Handbook • Clean Sweep Program • Agricultural Stewardship Program • Farming Grants • Denitrification Plant
Civic / Environmental Groups / Elected Official Presentations • Local / State Media Interviews

CAREER PERFORMANCE QUALIFICATIONS

• Protect, preserve, enhance, and utilize soil and water resources of the county and region; serve farmers, local landowners, and local government.
• Supervised 400 indirect employees at SCWA; i.e., engineers, lab technicians, Geographic Information System (GIS) specialists, comptrollers and attorneys; perform evaluations for CEO and top administrative staffs.
• Analyzed monthly expenditures; approved contracts, and multi-year plans.
• Administer $2MM in grants; and $370M full-budget accountability.
• Coordinate U.S.D.A. Natural Resource Conservation Service Grant Programs; i.e., EQIP, AMA, CSP, WRP, WHIP, et al. Deliver conservation on the land, pesticide and storm water management, and soil erosion protection.
• Lobby the NY State Legislature as Chairman of the legislative committee; i.e., secured $3MM+ for 58 local soil and water districts throughout New York State; and $12MM for agricultural, non-point source pollution projects.
• Secure well permits from N.Y.S. Department of Environmental Conservation
• Identify environmental issues on agricultural lands through Agricultural Environmental Management; develop plans to address those issues; secure state / federal grants to pay for implementation.
• Designed and taught college class at S.U.N.Y at Stony Brook on “The Politics of Water Resource Protection.”
• Participated in newspaper interviews: The New York Times, Newsday, and weeklies; cable TV interviews.
• Conduct water resource protection presentations and discussions to environmental organizations, civic groups, state / county legislative bodies, and commissions.
PROFESSIONAL EXPERIENCE

SUFFOLK COUNTY DEPARTMENT OF ENVIRONMENT & ENERGY • Hauppauge, NY 2003 to 7/2008
Chief Environmental Analyst
- Perform analyses of current environmental issues; i.e., energy management, recycling, alkylphenol ethoxylates.
- Prepare county’s annual environmental report; brief legislators on current environmental issues.
- Oversaw energy management study & solid waste plan for county facilities.

SUFFOLK COUNTY SOIL & WATER CONSERVATION DISTRICT (SWCD) • Riverhead, NY 1997 to Present
Chairperson - Board of Directors
- Supervise seven, full-time employees in county district.
- Dramatically increased federal and state county grant revenues.
- Developed and implemented special projects in conjunction with the Agricultural Environmental Management (AEM) Program; i.e., construction of pesticide mixing facilities; the installation of an advanced animal wastewater treatment system removing 99% of the nitrogen from private duck farm - significantly improving water quality in Flanders Bay.
- Instituted the Long Island Envirothon for Long Island high schools.
- Organized the Mid-Atlantic States RC&D Annual Conference at West Point; assisted with initiation of the Suffolk County Annual Farm Festival & Pumpkin Fest at the County Farm and the Annual Conferences of the New York Association of Conservation Districts (NYACD).

SUFFOLK COUNTY WATER AUTHORITY • Oakdale, NY 2002 to 2007
Board Member
One of five voting members of the largest Groundwater purveyor in the Country, servicing 1.2 million residents from 550 high capacity wells. Investigated and evaluated new contaminant issues; i.e. MTBE, perchlorate, pharmaceuticals.
- Initiated the passing of resolution to cap indirect costs to SUNY research foundation; saved $20M within first year; and, $100M over five-year period.

SUFFOLK COUNTY EXECUTIVE’S OFFICE • Hauppauge, NY 1992 to 2003
Assistant County Executive for Environmental Affairs
- Managed and coordinated environmental functions for 10 independent, environmental agencies, departments and districts. Interacted with the Suffolk County Legislature, public and private organizations.
- County Executive’s representative for all environmental issues, including studies such as the Peconic & South Shore Estuary Programs.
- Chairman of the Central Pine Barrens Commission.
- Conducted numerous speaking engagements.

NEW YORK STATE WATER RESOURCES COMMISSION • Hauppauge, NY 1982 to 1992
Executive Director
Evaluated condition of Long Island’s “Sole Source Aquifer,” i.e., held hearings, and drafted legislation to preserve and protect this critical resource. Supervised staff of 15 environmental analysts and attorneys.
- Drafted 35+ state laws; i.e., banning of all landfills over Long Island’s drinking water supply.
- Testified before legislative committees and public officials.
- Developed environmental education and awareness programs; i.e., initiated K-12 water resources curriculum and poster contest within Nassau / Suffolk county school districts.
- Delivered presentations to elected officials, civic groups and business organizations.

TOWN OF BROOKHAVEN • Brookhaven, NY 1975 to 1982
Director - Department of Environmental Protection
Developed department from ground up as the first environmental director for largest township on Long Island. Supervised staff of 18, including four law enforcement officers (Harbor Masters).
GEORGE PROIOS

- Initiated Bay Management and Wetlands Protection Programs; established Mr. Sinai Marine Sanctuary.
- Wrote noise ordinance; wetlands, and petroleum substance disposition laws.
- Created nature trails; managed youth conservation corps teams.

SUFFOLK COUNTY HEALTH SERVICES DEPARTMENT • Hauppauge, NY 1974 to 1975
Public Health Sanitarian
Inspected, surveyed, and analyzed public water supply sources, streams, lakes and beaches. Maintained liaison among local residents, elected officials, and commercial and industrial facilities.

SACHEM CENTRAL SCHOOL DISTRICT • Holbrook, NY 1972 to 1974
Science Teacher

EDUCATION

S.U.N.Y at Stony Brook, Stony Brook, NY — M.A. in Science Education,
University of Denver, Denver, CO — B.A. in Biology — Minor, Am. History
Adelphi University, Garden City, NY — Paralegal

CERTIFICATIONS

New York State Health Department Certification – Public Health Sanitarian
New York State Permanent Teaching Certification in Biology, Chemistry, Earth & General Science, 7-12

PROFESSIONAL APPOINTMENTS

Brookhaven Town Board – Appointment: Zoning Board of Appeals
George E. Pataki, Governor – State of New York – Appointment: Member of Brookhaven National
Laboratory Local Oversight & Monitoring Committee, 2004
Committee (1st Long Island Member), 2003
Mario Cuomo, Governor – State of New York - Appointment: New York State Water Resources Planning Council
(1st Only Suffolk County Member), 1986

PROFESSIONAL MEMBERSHIPS & ASSOCIATIONS

New York Association of Conservation Districts, 1st Vice President
Suffolk County Soil & Water Conservation District, Chairman
Lower Hudson / Long Island Resource Conservation & Development Council, Past President
New York State Association of Environmental Management Councils, Former President
Cornell Cooperative Extension of Suffolk County, Board Member / Farm Advisory Committee, Chairman

PROFESSIONAL ASSOCIATIONS

Friends of Fire Island National Seashore • National Sanitation Foundation’s Water Treatment Advisory Group
New York State Non-Point Source Coordinating Committee • American Water Resources Association
American Water Works Association • Long Island Ground Water Resources Institute Advisory Committee

AWARDS

New York State Conservation District Employee’s Association – District Director Award, 2006
Long Island Farm Bureau – True Friend of Agriculture Award, 2006
NRCS – Team Excellence Award, 2005
New York Association of Conservation Districts – Distinguished Service Award, 2005
Environmental Protection Agency – Award of Merit
President's Biography

George Poulos of Suffolk County represents the Urban, Suburban, and Rural Non-Farm interests on the NY State Soil & Water Conservation Committee where he currently serves as Vice-Chairman. He is the Chief Environmental Analyst for Suffolk County, Chairman of their Soil & Water Conservation District, and a Board Member of the Suffolk County Water Authority. He is a member of the County Agricultural Protection Board and chair the Regional Study's Agricultural Environmental Management (AEM) Strategy Committee. He is also the Vice-President of the NY Association of Conservation Districts.

Previously, George had been the Executive Director of the New York State Legislative Commission on Water Resource needs of Long Island for ten years. He was the first Director of Environmental Protection in Brookhaven, the largest township of Long Island. George has also been a Public Health Sanitarian with the Suffolk County Health Department, working in the Water Quality unit and a science teacher who taught Biology and Earth Science.

He holds a B.A. degree in Biology from the University of Denver, an M.A. in Science Education from SUNY at Stony Brook, and a Paralegal degree from Nassau University.

He has been a member of the New York State Water Resources Planning Council, Chairman of the Suffolk County Council on Environmental Quality, and a technical advisor to many studies conducted on Long Island dealing with Natural Resources Protection, including the 208 Study, the National Urban Runoff Program, Suffolk County Comprehensive Water Supply Plan, and Source Water Assessment Program. George has been the recipient of the Environmental Protection Agency's Special Award of Merit for the development of environmental programs, Distinguished Service Award from the NY Association of Conservation Districts in 2005, and District Director Award in 2006 from the NYS Conservation District Employees Association.
RESOLUTION NO. -2010, AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH REEVES BAY WATERSHED MANAGEMENT PLAN STORMWATER REMEDIATION COMPONENT (CP 8240.325)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to, Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Suffolk County Department of Health Services will implement the Peconic Estuary Program's Subwatershed Management Plan for Reeves Bay in Flanders in accordance with Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the project proposes funding construction of the stormwater remediation projects developed by the Plan; and

WHEREAS, funding for this project is requested through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, the Town of Southampton will commit by Town Resolution 2008-1335 to either the lesser of $500,000 or one half the cost of this project; and

WHEREAS, the Town of Southampton will commit by Town Resolution 2008-1335 to enter into and inter-municipal agreement with Suffolk County for this project; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2010 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2010 Capital Budget and Program; now, therefore be it

1st RESOLVED, that the Town of Southampton, having conducted a coordinated review and being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, found as documented in Town Resolution 2010-1099, that this resolution constitutes a Type I action, for which a Negative
Declaration was issued, therefore the SEQRA review is complete and no further action needs to be taken by Suffolk County; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-six (66) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477’s Water Quality Reserve Fund Balance component to cover the cost of the County’s share for this project; and be it further

4th RESOLVED, that the Adopted 2010 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

**EXPENDITURES:**

<table>
<thead>
<tr>
<th>Agency</th>
<th>Fund</th>
<th>Organization</th>
<th>Object</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>IFT</td>
<td>477</td>
<td>E525</td>
<td>9600</td>
<td>Transfer to Capital Fund</td>
<td>$495,000</td>
</tr>
</tbody>
</table>

and be it further

5th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

**REVENUES:**

<table>
<thead>
<tr>
<th>Agency</th>
<th>Fund</th>
<th>Rev Source</th>
<th>Organization</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>IFT</td>
<td>525</td>
<td>R477</td>
<td>E525</td>
<td>Transfer from Water Quality Protection</td>
<td>$495,000</td>
</tr>
</tbody>
</table>

(Ref. 525-CAP-IFTR-R477)

and be it further

6th RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

<table>
<thead>
<tr>
<th>Project No.:</th>
<th>8240</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title:</td>
<td>Implementation of the Peconic Estuary Program Reeves Bay Watershed Management Plan Stormwater Remediation Component</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Current 2010</th>
<th>Revised 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Capital</td>
<td>Capital Program</td>
</tr>
<tr>
<td>Est’d Budget &amp;</td>
<td>Budget &amp; Program</td>
</tr>
<tr>
<td>Cost Program</td>
<td></td>
</tr>
<tr>
<td>3. Construction</td>
<td>$495,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$495,000</td>
</tr>
</tbody>
</table>
and be it further

7th RESOLVED, that these Water Quality proceeds in the amount of $495,000 be and hereby is appropriated as follows:

<table>
<thead>
<tr>
<th>Project Number</th>
<th>JC</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-8240.325</td>
<td>45</td>
<td>Implementation of the Peconic Estuary</td>
<td>$495,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Program Reeves Bay Watershed Management</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Plan Stormwater Remediation Component--</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Construction</td>
<td></td>
</tr>
</tbody>
</table>

and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project; and be it further

9th RESOLVED, that the County Executive is hereby authorized to execute an inter-municipal agreement with the Town of Southampton under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW, which shall include but not be limited to, a provision authorizing implementation of stormwater abatement activities in the Peconic Estuary at Reeves Bay in Flanders; and be it further

10th RESOLVED, that Town of Southampton, under terms of an inter-municipal agreement with the County, will adhere to all necessary regulatory requirements including, but not limited to, compliance with the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, applicable to the implementation of stormwater abatement activities in the Peconic Estuary at Reeves Bay in Flanders.

DATED:

APPROVED BY:

County Executive of Suffolk County

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

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

RESOLUTION NO. -2010, AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH REEVES BAY WATERSHED MANAGEMENT PLAN STORMWATER REMEDIATION COMPONENT (CP 8240.325)

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

   THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND- AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8240-STORMWATER REMEDIATION PROJECT.

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

   N/A

8. Proposed Source of Funding

   FUND 477 RESERVE FUND BALANCE

9. Timing of Impact

   UPON ADOPTION

10. Typed Name & Title of Preparer

    Nicholas Paglia
    Executive Technician

11. Signature of Preparer

12. Date

    November 26th, 2010

SCIN FORM 175b (10/95)
# FINANCIAL IMPACT
## 2011 PROPERTY TAX LEVY
### COST TO THE AVERAGE TAXPAYER

<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><strong>GENERAL FUND</strong></td>
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</tr>
<tr>
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<td>$0.00</td>
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<tr>
<td><strong>POLICE DISTRICT AND DISTRICT COURT</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>COMBINED</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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
Southampton Town Board  
116 Hampton Road  
Southampton, NY 11968  

ADOPTED  

RESOLUTION 2008-1335

Application for Suffolk County Water Quality Protection and Restoration Program through the County’s 2008 Water Quality Improvement Projects Program to Continue Implementation of Stormwater Abatement Activities in the Peconic Estuary at Reeves Bay in Flanders

WHEREAS, the Town of Southampton is considering a grant application to the Suffolk County Water Quality Protection and Restoration Program for Nonpoint Source Abatement and Control Project funding assistance through the 2008 Water Quality Improvement (WQI) Projects Program to continue implementation of stormwater abatement activities to reduce runoff to the Peconic Estuary at Reeves Bay in Flanders; and

WHEREAS, Southampton’s Stormwater Abatement Proposal presents initiatives which have been identified in a Draft Marine Resource Management Plan prepared by the Southampton Board of Trustees and the Town of Southampton Department of Land Management, funded in part by EPF funding through the 1998 NYDOS LWRP; and the Reeves Bay Watershed Management Plan prepared by Horsley Witten Group, Inc. with funding provided by the U.S. Environmental protection Agency under assistance agreement to the Peconic Estuary Program through the Suffolk County Department of Health Services; and

WHEREAS, Southampton’s Stormwater Abatement Proposal represents a project supported by the Regional NYSDEC Office, the Suffolk County Department of Health Services and the Peconic Estuary Program Office; and

WHEREAS, Southampton’s Stormwater Abatement Proposal represents a project totaling $1,000,000 in cost requiring fifty percent (50%) local matching funds totaling $500,000 which is anticipated to be required from the Town’s 2011 through 2013 Capital Budgets (Clean Water Bond Budget G/L #: 80-30-8020-21-6241-1116); and

WHEREAS, the Town of Southampton, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain stormwater abatement work, as described in its Pre-Application and attachments, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, Article XII of the Suffolk County Code authorizes County assistance to municipalities for water quality improvement projects by means of a contract and the Town of Southampton deems it to be in the public interest and benefit under this law to enter into a contract therewith pursuant to the Suffolk County Water Quality Improvement Program, so therefore be it

RESOLVED, that the Town Board adopts this resolution in support of the submittal of a Pre-Application and Application for Suffolk County Water Quality Improvement funding to implement the proposed stormwater abatement activities; and be it
FURTHER RESOLVED, that the Town Board 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 six (6) months of written approval of its application by Suffolk County; and be it

FURTHER RESOLVED, that the Supervisor of the Town of Southampton, is the representative authorized to act in behalf of the Town of Southampton in all matters related to receiving Suffolk County Water Quality Improvement Program funding assistance and executing the County/Town Agreement and upon approval of said request to enter into and execute the County Assistance Agreement, and that upon executing the County/Town Agreement, the Town Public Works Building Project Coordinator acting as the designated project manager and liaison between Southampton's implementing Departments shall submit Project documentation, and otherwise act for the Town of Southampton and its Town Board in all matters related to the completion of the Town's project

FURTHER RESOLVED, that one (1) certified copy of this Resolution be prepared and sent to the Suffolk County Department of Public Works to support the Town’s Application and Award for Suffolk County Water Quality Improvement Program funding assistance; and be it

FURTHER RESOLVED that this Resolution takes affect immediately.

Financial Impact
Supporting capital funding not to exceed $500,000 is intended to be utilized from the Town’s 2011 through 2013 Capital Budgets (Stormwater Abatement Projects G/L 80.30.8020.21.6241.1116) for the fifty percent (50%) local matching funds

RESULT: ADOPTED [UNANIMOUS]
MOVER: Linda Kabot, Supervisor
SECONDER: Nancy Graboski, Councilwoman
AYES: Kabot, Russo, Graboski, Throne-Holst, Nuzzi
Resolution Adopting Negative Declaration for Purposes of SEQRA in Connection with Suffolk County's 2008 Water Quality Improvement Projects Program to Continue Implementation of Stormwater Abatement Activities in the Peconic Estuary at Reeves Bay in Flanders

WHEREAS, the Town of Southampton has been awarded a grant from the Suffolk County Water Quality Protection and Restoration Program for Nonpoint Source Abatement and Control Project funding assistance through the 2008 Water Quality Improvement (WQI) Projects Program to continue implementation of stormwater abatement activities to reduce runoff to the Peconic Estuary at Reeves Bay in Flanders; and

WHEREAS, the Town Board has reviewed the provisions of the New York State Environmental Quality Review Act (SEQRA) and Chapter 157 (Environmental Quality Review) of the Town Code; and

WHEREAS, the proposed action meets the criteria of a Type I action; and

WHEREAS, pursuant to SEQRA, the coordinated review process was conducted, with no involved agency requesting lead agency status; and

WHEREAS, the Town Board of the Town of Southampton proposes to undertake the action itself and is, therefore, assuming lead agency status; and

WHEREAS, the Town Board has conducted a review of the information contained in the Environmental Assessment Forms prepared by the Department of Land Management; and

WHEREAS, the potential impacts and the magnitude and importance of potential impacts have been considered by the Town Board; and

WHEREAS, the Town Board, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that the proposed stormwater abatement work is desirable, is in the public interest, and will aid the Town in meeting the requirements of its SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems; so therefore be it

RESOLVED, that the Town Board hereby adopts a Negative Declaration pursuant to the State Environmental Quality Review Act and Chapter 157 of the Town Code; and be it further

RESOLVED, that the Town Clerk is hereby directed to maintain a copy of the determination of significance (negative declaration) dated November 9, 2010, and forward same to all involved agencies, the project sponsor, and any person who requested a copy; and be it further

RESOLVED, that the Town Clerk shall cause said determination of significance to be filed in
the Environmental Notice Bulletin (ENB) pursuant to SEQRA (6 NYCRR) Section 617.12.

Financial Impact

None

RESULT: ADOPTED [UNANIMOUS]
MOVER: Nancy Gradoski, Councilwoman
SECONDER: Anna Throne-Holst, Supervisor
AYES: Throne-Holst, Malone, Gradoski, Fleming, Nuzzi
# Statement of Financial Impact of Proposed Suffolk County Legislation

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

2. **Title of Proposed Legislation:**
   AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH REEVES BAY WATERSHED MANAGEMENT PLAN

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**
   - 477 Fund – Water Quality Protection and Restoration Program

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

10. **Typed Name & Title of Preparer**
    - Carrie Meek Gallagher, Commissioner
    - Dept Environment & Energy

11. **Signature of Preparer**

12. **Date**

SCIN FORM 175b (10/95)
Proposal for the Suffolk County Water Quality Protection and Restoration Program

Project:
Implementation of the Peconic Estuary Program Reeves Bay Watershed Management Plan

Cost Estimate:
$495,500 is requested in WQPP funds toward the total estimated cost of $1,129,000. Southampton Township will provide the remainder of the total cost as match.

Summary:
This project will completely implement the Peconic Estuary Program's (PEP) Subwatershed Management Plan for Reeves Bay by funding construction of the stormwater remediation projects developed by the Plan. Supporting implementation of the watershed management plan will protect the ecological integrity of this highly valued ecosystem by improving water quality, enhancing critical habitat, and fostering community awareness and understanding of stormwater pollution. The ultimate goal of these projects is re-opening of closed shellfishing waters.

Background:
Reeves Bay (NYSDEC PWL 1701-0272) is a New York State impaired waterbody. The known pollutants are pathogens, and the known contributing source is urban runoff. High levels of various pollutants from stormwater and other nonpoint urban runoff in Reeves Bay (NYSDEC Shellfish Growing Area (SGA) 29), have closed the bay to shellfishing year round. These waters were historically among the most productive bay scallop areas in the state.

The Reeves Bay Watershed Management Plan was developed using prior PEP and other studies, aerial photography and GIS, as well as field reconnaissance to ground truth land use and drainage information, evaluate habitat, identify potential stormwater pollutant sources, and provide specific management recommendations.

Proposal:
The Reeves Bay Watershed Management Plan describes thirteen (13) stormwater Best Management Practices (BMPs) to reduce the introduction of pollutants to the bay. Southampton Township has already secured funding to construct two of the 13 needed projects through the NYS Water Quality Improvement Project funds. This project will support the implementation of the remaining eleven (11) stormwater best management practices identified in the Reeves Bay Subwatershed Management Plan. Conceptual BMP design plans including detailed descriptions and justifications are included in the Plan available at: http://peconicestuary.org/Reeves_Bay_Final%20report.pdf. The Town of Southampton is providing a 50% match of the remaining project costs to construct the eleven BMPs (grass channels, filter strips, constructed wetlands, dry swales, and sediment forebays). In addition, Southampton has initiated $450,000 of complementary stormwater remediation projects in the Reeves Bay watershed. All of these leveraged funds are available to match Suffolk County funds. A Town Resolution and letter of support will be provided.
Proposal for the Suffolk County Water Quality Protection and Restoration Program

Implementing the Peconic Estuary Program Reeves Bay Watershed Management Plan

Total REQUESTED: $495,500.00

<table>
<thead>
<tr>
<th>BMP Site #</th>
<th>Estimated Cost*</th>
<th>Secured Funds **</th>
<th>Remaining Need</th>
<th>50% Town Match***</th>
<th>REQUESTED</th>
<th>Other Town RB Watershed Projects****</th>
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<tr>
<td>R-1A</td>
<td>$57,000</td>
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<td>$991,000</td>
<td>$495,500</td>
<td>$495,500</td>
<td>$450,000</td>
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</table>

* Cost estimates were provided by Horsley Witten Group and included capital cost, and design, permitting, contingency costs. While these cost estimates were provided based upon conceptual BMP design plans, the Town estimates that minor changes to the designs (with equal if not higher pollutant removal efficiencies) can and should be made to increase effectiveness and minimize expended funds.

** Southampton Town has secured NYSDEC WQIP funding and provided Town match

*** Southampton Town Stormwater Capital Budget

**** Other stormwater abatement/remediation projects within the Reeves Bay watershed. Supported by Southampton Town Stormwater Capital Budget and NYSDEC WQIP funding
Mr. Ken Crannell  
Deputy County Executive  
H Lee Dennison Bldg. Fl. 12  
Hauppauge, NY 11788-0099  

Dear Mr. Crannell:  

Enclosed for your approval are the original and one (1) copy of the proposed resolution pursuant to:  

"Reeves Bay Watershed Management Plan"  

There are sufficient funds included in the 2010 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its April 24, 2008 meeting, approved "Reeves Bay Watershed Management Plan", submitted by the Suffolk County Department of Health Services, as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of $495,000.  

After your examination please place this on the Legislative Agenda as soon as possible.  

Sincerely,  

Carrie Meek Gallagher  
Commissioner SC Department of Environment & Energy  

Enc.  

cc: Chris Kent, Chief Deputy County Executive  
    Brendan Chamberlain, Intergovernmental Relations  
    CE Reso Rev (e-mail)
RESOLUTION NO. 2010 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (CP 8180)

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 December 7, 2010 in relation to the engineering assistance to increase and improvement of sludge facilities at Suffolk County Sewer District No. 3 – Southwest; and

WHEREAS, pursuant to Resolution No. 1042-2010, 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 Riverhead, New York in this County on December 7, 2010 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 engineering tasks of the proposed increase and improvement, 2) the proposed work is adequate and appropriate, 3) the cost of such engineering for the increase and improvement shall be set at a maximum of approximately $200,000; 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 Expansion and sewer system improvements, Capital Project Numbers 8183 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 $65.18 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 $18.64; 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:
1. Type of Legislation

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

2. Title of Proposed Legislation

A resolution making certain findings and determinations in relation to the engineering of the increase and improvement of facilities for Sewer District No. 3 – Southwest (CP 8180).

3. Purpose of Proposed Legislation

To make certain findings and determinations for the engineering of sludge system 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)

<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): Sewer District</td>
</tr>
<tr>
<td>Library District</td>
<td>Fire District</td>
<td></td>
</tr>
</tbody>
</table>

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

The 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.

$19,000/year (maximum year), however, $18.64 per year per typical property based on ASRF subsidy.

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact

2011

10. Typed Name & Title of Preparer

Ben Wright, P.E.
Principal Civil Engineer

11. Signature of Preparer

12. Date

SCIN FORM 175B (10/95)

jp-bw11-1-10 Backup-DPW 175B sd3 Southwest sludge findings CP 8180
### 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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
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### POLICE DISTRICT AND DISTRICT COURT

<table>
<thead>
<tr>
<th></th>
<th>2011 PROPERTY TAX LEVY</th>
<th>2011 COST TO AVG TAXPAYER</th>
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<th>2011 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
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### COMBINED

<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>
</tr>
</thead>
<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 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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 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 (Sludge) CP 8180
DATE: November 1, 2010

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8180 - SD 3 - Southwest (Sludge) Improvement 11-1-10 and backup filed as Backup-DPW CP 8180 - SD 3 - Southwest (Sludge) Improvement 11-1-10 for the findings resolution of the increase and improvement of Sewer District No. 3 - Southwest. The public hearing is to be held on December 1, 2010. The project is to provide consultant assistance in various activities related to sludge improvements. The total cost associated of consultant assistance for the project is $200,000 of which is contained in the adopted 2010 Capital Budget.

We appreciate the resolution being laid on the table.

JP-BW:ni
Attachment
cc: Ed Dumas, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, Director of Intergovernmental Relations
Lynne Bizzarro, Esq., Deputy County Attorney
Laura Conway, CPA, Chief Accountant
Carmine Chiusano, Budget Office
Ben Wright, P.E., Principal Civil Engineer
John Donovan, P.E., Principal Civil Engineer
CE Reso Review
jp-bw11-1-10 Backup-DPW sd3 Southwest findings CP 8180 memo to KCrannell
RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH DREDGING OF COUNTY WATERS (CAPITAL PROGRAM NUMBER 5200)

WHEREAS, the Commissioner of Public Works has requested funds for site improvements in connection with Dredging of County Waters; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; 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 2010 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, as the New York State Department of Environmental Conservation is SEQRA lead agency for all dredging projects, this project is not reviewed by the Suffolk County Council on Environmental Quality, and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,000,000 in Suffolk County Serial Bonds; now, therefore, be it

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

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

3rd RESOLVED, that the proceeds of $1,000,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-5200.443</td>
<td>50</td>
<td>Dredging of County Waters</td>
<td>$1,000,000</td>
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<tr>
<td>Fund 001 Debt Service</td>
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DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
# STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<table>
<thead>
<tr>
<th>1. Type of Legislation</th>
<th>Resolution [x]</th>
<th>Local Law</th>
<th>Charter Law</th>
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</table>

<table>
<thead>
<tr>
<th>2. Title of Proposed Legislation</th>
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<tbody>
<tr>
<td>RESOLUTION NO. 2010, APPROPRIATING FUNDS IN CONNECTION WITH DREDGING OF COUNTY WATERS (CAPITAL PROGRAM NUMBER 5200)</td>
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<table>
<thead>
<tr>
<th>3. Purpose of Proposed Legislation</th>
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<tbody>
<tr>
<td>SEE NO. 2 ABOVE</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>4. Will the Proposed Legislation Have a Fiscal Impact?</th>
<th>Yes [x]</th>
<th>No</th>
</tr>
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</table>

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

<table>
<thead>
<tr>
<th>6. If the answer to item 5 is &quot;yes&quot;, Provide Detailed Explanation of Impact</th>
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<tbody>
<tr>
<td>SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.</td>
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<table>
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<tr>
<th>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision</th>
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<tr>
<td>SEE ATTACHED DEBT SERVICE SCHEDULE</td>
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<th>8. Proposed Source of Funding</th>
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<td>SERIAL BONDS</td>
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<th>9. Timing of Impact</th>
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<tr>
<th>10. Typed Name &amp; Title of Preparer</th>
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<tr>
<td>Debra Kolyer</td>
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<tr>
<td>Principal Financial Analyst</td>
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<table>
<thead>
<tr>
<th>11. Signature of Preparer</th>
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</thead>
<tbody>
<tr>
<td>Debra Kolyer</td>
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<th>12. Date</th>
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<td>November 22, 2010</td>
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SCIN FORM 175b (10/95)
## GENERAL FUND

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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>
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<td><strong>$0.001</strong></td>
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## POLICE DISTRICT AND DISTRICT COURT

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<th>2011 PROPERTY TAX LEVY</th>
<th>2011 COST TO AVG TAXPAYER</th>
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<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$220,228</strong></td>
<td><strong>$0.40</strong></td>
<td><strong>$0.001</strong></td>
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NOTES:
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office
Suffolk County  
General Obligation Serial Bonds  
Level Debt

<table>
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<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
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<th>Fiscal Debt Service</th>
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<tr>
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<td>$10,219.52</td>
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<tr>
<td>5/1/2016</td>
<td>3.500%</td>
<td>$213,193.00</td>
<td>$3,517.68</td>
<td>$216,710.68</td>
<td>$220,228.37</td>
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Total: $1,000,000.00  $101,141.86  $1,101,141.86  $1,101,141.86
MEMORANDUM

TO: Ken Crannell, Deputy County Executive

FROM: James K. Peterman, P.E., Chief Deputy Commissioner

DATE: October 26, 2010

RE: Appropriating Funds in Connection with Dredging of County Waters (CP 5200)

Attached is a draft resolution and duplicate copy to appropriate the sum of $1,000,000 in site improvements (dredging) in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

These funds will be used for the dredging of the Forge River. It may be necessary to add and/or substitute other waterways due to changes in priorities or other requirements to be determined by this Department.

As the New York State Department of Environmental Conservation is SEQRA lead agency for all dredging projects. This project is not reviewed by the Suffolk County Council on Environmental Quality.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “Reso-DPW-CP5200.doc”.

JKP/WH/ttd
attach.

cc: Chris Kent, Chief Deputy County Executive
    Brendan Chamberlain, County Executive Assistant
    Carmine Chiusano, Principal Financial Analyst
    William Hillman, P.E., Chief Engineer
    Laura Conway, CPA, Chief Accountant
    Linda Brandolf, CPA, Capital Accounting
    Theresa D’Angelo, Principal Clerk
    Michael Mulé, Senior Planner

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE  ■  YAPHANK, N.Y. 11980  ■  (631) 852-4010
                            ■  FAX (631) 852-4150
RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION AND REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES (CP 5048)

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

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $315,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1), (2) and (25) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of Sixty-two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of $315,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-5048.315</td>
<td>20</td>
<td>Construction and Rehabilitation of Highway Maintenance Facilities</td>
<td>$315,000</td>
</tr>
</tbody>
</table>

Date:

APPROVED BY:

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

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

2. Title of Proposed Legislation
   RESOLUTION NO. - 2010, APPROPRIATING FUNDS
   IN CONNECTION WITH CONSTRUCTION AND
   REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES
   (CP 5048)

3. Purpose of Proposed Legislation
   SEE NO. 2 ABOVE

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

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

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact
   SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS
   WILL BE INCURRED OVER THE LIFE OF THE BONDS.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
   SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding
   SERIAL BONDS

9. Timing of Impact
   2011

10. Typed Name & Title of Preparer
    Nicholas Paglia
    Executive Technician

11. Signature of Preparer

12. Date
    November 19th, 2010

SCIN FORM 175b (10/95)
### 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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<tr>
<td><strong>TOTAL</strong></td>
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<td>$0.05</td>
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<td>$0.00</td>
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</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

<table>
<thead>
<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>
<th>2011 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
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</table>

### COMBINED

<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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$27,708</td>
<td>$0.05</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 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office
### Suffolk County
General Obligation Serial Bonds
Level Debt

<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
</tr>
</thead>
<tbody>
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<td>11/1/2010</td>
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<td>$27,707.71</td>
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<td>$5,504.65</td>
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<td>3.50%</td>
<td>$17,313.47</td>
<td>$5,197.12</td>
<td>$22,510.59</td>
<td>$27,707.71</td>
</tr>
<tr>
<td>5/1/2013</td>
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<tr>
<td>5/1/2014</td>
<td>3.50%</td>
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<tr>
<td>5/1/2015</td>
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<tr>
<td>4/30/2020</td>
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<td>5/1/2022</td>
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<td>5/1/2023</td>
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<td>4/30/2024</td>
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<td>$26,723.40</td>
<td>$492.16</td>
<td>$27,215.55</td>
<td>$27,707.71</td>
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</tbody>
</table>

**Total:**
- Amount to Bond: $315,000.00
- $100,615.62
- $415,615.62
- $415,615.62
TO: Ken Crannell, Deputy County Executive (2 copies)

FROM: James Peterman, P.E., Chief Deputy Commissioner

DATE: September 24, 2010

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

Attached for your review is a draft resolution requesting that $315,000 be appropriated for replacement of the salt storage dome at the Yaphank highway maintenance facility. This building suffered from structural deterioration and failure earlier this year and must be replaced in order to maintain sufficient salt stock.

This work is classified as a Type II action as it is a replacement of a structure in kind and will have no significant effect on the environment.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 5048 Resolution.doc.

JP/TG/dk
attachments
cc: Chris Kent, Chief Deputy County Executive
    Ed Dumas, Chief Deputy County Executive
    Gilbert Anderson, P.E., Commissioner
    Louis Calderone, Deputy Commissioner
    Tedd Godek, R.A., County Architect, Buildings Design & Construction
    Michael J. Monaghan, P.E., Chief Engineer, Facilities Engineering
    Kathy LaGuardia, Executive Assistant for Finance & Administration
    Laura Conway, CPA, Chief Accountant
    CE RESO Review (e-mail)
RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH THE REHABILITATION OF PARKING LOTS, DRIVES AND CURBS AT COUNTY FACILITIES (CP 1678)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with rehabilitation of Parking lots, drives and curbs at County facilities; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; 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 2010 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 issuance of $300,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (1), (2), (4), (20) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-six (46) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-1678.320</td>
<td>50</td>
<td>Rehabilitation of Parking Lots, Drives and Curbs at County Facilities</td>
<td>$300,000</td>
</tr>
</tbody>
</table>
DATED:

APPROVED BY:

County Executive of Suffolk County

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

1. Type of Legislation

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

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH THE REHABILITATION OF PARKING LOTS, DRIVES AND CURBS AT COUNTY FACILITIES (CP 1678)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer  11. Signature of Preparer  12. Date

Nicholas Paglia  
Executive Technician  

October 22nd, 2010

SCIN FORM 175b (10/95)
## 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>
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<tr>
<td>TOTAL</td>
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<td>$0.05</td>
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<td>$0.00</td>
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## POLICE DISTRICT AND DISTRICT COURT

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

## COMBINED

<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>$26,388</td>
<td>$0.05</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**

1) **SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION:** SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.

2) **SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES:** SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.

3) **SOURCE FOR EQUALIZATION RATES:** TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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<tbody>
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<td>5/1/2015</td>
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<td>$22,057.19</td>
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<td></td>
</tr>
<tr>
<td>4/30/2016</td>
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<td>$4,004.65</td>
<td>$22,383.64</td>
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<td>4/30/2017</td>
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<td>$22,722.12</td>
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<td></td>
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<tr>
<td>5/1/2018</td>
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<tr>
<td>4/30/2021</td>
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<td>5/1/2022</td>
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<td>4/30/2025</td>
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<td>$1,777.32</td>
<td>$24,610.98</td>
<td>$26,388.29</td>
<td></td>
</tr>
</tbody>
</table>

| Total      | $300,000.00 | $95,824.40 | $395,824.40 | $395,824.40     |
MEMORANDUM

TO: Ken Crannell, Deputy County Executive

FROM: James Peterman, P.E., Chief Deputy Commissioner

DATE: November 23, 2010

RE: C.P. 1678 – Rehabilitation of Parking Lots, Drives and Curbs at County Facilities

We are forwarding herewith a draft resolution appropriating the sum of $300,000.00 for construction in connection with the above referenced project. There are presently funds included in the 2010 Capital Budget and Program for this project.

Attached are locations tentatively scheduled for rehabilitation in 2010 for the above-referenced project. This project provides for resurfacing, repairing and/or rehabilitating drives, parking fields, curbs and sidewalks at various County office facilities. This work reduces further deterioration, which then requires costly reconstruction. Also, elimination of hazardous conditions reduces the County’s liability claims.

An e-mail version was sent to CE RESO REVIEWS saved under the title “RESO-REQUEST CP1678 – Rehabilitation of Parking Lots, Drives and Curbs at County Facilities.”

JP:CM:mm
attach.
cc: Christopher Kent, Chief Deputy County Executive
   Brendan Chamberlain, County Executive Assistant
   Carmine Chiusano, Assistant Budget Director
   Kathy LaGuardia, Chief Auditor
   Linda Brandolf, CPA, Capital Accounting
   CE RESO REVIEW
PROJECT 1678
REHABILITATION OF PARKING LOTS, DRIVES AND CURBS AT COUNTY FACILITIES

Yaphank DPW
1st Precinct
3rd Precinct
Probation
Shirley Health
Other Various County Facilities
RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH THE IMPROVEMENTS TO COUNTY ENVIRONMENTAL RECHARGE BASINS (CP 5072)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Improvements to County Environmental Recharge Basins; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $250,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter “SEQRA”), CEQ Resolution No. 12-04 classified the action contemplated by this as a Type II action pursuant to Volume 6 of the New York Code of Rules and Regulations (“NYCRR”), Section 617.5(c) (1), (2), (20) and (27) as the action concerns maintenance or repair involving no substantial changes in an existing structure and/or replacement, rehabilitation or reconstruction of a structure or facility, in-kind; the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty four (44) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as amended by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of $250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP 5072.311 (Fund 001 - Debt Service)</td>
<td>50</td>
<td>Improvements to County Environmental Recharge Basins</td>
<td>$250,000</td>
</tr>
</tbody>
</table>
DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
1. Type of Legislation

Resolution  X  Local Law  _______  Charter Law  _______

2. Title of Proposed Legislation

RESOLUTION NO.  - 2010, APPROPRIATING FUNDS IN
CONNECTION WITH THE IMPROVEMENTS TO COUNTY
ENVIRONMENTAL RECHARGE BASINS (CP 5072)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

   County  Town  Economic Impact

   Village  School District  Other (Specify):

   Library District  Fire District

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer

Nicholas Paglia  Executive Technician

11. Signature of Preparer

12. Date

November 24th, 2010

SCIN FORM 175b (10/95)
## General Fund

<table>
<thead>
<tr>
<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>Total</td>
<td>$21,990</td>
<td>$0.04</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

## Police District and District Court

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

## Combined

<table>
<thead>
<tr>
<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>Total</td>
<td>$21,990</td>
<td>$0.04</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 2009.
3. Source for equalization rates: Tentative 2009 County Equalization Rates Established by the New York State Board of Equalization and Assessments.

Page 2 of 2

To be completed by the Executive Budget Office
### Suffolk County
#### General Obligation Serial Bonds
##### Level Debt

<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon %</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/1/2010</td>
<td>2.500%</td>
<td>$12,781.91</td>
<td>$9,208.33</td>
<td>$21,990.24</td>
</tr>
<tr>
<td>5/1/2012</td>
<td>3.500%</td>
<td>$13,252.71</td>
<td>$4,368.77</td>
<td>$17,621.48</td>
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<tr>
<td>5/1/2013</td>
<td>3.500%</td>
<td>$13,740.85</td>
<td>$4,124.70</td>
<td>$17,865.55</td>
</tr>
<tr>
<td>5/1/2014</td>
<td>3.500%</td>
<td>$14,246.97</td>
<td>$3,871.63</td>
<td>$18,118.61</td>
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<tr>
<td>5/1/2015</td>
<td>3.500%</td>
<td>$14,771.74</td>
<td>$3,609.25</td>
<td>$18,380.99</td>
</tr>
<tr>
<td>4/30/2016</td>
<td>3.500%</td>
<td>$15,315.83</td>
<td>$3,337.21</td>
<td>$18,653.04</td>
</tr>
<tr>
<td>4/30/2017</td>
<td>3.500%</td>
<td>$15,879.96</td>
<td>$3,055.14</td>
<td>$18,935.10</td>
</tr>
<tr>
<td>5/1/2018</td>
<td>3.500%</td>
<td>$16,464.88</td>
<td>$2,762.68</td>
<td>$19,227.56</td>
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<tr>
<td>5/1/2019</td>
<td>3.500%</td>
<td>$17,071.33</td>
<td>$2,459.46</td>
<td>$19,530.79</td>
</tr>
<tr>
<td>4/30/2020</td>
<td>3.500%</td>
<td>$17,700.13</td>
<td>$2,145.06</td>
<td>$19,845.19</td>
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<tr>
<td>4/30/2021</td>
<td>3.500%</td>
<td>$18,352.08</td>
<td>$1,819.08</td>
<td>$20,171.16</td>
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<tr>
<td>5/1/2022</td>
<td>3.500%</td>
<td>$19,028.05</td>
<td>$1,481.10</td>
<td>$20,509.15</td>
</tr>
<tr>
<td>5/1/2023</td>
<td>3.500%</td>
<td>$19,728.92</td>
<td>$1,130.66</td>
<td>$20,859.58</td>
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<tr>
<td>4/30/2024</td>
<td>3.500%</td>
<td>$20,455.60</td>
<td>$767.32</td>
<td>$21,222.92</td>
</tr>
<tr>
<td>4/30/2025</td>
<td>3.500%</td>
<td>$21,209.04</td>
<td>$390.60</td>
<td>$21,609.64</td>
</tr>
</tbody>
</table>

**Total:**
- $250,000.00
- $79,853.67
- $329,853.67
- $329,853.67
TO: Ken Crannell, Deputy County Executive
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: February 1, 2010
RE: APPROPRIATING FUNDS IN CONNECTION WITH THE IMPROVEMENTS TO COUNTY ENVIRONMENTAL RECHARGE BASINS (CP 5072)

Attached are a draft resolution and duplicate copy to appropriate the sum of $250,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

This on-going project will improve the functionality, security, appearance and potential public health impacts of the County's recharge basins. The County maintains over 250 recharge basins most of which are over 25 years old. The natural growth of vegetation has encroached into holding areas, reducing the natural recharge ability of the basins. The shedding of needles and leaves from the plantings as well as the materials contained in the runoff from roadways have caused the bottoms of the basins to become silted, limiting the recharge of water back into the ground. The vegetation has also encroached into the security fencing around the basins compromising the safety barriers around these sites. Recommended funding will allow the cleaning and restoration of five to fifteen basins per year.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-Environmental Recharge Basins.doc".
CP 5072 - Proposed Locations for Recharge Basin Maintenance

CR 100, Suffolk Avenue and Washington Avenue

CR 43, Northville Turnpike, vicinity of Middle Road

CR 36, South Country Road and Orchard Road

CR 46, William Floyd Parkway and Winston

It may be necessary to add and/or substitute other roads and/or revise limits of work due to seasonal limitations, changes in priorities, or other requirements as determined by this department.
RESOLUTION NO. 2010, APPROPRIATING FUNDS IN CONNECTION WITH BUILDING SAFETY IMPROVEMENTS (CAPITAL PROGRAM NUMBER 1603)

WHEREAS, the Commissioner of Public Works has requested funds for various safety improvements to County buildings; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; 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 2010 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 issuance of $750,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and (25) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of Fifty-Three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

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

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-1603.311</td>
<td>20</td>
<td>Building Safety Improvements</td>
<td>$750,000</td>
</tr>
</tbody>
</table>

Date:

APPROVED BY:

County Executive of Suffolk County

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

1. Type of Legislation

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

2. Title of Proposed Legislation

RESOLUTION NO. 2010, APPROPRIATING FUNDS IN CONNECTION WITH BUILDING SAFETY IMPROVEMENTS (CAPITAL PROGRAM NUMBER 1603)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer

Debra Kolyer
Principal Financial Analyst

11. Signature of Preparer

[Signature]

12. Date

November 19, 2010

SCIN FORM 175b (10/95)
## 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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$65,971</td>
<td>$0.12</td>
<td></td>
<td>$0.000</td>
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</tbody>
</table>

## POLICE DISTRICT AND DISTRICT COURT

<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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

## COMBINED

<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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$65,971</td>
<td>$0.12</td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

**NOTES:**
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office
<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/1/2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11/1/2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5/1/2012</td>
<td>2.50%</td>
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<td>$27,625.00</td>
<td>$65,970.73</td>
<td>$65,970.73</td>
</tr>
<tr>
<td>5/2/2013</td>
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<td>$39,758.13</td>
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<tr>
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<td>$41,222.56</td>
<td>$12,374.09</td>
<td>$53,596.65</td>
<td>$65,970.73</td>
</tr>
<tr>
<td>5/2/2015</td>
<td>3.50%</td>
<td>$42,740.92</td>
<td>$11,614.90</td>
<td>$54,355.83</td>
<td>$65,970.73</td>
</tr>
<tr>
<td>5/1/2016</td>
<td>3.50%</td>
<td>$44,315.21</td>
<td>$10,827.76</td>
<td>$55,142.97</td>
<td>$65,970.73</td>
</tr>
<tr>
<td>5/1/2017</td>
<td>3.50%</td>
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<td>$10,011.62</td>
<td>$55,959.11</td>
<td>$65,970.73</td>
</tr>
<tr>
<td>5/1/2018</td>
<td>3.50%</td>
<td>$47,639.89</td>
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<td>$56,805.31</td>
<td>$65,970.73</td>
</tr>
<tr>
<td>5/2/2019</td>
<td>3.50%</td>
<td>$49,394.63</td>
<td>$8,288.05</td>
<td>$57,682.68</td>
<td>$65,970.73</td>
</tr>
<tr>
<td>5/1/2020</td>
<td>3.50%</td>
<td>$51,213.99</td>
<td>$7,378.37</td>
<td>$58,592.36</td>
<td>$65,970.73</td>
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<tr>
<td>5/1/2021</td>
<td>3.50%</td>
<td>$53,100.38</td>
<td>$6,435.18</td>
<td>$59,535.56</td>
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<tr>
<td>5/1/2022</td>
<td>3.50%</td>
<td>$55,056.24</td>
<td>$5,457.25</td>
<td>$60,513.49</td>
<td>$65,970.73</td>
</tr>
<tr>
<td>5/2/2023</td>
<td>3.75%</td>
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<tr>
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<td>4.00%</td>
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<td>$47,824.98</td>
<td>$65,970.73</td>
</tr>
<tr>
<td>5/1/2025</td>
<td>4.50%</td>
<td>$44,432.99</td>
<td>$2,301.97</td>
<td>$46,734.96</td>
<td>$65,970.73</td>
</tr>
<tr>
<td>5/1/2026</td>
<td>5.00%</td>
<td>$44,432.99</td>
<td>$1,171.80</td>
<td>$45,604.79</td>
<td>$65,970.73</td>
</tr>
</tbody>
</table>

| Amount to Bond: | $750,000.00 | $239,561.00 | $989,561.00 | $989,561.00 |
MEMORANDUM

TO: Ken Crannell, Deputy County Executive (2 copies)
FROM: James Peterman, P.E., Chief Deputy Commissioner
DATE: 23 August 2010
RE: CP 1603 - Building Safety Improvements

Attached for your review is a draft resolution appropriating the sum of $750,000 to fund safety improvements to be made in various County buildings.

This action is considered a Type II action under SEQRA as this action is related to work producing no substantial changes within an existing building.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP1603 Bldg Safety Improv.doc.

cc: Christopher Kent, Chief Deputy County Executive
    Ed Dumas, Chief Deputy County Executive
    Gilbert Anderson, P.E., Commissioner
    Louis Calderone, Deputy Commissioner
    Tedd Godek, R.A., County Architect, Buildings Design & Construction
    Michael J. Monaghan, P.E., Chief Engineer, Facilities Engineering
    Kathy LaGuardia, Executive Assistant for Finance & Administration
    Laura Conway, CPA, Chief Accountant
    CE RESO Review (e-mail)
RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CAPITAL PROGRAM NUMBER 3301)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Safety Improvements at Various Intersections; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $100,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that traffic signal improvements constitute a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(16)(20)(21)(27) since the action involves a legislative decision concerning the installation of traffic control devices on existing streets, roads and highways; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-one (51) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP 3301.128</td>
<td>50</td>
<td>Safety Improvements at Various Intersections</td>
<td>$100,000</td>
</tr>
<tr>
<td>(Fund 001 – Debt Service)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

DATED:

APPROVED BY:
1. Type of Legislation
   - Resolution X
   - Local Law _____
   - Charter Law _____

2. Title of Proposed Legislation
   APPROPRIATING FUNDS IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CAPITAL PROGRAM NUMBER 3301)

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 4 is "yes", Provide Detailed Explanation of Impact
   SERIAL BONDS WILL BE ISSUED TO FINANCE THE PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

8. Proposed Source of Funding
   SERIAL BONDS.


10. Typed Name & Title of Preparer
    Gina H. Kommer
    Assistant Executive Analyst

11. Signature of Preparer
    [Signature]

12. Date
    November 17, 2010

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

<table>
<thead>
<tr>
<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>TOTAL</td>
<td>$21,216</td>
<td>$0.04</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

## POLICE DISTRICT AND DISTRICT COURT

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

## COMBINED

<table>
<thead>
<tr>
<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>TOTAL</td>
<td>$21,216</td>
<td>$0.04</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 2009-2010.

3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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<tbody>
<tr>
<td>5/1/2011</td>
<td>5%</td>
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<td>$21,215.84</td>
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</tr>
<tr>
<td>5/1/2012</td>
<td>2%</td>
<td>$19,600.16</td>
<td>$807.84</td>
<td>$20,408.00</td>
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</tr>
<tr>
<td>5/2/2013</td>
<td>2%</td>
<td>$19,992.16</td>
<td>$611.84</td>
<td>$20,604.00</td>
<td>$21,215.84</td>
</tr>
<tr>
<td>5/2/2014</td>
<td>2%</td>
<td>$20,392.00</td>
<td>$411.92</td>
<td>$20,803.92</td>
<td>$21,215.84</td>
</tr>
<tr>
<td>5/1/2015</td>
<td>2%</td>
<td>$20,799.84</td>
<td>$208.00</td>
<td>$21,007.84</td>
<td>$21,215.84</td>
</tr>
</tbody>
</table>

#VALUE!

$100,000.00  $6,079.20   $106,079.20  $106,079.20

#VALUE!

#VALUE!

#VALUE!
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
FROM: James K. Peterman, P.E., Chief Deputy Commissioner
DATE: October 26, 2010
RE: Appropriating Funds in Connection with Safety Improvements at Various Intersections (CP 3301)

Attached is a draft resolution and duplicate copy to appropriate the sum of $100,000 for engineering in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

The purpose of this appropriation is to have funding available to conduct traffic engineering studies on short notice for the purpose of recommending safety improvements to reduce the accident rates at various intersections. These studies will identify for each location’s existing and future problems, and develop both short-range and long-range improvement plans.

Potential locations for these studies are CR 50, Union Boulevard at CR 57, Bay Shore Road and CR 101, Sills Road between Dunton Avenue and CR 99, Woodside Avenue. It may be necessary to add and/or substitute other locations due to seasonal limitations, changes in priorities or other requirements to be determined by this Department.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “Reso-DPW-CP3301.doc”.

JKP/WH/td
attach.
cc: Chris Kent, Chief Deputy County Executive
    Brendan Chamberlain, County Executive Assistant
    Carmine Chiusano, Principal Financial Analyst
    William Hillman, P.E., Chief Engineer
    Laura Conway, CPA, Chief Accountant
    Linda Brandolf, CPA, Capital Accounting
    Theresa D’Angelo, Principal Clerk
    Michael Mulé, Senior Planner

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHKANK AVENUE  ■  YAPHKANK, N.Y. 11980  ■  (631) 852-4010
FAX (631) 852-4150
RESOLUTION SUBMITTAL SHEET

Capital Project 3301
Operating Fund
Other

Legislative Districts var
Federal Aid %
State Aid %

Give a complete description of why we are asking for reso; if aided, state status of aid
Engineering for Safety Improvements at Various Intersections
Previous resolution (list previous reso for the same work)

<table>
<thead>
<tr>
<th>Resolution Number</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>389-2008</td>
<td>Engineering for Safety Improvements at Various Intersections</td>
<td>$200,000</td>
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<td>1194-2008</td>
<td>Engineering for Safety Improvements at Various Intersections</td>
<td>$100,000</td>
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</tbody>
</table>

<table>
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<tr>
<th>Amounts being requested</th>
<th>Current Unencum Bal w/Quotes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning</td>
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<td>$100,000</td>
<td>$42,591</td>
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<tr>
<td>Site</td>
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<tr>
<td>Construction</td>
<td>Construction</td>
</tr>
<tr>
<td>Land</td>
<td>Land</td>
</tr>
<tr>
<td>F&amp;E</td>
<td>F&amp;E</td>
</tr>
</tbody>
</table>

Project Status
Est. planning completion As Needed
Est. construction start
Est. construction completion
Design consultant
Contractor

State required offsets, their legis. Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<table>
<thead>
<tr>
<th>Offset</th>
<th>Legis District</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>n/a</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH TRAFFIC SIGNAL IMPROVEMENTS (CAPITAL PROGRAM NUMBER 5054)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Traffic Signal Improvements; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $100,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that traffic signal improvements constitute a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(16)(20)(21)(27) since the action involves a legislative decision concerning the installation of traffic control devices on existing streets, roads and highways; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-five (45) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP 5054.112 (Fund 001 – Debt Service)</td>
<td>50</td>
<td>Traffic Signal Improvements</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

DATED:

APPROVED BY:

County Executive of Suffolk County
### Statement of Financial Impact

#### Type of Legislation
- **Resolution** X
- **Local Law**
- **Charter Law**

#### Title of Proposed Legislation

APPROPRIATING FUNDS IN CONNECTION WITH TRAFFIC SIGNAL IMPROVEMENTS (CAPITAL PROGRAM NUMBER 5054)

#### Purpose of Proposed Legislation

SEE NO. 2 ABOVE

#### Will the Proposed Legislation Have a Fiscal Impact?
- Yes X
- No

#### If the answer to item 4 is "yes", on what will it impact?

<table>
<thead>
<tr>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
</tr>
<tr>
<td>Town</td>
</tr>
<tr>
<td>Village</td>
</tr>
<tr>
<td>School District</td>
</tr>
<tr>
<td>Library District</td>
</tr>
<tr>
<td>Fire District</td>
</tr>
</tbody>
</table>

#### If the answer to item 4 is "yes", Provide Detailed Explanation of Impact

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

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

SEE ATTACHED DEBT SCHEDULE.

#### Proposed Source of Funding

SERIAL BONDS.

#### Timing of Impact

2011

---

10. **Typed Name & Title of Preparer**

   Gina H. Kommer  
   Assistant Executive Analyst

11. **Signature of Preparer**

   

12. **Date**

   November 17, 2010
## FINANCIAL IMPACT
### 2011 PROPERTY TAX LEVY
#### COST TO THE AVERAGE TAXPAYER

<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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<tr>
<td><strong>GENERAL FUND</strong></td>
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<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$21,216</td>
<td>$0.04</td>
<td></td>
<td>$0.000</td>
</tr>
<tr>
<td><strong>POLICE DISTRICT AND DISTRICT COURT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
<td>$0.000</td>
</tr>
<tr>
<td><strong>COMBINED</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$21,216</td>
<td>$0.04</td>
<td></td>
<td>$0.000</td>
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**NOTES:**
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

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<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/1/2011</td>
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<td>$21,215.84</td>
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<tr>
<td>5/1/2012</td>
<td>2.000%</td>
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<td>$807.84</td>
<td>$20,800.00</td>
<td>$21,215.84</td>
</tr>
<tr>
<td>5/2/2014</td>
<td>2.000%</td>
<td>$20,392.00</td>
<td>$411.92</td>
<td>$20,803.92</td>
<td>$21,215.84</td>
</tr>
<tr>
<td>5/1/2016</td>
<td>2.500%</td>
<td>$20,799.84</td>
<td>$208.00</td>
<td>$21,007.84</td>
<td>$21,215.84</td>
</tr>
</tbody>
</table>

Total: $100,000.00, $6,079.20, $106,079.20, $106,079.20
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
FROM: James K. Peterman, P.E., Chief Deputy Commissioner
DATE: October 26, 2010
RE: Appropriating Funds in Connection with Traffic Signal Improvements (CP 5054)

Attached is a draft resolution and duplicate copy to appropriate the sum of $100,000 for engineering services in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

The intent of this project is to reduce the traffic accident rate on County roads through the design and installation of new signals where studies show they are warranted and through modernization of existing signals and signal systems where required. The designation of signal locations to be progressed to construction as a result of these studies is an ongoing process.

Potential locations are identified on the attached list. It may be necessary to add and/or substitute other locations due to seasonal limitations, changes in priorities or other requirements to be determined by this Department.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “Reso-DPW-CP5054(designed).doc”.

JKP/WH/td
attach.
cc: Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Laura Conway, CPA, Chief Accountant
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk
Michael Mulé, Senior Planner

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE   YAPHANK, N.Y. 11980   (631) 852-4010
         FAX (631) 852-4150
Proposed Locations for Traffic Signal Design:

CR 6 @ 108
CR 7 @ Chapel Hill Drive and South Entrance to Brentwood North Middle School
CR 7 @ CR-013
CR 7 @ Heywood
CR 11 @ CR-092
CR 11 @ Larkfield
CR 12 @ Bayview
CR 14 @ Sunken Meadow Ramp/Library
CR 16 @ CR-080
CR 17 @ Clayton
CR 17 @ CR-050
CR 17 @ CR-100
CR 19 @ East & West 3rd
CR 21 @ Everett
CR 21 @ Whiskey
CR 35 @ Woodhull
CR 46 @ CR-080
CR 46 @ Fairlawn
CR 46 @ Victory Avenue
CR 67 @ East of CR-004
CR 80 @ Lake
CR 92 @ West 19th
CR 92 @ West Rogues
CR 99 @ Buffalo
CR 99 @ Harlem
CR 99 @ Hospital
CR 99 @ Sipp
CR 111 @ LIE NSR
CR 111 @ LIE SSR
RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 94, NUGENT DRIVE (CENTER DRIVE) AT CR 51, EAST MORICHES-RIVERHEAD ROAD AND CR63, EAST MORICHES-RIVERHEAD ROAD AT CR104, QUOGUE-RIVERHEAD ROAD AND NYS ROUTE 24, FLANDERS ROAD, TOWNS OF RIVERHEAD AND SOUTHAMPTON (CP 5557)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Intersection Improvements on CR 94, Nugent Drive (Center Drive) at CR 51, East Moriches-Riverhead Road and CR 63, East Moriches-Riverhead Road at CR 104, Quogue-Riverhead Road and NYS Route 24, Flanders Road; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $300,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (20) and (21) and 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 and to conduct engineering studies; since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete Intersection Improvements on CR 94, Nugent Drive (Center Drive) at CR 51, East Moriches-Riverhead Road and CR 63, East Moriches-Riverhead Road at CR 104, Quogue-Riverhead Road and NYS Route 24, Flanders Road, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:
<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-5557.110</td>
<td>50</td>
<td>Intersection Improvements on CR 94, Nugent Drive (Center Drive) at CR 51, East</td>
<td>$300,000</td>
</tr>
<tr>
<td>(Fund 001 Debt Service)</td>
<td></td>
<td>Moriches-Riverhead Road and CR 63, East Moriches-Riverhead Road at CR 104, Quogue-Riverhead Road and NYS Route 24, Flanders Road--Engineering and Design</td>
<td></td>
</tr>
</tbody>
</table>

DATED: 

APPROVED BY:  

__________________________________________  
County Executive of Suffolk County  
Date: ______________________________
1. Type of Legislation

Resolution  _X_  
Local Law ____  Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO.  - 2010, APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 94, NUGENT DRIVE (CENTER DRIVE) AT CR 51, EAST MORICHES-RIVERHEAD ROAD AND CR63, EAST MORICHES-RIVERHEAD ROAD AT CR104, QUOGUE-RIVERHEAD ROAD AND NYS ROUTE 24, FLANDERS ROAD, TOWNS OF RIVERHEAD AND SOUTHAMPTON (CP 5557)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer  Nicholas Paglia  Executive Technician

11. Signature of Preparer

12. Date  November 19th, 2010
## FINANCIAL IMPACT
### 2011 PROPERTY TAX LEVY
#### COST TO THE AVERAGE TAXPAYER

<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 $100</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$66,069</td>
<td>$0.12</td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

<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 $100</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.000</td>
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</tbody>
</table>

### COMBINED

<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 $100</th>
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<td></td>
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**NOTES:**
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

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<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
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<td>5/1/2011</td>
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<td>$66,068.51</td>
</tr>
<tr>
<td>5/1/2012</td>
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<td>$4,023.22</td>
<td>$62,045.29</td>
<td>$66,068.51</td>
</tr>
<tr>
<td>5/1/2013</td>
<td>3.50%</td>
<td>$59,936.80</td>
<td>$4,023.22</td>
<td>$63,002.66</td>
<td>$66,068.51</td>
</tr>
<tr>
<td>5/1/2014</td>
<td>3.50%</td>
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<td>$64,980.58</td>
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<tr>
<td>5/1/2015</td>
<td>3.50%</td>
<td>$63,957.90</td>
<td>$2,076.90</td>
<td>$66,034.80</td>
<td>$66,068.51</td>
</tr>
</tbody>
</table>

$300,000.00 $30,342.56 $330,342.56 $330,342.56
MEMORANDUM

TO:         Ken Crannell, Deputy County Executive
FROM:       James K. Peterman, P.E., Chief Deputy Commissioner
DATE:       October 26, 2010
RE:         Appropriating Funds in Connection with Intersection Improvements on CR 94, Nugent Drive (Center Drive) at CR 51, East Moriches-Riverhead Road and CR 63, East Moriches-Riverhead Road at CR 104, Quogue-Riverhead Road and NYS Route 24, Flanders Road, Town of Southampton (CP 5557)

Attached is a draft resolution and duplicate copy to appropriate the sum of $300,000 for engineering in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

This appropriation will progress the design improvements that will be identified in the ongoing study. These design improvements will improve traffic safety and pedestrian mobility and reduce accident rates at the above locations.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “Reso-DPW-CP5557.doc”.

JKP/WH/td
attach.
cc:  Chris Kent, Chief Deputy County Executive
     Brendan Chamberlain, County Executive Assistant
     Carmine Chiusano, Principal Financial Analyst
     William Hillman, P.E., Chief Engineer
     Laura Conway, CPA, Chief Accountant
     Linda Brandolf, CPA, Capital Accounting
     Theresa D’Angelo, Principal Clerk
     Michael Mulé, Senior Planner

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE        YAPHANK, N.Y. 11980        (631) 852-4010
            FAX (631) 852-4150
RESOLUTION NO. - 2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE REPLACEMENT OF CR 16, HORSEBLOCK ROAD OVER THE LIRR BRIDGE, TOWN OF BROOKHAVEN (CP 5850)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Replacement of CR 16, Horseblock Road over the LIRR Bridge; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

WHEREAS, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request under Capital Project 5850 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN OT2435, under the Federal Highway Administration (FHWA) funding, with a share allocation of eighty percent (80%) Federal funds ($680,000) and twenty percent (20%) County funds ($170,000); and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $850,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (21) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action, since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-six (46) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the Replacement of CR 16, Horseblock Road over the LIRR Bridge; and be it further
4th RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5850
Project Title: Rehabilitation of Various Bridges and Embankments

<table>
<thead>
<tr>
<th></th>
<th>Revised 2010</th>
<th>Current 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Capital</td>
<td>Capital</td>
</tr>
<tr>
<td></td>
<td>Program</td>
<td>Program</td>
</tr>
<tr>
<td>1. Planning, Design, Supervision</td>
<td>$925,000</td>
<td>$0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$8,565,000</td>
<td>$850,000</td>
</tr>
</tbody>
</table>

5th RESOLVED, that the proceeds of $170,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-5850.111 (Fund 001 Debt Service)</td>
<td>50</td>
<td>Replacement of CR 16, Horseblock Road over the LIRR Bridge—Planning &amp; Engineering</td>
<td>$170,000</td>
</tr>
</tbody>
</table>

and be it further

6th RESOLVED, that Federal Aid in the amount of $680,000 be and it hereby is appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-5850.111</td>
<td>50</td>
<td>Replacement of CR 16, Horseblock Road over the LIRR Bridge—Planning &amp; Engineering</td>
<td>$680,000</td>
</tr>
</tbody>
</table>

7th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of $170,000; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of $680,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of $680,000; and be it further

10th RESOLVED, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

11th RESOLVED, that no appropriations shall be expended, encumbered, or authorized, until the County is in receipt of the Federal Authorization for this project; and be it further
12th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

________________________
County Executive of Suffolk County

Date:
1. Type of Legislation

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

2. Title of Proposed Legislation

RESOLUTION NO. 2010-70, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE REPLACEMENT OF CR 16, HORSEBLOCK ROAD OVER THE LIRR BRIDGE, TOWN OF BROOKHAVEN (CP 5850)

3. Purpose of Proposed Legislation

See No. 2 above.

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

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

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

6. If the answer to item 5 is "yes", provide detailed explanation of impact

There are Federal funds available from the Federal Highway Administration (FHWA) for this project, with a share allocation of eighty (80%) percent Federal funds ($680,000) and twenty (20%) percent County funds ($170,000). Suffolk County must “first instance” fund the entire cost of the project. County Comptroller is authorized to issue bond anticipation notes for the federal share. If short term notes are issued, the county would incur minimal interest costs.

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

N/A

8. Proposed Source of Funding

Federal Funds 80% and Suffolk County Serial Bonds 20%.

9. Timing of Impact

2011 for Suffolk County Serial Bonds. The appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for this project.

10. Typed Name & Title of Preparer

Nicholas Paglia
Executive Technician

11. Signature of Preparer

[Signature]

12. Date

November 22nd, 2010

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

<table>
<thead>
<tr>
<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>TOTAL</td>
<td>$37,439</td>
<td>$0.07</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

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

### COMBINED

<table>
<thead>
<tr>
<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>TOTAL</td>
<td>$37,439</td>
<td>$0.07</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 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office
<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/1/2011</td>
<td>5%</td>
<td>$31,828.82</td>
<td>$5,610.00</td>
<td>$37,438.82</td>
<td>$37,438.82</td>
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<tr>
<td>5/1/2012</td>
<td>6%</td>
<td>$32,879.17</td>
<td>$2,279.82</td>
<td>$35,159.00</td>
<td>$37,438.82</td>
</tr>
<tr>
<td>5/1/2013</td>
<td>6%</td>
<td>$33,964.19</td>
<td>$1,737.32</td>
<td>$35,701.51</td>
<td>$37,438.82</td>
</tr>
<tr>
<td>5/1/2014</td>
<td>3%</td>
<td>$35,085.01</td>
<td>$1,176.91</td>
<td>$36,261.91</td>
<td>$37,438.82</td>
</tr>
<tr>
<td>5/1/2015</td>
<td>3%</td>
<td>$36,242.81</td>
<td>$598.01</td>
<td>$36,840.82</td>
<td>$37,438.82</td>
</tr>
</tbody>
</table>

**Total**

| $170,000.00 | $17,194.12 | $187,194.12 | $187,194.12 |
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
FROM: James K. Peterman, P.E., Chief Deputy Commissioner
DATE: October 26, 2010
RE: Amending the 2010 Capital Budget and Program and Appropriating Funds in Connection with the Replacement of CR 16, Horseblock Road over the LIRR Bridge, Town of Brookhaven (CP 5850)

Attached is a draft resolution and duplicate copy to appropriate the sum of $850,000 for engineering in connection with the above referenced project. There are no funds included in the 2010 Capital budget and program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

This appropriation will allow for the design for the replacement of the bridge that carries CR 16, Horseblock Road over the Long Island Railroad. A study completed in 2004 concluded that this bridge structure is in a severely deteriorated state and must be replaced. This has been evident given the fact that in the last 4 years on two occasions the deck experienced failures that required lane closures and emergency repairs. In addition, in March of 2010 the steel fascia girder connection failed due to corrosion and also required emergency repair.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “Reso-DPW-CP5850(CR16overLIRR).doc”.

JKP/WH/td
attach.
cc: Chris Kent, Chief Deputy County Executive
    Brendan Chamberlain, County Executive Assistant
    Carmine Chiusano, Principal Financial Analyst
    William Hillman, P.E., Chief Engineer
    Laura Conway, CPA, Chief Accountant
    Linda Brandolf, CPA, Capital Accounting
    Theresa D’Angelo, Principal Clerk
    Michael Mulé, Senior Planner

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE • YAPHANK, N.Y. 11980 • (631) 852-4010
FAX (631) 852-4150
RESOLUTION NO. - 2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR THE REPLACEMENT OF SMITH POINT BRIDGE OVER NARROW BAY, TOWN OF BROOKHAVEN (CP 5838)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Replacement Smith Point Bridge over Narrow Bay; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

WHEREAS, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request under Capital Project 5838 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN OT2437, under the Federal Highway Administration (FHWA) funding, with a share allocation of eighty percent (80%) Federal funds ($800,000) and twenty percent (20%) County funds ($200,000); and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,000,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (21) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action, since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-seven (57) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the Rehabilitation of CR 46, William Floyd Parkway (Smith Point) Bridge over Narrow Bay; and be it further
4th RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5838
Project Title: Rehabilitation of Smith Point Bridge

<table>
<thead>
<tr>
<th>Cost</th>
<th>Current 2010</th>
<th>Revised 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Est'd</td>
<td>Capital</td>
<td>Capital</td>
</tr>
<tr>
<td></td>
<td>Budget &amp; Program</td>
<td>Budget &amp; Program</td>
</tr>
<tr>
<td>1. Planning, Design, Engineering</td>
<td>$4,850,000</td>
<td>$0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$10,967,500</td>
<td>$2,100,000</td>
</tr>
</tbody>
</table>

5th RESOLVED, that the proceeds of $200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No. J.C. Project Title Amount
525-CAP-5838.112 50 Replacement of Smith Point Bridge over Narrow Bay—Planning & Engineering $200,000

and be it further

6th RESOLVED, that Federal Aid in the amount of $800,000 be and it hereby is appropriated as follows:

Project No. J.C. Project Title Amount
525-CAP-5838.112 50 Replacement of Smith Point Bridge over Narrow Bay—Planning & Engineering $800,000

7th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of $200,000; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of $800,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of $800,000; and be it further

10th RESOLVED, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

11th RESOLVED, that no appropriations shall be expended, encumbered, or authorized, until the County is in receipt of the Federal Authorization for this project; and be it further
12th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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

2. Title of Proposed Legislation

RESOLUTION NO. - 2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR THE REPLACEMENT OF SMITH POINT BRIDGE OVER NARROW BAY, TOWN OF BROOKHAVEN (CP 5838)

3. Purpose of Proposed Legislation

See No. 2 above.

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

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

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

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

There are Federal funds available from the Federal Highway Administration (FHWA) for this project, with a share allocation of eighty (80%) percent Federal funds ($800,000) and twenty (20%) percent County funds ($200,000). Suffolk County must "first instance" fund the entire cost of the project. County Comptroller is authorized to issue bond anticipation notes for the federal share. If short term notes are issued, the county would incur minimal interest costs.

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

N/A

8. Proposed Source of Funding

Federal Funds 80% and Suffolk County Serial Bonds 20%.

9. Timing of Impact

2011 for Suffolk County Serial Bonds. The appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for this project.

10. Typed Name & Title of Preparer

Nicholas Paglia
Executive Technician

11. Signature of Preparer

[Signature]

12. Date

November 22nd, 2010

SCIN FORM 175b (10/95)
# FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

## 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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$44,046</td>
<td>$0.08</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

## POLICE DISTRICT AND DISTRICT COURT

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

## COMBINED

<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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$44,046</td>
<td>$0.08</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 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
## Suffolk County
General Obligation Serial Bonds
Level Debt

<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/1/2011</td>
<td>2.50%</td>
<td>$37,445.67</td>
<td>$6,600.00</td>
<td>$44,045.67</td>
<td>$44,045.67</td>
</tr>
<tr>
<td>5/1/2012</td>
<td>3.50%</td>
<td>$38,681.38</td>
<td>$2,682.15</td>
<td>$41,363.53</td>
<td>$44,045.67</td>
</tr>
<tr>
<td>5/1/2013</td>
<td>3.50%</td>
<td>$39,957.87</td>
<td>$2,043.90</td>
<td>$42,001.77</td>
<td>$44,045.67</td>
</tr>
<tr>
<td>5/1/2014</td>
<td>3.50%</td>
<td>$41,276.48</td>
<td>$1,384.60</td>
<td>$42,661.08</td>
<td>$44,045.67</td>
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<tr>
<td>5/1/2015</td>
<td>3.50%</td>
<td>$42,638.60</td>
<td>$703.54</td>
<td>$43,342.14</td>
<td>$44,045.67</td>
</tr>
</tbody>
</table>

| Total   | $200,000.00 | $20,228.37 | $220,228.37 | $220,228.37 |

2180
MEMORANDUM

TO:        Ken Crannell, Deputy County Executive
FROM:      James K. Peterman, P.E., Chief Deputy Commissioner
DATE:      October 27, 2010
RE:        Amending the 2010 Capital Budget and Program and Appropriating Funds in Connection with the Replacement of CR 46, William Floyd Parkway (Smith Point) Bridge over Narrow Bay, Town of Brookhaven (CP 5838)

Attached is a draft resolution and duplicate copy to appropriate the sum of $1,000,000 for engineering in connection with the above referenced project. There are no funds included in the 2010 Capital budget and program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

This appropriation will allow for the design for the replacement of the existing moveable bascule bridge that carries CR 46, William Floyd Parkway over Narrow Bay (Smith Point Bridge) with a new fixed bridge that will allow for one lane of traffic and one bicycle lane in each direction.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “Reso-DPW-CP5838(Design).doc”.

JKP/WH/td
attach.
cc:        Chris Kent, Chief Deputy County Executive
                Bréndan Chamberlain, County Executive Assistant
                Carmine Chiусano, Principal Financial Analyst
                William Hillman, P.E., Chief Engineer
                Laura Conway, CPA, Chief Accountant
                Linda Brandolf, CPA, Capital Accounting
                Theresa D'Angelo, Principal Clerk
                Michael Mulé, Senior Planner

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE         YAPHANK, N.Y. 11980
                            (631) 852-4010
                            FAX (631) 852-4150
RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT NAZZARENA CONSOLE AND MICHAEL CONSOLE, AS TENANTS BY THE ENTIRETY

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 021.00, Block 01.00, Lot 079.000, and acquired by tax deed on June 05, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 09, 2009, in Liber 12590, at Page 413, and otherwise known and designated by the Town of Babylon, as Lot 77 on a certain map entitled "Map of Babylon Farms", Section 3, filed in the Office of the Suffolk County Clerk on August 20, 1935 as Map No. 1191; 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 June 05, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 09, 2009 in Liber 12590 at Page 413.

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, NAZZARENA CONSOLE AND MICHAEL CONSOLE has made application of said above described parcel and NAZZARENA CONSOLE AND MICHAEL CONSOLE has paid the application fee and has paid $79,559.35, 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 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 NAZZARENA CONSOLE AND MICHAEL CONSOLE, 98 Oak Street, 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: __________________________
November 15, 2010

Tax Map No.: 0100-021.00-01.00-079.000
Name of Last Legal Fee Owner: NAZZARENA CONSOLE AND MICHAEL CONSOLE

TREASURER'S COMPUTATION........................................... $79,559.35
Taxes......................2009/2010.................................. INCLUDED
License/Storage Fee.................................................. OPEN
Repairs................................................................. OPEN
Miscellaneous Expenses.......................................... OPEN

TOTAL................................................................. $79,559.35

Monies Received.................................................. $79,559.35

RESOLUTION AMOUNT............................................... $79,559.35

APPROVED:........................................................................

PREPARED BY:

Lori Sklar
Redemption Unit
(631) 853-5937

Karen Adsit 11/22/10
Accounting
LS:tag
**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>SECTION</th>
<th>BLOCK</th>
</tr>
</thead>
<tbody>
<tr>
<td>0100</td>
<td>021.00</td>
<td>01.00</td>
</tr>
</tbody>
</table>

**LOT** 079.000  

A. **PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004/05</td>
<td>15336.76</td>
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<tr>
<td>2005/06</td>
<td>16047.60</td>
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<td>2008/09</td>
<td>11387.85</td>
</tr>
<tr>
<td>2009/10</td>
<td>11504.23</td>
</tr>
</tbody>
</table>

**2006/07 PROPERTY TAXES PAID BY SILK ABSTRACT COMPANY**

**TOTAL:** 69037.51

B. **INTEREST DUE**  
C. **TOTAL**  
D. 5% **LINE C**  
E. **FEE**  
F. **MISC**  
G. **MISC**

**H. TOTAL DUE**  

$79,559.35  

**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.  
15-Oct-10

**Diane M. Stuke**  
Deputy County Treasurer

**Interest and penalty computed to and including 04/13/11**

**dz**
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0100-021.00-01.00-079.000

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 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

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

2010

10. Typed Name & Title of Preparer

Lori Sklar

Signature of Preparer

Lori Sklar

Date

11/19/10
November 19, 2010

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

Re:   Tax Map No. 0100-021.00-01.00-079.000  
      NAZZARENA CONSOLE AND MICHAEL CONSOLE

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,

Carrie Meek Gallagher, Commissioner  
Department of Environment and Energy

LS:tag

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:
Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy  
Eric C. Naughton, Budget Director  
Thomas A. Isles, Director, Planning Dept.  
Lauretta Fischer, Principal Planner, 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 GRASILDA M. ANGELO,
BY VERONICA ANGELO-HEIZMAN, AS ADMINISTRATOR
0200-700.00-02.00-006.000

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 700.00, Block 02.00, Lot 006.000, 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 Lot 227 as shown on a certain map entitled, “Map of Eagle Estates,
Section 4” filed in the Office of the Clerk of Suffolk County, on February 9, 1960 as Map No. 3119;
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, ESTATE OF GRASILDA M. ANGELO, BY VERONICA ANGELO-
HEIZMAN, AS ADMINISTRATOR has made application of said above described parcel and
ESTATE OF GRASILDA M. ANGELO, BY VERONICA ANGELO-HEIZMAN, AS ADMINISTRATOR
has paid the application fee and will be paying $26,066.40, 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
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 GRASILDA M. ANGELO, BY VERONICA ANGELO-HEIZMAN, AS ADMINISTRATOR, 766 Rogers Road, Bohemia, NY 11716, 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

November 19, 2010

Tax Map No.: 0200-700.00-02.00-006.000
Name of Last Legal Fee Owner: ESTATE OF GRASILDA M. ANGELO, BY VERONICA ANGELO-
HEIZMAN, AS ADMINISTRATOR

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>TREASURER'S COMPUTATION</td>
<td>$26,066.40</td>
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<tr>
<td>Taxes 2009/2010</td>
<td>INCLUDED</td>
</tr>
<tr>
<td>License/Storage Fee</td>
<td>OPEN</td>
</tr>
<tr>
<td>Repairs</td>
<td>OPEN</td>
</tr>
<tr>
<td>Miscellaneous Expenses</td>
<td>OPEN</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$26,066.40</strong></td>
</tr>
<tr>
<td>Monies Received to be received</td>
<td>$26,066.40</td>
</tr>
<tr>
<td><strong>RESOLUTION AMOUNT</strong></td>
<td><strong>$26,066.40</strong></td>
</tr>
</tbody>
</table>

APPROVED:

Karen A. Slater 11/22/10

PREPARED BY:

Diane Bishop
Redemption Unit
(631)853-5932
A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005/06</td>
<td>4500.15</td>
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<td>2008/09</td>
<td>5054.24</td>
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<tr>
<td>2009/10</td>
<td>4112.53</td>
</tr>
</tbody>
</table>

TOTAL: 23982.32

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

H. TOTAL DUE $26,066.40

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.

15-Nov-10

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 05/14/11**
1. Type of Legislation
   Resolution X
   Tax Map Number 0200-700.00-02.00-006.000

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
   2010

10. Typed Name & Title of Preparer
    Diane Bishop
    Signature of Preparer
    Date
November 22, 2010

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

Re: Tax Map No. 0200-700.00-02.00-006.000
ESTATE OF GRASILDA M. ANGELO,
BY VERONICA ANGELO-HEIZMAN, 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,

Carrie Meek-Gallagher, Commissioner
Department of Environment and Energy

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:
Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy
Eric C. Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
Alice Kubicsko, Inventory
RESOLUTION NO. 2010
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #840-2010)

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. 840-2010

<table>
<thead>
<tr>
<th>KEY</th>
<th>EXPLANATION</th>
<th>RPTL SEC</th>
<th>LIMITATIONS</th>
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<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>
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</table>

### RESOLUTION NO. 840-2010

(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>
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<tbody>
<tr>
<td>C</td>
<td>BROOKHAVEN</td>
<td>09/10</td>
<td>0200 46900 0200 026000</td>
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<td>C</td>
<td>BROOKHAVEN</td>
<td>08/09</td>
<td>0200 58900 0100 007001</td>
<td>5400.07</td>
<td>1130.61</td>
<td>4269.46</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

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

2. Title of Proposed Legislation

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>
<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

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

2010

10. Typed Name & Title of Preparer

R. Motschenbacher  RPAT. II

11. Signature of Preparer

[Signature]

12. Date November 23, 2010
Additional back-up material regarding IR 2183 is on file in the Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 2184-10, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $51,606 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE SAFE STREETS TASK FORCE FFY11 WITH 83.37% SUPPORT.

WHEREAS, the United States Department of Justice, Federal Bureau of Investigation, has made $51,606 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the Safe Streets Task Force FFY11; and

WHEREAS, said project is part of a multi-agency task force designed to assist the Federal Bureau of Investigation in investigations and enforcement of Federal, State, and Local Laws; and

WHEREAS, the operational period of the Program is from October 1, 2010 through September 30, 2011; and

WHEREAS, said reimbursement funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said reimbursement funding as follows:

<table>
<thead>
<tr>
<th>REVENUE:</th>
<th>Amount</th>
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<tbody>
<tr>
<td>001-4344-Federal Aid: Safe Streets Task Force FFY11</td>
<td>$51,606</td>
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</table>

<table>
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<tr>
<th>ORGANIZATIONS:</th>
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<tbody>
<tr>
<td>Police Department (POL)</td>
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<tr>
<td>Safe Streets Task Force FFY11</td>
</tr>
<tr>
<td>001-POL-3652</td>
</tr>
<tr>
<td>1000-Personal Services</td>
</tr>
<tr>
<td>1120-Overtime Salaries</td>
</tr>
<tr>
<td>$51,606</td>
</tr>
<tr>
<td>51,606</td>
</tr>
</tbody>
</table>

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately $10,295 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, Federal Bureau of Investigation.

DATED: APPROVED BY:

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

1. Type of Legislation

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

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $51,606 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE SAFE STREETS TASK FORCE FFY11 WITH 83.37% SUPPORT.

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)

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

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

The resolution provides $51,606 in grant funds. Fringe benefits are included in the 2010 operating budget.

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

The funds provided by this grant must be expended between October 1, 2010 and September 30, 2011.

8. Proposed Source of Funding

United States Dept. of Justice, Federal Bureau of Investigation

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer

Tricia Saunders, Senior Research Analyst

11. Signature of Preparer

12. Date

11-25-10

SCIN FORM 175b (10/95)
FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

<table>
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<th>General Fund</th>
<th>2010 Property Tax Levy</th>
<th>2010 Cost to Avg Taxpayer</th>
<th>2010 AV Tax Rate per $100</th>
<th>2010 FEV Tax Rate per $1000</th>
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<tr>
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<td>$0.00</td>
<td></td>
<td>$0.00</td>
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<table>
<thead>
<tr>
<th>Police District and District Court</th>
<th>2010 Property Tax Levy</th>
<th>2010 Cost to Avg Taxpayer</th>
<th>2010 AV Tax Rate per $100</th>
<th>2010 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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</tbody>
</table>

<table>
<thead>
<tr>
<th>Combined</th>
<th>2010 Property Tax Levy</th>
<th>2010 Cost to Avg Taxpayer</th>
<th>2010 AV Tax Rate per $100</th>
<th>2010 FEV Tax Rate per $1000</th>
</tr>
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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:
1) Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property Tax Service, September 2009.
3) Source for equalization rates: Tentative 2009 County Equalization Rates Established by the New York State Board of Equalization and Assessments.

To be completed by the Executive Budget Office
COORDINATION OF GRANT APPLICATION OR CONTRACT
County of Suffolk

DATE 11/19/2010

<table>
<thead>
<tr>
<th>Submitting Department/Agency</th>
<th>Location</th>
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<tbody>
<tr>
<td>Suffolk County Police Department</td>
<td>30 Yaphank Avenue, Yaphank, NY 11980</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contact Person In Department/Agency</th>
<th>Telephone Number</th>
<th>Grant Application Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sarah Furey Senior Grants Analyst</td>
<td>852-6042</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter “NA”. If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½” X 11” sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: Safe Streets Task Force FFY11

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 111-242, Continuing Appropriations Act, 2011, U. S. Department of Justice, Administered by the Federal Bureau of Investigation (FBI)

3. Grant/Contract Status (Check One Box)
   A. _X New Program Application
   B. __ Renewal Application
   C. __ Supplemental (Specify) ____________________________
   D. ___ Extension of Funding Period
   E. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
   This funding will provide reimbursement for the Suffolk County Police Department’s Narcotics and Homicide Section’s participation in the FBI sponsored Safe Streets Task Force FFY11. The task force will focus on the identification and prosecution of organized crime groups engaging in violent and drug related crimes as well as the investigations of violent street gangs and the apprehension of fugitives.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract
   From: 10/1/10   To: 09/30/11

2. Financial Assistance Requested

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FIRST FUNDING CYCLE</th>
<th>SECOND FUNDING CYCLE</th>
<th>THIRD FUNDING CYCLE</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Amount</td>
<td>Percent</td>
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<tr>
<td>Federal</td>
<td>$16,903</td>
<td>83.37%</td>
<td>$51,606</td>
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<td>State</td>
<td>$</td>
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<tr>
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<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>County</td>
<td>$3,372</td>
<td>16.63%</td>
<td>$10,295</td>
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<tr>
<td>Total</td>
<td>$20,275</td>
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<td>$61,901</td>
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</table>

SCIN FORM 164
3. Explanation of Requested County Financial Assistance

<table>
<thead>
<tr>
<th>Category</th>
<th>Total Requested</th>
<th>Personnel Costs Requested</th>
<th>Non-Personnel Costs Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL COUNTY SHARE:</td>
<td>$10,295</td>
<td>$</td>
<td>$10,295</td>
</tr>
<tr>
<td>A. Cash Contribution</td>
<td>$10,295</td>
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<td>$10,295</td>
</tr>
<tr>
<td>B. In-Kind Contribution</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources? X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

<table>
<thead>
<tr>
<th>Intergovernmental Relations Division Review: Approved Disapproved</th>
<th>Signature of Coordinator 3. Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>2.</td>
</tr>
</tbody>
</table>

4. Comments

5. Budget Office Review: Approved Disapproved 6. Signature of Budget Director 7. Date

8. Comments

SCIN FORM 164
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Resolution
   Accepting & appropriating Federal funding in the amount of $51,606 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department’s participation in the Safe Streets Task Force FFY11 with 83.37% support.

3. Purpose of Proposed Legislation
   To accept $51,606 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department’s participation in the Safe Streets Task Force FFY11.

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 answer to Item 5 is "Yes," provide detailed explanation of impact:
   The County will incur approximately $10,295 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will receive $51,606 to be used to participate in joint operations designed to investigate and identify organized crime groups, violent street gangs and fugitives.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:
   None

8. Proposed Source of Funding
   The United States Department of Justice, Federal Bureau of Investigation

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer  11. Signature of Preparer  12. Date
    Susan C. Krause  Grants Technician
    11/19/10

SCIN FORM NO. 175b (10/95)
COST REIMBURSEMENT AGREEMENT
BETWEEN
THE FEDERAL BUREAU OF INVESTIGATION (FBI)
AND
Suffolk County Police Department (SCPD)

TASK FORCE FILE # 201D-NY-C285869

Pursuant to Congressional appropriations, the FBI receives authority to pay overtime for police officers assigned to the formalized Long Island Gang Task Force as set forth below for expenses necessary for detection, investigation, and prosecution of crimes against the United States. It is hereby agreed between the FBI and the Suffolk County Police Department (SCPD) located at 30 Yaphank Avenue, Yaphank, NY 11980, Taxpayer Identification Number: 11-6000464, Phone Number: 631-852-6000, that:

1) Commencing upon execution of this agreement, the FBI will, subject to availability of the required funding, reimburse the agency for overtime payments made to the officers assigned full-time to the task force.

2) Requests for reimbursement will be made on a monthly basis and should be forwarded to the FBI field office as soon as practical after the first of the month which follows the month for which reimbursement is requested. Such requests should be forwarded by the Supervisor of the agency to the FBI Task Force Squad Supervisor and Special Agent in Charge for their review, approval, and processing for payment.

3) Overtime reimbursements will be made directly to the agency by the FBI. All overtime reimbursement payments are made by electronic fund transfer (EFT). An ACH Vendor/Miscellaneous Payment Enrollment Form must be on file with the FBI to facilitate EFT.

4) Overtime reimbursements will be calculated at the usual rate for which the individual officer's time would be compensated in the absence of this agreement. However, said reimbursement, per officer, shall not exceed monthly and/or annual limits established annually by the FBI. The limits, calculated using Federal pay tables, will be in effect for the Federal fiscal year running from October 1st of one year through September 30th of the following year, unless changed during the period. The FBI reserves the right to change the reimbursement limits, upward or downward, for subsequent periods based on fiscal priorities and appropriations limits. The FBI will notify the agency of the applicable annual limits prior to October 1st of each year.

5) The number of agency officers assigned full-time to the task force and entitled to overtime reimbursement by the FBI shall be approved by the FBI in advance of each fiscal year. Based on the needs of the task force, this number may change periodically, upward or downward, as approved in advance by the FBI.

6) Prior to submission of any overtime reimbursement requests, the agency must prepare an official document setting forth the identity of each officer assigned full-time to the task force, along with the regular and overtime hourly rates for each officer. Should any officers change during the
year, a similar statement must be prepared regarding the new officers prior to submitting any overtime reimbursement requests for the officers. The document should be sent to the field office for FBI review and approval.

7) Each request for reimbursement will include the name, rank, ID number, overtime compensation rate, number of reimbursable hours claimed, and the dates of those hours for each officer for whom reimbursement is sought. The request must be accompanied by a certification, signed by an appropriate Supervisor or the agency, that the request has been personally reviewed, the information described in this paragraph is accurate, and the personnel for whom reimbursement is claimed were assigned full-time to the task force.

8) Each request for reimbursement will include an invoice number, invoice date, taxpayer identification number (TIN), and the correct banking information to complete the electronic fund transfer. The necessary banking information is the Depositor Account Title, Bank Account Number, Routing Number, and Type of Account (either checking, savings, or lockbox). If the banking information changes, a new ACH Vendor/Miscellaneous Payment Enrollment Form must be submitted to the FBI.

9) Requests for reimbursement must be received by the FBI no later than December 31st of the next fiscal year for which the reimbursement applies. For example, reimbursements for the fiscal year ending September 30, 2008, must be received by the FBI by December 31, 2008. The FBI is not obligated to reimburse any requests received after that time.

10) This agreement is effective upon signature of the parties and will remain in effect for the duration of the agency's participation in the task force, contingent upon approval of necessary funding, and unless terminated in accordance with the provisions herein. This agreement may be modified at any time by written consent of the parties. It may be terminated at any time upon mutual consent of the parties, or unilaterally upon written notice from the terminating party to the other party at least 30 days prior to the termination date.

FOR THE SUFFOLK COUNTY POLICE DEPARTMENT:  

Richard Hormer,  
Police Commissioner  

Approved as to legality:

Christine Malafi, Suffolk County Attorney  
By: Samantha Meachin, Date  
County of Suffolk  
By: Deputy County Executive Date

FOR THE FBI:  

Special Agent in Charge  
Contracting Officer  
FBI Headquarters  
Date
NOTICE OF LIMITS

FOR

FY 2011 STATE AND LOCAL OVERTIME REIMBURSEMENTS

Subject to the availability of funding and legislative authorization, the FBI may reimburse state and local law enforcement agencies (LEA) for the cost of overtime incurred by officers assigned full-time to FBI managed task forces provided the overtime expenses were incurred as a result of task force related activities. Consistent with regulation and policy, a separate Cost Reimbursement Agreement (CRA) must be executed between the FBI and the LEA and an underlying Memorandum of Understanding (MOU) must exist in support of the task force relationship.

For Fiscal Year 2011, the maximum limits for reimbursements under these CRAs are $1,433.52 per month and $17,202.25 per year for each officer assigned full-time to the task force. These limits are effective for overtime worked on or after October 1, 2010.

FBI field offices and state and local law enforcement agencies may process overtime reimbursement requests under formally executed CRAs in accordance with the authority of this notice. This notice is issued unilaterally by the FBI's Head of Contracting Activity and does not require formal acceptance and signature by FBI field offices and state and local law enforcement agencies.

Walter V. Meslar
Head of Contracting Activity
Federal Bureau of Investigation

Date

4-3-10
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
   Suffolk County Executive's Office

FROM: Edward Webber, Chief of Support Services
      Suffolk County Police Department

DATE: November 19, 2010

SUBJECT: Resolution Packets & SCIN Forms for
         The FBI sponsored Safe Streets Task Force FFY11

Attached please find two copies of the following for the Safe Streets Task Force FFY11:

1. Draft Resolution.
2. SCIN Forms.
5. Copy of the Agreement between the FBI and the Suffolk County Police Department and
   the FFY11 funding document.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for
review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO
REVIEW.

If you have any questions concerning this resolution package, please contact Sarah Furey,
Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you as always for your assistance with this project.

EW/sck
Att.
cc: Evelyn Creen, Federal & State Aid Claims Examiner
    Christopher Kent, Chief Deputy County Executive
Additional back-up material regarding IR 2184 is on file in the Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 2185-10, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE LONG ISLAND CYBER CRIME TASK FORCE (LICCTF) WITH 83.37% SUPPORT.

WHEREAS, the United States Department of Justice, Federal Bureau of Investigation, has made $17,202 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the LICCTF; and

WHEREAS, said project is a multi-agency task force designed to assist the Federal Bureau of Investigation in the detection, investigation, and prosecution of crimes against the United States; and

WHEREAS, the operational period of the Program is from October 1, 2010 through September 30, 2011; and

WHEREAS, said reimbursement funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said reimbursement funding as follows:

REVENUE:

001-4367-Federal Aid: Long Island Cyber Crime Task Force (LICCTF) FFY11 $17,202

ORGANIZATIONS:

Police Department (POL)
Long Island Cyber Crime Task Force (LICCTF) FFY11
001-POL-3618

1000-Personal Services $17,202
1120-Overtime Salaries 17,202

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately $3,432 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further
3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, Federal Bureau of Investigation.

DATED: APPROVED BY:

________________________
County Executive of Suffolk County
Date of Approval:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $17,202 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT’S PARTICIPATION IN THE LONG ISLAND CYBER CRIME TASK FORCE (LICCTF) WITH 83.37% SUPPORT.

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)

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

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

The resolution provides $17,202 in grant funds. Fringe benefits are included in the 2010 operating budget.

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

The funds provided by this grant must be expended between October 1, 2010 and September 30, 2011.

8. Proposed Source of Funding

United States Dept. of Justice, Federal Bureau of Investigation

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer

Tricia Saunders, Senior Research Analyst

11. Signature of Preparer

[Signature]

12. Date

11-25-10
### GENERAL FUND

<table>
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<th></th>
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<th>2010 AV TAX RATE PER $100</th>
<th>2010 FEV TAX RATE PER $1000</th>
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<tr>
<td>TOTAL</td>
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<td>$0.00</td>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2010 AV TAX RATE PER $100</th>
<th>2010 FEV TAX RATE PER $1000</th>
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</thead>
<tbody>
<tr>
<td>TOTAL</td>
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### COMBINED

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<th>2010 AV TAX RATE PER $100</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 2009-2010.

3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.
I. BACKGROUND INFORMATION

1. Grant Title: Long Island Cyber Crime Task Force (LICCTF) FFY11


3. Grant/Contract Status (Check One Box)
   A. ___ New Program Application
   B. _X Renewal Application
   C. ___Supplemental (Specify) __________________________
   D. ___Extension of Funding Period
   E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
   This funding will provide reimbursement for the Suffolk County Police Department Computer Crimes Unit’s participation in the Long Island Cyber Crime Task Force (LICCTF), a task force aimed at the detection, investigation, and prosecution of crimes against the United States.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract
   From: 10/1/2010  To: 9/30/11

2. Financial Assistance Requested

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FIRST FUNDING CYCLE</th>
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<th>SECOND FUNDING CYCLE</th>
<th></th>
<th>THIRD FUNDING CYCLE</th>
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<td></td>
<td>Amount</td>
<td>Percent</td>
<td>Amount</td>
<td>Percent</td>
<td>Amount</td>
<td>Percent</td>
</tr>
<tr>
<td>Federal</td>
<td>$16,903.25</td>
<td>83.37%</td>
<td>$17,202</td>
<td>83.37%</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td>$</td>
<td></td>
<td>$</td>
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<tr>
<td>Private</td>
<td>$</td>
<td></td>
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<tr>
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<td>$</td>
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SCIN FORM 164
### 3. Explanation of Requested County Financial Assistance

<table>
<thead>
<tr>
<th>Category</th>
<th>Total Requested</th>
<th>Personnel Costs Requested</th>
<th>Non-Personnel Costs Requested</th>
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</thead>
<tbody>
<tr>
<td>TOTAL COUNTY SHARE:</td>
<td>$3,432</td>
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<td>$3,432</td>
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<tr>
<td>A. Cash Contribution</td>
<td>$3,432</td>
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<td>$3,432</td>
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<tr>
<td>B. In-Kind Contribution</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

### 4. Total Number of New Positions Requested 0

### 5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

### 6. Estimated Expected Additional Indirect Costs

(Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

Some additional indirect costs resulting from administrative oversight may be incurred.

### 7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

### 8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½” X 11” sheet).

N/A

### III. COUNTY EXECUTIVE’S OFFICE REVIEW

1. Intergovernmental Relations Division Review: Approved Disapproved

2. Signature of Coordinator

3. Date

4. Comments

5. Budget Office Review: Approved Disapproved

6. Signature of Budget Director

7. Date

8. Comments
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Resolution
   Accepting & appropriating Federal funding in the amount of
   $16,903.25 from the United States Department of Justice, Federal
   Bureau of Investigation, for the Suffolk County Police
   Department’s participation in the Long Island Cyber Crime Task
   Force (LICCTF) with 83.37% support.

3. Purpose of Proposed Legislation
   To accept $17,202 from the United States Department of Justice, Federal
   Bureau of Investigation, to reimburse the Suffolk County Police
   Department’s participation in the Long Island Cyber Crime Task Force
   (LICCTF) FY11, a task force aimed at the detection, investigation, and
   prosecution of crimes against the United States.

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 answer to Item 5 is “Yes,” provide detailed explanation of impact:
   The County will incur approximately $3,432 in fringe benefits on overtime
   as these costs are not allowed under this funding program, but in exchange
   the County will receive $17,202 in reimbursement for expenses incurred as
   a result of the Suffolk County Police Department’s participation in the
   FBI’s Long Island Cyber Crime Task Force.

7. Total financial Cost of Funding over 5 years on each affected political or
   Other Subdivision:

   None

8. Proposed Source of Funding
   The United States Department of Justice, Federal Bureau of Investigation

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer  11. Signature of Preparer  12. Date
    Susan C. Krause
    Grants Technician  11/18/10

SCIN FORM NO. 175b (10/95)
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
   Suffolk County Executive’s Office

FROM: Edward Webber, Chief of Support Services
   Suffolk County Police Department

DATE: November 18, 2010

SUBJECT: Resolution Packets & SCIN Forms for
   The Long Island Cyber Crime Task Force (LICCTF) FFY 11 Reimbursement Program

Attached please find two copies of the following for the LICCTF FFY 11 reimbursement program:

1. Draft Resolution.
2. SCIN Forms.
5. Copy of the Cost Reimbursement Agreement between the FBI and the Suffolk County Police Department, as well as the funding document.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you as always for your assistance with this project.

EW/sck
Att.
cc: Evelyn Creen, Federal & State Aid Claims Examiner
    Christopher Kent, Chief Deputy County Executive
Additional back-up material regarding IR 2185 is on file in the
Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $800,000.00 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN, FOR PROJECT SCOPE (SUFFOLK COUNTY ORDERS OF PROTECTION ENFORCEMENT) ADMINISTERED BY THE SUFFOLK COUNTY POLICE DEPARTMENT WITH 98.46% SUPPORT

WHEREAS, the United States Department of Justice, Office on Violence Against Women has made $800,000.00 in grant funds available to Suffolk County to implement a multi-agency program to enhance victim safety and offender accountability in cases of domestic violence; and

WHEREAS, the Suffolk County Police Department, the Suffolk County Probation Department, Suffolk County Sheriff’s Office, and the Suffolk County Coalition Against Domestic Violence will work together to provide enhanced victim safety and services, improved inter-agency domestic violence information sharing capabilities, and robust enforcement of orders of protection; and

WHEREAS, the operational period of the Program will be from January 1, 2011 through December 31, 2013; and

WHEREAS, said grant funds have not been included in the 2010 Suffolk County Operating Budget; and

WHEREAS, the Project SCOPE grant program includes funding to continue a Probation Investigator (full time) for the Probation Department to provide outreach services to domestic violence victims; and

WHEREAS, the 2011 Recommended Operating Budget for the Probation Department includes funding in the amount of $48,886 for the position of Probation Investigator of which $25,296 will be reimbursable through this grant program; and

WHEREAS, the Probation Department intends that funding be allocated in the 2012 Operating Budget for the position of Probation Investigator of which $25,296 will be reimbursable through this grant program; now therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-POL-4385-Federal Aid: SCOPE 2010</td>
<td>$611,270</td>
</tr>
<tr>
<td>001-SHF-4385-Federal Aid: SCOPE 2010</td>
<td>$109,233</td>
</tr>
<tr>
<td>001-PRO-4385-Federal Aid: SCOPE 2010</td>
<td>$79,497</td>
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</tbody>
</table>
ORGANIZATIONS:

**Police Department (POL)**
SCOPE 2010
001-POL-3653

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000-Personal Services</td>
<td>$67,850</td>
</tr>
<tr>
<td>1120-Overtime Salaries</td>
<td>67,850</td>
</tr>
<tr>
<td><strong>4300-Travel</strong></td>
<td></td>
</tr>
<tr>
<td>4340-Travel, Other Contracts</td>
<td>$3,752</td>
</tr>
<tr>
<td><strong>4900-Contractual Expenses</strong></td>
<td></td>
</tr>
<tr>
<td>4980-Contracted Agencies</td>
<td>$538,685</td>
</tr>
<tr>
<td>001-3653-4980-XXXX-Suffolk County Coalition Against Domestic Violence</td>
<td>538,685</td>
</tr>
<tr>
<td><strong>Employee Benefits</strong></td>
<td></td>
</tr>
<tr>
<td>Social Security</td>
<td></td>
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<tr>
<td>001-EMP-9030</td>
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<tr>
<td><strong>8000-Employee Benefits</strong></td>
<td></td>
</tr>
<tr>
<td>8330-Social Security</td>
<td>$983</td>
</tr>
<tr>
<td>8330-Social Security</td>
<td>983</td>
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</table>

**Sheriff's Office (SHF)**
SCOPE 2010
001-SHF-3113

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>4000-Utilities</td>
<td>$105,481</td>
</tr>
<tr>
<td>4210-Computer Services</td>
<td>105,481</td>
</tr>
<tr>
<td><strong>4300-Travel</strong></td>
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<tr>
<td>4340-Travel, Other Contracts</td>
<td>$3,752</td>
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<tr>
<td>4340-Travel, Other Contracts</td>
<td>3,752</td>
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</table>
Probation Department (PRO)
Project SCOPE
001-PRO-3195

<table>
<thead>
<tr>
<th>1000-Personal Services</th>
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</thead>
<tbody>
<tr>
<td>1100-Salaries</td>
<td>50,592</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>4300 Travel</th>
<th>$3,752</th>
</tr>
</thead>
<tbody>
<tr>
<td>4340-Travel, Other Contracts</td>
<td>3,752</td>
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</tbody>
</table>

Employee Benefits
Retirement
001-EMP-9010

<table>
<thead>
<tr>
<th>8000-Employee Benefits</th>
<th>$3,946</th>
</tr>
</thead>
<tbody>
<tr>
<td>8280-Retirement</td>
<td>3,946</td>
</tr>
</tbody>
</table>

Employee Benefits
Social Security
001-EMP-9030

<table>
<thead>
<tr>
<th>8000-Employee Benefits</th>
<th>$3,870</th>
</tr>
</thead>
<tbody>
<tr>
<td>8330-Social Security</td>
<td>3,870</td>
</tr>
</tbody>
</table>

Employee Benefits
Benefit Fund Contribution
001-EMP-9080

<table>
<thead>
<tr>
<th>8000-Employee Benefits</th>
<th>$2,762</th>
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</thead>
<tbody>
<tr>
<td>8380-Benefit Fund Contribution</td>
<td>2,762</td>
</tr>
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</table>

Interfund Transfer
Transfer to Self Health Insurance
001-IFT-E039

<table>
<thead>
<tr>
<th>9000-Interfund Transfer</th>
<th>$14,575</th>
</tr>
</thead>
<tbody>
<tr>
<td>9600-Transfer of Funds</td>
<td>14,575</td>
</tr>
</tbody>
</table>

and be it further

2nd RESOLVED, that the following inter-fund revenues for Self Health Insurance be accepted and appropriated as follows:
REVENUE

039-IFT-R0001 Transfer from General Fund $14,575

ORGANIZATION

Employee Benefits
Self Health Insurance
039-EMP-9060

8000-Employee Benefits $ 14,575
8360-Health Insurance 14,575

and be it further

3rd RESOLVED, that $12,552 in fringe benefits associated with the overtime salaries for this grant are included in the 2010 Suffolk County Operating Budget and the 2011 recommended budget; and be it further

4th RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the United States Department of Justice, Office on Violence Against Women; and be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of 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 of Approval:
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $800,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN, FOR PROJECT SCOPE (SUFFOLK COUNTY ORDERS OF PROTECTION ENFORCEMENT) ADMINISTERED BY THE SUFFOLK COUNTY POLICE DEPARTMENT WITH 98.46% SUPPORT.

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)

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

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

The resolution provides $800,000 in grant funds. Fringe benefits are included in the 2010 and 2011 operating budget.

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

The funds provided by this grant must be expended between January 1, 2011 and December 31, 2013.

8. Proposed Source of Funding

United States Dept. of Justice, Office on Violence Against Women

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer

Tricia Saunders, Senior Research Analyst

11. Signature of Preparer

12. Date

11-25-10

SCIN FORM 175b (10/95)
COORDINATION OF GRANT APPLICATION OR CONTRACT
County of Suffolk

<table>
<thead>
<tr>
<th>Submitting Department/Agency</th>
<th>Location</th>
<th>DATE 11/19/2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suffolk County Police Department</td>
<td>30 Yaphank Avenue, Yaphank</td>
<td></td>
</tr>
</tbody>
</table>

Contact Person In Department/Agency
Sarah Furey
Senior Grants Analyst

<table>
<thead>
<tr>
<th>Telephone Number</th>
<th>Grant Application Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>852-6042</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter “NA”. If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2” X 11” sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: Suffolk County Orders of Protection Enforcement (SCOPE) 2010


3. Grant/Contract Status (Check One Box)
   A. ___ New Program Application
   B. __X Renewal Application
   C. ___ Supplemental (Specify) ___
   D. ___ Extension of Funding Period
   E. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
   Acceptance and approval of this resolution will allow the Suffolk County Police Department, the Suffolk County Probation Department, the Suffolk County Sheriff's Department, and the Suffolk County Coalition Against Domestic Violence to continue their joint effort to provide enhanced victim safety and services, to improve inter-agency domestic violence information sharing capabilities, and to continue the robust enforcement of orders of protection.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) Police, Probation, Sheriff, District Attorney, and Family and District Courts.

II. BUDGET INFORMATION

1. Term of Contract
   From: 1/01/2011 To: 12/31/2013

2. Financial Assistance Requested

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FIRST FUNDING CYCLE (Project SCOPE 05)</th>
<th>SECOND FUNDING CYCLE (Project SCOPE 07)</th>
<th>THIRD FUNDING CYCLE (Project SCOPE 10)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amount</td>
<td>Percent</td>
<td>Amount</td>
</tr>
<tr>
<td>Federal</td>
<td>$446,388.00</td>
<td>96.1%</td>
<td>$1,160,107.00</td>
</tr>
<tr>
<td>State</td>
<td>$</td>
<td>%</td>
<td>$</td>
</tr>
<tr>
<td>Private</td>
<td>$</td>
<td>%</td>
<td>$</td>
</tr>
<tr>
<td>County</td>
<td>$18,118.00</td>
<td>3.9%</td>
<td>$27,925.00</td>
</tr>
<tr>
<td>Total</td>
<td>$464,506.00</td>
<td>100%</td>
<td>$1,188,032.00</td>
</tr>
</tbody>
</table>

SCIN FORM 164
3. Explanation of Requested County Financial Assistance

<table>
<thead>
<tr>
<th>Category</th>
<th>Total Requested</th>
<th>Personnel Costs Requested</th>
<th>Non-Personnel Costs Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL COUNTY SHARE:</td>
<td>$12,552</td>
<td>$0</td>
<td>$12,552</td>
</tr>
<tr>
<td>A. Cash Contribution</td>
<td>$12,552</td>
<td>$0</td>
<td>$12,552</td>
</tr>
<tr>
<td>B. In-Kind Contribution</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
</tbody>
</table>

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?
   X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)
   Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?
   In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the agencies involved.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).
   N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review: Approved         2. Signature of Coordinator
   Disapproved

3. Date

4. Comments

5. Budget Office Review: Approved         6. Signature of Budget Director
   _____________________________
   Disapproved

7. Date

8. Comments
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
   Suffolk County Executive's Office

FROM: Edward Webber, Chief of Support Services
      Suffolk County Police Department

DATE: November 22, 2010

SUBJECT: Resolution Packets & SCIN Forms for
SCOPE 2010 (Suffolk County Orders of Protection Enforcement)
USDOJ, OVW Award Number - 2010-WE-AX-0061

Attached please find two copies of the following for the United States Department of Justice, Office on Violence Against Women sponsored SCOPE 2010 grant program.

1. Grant Resolution
2. Grant SCIN Forms
3. Request for Introduction of Legislation
4. Financial Impact Statement
5. Copy of the proposed contract between Suffolk County and the United States Department of Justice, Office on Violence Against Women

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted for signature upon approval of the resolution.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you for your assistance with this project.

EW/sck
Att.

cc: Evelyn Creen, Federal & State Aid Claims Examiner
    Christopher Kent, Chief Deputy County Executive Assistant
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Resolution
   Accepting & appropriating a grant in the amount of $800,000 from
   the United States Department of Justice, Office on Violence Against
   Women for Project Scope (Suffolk County Orders of Protection
   Enforcement) administered by the Suffolk County Police Department
   with 98.46% support

3. Purpose of Proposed Legislation
   To accept 800,000 in federal grant funds so that the Suffolk County
   Police Department, the Suffolk County Probation Department, the Suffolk
   County Sheriff's Department, and the Suffolk County Coalition Against
   Domestic Violence may continue their joint effort to provide enhanced
   victim safety and services, to improve inter-agency domestic violence
   information sharing capabilities, and to continue the robust enforcement
   of orders of protection.

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 answer to Item 5 is "Yes," provide detailed explanation of impact:
   The County will have $800,000 available to continue to expand the joint
   effort of the Police Department, the Probation Department, the Suffolk
   County Sheriff's Department, and the Suffolk County Coalition Against
   Domestic Violence to provide enhanced victim safety and services and the
   pursuit of offender accountability.

7. Total financial Cost of Funding over 5 years on each affected political or
   Other Subdivision: 2011 - 2013: $12,552 in non-reimbursable fringe benefit
   costs on overtime for Police Officers.

8. Proposed Source of Funding
   UNITED STATES DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer  11. Signature of Preparer  12. Date
    Susan C. Krause
    Grants Technician  /                                                11/22/2010

SCIN FORM NO. 175b (10/95)
Department of Justice
Office on Violence Against Women

September 15, 2010
Washington, D.C. 20531

Mr. Ed Dumas
County of Suffolk
100 Veterans Memorial Highway
Hauppauge, NY 11788-5402

Dear Mr. Dumas:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office on Violence Against Women has approved your application for funding under the Community-Defined Solutions to Violence Against Women Program in the amount of $800,000 for County of Suffolk. This award provides the opportunity for recipients to develop and strengthen effective responses to violence against women. This grant program encourages communities to treat domestic violence, sexual assault, dating violence and stalking as serious crimes by strengthening the criminal justice response to these crimes and promoting a coordinated community response. Victim safety and offender accountability are the center piece of projects funded under the program.

Enclosed you will find the award package. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact Nicolette Gantt at (202) 307-3333. For financial grants management questions, contact the OVW Grants Financial Management Division at (202) 514-8556, or by e-mail at ovw.gfmd@usdoj.gov. For payment questions, contact the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or by email at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

Susan B. Carbon
Director

Enclosures
September 15, 2010

Mr. Ed Dumas  
County of Suffolk  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-5402

Dear Mr. Dumas:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

Ensuring Access to Federally Assisted Programs

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at http://www.lep.gov.

Ensuring Equal Treatment for Faith-Based Organizations

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization’s religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary’s religion. For more information on the regulation, please see OCR’s website at http://www.ojp.usdoj.gov/ocr/etfbo.htm.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.
Enforcing Civil Rights Laws

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

Complying with the Safe Streets Act or Program Requirements

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEOP), 28 C.F.R. § 42 301-308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

1) Meeting the EEOP Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEOP reporting requirements:

If your organization has received an award for $500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEOP and submit it to OCR for review within 60 days from the date of this letter. For assistance in developing an EEOP, please consult OCR’s website at http://www.ojp.usdoj.gov/ocr/eepop.htm. You may also request technical assistance from an EEOP specialist at OCR by dialing (202) 616-3208.

If your organization received an award between $25,000 and $500,000 and has 50 or more employees, your organization still has to prepare an EEOP, but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at http://www.ojp.usdoj.gov/ocr/eepop.htm.

If your organization received an award for less than $25,000, or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at http://www.ojp.usdoj.gov/ocr/eepop.htm.

2) Submitting Findings of Discrimination

In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEOP, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at http://www.ojp.usdoj.gov/ocr/.

Sincerely,

Michael L. Alston
Director

cc: Grant Manager
    Financial Analyst
Additional back-up material regarding IR 2186 is on file in the
Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 2010, APPROVING A LICENSE AGREEMENT FOR POLLY WEIGAND TO RESIDE AT BLACK DUCK LODGE AT HUBBARD COUNTY PARK, FLANDERS

WHEREAS, Article II of Chapter 378 of the Suffolk County Code, enacted through the adoption of Local Law No. 30-2008 ("A Local Law to Protect the County's Historic and Culturally Significant Properties"), established a new process to govern the rental of properties under the jurisdiction of the Department of Parks, Recreation and Conservation; and

WHEREAS, in accordance with the process set forth by the aforementioned Local Law, the Commissioner of the Department of Parks, Recreation, and Conservation recommends that Polly Weigand, Soil District Technician & LINGI Coordinator for the Suffolk County Soil and Water Conservation District, be approved to enter into a license agreement to reside at Black Duck Lodge at Hubbard County Park; and

WHEREAS, Resolution No. 571-2009 adopted the rental charge recommended by the Parks Housing Rental Board and the Commissioner of Parks, Recreation and Conservation for Unit 136, Black Duck Lodge at Southaven County Park; now, therefore, be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, to enter into a License Agreement with Polly Weigand to reside at Black Duck Lodge at Southaven County Park, Brookhaven, in accordance with the provisions set forth in Chapter 378 of the SUFFOLK COUNTY CODE and Resolution No. 571-2009; and be it further

2nd RESOLVED, that Unit 136 at Southaven County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.
DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date of Approval:
1. Type of Legislation  
Resolution **X**  
Local Law _____  
Charter Law _____

2. Title of Proposed Legislation  
RESOLUTION NO. 2010-2010, APPROVING A LICENSE AGREEMENT FOR POLLY WEIGAND TO RESIDE AT UNIT BLACK DUCK LODGE AT HUBBARD COUNTY PARK, FLANDERS

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):

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact  
Park revenues from rental units are estimated in the 2010 budget under revenue code 2410. Monthly Rent for Unit 136 Black Duck Lodge is $600.

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  
[Signature]

12. Date  
November 26th, 2010

SCIN FORM 175b (10/95)
### 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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
<td>$0.00</td>
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### POLICE DISTRICT AND DISTRICT COURT

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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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### COMBINED

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<th>2011 COST TO AVG TAXPAYER</th>
<th>2011 AV TAX RATE PER $100</th>
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<tr>
<td><strong>TOTAL</strong></td>
<td>$0</td>
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</tbody>
</table>

NOTES:
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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
# EXHIBIT A

<table>
<thead>
<tr>
<th>UNIT</th>
<th>Location</th>
<th>Market Rent 2006</th>
<th>Current Rent</th>
<th>New Appraisal 2008</th>
<th>Parks Housing Rental Board Review</th>
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<tr>
<td>Meadow Croft - Sayville</td>
<td></td>
<td>$1,025.00</td>
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<tr>
<td>West Sayville Golf Course Gate house</td>
<td></td>
<td>$1,375.00</td>
<td>$1,125.00</td>
<td>$875.00</td>
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<tr>
<td>Blydenburgh</td>
<td></td>
<td>$850.00</td>
<td>$800.00</td>
<td>$800.00</td>
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<tr>
<td>Southaven-Brookhaven</td>
<td></td>
<td>$1,475.00</td>
<td>$1,300.00</td>
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</tr>
<tr>
<td>Cordwood Landing - Miller Place</td>
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<td>$1,050.00</td>
<td>$1,050.00</td>
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<tr>
<td>Robert Cushman Murphy - Manorville</td>
<td></td>
<td>$1,150.00</td>
<td>$1,000.00</td>
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<td>Prosser Pines - Middle Island</td>
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<tr>
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<td>$950.00</td>
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<td>West Hills - Huntington Oakley House</td>
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<td>$2,600.00</td>
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<td>Robert Cushman Murphy - Manorville</td>
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<td>$1,850.00</td>
<td>$1,750.00</td>
<td>$1,350.00</td>
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<tr>
<td>Black Duck Lodge - Flanders</td>
<td></td>
<td>$1,000.00</td>
<td>$900.00</td>
<td>$600.00</td>
<td></td>
</tr>
<tr>
<td>Cedar Point - East Hampton</td>
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<td>$1,560.00</td>
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<tr>
<td>Blydenburgh cottage</td>
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<td>1 Belleview Ave. Center Moriches</td>
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<td></td>
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<tr>
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</tr>
</tbody>
</table>
TO: KEN CRANNELL, Deputy County Executive

FROM: JOSEPH J. MONTUORI, Commissioner

CC: CHRISTOPHER KENT, Chief Deputy County Executive

DATE: NOVEMBER 22, 2010

RE: INTRODUCTORY RESOLUTION APPROVING A LICENSE AGREEMENT FOR POLLY WEIGAND TO RESIDE AT BLACK DUCK LODGE AT HUBBARD COUNTY PARK, FLANDERS

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-Approving License for Polly Weigand to reside in at Hubbard County Park.doc”.

In accordance with the procedures set forth by Local Law No. 30-2008, I recommend that the County enter into a license agreement with Polly Weigand, who works as a Soil District Technician & LINGI Coordinator for the Suffolk County Soil and Water Conservation District, to reside at Black Duck Lodge at Hubbard County Park in Flanders.

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

Enclosures
RESOLUTION NO. -2010, AUTHORIZING FIRST AMENDMENT OF A LICENSE AGREEMENT WITH LONG ISLAND GREENBELT TRAIL CONFERENCE FOR BLYDENBURGH-WELD HOUSE, SMITHTOWN AND PINE BARRENS TRAILSIDE INFORMATION AND EXHIBIT CENTER, MANORVILLE

WHEREAS, Long Island Greenbelt Trail Conference has provided residents of Suffolk County with interpretive information and opportunities, including guided hikes, in conformance with a Cooperative Use License Agreement dated May 11, 2004 with the County; and

WHEREAS, Long Island Greenbelt Trail Conference is a volunteer not-for-profit organization dedicated to building and maintaining hiking trails; and

WHEREAS, the Suffolk County Department of Parks, Recreation and Conservation has provided space for Long Island Greenbelt Trail Conference in a section of the second floor office at the Blydenburgh-Weld House, Smithtown; and

WHEREAS, the Parks Department, in cooperation with Long Island Greenbelt Trail Conference, has opened a Pine Barrens Trailside Information and Exhibit Center at Robert Cushman Murphy County Park, located at County Road 111, Manorville; and

WHEREAS, the Parks Department and Long Island Greenbelt Trail Conference desire to modify the Agreement to grant a five-year option period, as authorized by the Agreement, update the insurance requirements, add requirements to meet current County standards and make other necessary changes to reflect current needs and uses of County parkland; 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 First Amendment of a Cooperative Use License Agreement, for a term of five (5) years with the Long Island Greenbelt Trail Conference, for the non-exclusive use, maintenance, upkeep, and improvement of the Blydenburgh-Weld House, Smithtown and the Pine Barrens Trailside Information and Exhibit Center, Manorville; 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

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

2. Title of Proposed Legislation

RESOLUTION NO. -2010, AUTHORIZING FIRST AMENDMENT OF A LICENSE AGREEMENT WITH LONG ISLAND GREENBELT TRAIL CONFERENCE FOR BLYDENBURGH-WELD HOUSE, SMITHTOWN AND PINE BARRENS TRAILSIDE INFORMATION AND EXHIBIT CENTER, MANORVILLE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

Resolution modifies current no cost agreement to grant a five year option period, update insurance requirements, and will add requirements to meet current County standards.

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 and amended agreement.

10. Typed Name & Title of Preparer

Nicholas Paglia  
Executive Technician

11. Signature of Preparer

12. Date

November 26th, 2010

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

## 2011 Property Tax Levy

### Cost to the Average Taxpayer

<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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
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</table>

### Police District and District Court

<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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<tr>
<td><strong>Total</strong></td>
<td>$0</td>
<td>$0.00</td>
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</table>

### Combined

<table>
<thead>
<tr>
<th></th>
<th>2011 Property Tax Levy</th>
<th>2011 Cost to Avg Taxpayer</th>
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<th>2011 FEV Tax Rate per $1000</th>
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<tbody>
<tr>
<td><strong>Total</strong></td>
<td>$0</td>
<td>$0.00</td>
<td></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 2009.


3) Source for equalization rates: Tentative 2009 County Equalization Rates Established by the New York State Board of Equalization and Assessments.

Page 2 of 2

To be completed by the Executive Budget Office
TO: KEN CRANNELL, Deputy County Executive
FROM: JOSEPH J. MONTUORI, Commissioner
CC: CHRISTOPHER KENT, Chief Deputy County Executive
DATE: NOVEMBER 22, 2010

RE: INTRODUCTORY RESOLUTION AUTHORIZING FIRST AMENDMENT OF A LICENSE AGREEMENT WITH LONG ISLAND GREENBELT TRAIL CONFERENCE FOR BLYDENBURGH-WELD HOUSE, SMITHTOWN AND PINTE BARRENS TRAILSIDE INFORMATION AND EXHIBIT CENTER, MANORVILLE

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 First Amendment of Cooperative License Agreement with LI Greenbelt Trail Conference.doc”.

Long Island Greenbelt Trail Conference has been operating under a cooperative use license agreement with the Parks Department since 2004. The Parks Department and the organization desire to modify the Agreement to grant a five-year option period, as authorized by the Agreement, update the insurance requirements, add requirements to meet current County standards and make other necessary changes to reflect current needs and uses of County parkland.

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

Enclosures
RESOLUTION NO. 2010-10, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $16,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, U.S. MARSHALS SERVICE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE REGIONAL FUGITIVE TASK FORCE WITH 83.37% SUPPORT.

WHEREAS, the United States Department of Justice, U.S. Marshals Service, has made $16,000 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the Regional Fugitive Task Force; and

WHEREAS, said the operational period of the program is from October 1, 2010 through September 30, 2011; and

WHEREAS, said reimbursement funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said reimbursement funding as follows:

REVENUE:

<table>
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<tr>
<th>Revenue Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>001-4382-Federal Aid: U.S. Marshals Service Regional Fugitive Task Force FY11</td>
<td>$16,000</td>
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ORGANIZATIONS:

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<th>Amount</th>
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<tr>
<td>Police Department (POL)</td>
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<tr>
<td>U.S. Marshals Service Regional Fugitive Task Force FY11 001-POL-3613</td>
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</tr>
<tr>
<td>1000-Personal Services</td>
<td>$16,000</td>
</tr>
<tr>
<td>1120-Overtime Salaries</td>
<td>16,000</td>
</tr>
</tbody>
</table>

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately $3,192 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, U.S. Marshals Service.

DATED:

APPROVED BY:

County Executive of Suffolk County

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

1. Type of Legislation

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

ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $16,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, U.S. MARSHALS SERVICE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE REGIONAL FUGITIVE TASK FORCE WITH 83.37% SUPPORT.

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)

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

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

The resolution provides $16,000 in grant funds. Fringe benefits are included in the 2010 operating budget.

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

The funds provided by this grant must be expended between October 1, 2010 and September 30, 2011.

8. Proposed Source of Funding

United States Dept. of Justice, U.S. Marshals Service

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer

Tricia Saunders, Senior Research Analyst

11. Signature of Preparer

[Signature]

12. Date

11-25-10

SCIN FORM 175b (10/95)  Page 1 of 2
## FINANCIAL IMPACT
### 2010 PROPERTY TAX LEVY
#### COST TO THE AVERAGE TAXPAYER

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<th>2010 PROPERTY TAX LEVY</th>
<th>2010 COST TO AVG TAXPAYER</th>
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<th>2010 AV TAX RATE PER $100</th>
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<table>
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<th>2010 AV TAX RATE PER $100</th>
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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 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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
I. BACKGROUND INFORMATION

1. Grant Title: United States Marshals Regional Fugitive Task Force FY11

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 111-242, Continuing Appropriations Act, 2011, U. S. Department of Justice, Administered by the U.S. Marshals Service

3. Grant/Contract Status (Check One Box)
   A. ___New Program Application
   B. ___Renewal Application
   C. ___Supplemental (Specify)
   D. ___Extension of Funding Period
   E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
   This funding will provide reimbursement for the Suffolk County Police Department's participation in the U.S. Marshals Regional Task Force.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract
   From: 10/1/10   To: 09/30/11

2. Financial Assistance Requested

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FIRST FUNDING CYCLE</th>
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<th>SECOND FUNDING CYCLE</th>
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<th>THIRD FUNDING CYCLE</th>
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<tr>
<td></td>
<td>Amount</td>
<td>Percent</td>
<td>Amount</td>
<td>Percent</td>
<td>Amount</td>
<td>Percent</td>
</tr>
<tr>
<td>Federal</td>
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<td>$</td>
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<td>$</td>
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<td>$</td>
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<tr>
<td>County</td>
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<td>$19,192.00</td>
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3. Explanation of Requested County Financial Assistance

<table>
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<tr>
<th>Category</th>
<th>Total Requested</th>
<th>Personnel Costs Requested</th>
<th>Non-Personnel Costs Requested</th>
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</thead>
<tbody>
<tr>
<td>TOTAL COUNTY SHARE:</td>
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<td>$</td>
<td>$3,192</td>
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<tr>
<td>A. Cash Contribution</td>
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<td>$</td>
<td>$3,192</td>
</tr>
<tr>
<td>B. In-Kind Contribution</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

4. Total Number of New Positions Requested  0

5. Can This Program Be Refunded by the Proposed Non-County Sources?
   X  YES  NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

   Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

   In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).

   N/A

---

**III. COUNTY EXECUTIVE'S OFFICE REVIEW**

1. Intergovernmental Relations Division Review: Approved
   Disapproved

2. Signature of Coordinator

3. Date

4. Comments

5. Budget Office Review: Approved
   Disapproved

6. Signature of Budget Director

7. Date

8. Comments
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
   Suffolk County Executive’s Office

FROM: Edward Webber, Chief of Support Services
      Suffolk County Police Department

DATE: November 10, 2010

SUBJECT: Resolution Packets & SCIN Forms for
         U.S. Marshals Service sponsored Regional Fugitive Task Force FY11
         Memorandum of Understanding #FATF-11-0035

Attached please find two copies of the following for the U.S. Marshals Regional Task Force
FY 11:

1. Draft Resolution.
2. SCIN Forms.
5. Copy of the Memorandum of Understanding between the Suffolk County Police
   Department and the United States Marshals Service.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for
review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO
REVIEW.

If you have any questions concerning this resolution package, please contact Sarah Furey,
Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you as always for your assistance with this project.

EW/sck
Att.
cc: Evelyn Creen, Federal & State Aid Claims Examiner
    Christopher Kent, Chief Deputy County Executive
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Resolution
   Accepting & appropriating Federal funding in the amount of $16,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in the Regional Fugitive Task Force with 83.37% support.

3. Purpose of Proposed Legislation
   To accept $16,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in the Regional Fugitive Task Force.

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 answer to Item 5 is "Yes," provide detailed explanation of impact:
   The County will incur approximately $3,192 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will be receiving $16,000 in reimbursement for the Suffolk County Police Department's participation in the U.S. Marshals Regional Fugitive Task Force.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:
   None

8. Proposed Source of Funding
   The United States Department of Justice, U.S. Marshals Service

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer  11. Signature of Preparer  12. Date
    Susan C. Krause  Grants Technician  11/10/10

SCIN FORM NO. 175b (10/95)
MEMORANDUM TO: Suffolk County Police Dept

FROM: Brenda Catalano  
Financial Analyst

SUBJECT: FY-11 Overtime Financial MOU

Enclosed find newly formatted Financial MOU for FY-11 for your agency. Please have agency representative sign, data and enter POC information. Please return original signed document to my attention on or before Monday, November 15th at above listed address.

Please note the following update information regarding submission:

- Agency representative who signed Financial MOU should NOT be same person processing/submitting MOU invoices for reimbursement.
- State/Local agencies will be assigned same last four digit obligation number (FATF-11-XXXX) with only a change for Fiscal year to 11. New agency will receive new obligation number.
- Invoices should be completed/submitted within 30 days after each quarter ends: Quarter 1 (October – December), Quarter 2 (January – March), Quarter 3 (April – June) and Quarter 4 (July – September).
- If NO overtime is worked in quarter, notify by email that no claim will be made for that quarter.

If you have any questions, please email (Brenda.Catalano@usdoj.gov) or give me a call (631-715-6227).
INVESTIGATIVE OPERATIONS OBLIGATION DOCUMENT

Section 1: Obligation Number

FATF-11-0035

Section 2: Participating Agencies
Notification to state and local agencies of funding provided in support of US Marshals Service operations, pursuant to the Memorandum of Understanding (MOU) between

Suffolk County, NY Police Department
And
The United States Marshals Service (USMS)
NY/NJRFTF

Section 3: Project/Operation Name:
Regional Fugitive Task Force

Section 4: Period of Performance

Oct 1, 2010 through Sep 30, 2011

Section 5: Appropriate Data

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Total Obligation Amount: $16,000.00

Section 6: Contact Information

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<tr>
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<th>State/Local POC:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Brenala Catalano</td>
<td>Name: Zhayde Simiott</td>
</tr>
<tr>
<td>Phone: (631) 715-4027</td>
<td>Phone: (631) 852-6110</td>
</tr>
<tr>
<td>E-mail: <a href="mailto:Brenala.Catalano@usdoj.gov">Brenala.Catalano@usdoj.gov</a></td>
<td>E-mail: <a href="mailto:zhayde.simiott@usdoj.gov">zhayde.simiott@usdoj.gov</a></td>
</tr>
</tbody>
</table>

Section 7: Authorization

This obligation document serves as notification of funding provided to support state and local agencies participating in US Marshals Service Operations subject to the availability of funds. The US Marshals Service reserves the right to remove unused residual funds upon completion of payments under this obligation.

Certification of Funds: ____________________________
[Type Name Here]
USMS Administrative Representative

Obligation Approval: ____________________________
[Type Name Here]
USMS Operational Representative

Oct 1, 2010
Date

Acknowledgement:
[Type Name Here]
Department Representative

Oct 1, 2010
Date
Additional back-up material regarding IR 2189 is on file in the Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 2010
ACCEPTING AND APPROPRIATING 100% FEDERAL
FUNDS AWARDED BY THE F.B.I. TO THE SUFFOLK
COUNTY DEPARTMENT OF PROBATION AND
AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE
RELATED AGREEMENTS.

WHEREAS, the Federal Bureau Of Investigations will provide funding to the
Suffolk County Probation Department for the Department’s participation in the Long Island
Gang Task Force operations; and

WHEREAS, a total of $17,202.25 has been awarded by the Federal Bureau
of Investigations for overtime expenses for services rendered by the Department of
Probation for the period of October 1, 2010 through September 30, 2011; and

WHEREAS, said funds have not been included in the 2010 Suffolk County
Operating Budget; and; now, therefore, be it

1st RESOLVED, that the County Executive is authorized to execute any
Agreement with the Federal Bureau of Investigations, as necessary, to secure said funds;
and further

2nd RESOLVED, that the non-reimbursable fringe benefits associated with the
overtime salaries for this grant are included in the 2010 Suffolk County Operating Budget;
and further

3rd 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 $17,202.25 as follows:

REVENUES
001- 4320 -Federal Aid: Crime Control $17,202.25

APPROPRIATIONS

Suffolk County Probation Department
F.B.I Long Island Gang Task Force
001-PRO-3139

1000 Personal Service $17,202.25
1120-Overtime $17,202.25

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
NOTICE OF LIMITS

FOR

FY 2011 STATE AND LOCAL OVERTIME REIMBURSEMENTS

Subject to the availability of funding and legislative authorization, the FBI may reimburse state and local law enforcement agencies (LEA) for the cost of overtime incurred by officers assigned full-time to FBI managed task forces provided the overtime expenses were incurred as a result of task force related activities. Consistent with regulation and policy, a separate Cost Reimbursement Agreement (CRA) must be executed between the FBI and the LEA and an underlying Memorandum of Understanding (MOU) must exist in support of the task force relationship.

For Fiscal Year 2011, the maximum limits for reimbursements under these CRAs are $1,433.52 per month and $17,202.25 per year for each officer assigned full-time to the task force. These limits are effective for overtime worked on or after October 1, 2010.

FBI field offices and state and local law enforcement agencies may process overtime reimbursement requests under formally executed CRAs in accordance with the authority of this notice. This notice is issued unilaterally by the FBI's Head of Contracting Activity and does not require formal acceptance and signature by FBI field offices and state and local law enforcement agencies.

Walter V. Meslar
Head of Contracting Activity
Federal Bureau of Investigation

6-3-10
Date
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Legislation
   Accepting and Appropriating 100% Federal Funds Awarded by the Federal Bureau of Investigations to the Department of Probation and authorizing the County Executive to execute related Agreements.

3. Purpose of Legislation
   To accept and appropriate $17,202.25 of federal funds awarded to the Department of Probation for its participation in the F.B.I. Long Island Gang Task Force Operations for the period October 1, 2010 through September 30, 2011. These funds have not been included in the 2010 Suffolk County Operating Budget.

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

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

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

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision
   None to the County.

8. Proposed Source of Funding
   Federal Aid Revenue (001-4320) Crime Control

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer
    Theresa Lollo  Principal Financial Analyst
    Mary E. Wider  Principal Acct. Ckt.
    2010

11. Signature of Preparer
    Theresa Lollo

12. Date
    November 26, 2010
FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

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NOTES:
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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
November 22, 2010

Ken Crannell,

Deputy County Executive

Enclosed please find 2 copies of a resolution packet prepared by the Suffolk County Dept. of Probation to accept $17,202.25 grant funding from the U.S. Federal Bureau of Investigations, effective October 1, 2010 through September 30, 2011. The grant is for the Suffolk County Probation Department participation in the F.B.I. Long Island Gang Task Force.

A draft of the award letter is attached. Currently, the Probation Department works with the Long Island Division of the F.B.I. Long Island Gang Task Force in order to identify and target for prosecution, criminal enterprise groups responsible for drug trafficking, money laundering, alien smuggling, crimes of violence (murder), robbery (aggravated assault), violent street gangs, as well as to intensely focus on the apprehension of dangerous fugitives.

Please feel free to contact me at 2-5133 if you have any questions. Thank you.

Mary E. Wider
Principal Acct. Clk
X2-5133

cc: Christopher Kent, Chief Deputy County Executive
RESOLUTION NO. -2010, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (SLUDGE MANAGEMENT PLAN) (CP 8180)

WHEREAS, the Bergen Point Wastewater Treatment facility has been the subject of a Sludge Management Plan; and

WHEREAS, the recommendations of the stakeholders committee associated with the Sludge Management Plan is to issue a request for proposals for the beneficial reuse of sludge generated and to be disposed of from the Bergen Point Wastewater Treatment facility; and

WHEREAS, an RFP is being prepared and will be issued; and

WHEREAS, the 2010 Adopted Capital Program & Budget includes sufficient funds for assistance in reviewing proposals submitted; 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 2010 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 issuance of $200,000 in Sewer District Serial Bonds; now, therefore be it

1ST 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

2ND RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy two (72), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3RD RESOLVED, that the proceeds of $200,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

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<th>Project Title</th>
<th>AMOUNT</th>
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<tr>
<td>528-CAP-8180.115</td>
<td>Improvements to Sewer District 3 - Southwest – (Sludge Management Plan) planning, design and supervision</td>
<td>$200,000</td>
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</table>
and be it further

4TH 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 planning, design and supervision to SD 3 – Southwest (Sludge Management Plan)

DATED:

APPROVED BY:

_______________________________
County Executive of Suffolk County

Date:
1. Type of Legislation

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

RESOLUTION NO. - 2010, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3-SOUTHWEST (SLUDGE MANAGEMENT PLAN) (CP8180)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact?

Yes X No ___

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

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

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SUFFOLK COUNTY SEWER DISTRICT SERIAL BONDS

9. Timing of Impact

2012

10. Typed Name & Title of Preparer

Debra Kolyer
Principal Financial Analyst

SCIN FORM 175b (10/95)

11. Signature of Preparer

[Signature]

12. Date

November 19, 2010
### GENERAL FUND

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**NOTES:**
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
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$200,000.00 $92,375.64 $292,375.64 $292,375.64
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
FROM: James Peterman, P.E., Chief Deputy Commissioner
SUBJECT: Appropriating Funds Through the Issuance of Sewer District Serial Bonds for the Improvements to Suffolk County Sewer District No. 3 – Southwest (Sludge Management Plan) (CP 8180)

DATE: November 3, 2010

Attached is a draft resolution filed as jp-bw11-3-10 Reso-DPW sd3 Southwest improvements (Sludge Project-Management Plan) CP 8180 and appropriate forms with backup (filed as jp-bw11-3-10 Backup- DPW 175A sd3 Southwest improvements (Sludge Project-Management Plan) CP 8180 and jp-bw11-3-10 Backup-DPW 175B sd3 Southwest improvements (Sludge Project-Management Plan) CP 8180). The project involves engineering assistance in the planning phase of a Sludge Management Plan RFP estimated to require $200,000. The proposals will be for beneficial reuse of sludge. The project is at the Bergen Point Wastewater Treatment Plant. Financing needs are contained in the 2010 Adopted Capital Program and Budget and use Sewer District Serial Bonds.

We appreciate the resolution being laid on the table.

JP:BW:ni
Attachment
cc: Ed Dumas, Chief Deputy County Executive
     Gil Anderson, P.E., Commissioner
     Brendan Chamberlain, Director of Intergovernmental Relations
     Lynne Bizzarro, Esq., Deputy County Attorney
     Laura Conway, CPA, Chief Accountant
     Carmine Chiusano, Budget Office
     Ben Wright, P.E., Principal Civil Engineer
     John Donovan, P.E., Principal Civil Engineer
     CE Reso Review
     jp-bw11-3-10 Back-up DPW sd3 Sludge Mgmt Plan serial bonds CP 8180 memo to KCrannell
RESOLUTION NO. -2010, AUTHORIZING THE COUNTY
COMPTROLLER AND COUNTY TREASURER TO CLOSE
CERTAIN CAPITAL PROJECTS AND TRANSFER FUNDS

WHEREAS, the County Departments have reviewed their Capital Projects and
have determined that certain Capital Projects have been completed and/or should be closed; and

WHEREAS, the attached "Addendum 1" hereby made part of this resolution
specifies the Capital Projects and associated point numbers to be closed and contains
information required under Resolution No. 303-2010; and

WHEREAS, the closing of these projects will reduce the County's outstanding
bond authorization, reduce the number of projects required to be monitored and tracked for
financial purposes, and generate revenue to offset debt service costs; and

WHEREAS, it is in the best interest of the County of Suffolk to close these
selected Capital Projects listed on "Addendum 1"; and

WHEREAS, the available uncommitted balances have been verified; now,
therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and hereby
are authorized to close the Capital Projects listed on "Addendum 1" and credit the appropriate
revenue accounts no later than December 31, 2010; and be it further

2nd RESOLVED, as required by Resolution No. 303-2010, the attached "Addendum
1" reflects a sufficiently detailed justification for Capital Project(s) with uncommitted balances in
excess of 15% of the total amount appropriated and an estimated cash balance associated with
each project to be closed and total cash balance by fund for projects to be closed; and be it further

3rd RESOLVED, as required by Resolution No. 303-2010, the total reduction in bond
authorization is estimated at $13,675,323; and be it further

4th RESOLVED, that if any additional aid is received on any of these projects the
Treasurer may accept the aid and close this amount of aid to the appropriate fund and revenue
account; and be it further

5th RESOLVED, that any unissued serial bond, bond anticipation note or capital
note authorization remaining after the project is closed can be liquidated by the County
Comptroller and the County Treasurer; and be it further

6th RESOLVED, that the County Comptroller and County Treasurer are authorized
to transfer positive and negative cash balances to close these Capital Projects; and be it further
RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to net the positive and negative cash as a result of the projects being closed and accept the remaining funds into the appropriate Operating Fund under revenue code 2954 Unused Capital Fund Authorization.

DATED:

APPROVED BY:

________________________________________
County Executive of Suffolk County
Date:
<table>
<thead>
<tr>
<th>Project Name</th>
<th>Budget</th>
<th>% Unexpended</th>
<th>Cash Balance</th>
<th>Expendable</th>
<th>Uncommitted</th>
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<td>Percentage</td>
<td>Expenditure</td>
<td>Committed</td>
<td>Uncommitted</td>
<td>Project Description</td>
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<td>-------------</td>
<td>-----------</td>
<td>-------------</td>
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</tr>
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<td>979,000</td>
<td>739,000</td>
<td>239,000</td>
<td>Equipment for Rocket Point</td>
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<tr>
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<td>10,000,000</td>
<td>9,700,000</td>
<td>300,000</td>
<td>150 Ref Counter CMDS</td>
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</tbody>
</table>

Balances in excess of 16% are not expended.
| Project Name                      | Current | Uncounted | Total | Expected | Exceeded | Cash Balance | % Un expended | % Underexpended | % Overexpended | % Balanced | 1% Overage Projects |
|-----------------------------------|---------|-----------|-------|----------|----------|--------------|---------------|-----------------|----------------|-------------|------------|---------------------|
| Project A                        | 123456  | 78901     | 21236 | 897654   | 567890   | 123456       | 0.56           | 0.78            | 0.12           | 0.03        | 0.01                 |
| Project B                        | 67890   | 12345     | 87654 | 54321    | 98765    | 12345       | 0.45           | 0.34            | 0.21           | 0.10        | 0.02                 |
| Project C                        | 98765   | 45678     | 32145 | 67890    | 54321    | 98765       | 0.23           | 0.56            | 0.21           | 0.03        | 0.01                 |

Note: The table above shows the budget and actual results for different projects.
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<tr>
<th>% Unexpend</th>
<th>Cash Uncommitted</th>
<th>Cash Expend</th>
<th>Budget</th>
<th>Project Description</th>
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</tbody>
</table>

**Budget:**
- The budget for the project was estimated to be $100,000.
- The actual expenditure was $100,000.
- The uncommitted cash balance is $0.00.

**Project Description:**
- The project is related to the construction of a new facility.
- The project is expected to be completed within 12 months.

**Acronym:**
- The project acronym is explained in the document.
<table>
<thead>
<tr>
<th>Fund Project</th>
<th>Description</th>
<th>Expenditure Budget</th>
<th>Uncommitted</th>
<th>Committed</th>
<th>Unexpended</th>
<th>Cash Balance</th>
<th>% Unexpended</th>
<th>BALANCES IN EXCESS OF 5%</th>
<th>JUSIFICATION TO CLOSE PROJECTS WITH</th>
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<td>0.00%</td>
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</tr>
</tbody>
</table>

**Notes:**
- The table details various expenditures, uncommitted budgets, and cash balances across different fund projects.
- The percentages indicate the proportion of each expenditure relative to the total budget for each project.
- The table is part of a financial report detailing ongoing and closed projects.
<table>
<thead>
<tr>
<th>Project Name</th>
<th>Description</th>
<th>Budget</th>
<th>Current</th>
<th>Fund Description</th>
<th>% Unexpended</th>
<th>Cash Balance</th>
<th>Expenditures</th>
<th>Uncommitted</th>
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</tr>
</tbody>
</table>

Building:

1. For the past 10 years, the building has been on a maintenance schedule. The building should be monitored more closely, with some additional maintenance.

2. The building was first proposed in 2004. Since then, the building has been under construction.

3. The building is expected to require additional funding in the future.
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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

AUTHORIZING THE COUNTY COMPTROLLER AND COUNTY TREASURER TO CLOSE CERTAIN CAPITAL PROJECTS AND TRANSFER FUNDS

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE.

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

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

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

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

THE CLOSING OF CAPITAL PROJECTS THAT HAVE BEEN COMPLETED HAS A POSITIVE IMPACT TO THE COUNTY OF SUFFOLK. IT REDUCES BOND AUTHORIZATIONS AND REMAINING CASH BALANCES WILL OFFSET DEBT EXPENSES.

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

THIS WILL BE DETERMINED ONCE THE FINAL CASH BALANCE HAS BEEN VERIFIED BY THE TREASURER'S OFFICE. THE FINAL CASH BALANCE SHOULD PROVIDE A SIGNIFICANT AMOUNT OF REVENUE TO THE COUNTY TO OFFSET DEBT SERVICE COSTS AND SHOULD EXCEED THE AMOUNT INCLUDED IN THE ADOPTED 2010 OPERATING BUDGET GENERAL FUND FOR THIS PURPOSE.

8. Proposed Source of Funding

PROPOSED CASH PROCEEDS FROM UNUSED CAPITAL FUND AUTHORIZATIONS

9. Timing of Impact

2010

10. Typed Name & Title of Preparer

Nicholas E Paglia Jr.  
Executive Technician

11. Signature of Preparer

[Signature]

12. Date

November 23rd, 2010

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

<table>
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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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## COMBINED

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<td>$0</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 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
RESOLUTION NO. -2010, AMENDING THE MAP OF THE COUNTY ROAD SYSTEM TO REMOVE COUNTY SYSTEM ROAD NO. 38, NORTH SEA ROAD-NOYAC ROAD (FROM A POINT LOCATED APPROXIMATELY 500+ FEET NORTH OF MILLSTONE BROOK ROAD, NORTHERLY AND EASTERNLY ENDING AT THE WESTERN BOUNDARY OF THE VILLAGE OF SAG HARBOR) AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE TOWN OF SOUTHAMPTON TRANSFERRING OWNERSHIP AND MAINTENANCE OF SAID ROADWAY TO THE TOWN OF SOUTHAMPTON

WHEREAS, part of the intent of the County Roadway System is to allow Towns within Suffolk County to receive Federal and State funding to aid in their maintenance of roadways that fall within their Town's jurisdiction; and

WHEREAS, in 1931, County System Road No. 38, North Sea Road-Noyac Road was added to the list of roads in Suffolk County to enable the Town of Southampton to receive such funding; and

WHEREAS, the Town of Southampton has agreed to assume ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road; now, therefore be it

1st RESOLVED, that County System Road No. 38, North Sea Road-Noyac Road from a point located approximately 500+ feet north of Millstone Brook Road, northerly and easterly ending at the westerly boundary of the Village of Sag Harbor, a distance of 46,650+ feet, or 8.84+ miles, is hereby removed from the official County Map and Road System, subject to approval of the New York State Commissioner of Transportation; and be it further

2nd RESOLVED, that the above described portion of County System Road No. 38, North Sea Road-Noyac Road shall be transferred to the Town of Southampton in accordance with the provisions of Highway Law §115-b; and be it further

3rd RESOLVED, that the Suffolk County Department of Public Works is hereby authorized, empowered and directed to take such actions as may be necessary and appropriate to consummate the transfer including, but not limited to, developing an agreement with the Town of Southampton and developing the associated roadway description; and be it further

4th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute an agreement with the Town of Southampton for the transfer of ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road; and be it further

5th 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 concerns routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

6th RESOLVED, that the ownership transfer agreement and all other contract documents shall be subject to the approval of the County Attorney.

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. -2010, AMENDING THE MAP OF THE COUNTY ROAD SYSTEM TO REMOVE COUNTY SYSTEM ROAD NO. 38, NORTH SEA ROAD-NOYAC ROAD (FROM A POINT LOCATED APPROXIMATELY 500+ FEET NORTH OF MILLSTONE BROOK ROAD, NORTHERLY AND EASTERLY ENDING AT THE WESTERLY BOUNDARY OF THE VILLAGE OF SAG HARBOR) AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE TOWN OF SOUTHAMPTON TRANSFERRING OWNERSHIP AND MAINTENANCE OF SAID ROADWAY TO THE TOWN OF SOUTHAMPTON

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
   THE TRANSFER OF OWNERSHIP AND MAINTENANCE OF COUNTY SYSTEM ROAD NO. 38, NORTH SEA ROAD-NOYAC ROAD (FROM A POINT LOCATED APPROXIMATELY 500+ FEET NORTH OF MILLSTONE BROOK ROAD, NORTHERLY AND EASTERLY ENDING AT THE WESTERLY BOUNDARY OF THE VILLAGE OF SAG HARBOR) WILL RELIEVE THE COUNTY OF MAINTENANCE COSTS FOR THIS PORTION OF THE ROADWAY, THEREBY TRANSFERRING THESE COSTS TO THE TOWN OF SOUTHAMPTON.

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 execution of ownership transfer agreement.

10. Typed Name & Title of Preparer
    Debra Kolyer
    Principal Financial Analyst

11. Signature of Preparer
    [Signature]

12. Date
    November 23, 2010

SCIN FORM 175b (10/95)
<table>
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3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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
OWNERSHIP TRANSFER AGREEMENT

This Agreement ("Agreement") made between the County of Suffolk ("County"), a municipal corporation of the State of New York, acting through its duly constituted Department of Public Works ("Department"), located at 335 Yaphank Avenue, Yaphank, New York 11980 and the Town of Southampton ("Town"), having its principal offices at 116 Hampton Road, Southampton, New York 11968, (collectively, the "Parties")

The parties hereto desire to enter into an agreement wherein the County agrees to transfer all rights, title and interest of the County in and to County System Road No. 38, North Sea Road-Noyac Road to the Town of Southampton.

Term of Agreement: Upon execution of this agreement by both the Town and the County, all right title and interest to County System Road No. 38, North Sea Road-Noyac Road in the Town of Southampton, are hereby transferred to the Town.

Terms and Conditions: Shall be as set forth in Exhibit A through D attached.

In Witness Whereof, the parties hereto have executed this Agreement as of the latest date written below.

TOWN OF SOUTHAMPTON       COUNTY OF SUFFOLK

BY: ____________________________________________  BY: ____________________________________________

Name: __________________________________________ Name: __________________________________________

Title: __________________________________________ Title: Deputy County Executive

Date: __________________________________________ Date: __________________________________________

Approved As To Legality:                      Approved:

Christine Malafi, County Attorney            Department of Public Works

By: __________________________________________ By: ________________________________

Basia Delach-Brauddish                        Gilbert Anderson, P.E.
Assistant County Attorney                      Commissioner

Date: __________________________________________ Date: ________________________________
Ownership Transfer Agreement/County of Suffolk/Town of Southampton
Ownership and Maintenance of County System Road No. 38, North Sea Road-Noyac Road

Table of Contents

Exhibit A
General Terms and Conditions

1. Recitals
2. Term of Agreement
3. Description of Project
4. Notices and Contact Persons
5. No Gratuities
6. Execution
7. Miscellaneous

Exhibit B
Suffolk County Legislative Resolution No. __________

Exhibit C
Town of Southampton Resolution No. 2010-555.

Exhibit D
Description of Transferred Roadway.

Exhibit A
Page 2 of 11
Ownership Transfer Agreement/County of Suffolk/Town of Southampton
Ownership and Maintenance of County System Road No. 38, North Sea Road-Noyac Road

General Terms and Conditions

Whereas, part of the intent of the County Roadway System to allow Towns within Suffolk County to receive Federal and State funding to aid in their maintenance of roadways that fall within their Town’s jurisdiction; and

Whereas, in 1931, County System Road No. 38, North Sea Road-Noyac Road was added to the list of roads in Suffolk County to enable the Town of Southampton to receive such funding; and

Whereas, County Legislative Resolution No. ______, attached as Exhibit B, authorized the County to enter into an agreement with the Town for the transfer of County System Road No. 38, North Sea Road-Noyac Road in accordance with the provisions of Highway Law §115-b;

Whereas, pursuant to Town Board Resolution No. 2010-555, attached as Exhibit C the Town authorized the Town Board to execute an Ownership Transfer Agreement with the County of Suffolk for said County System Road No. 38, North Sea Road-Noyac Road in accordance with the provisions of Highway Law §115-b;

Now, therefore, the parties hereto agree as follows:

1. Recitals

The parties acknowledge that the foregoing recitals are true and correct and hereby incorporated into this Agreement as if fully set forth herein.

2. Term of Agreement

The term of this Agreement shall be as set forth on page one of this Agreement.

3. Description of Highways Transferred

County System Road No. 38, North Sea Road-Noyac Road, as outlined in Exhibit D.

4. Notices and Contact Persons

a. Operational Notices

Any communication, notice, claim for payment, report or other submission necessary or required to be made by the parties regarding this Agreement shall be deemed to have been duly made upon receipt by the County or Town or their designated representative at the following address or at such other address that may be specified in writing by the parties:

For the County:

Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, New York 11980
Att: William Hillman, P.E., Chief Engineer
Ownership Transfer Agreement/County of Suffolk/Town of Southampton  
Ownership and Maintenance of County System Road No. 38, North Sea Road-Noyac Road

and

For the Town of Southampton:

At the address set forth on page one of this Agreement, attention of the person who executed this Agreement or such other designee as the parties may agree in writing.

b. Notices Relating to Termination, Indemnification or Litigation

Any communication or notice regarding termination or litigation shall be deemed to have been duly made upon receipt by the parties at the following addresses, or at such other addresses that may be specified in writing by the parties:

For the County:

Suffolk County Department of Public Works  
335 Yaphank Avenue  
Yaphank, New York 11980  
Attn: Gilbert Anderson, P.E., Commissioner

and

Christine Malafi, County Attorney  
Suffolk County Department of Law  
III Lee Dennison Building  
700 Veterans Memorial Highway  
Hauppauge, New York 11788

and

For the Town of Southampton:

At the address set forth on page one of this Agreement, attention of the person who executed this Agreement or such other designee as the parties may agree in writing.

and

Town Attorney  
Town of Southampton  
116 Hampton Road  
Southampton, New York 11968

c. Changes in Contact Persons

Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

5. No Gratuities
Ownership Transfer Agreement/County of Suffolk/Town of Southampton
Ownership and Maintenance of County System Road No. 38, North Sea Road-Noyac Road

The Town represents and warrants that neither the Town nor any official, officer, or employee of Town, has offered or given any gratuity to any official, employee or agent of the County or any political party with the purpose or intent of securing favorable treatment with respect to the awarding or amending of this Agreement, or the making of any determinations with respect to the performance of this Agreement, and that Town has read and is familiar with the provisions of Suffolk County Local Law Number 32-1980.

6. Execution

The Parties each warrant and represent to the other that its execution of this Agreement has been properly authorized.

7. Miscellaneous

No modification or amendment of this Agreement shall be of any force or effect unless in writing executed by both the County and the Town and recorded in the Suffolk County Clerk’s Office. This Agreement sets forth the entire agreement between the County and the Town relating to the transfer of ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road and the Easement and that subject matter herein and supersedes all prior and contemporaneous negotiations, understandings and agreements, written or oral, between the parties.

End of text for Exhibit A.
Ownership Transfer Agreement/County of Suffolk/Town of Southampton
Ownership and Maintenance of County System Road No. 38, North Sea Road-Noyac Road

EXHIBIT B
SUFFOLK COUNTY AUTHORIZING RESOLUTION
RESOLUTION NO. 2010, AMENDING THE MAP OF THE COUNTY ROAD SYSTEM TO REMOVE COUNTY SYSTEM ROAD NO. 38, NORTH SEA ROAD-NOYAC ROAD AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE TOWN OF SOUTHAMPTON TRANSFERRING OWNERSHIP AND MAINTENANCE OF SAID ROADWAY TO THE TOWN OF SOUTHAMPTON

WHEREAS, part of the intent of the County Roadway System is to allow Towns within Suffolk County to receive Federal and State funding to aid in their maintenance of roadways that fall within their Town’s jurisdiction; and

WHEREAS, in 1931, County System Road No. 38, North Sea Road-Noyac Road was added to the list of roads in Suffolk County to enable to the Town of Southampton to receive such funding; and

WHEREAS, the Town of Southampton has agreed to assume ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road; now, therefore be it

1st RESOLVED, that County System Road No. 38, North Sea Road-Noyac Road from a point located approximately 500+ feet north of Millstone Brook Road, northerly and easterly ending at the westerly boundary of the Village of Sag Harbor, a distance of 46.650+ feet, or 8.84+ miles, is hereby removed from the official County Map and Road System, subject to approval of the New York State Commissioner of Transportation; and be it further

2nd RESOLVED, that the above described portion of County System Road No. 38, North Sea Road-Noyac Road shall be transferred to the Town of Southampton in accordance with the provisions of Highway Law §115-b; and be it further

3rd RESOLVED, that the Suffolk County Department of Public Works is hereby authorized, empowered and directed to take such actions as may be necessary and appropriate to consummate the transfer including, but not limited to, developing an agreement with the Town of Southampton and developing the associated roadway description; and be it further

4th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute an agreement with the Town of Southampton for the transfer of ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road; and be it further

5th 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 concerns routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

6th RESOLVED, that the ownership transfer agreement and all other contract documents shall be subject to the approval of the County Attorney.

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date:
EXHIBIT C
TOWN OF SOUTHAMPTON AUTHORIZING RESOLUTION
Memorializing Resolution In Support of Clarifying Ownership of Noyac Road

WHEREAS, Suffolk County maintains approximately 425 miles of roadway throughout the towns of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Shelter Island, Smithtown, Southampton, and Southold. In addition, the County lists a number of "system roads" that are assigned a Suffolk County road designation, but are maintained or controlled by other municipalities; and

WHEREAS, among such system roads is County Road 38 (CR 38), which consists of Noyac Road from the Village of Sag Harbor west into the hamlet of North Sea. From there CR 38 proceeds south as North Sea Road to the Village of Southampton. Part of the County's road system since January 26, 1931, CR 38 runs for 11.5 miles within the Town of Southampton; and

WHEREAS, according to the Suffolk County Department of Public Works "Table of Maintenance Jurisdiction," the Chief Engineer, and other official documents, the County does not maintain any portion of CR 38 from Brick Kiln Road (Village of Sag Harbor western boundary) to 500 feet north of Millstone Brook Road (Hamlet of North Sea); and

WHEREAS, according to these sources, as well as the Town of Southampton Highway Department, responsibility and costs for maintenance, pavement, shoulders, drainage, landscaping, and snow removal rests with the Town of Southampton; and

WHEREAS, as the County neither reimburses the Town nor performs its own maintenance along this 8.94-mile portion of CR 38, authority over capital projects and over relevant undertakings should be clarified; and

WHEREAS, such a clarification is supported and urged by the Noyac Civic Council, Noyac Citizens Advisory Committee, and North Sea Citizens Advisory Committee, as well as the Suffolk County Legislator for the Second Legislative District; and now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby requests and supports passage of legislation by the Suffolk County Legislature transferring or acknowledging full ownership and jurisdiction of County Road 38 (Noyac Road) by the Town of Southampton from Brick Kiln Road west to 500 feet north of Millstone Brook Road; and be it further

RESOLVED, that the Town Clerk shall forward a copy of this resolution to Suffolk County Legislator Jay Schneiderman, Suffolk County Legislative Clerk Timothy Loube, and Suffolk County Commissioner of Public Works Gilbert Anderson.

Fiscal Impact:
None

RESULT: ADOPTED [UNANIMOUS]
MOVED: James Malone, Councilman
SECONDER: Nancy Grabaeki, Councilwoman
Ownership Transfer Agreement/County of Suffolk/Town of Southampton
Ownership and Maintenance of County System Road No. 38, North Sea Road-Noyac Road

Southampton Town Board - Letter

Board Meeting of May 25, 2010

AYES: Throne-Holst, Malone, Graboski, Fleming, Nuzzi
Ownership Transfer Agreement/County of Suffolk/Town of Southampton
Ownership and Maintenance of County System Road No. 38, North Sea Road-Noyac Road

EXHIBIT D
DESCRIPTION OF HIGHWAY TRANSFERRED

County System Road No. 38, North Sea Road-Noyac Road

All County System Road No. 38, North Sea-Noyac Road Right of Way situate in the Town of Southampton, County of Suffolk, and State of New York as described as follows:

Beginning at the end point of County Road No. 38, North Sea Road at Station 134+00 of the Survey Centerline of County Road No. 38 as shown on a map for the Repaving of North Sea Road County Road No. 38 dated August 17, 1931 and on file in the office of the Commissioner of Public Works, said point being located approximately 500+ feet north of Millstone Brook Road.

Thence, from said Point of Beginning, northerly, along said County System Road No. 38, North Sea Road, to its intersection with County System Road No. 38 Noyac Road.

Thence northerly and easterly, along said County System Road No. 38 Noyac Road through the Hamlets of North Sea, Rose Grove, North Side Hills and Noyac ending at the westerly boundary of the Village of Sag Harbor, a distance of 46,650.5 feet or 8.84 miles more or less.

The above County System Road No. 38 traverses Suffolk County Tax Map District 0900(Town of Southampton), Section Numbers 003, 004, 006, 007, 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 024, 028, 029, 031, 032, 033, 042, 043, 044, 045, 058, 059, 060, 061, 062, 062.01, 063, 076, and 077.
# RESOLUTION SUBMITTAL SHEET

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**Give a complete description of why we are asking for reso; if aided, state status of aid**

Transferring Ownership of County System Road No. 38, North Sea Road-Noyac Road and authorizing the County Executive to execute agreement with the Town of Southampton transferring ownership and maintenance, pursuant to Town of Southampton Resolution 2010-555

**Previous resolution (list previous reso for the same work)**

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**Amounts being requested** – n/a

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**Current Unencum Bal w/Quotes** – n/a

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**Project Status**

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<td>Contractor</td>
</tr>
<tr>
<td>Est. construction completion</td>
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**State required offsets, their legis. Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue**

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<th>Offset</th>
<th>Legis District</th>
<th>Comments</th>
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RESOLUTION NO. -2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, APPROPRIATING FUNDS AND ACCEPTING A COMMUNITY CAPITAL ASSISTANCE PROGRAM (CCAP) GRANT IN THE AMOUNT OF $165,000 FROM THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK FOR THE INSTALLATION OF A CONCEALED FIRE SPRINKLER SYSTEM AT THE MAIN HOUSE AT DEEPWELLS COUNTY PARK (CP 7510)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for the installation of a concealed fire sprinkler system at the Main House at Deepwells County Park; and

WHEREAS, the Suffolk County Parks Department was awarded a Community Capital Assistance Program (CCAP) grant in the amount of $165,000 for the installation of such a system at the Main House at Deepwells County Park; and

WHEREAS, the project estimated cost is $250,000; 2/3's New York State (CCAP) grant funds ($165,000) and 1/3 County funds ($85,000); and

WHEREAS, sufficient funds have not been included within the 2010 Capital Budget and Program and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal and/or State Aid; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2010 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 issuance of $85,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) of Title 6 of New York Code of Rules and Regulations ("NYCRR") (1), (2) and (21), as the project involves planning as well as replacement and rehabilitation involving no substantial changes to an existing structure, or reconstruction of a structure or facility in-kind including upgrading buildings to meet fire codes, and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty (40), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:
Project No. 7510  
Project Title: Historic Restoration and Preservation Fund

<table>
<thead>
<tr>
<th></th>
<th>Total Estimated Cost</th>
<th>Current 2010 Capital Program and Budget</th>
<th>Revised 2010 Capital Program and Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Planning</td>
<td>$821,500</td>
<td>$0</td>
<td>$25,000 B</td>
</tr>
<tr>
<td>3. Construction</td>
<td>$13,386,700</td>
<td>$1,200,000 B</td>
<td>$1,175,000 B</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$14,208,200</td>
<td>$1,200,000</td>
<td>$1,365,000</td>
</tr>
</tbody>
</table>

and be it further

4th RESOLVED, that the proceeds of $85,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-7510.126</td>
<td>60</td>
<td>Historic Restoration and Preservation Fund -- Deepwells Sprinkler System -- Planning</td>
<td>$25,000</td>
</tr>
<tr>
<td>(Fund 001 Debt Service)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>525-CAP-7510.339</td>
<td>60</td>
<td>Historic Restoration and Preservation Fund -- Deepwells Sprinkler System - Construction</td>
<td>$60,000</td>
</tr>
<tr>
<td>(Fund 001 Debt Service)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

and be it further

5th RESOLVED, that the proceeds of the New York State Community Capital Assistance Program (CCAP) grant of $165,000 be and are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-7510.339</td>
<td>60</td>
<td>Historic Restoration and Preservation Fund -- Deepwells Sprinkler System - Construction</td>
<td>$165,000</td>
</tr>
<tr>
<td>(Fund 001 Debt Service)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept State funding in the amount of $165,000.

DATED:

APPROVED BY:

County Executive of Suffolk County

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

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

RESOLUTION NO. 2010-2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, APPROPRIATING FUNDS AND ACCEPTING A COMMUNITY CAPITAL ASSISTANCE PROGRAM (CCAP) GRANT IN THE AMOUNT OF $165,000 FROM THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK FOR THE INSTALLATION OF A CONCEALED FIRE SPRINKLER SYSTEM AT THE MAIN HOUSE AT DEEPWELLS COUNTY PARK (CP 7510)

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

New York State Community Capital Assistance Program (CCAP) Grant--$165,000 (2/3). Suffolk County Serial Bonds $85,000 (1/3). Total estimated cost of project is $250,000.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

NYS CCAP Grant funds and Suffolk County Serial Bonds.

9. Timing of Impact

2011

10. Typed Name & Title of Preparer

Nicholas Paglia
Executive Technician

11. Signature of Preparer

12. Date

November 26th, 2010

SCIN FORM 175b (10/95)
## 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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$7,477</td>
<td>$0.01</td>
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<td>$0.00</td>
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## POLICE DISTRICT AND DISTRICT COURT

<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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
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## COMBINED

<table>
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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>
<th>2011 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$7,477</td>
<td>$0.01</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 2009-2010.

3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office
<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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<tr>
<td>11/1/2010</td>
<td>5/1/2011</td>
<td>$4,345.85</td>
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<td>$132.80</td>
<td>$7,343.88</td>
<td>$7,476.68</td>
<td></td>
</tr>
</tbody>
</table>

|       | $85,000.00 | $27,150.25 | $112,150.25 | $112,150.25 |
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-Accepting and Appropriating CCAP Grant for Deepwells Sprinkler System.doc.”

The Suffolk County Parks Department was awarded $165,000 in grant funding under the NYS Dormitory Authority’s Community Capital Assistance Program (CCAP) for the installation of a concealed fire sprinkler system at the Main House at Deepwells Farm County Park. The total cost of the project is $250,000. This project is necessary to appropriately protect this important historic building and its collection from fire.

This resolution seeks to accept and appropriate these funds, and appropriate the County’s matching funds, by amending Capital Project 7510 (Historic Restoration and Preservation Fund).

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

Enclosures
This GRANT DISBURSEMENT AGREEMENT includes all exhibits and attachments hereto and is made on the terms and by the parties listed below and relates to the Project described below:

**DORMITORY AUTHORITY OF THE STATE OF NEW YORK (the “Authority”):**

515 Broadway
Albany, New York 12207
Contact: Karen B. Rieth
Phone: (518) 257-3177
Fax: (518) 257-3475
E-mail: grants@dasny.org

**THE GRANTEE:**

County of Suffolk Department of Parks, Recreation and Conservation
Montauk Highway
P.O. Box 144
West Sayville, NY 11796
Contact: Mr. Tom Hronchich

Phone: (631) 854-4970
Fax: (631) 854-4978

**THE PROJECT:**

Installation of a Concealed Fire Sprinkler System

**GRANT AMOUNT:**

$165,000

**FUNDING SOURCE:**

Community Capital Assistance Program ("CCAP")

**PRELIMINARY APPLICATION DATE:**

03/07/07

**DATE GDA SENT TO GRANTEE:**

06/18/09

**DATE AGREEMENT SIGNED BY GRANTEE:**

06/24/09

**DATE AGREEMENT SIGNED BY THE AUTHORITY:**

09/04/09

**EXPIRATION DATE OF THIS AGREEMENT:**

09/04/12

For Office Use Only:

FMS#: 149780/149781
GranteedID: 2131
GrantID: 3354

Updated 3/18/09
TERMS AND CONDITIONS

1. **The Project**

   The Project description, including tasks and a timeline with respect thereto, is set forth in Exhibit A. The Grantee will perform the tasks on the schedule and as described in Exhibit A to this Agreement.

2. **Project Budget and Use of Funds**

   a) The Grantee will undertake the Project in accordance with the overall Project budget, which includes the Grant funds, as set forth in Exhibit B to this Agreement. The Grant will be applied only to Eligible Expenses, which are separately identified, as described in the Preliminary Application and in Exhibit A hereto.

   b) Grantee agrees and covenants to apply the Grant proceeds only to capital works or purposes, which shall consist of the following:

   (i) the acquisition, construction, demolition, or replacement of a fixed asset or assets;

   (ii) the major repair or renovation of a fixed asset, or assets which materially extends its useful life or materially improves or increases its capacity; or

   (iii) the planning or design of the acquisition, construction, demolition, replacement, major repair or renovation of a fixed asset or assets, including the preparation and review of plans and specifications including engineering and other services, field surveys and sub-surface investigations incidental thereto.

   c) Grantee agrees and covenants that the Grant proceeds shall not be used for costs that are not capital in nature, which include, but shall not be limited to working capital, rent, utilities, salaries, supplies, administrative expenses, or to pay down debt incurred to undertake the Project.

3. **Books and Records**

   The Grantee will maintain accurate books and records concerning the Project for six (6) years from the date the Project is completed and will make those books and records available to the Authority, its agents, officers and employees during Grantee's business hours upon reasonable request. In the event of earlier termination of this Agreement, such documentation shall be made available to the Authority, its agents, officers and employees for six (6) years following the date of such early termination.

4. **Conditions Precedent to Disbursement of the Grant**

   No Grant funds shall be disbursed until the following conditions have been satisfied:
5. **Disbursement**

Subject to the terms and conditions contained in this Agreement, the Authority shall disburse the Grant to the Grantee, in the manner set forth in Exhibit E, as follows:

(a) The Authority shall make payment directly to the Grantee the amount of Eligible Expenses actually incurred by the Grantee, upon presentation to the Authority of a Payment Requisition Form, together with such supporting documentation as the Authority may require, in the form attached to this Agreement as Exhibit F and its attachments; or

(b) The Authority may make payment directly to the Grantee upon presentation to the Authority of an invoice from the Grantee's contractor and/or vendor evidencing the completion of work, upon presentation to the Authority of a Payment Requisition Form, together with such supporting documentation as the Authority may require, in the form attached to this Agreement as Exhibit F and its attachments. The Grantee must deposit all Grant proceeds paid on invoice pursuant to this paragraph (b) into the Segregated Account established pursuant to Paragraph 4(d). All Eligible Expenses incurred in connection with the Project to be financed with Grant funds that are to be paid on invoice must be paid out of this account. The Grantee must provide proof of disbursement of Grant funds to the respective contractor and/or vendor in a form acceptable to the Authority, within sixty (60) days of the date that Grant funds are disbursed to the Grantee to pay for such costs. The Authority will not make any additional disbursements from Grant funds until such time as proof of payment is provided.
(c) In no event will the Authority make any payment which would cause the Authority's aggregate disbursements to exceed the Grant amount.

(d) The Grant, or a portion thereof, may be subject to recapture by the Authority as provided in Section 9(c) hereof.

6. **Non Discrimination and Affirmative Action**

   The Grantee shall make its best effort to comply with the Authority’s Non-Discrimination and Affirmative Action policies set forth in Exhibit G to this Agreement.

7. **No Liability of the Authority or the State**

   The Authority shall not in any event whatsoever be liable for any injury or damage, cost or expense of any nature whatsoever that occurs as a result of or in any way in connection with the Project and the Grantee hereby agrees to indemnify and hold harmless the Authority, the State and their respective agents, officers, employees and directors (collectively, the “Indemnitees”) from and against any and all such liability and any other liability for injury or damage, cost or expense resulting from the payment of the Grant by the Authority to the Grantee or use of the Project in any manner, including in a manner which, if the bonds are issued on a tax-exempt basis, (i) results in the interest on the bonds issued by the Authority the proceeds of which were used to fund the Grant (the “Bonds”) to be includable in gross income for federal income tax purposes or (ii) gives rise to an allegation against the Authority by a governmental agency or authority, which the Authority defends that the interest on the Bonds is includable in gross income for federal income tax purposes, other than that caused by the gross negligence or the willful misconduct of the Indemnitees.

8. **Warranties and Covenants**

   The Grantee warrants and covenants that:

   (a) The Grant shall be used solely for Eligible Expenses in accordance with the terms and conditions of this Agreement.

   (b) No materials, if any, purchased with the Grant will be used for any purpose other than the eligible Project costs as identified in Exhibit B.

   (c) The Grantee agrees to utilize all funds disbursed in accordance with this Agreement in accordance with the terms of the CCAP Program.

   (d) The Grantee is solely responsible for all Project costs in excess of the Grant. The Grantee will incur and pay Project costs and submit requisitions for reimbursement in connection with such costs.

   (e) The Grantee has sufficient, secured funding for all Project costs in excess of the Grant, and will complete the Project as described in the Preliminary Application and in this Agreement.
(f) The Grantee agrees to use its best efforts to utilize the Project for substantially the same purpose set forth in this Agreement for a reasonable period of time following the last disbursement of Grant funds to the Grantee.

(g) There has been no material adverse change in the financial condition of the Grantee since the date of submission of the Preliminary Application to the Dormitory Authority.

(h) No part of the Grant will be applied to any expenses paid or payable from any other funding source.

(i) The Grantee owns, leases, or otherwise has control over the site where the Project will be located. If the Project includes removable equipment or furnishings including but not limited to, computer hardware and software, air conditioning units, lab equipment, office furniture and telephone systems, Grantee will develop, implement and maintain an inventory system for tracking such removable equipment and furnishings.

(j) The Project to be funded by the Grant will be located in the State of New York. If the Grant will fund all or a portion of the purchase of any type of vehicle, such vehicle will be registered in the State of New York and a copy of the New York State Vehicle Registration documents will be provided to the Authority's Accounts Payable Department at the time of requisition.

(k) Grantee is in compliance with, and shall continue to comply in all material respects, with all applicable laws, rules, regulations and orders affecting the Grantee and the Project.

(l) The Grantee has obtained all necessary consents and approvals from the property owner in connection with any work to be undertaken in connection with the Project.

(m) All contractors and vendors retained to perform services in connection with the Project shall be authorized to do business in the State of New York and shall possess and maintain all professional licenses and/or certifications required to perform the tasks undertaken in connection with the Project.

(n) Neither the Grantee nor any of the members of its Board of Directors or other governing body or its employees have given or will give anything of value to anyone to procure the Grant or to influence any official act or the judgment of any person in the performance of any of the terms of this Agreement.

(o) The Grant shall not be used in any manner for any of the following purposes:

(i) political activities of any kind or nature, including, but not limited to, furthering the election or defeat of any candidate for public, political or party office, or for providing a forum for such candidate activity to
promote the passage, defeat, or repeal of any proposed or enacted legislation;

(ii) religious worship, instruction or proselytizing as part of, or in connection with, the performance of this Agreement;

(iii) payments to any firm, company, association, corporation or organization in which a member of the Grantee's Board of Directors or other governing body, or any officer or employee of the Grantee, or a member of the immediate family of any member of the Grantee's Board of Directors or other governing body, officer, or employee of the Grantee has any ownership, control or financial interest, including but not limited to an officer or employee directly or indirectly responsible for the preparation or the determination of the terms of the contract or other arrangement pursuant to which the proceeds of the Grant are to be disbursed. For purposes of this paragraph, "ownership" means ownership, directly or indirectly, of more than five percent (5%) of the assets, stock, bonds or other dividend or interest bearing securities; and "control" means serving as a member of the board of directors or other governing body, or as an officer in any of the above; and

(iv) payment to any member of Grantee's Board of Directors or other governing body of any fee, salary or stipend for employment or services, except as may be expressly provided for in this Agreement.

(p) The relationship of the Grantee (including, for purposes of this paragraph, its officers, employees, agents and representatives) to the Authority arising out of this Agreement shall be that of an independent contractor. The Grantee covenants and agrees that it will conduct itself in a manner consistent with such status, that it will neither hold itself out as, nor claim to be, an officer, employee, agent or representative of the Authority or the State by reason hereof, and that it will not by reason thereof, make any claim, demand or application for any right or privilege applicable to an officer, employee, agent or representative of the Authority or the State, including without limitation, worker’s compensation coverage, unemployment insurance benefits, social security coverage or retirement membership or credit.

(q) The information contained in the Preliminary Application submitted by the Grantee in connection with the Project and the Grant, as such may have been amended or supplemented (the "Preliminary Application"), and any supplemental documentation requested by the State or the Authority in connection with the Grant, is incorporated herein by reference in its entirety. In the event of an inconsistency between the descriptions, conditions, and terms of this Agreement and those contained in the Preliminary Application, the provisions of this Agreement shall govern. The Grantee hereby acknowledges that the Authority has relied on the statements and representations made by the Grantee in the Preliminary Application and any
supplemental information in making the Grant. The Grantee hereby represents and warrants that it has made no material misstatement or omission of fact in the Preliminary Application or supplemental information or otherwise in connection with the Grant and that the information contained in the Preliminary Application and supplemental information continues on the date hereof to be materially correct and complete.

(r) The Grantee hereby represents and warrants that it has made no material misstatement or omission of fact in the due diligence questionnaire completed by the Grantee in connection with the Project and the Grant, and that the responses in the questionnaire continue on the date hereof to be materially correct and complete. The Grantee hereby acknowledges that the Dormitory Authority has relied on the statements and representations made by the Grantee in the questionnaire in making the Grant, and that the Grantee will be required to reaffirm the information therein each time a requisition for grant funds is presented to the Dormitory Authority.

(s) The Grantee is duly organized, validly existing and in good standing under the laws of the State of New York, or is duly organized and validly existing under the laws of another jurisdiction and is authorized to do business and is in good standing in the State of New York and shall maintain its corporate existence in good standing in each such jurisdiction for the term of this Agreement, and has full power and authority to execute and deliver the Agreement and to perform its obligations thereunder;

(t) The Agreement was duly authorized, executed and delivered by the Grantee and is binding on and enforceable against the Grantee in accordance with its terms.

9. Default and Remedies

(a) Each of the following shall constitute a default by the Grantee under this Agreement:

(i) Failure to perform or observe any obligation, warranty or covenant of the Grantee contained herein, or the failure by the Grantee to perform the requirements herein to the reasonable satisfaction of the Authority and within the time frames established therefor under this Agreement.

(ii) Failure to comply with any request for information reasonably made by the Authority to determine compliance by the Grantee with the terms of this Agreement or otherwise reasonably requested by the Authority in connection with the Grant.

(iii) The making by the Grantee of any false statement or the omission by the Grantee to state any material fact in or in connection with this Agreement or the Grant, including information provided in the Preliminary Application or in any supplemental information that may be requested by the State or the Authority.
(iv) The Grantee shall (A) be generally not paying its debts as they become due, (B) file, or consent by answer or otherwise to the filing against it of, a petition under the United States Bankruptcy Code or under any other bankruptcy or insolvency law of any jurisdiction, (C) make a general assignment for the benefit of its general creditors, (D) consent to the appointment of a custodian, receiver, trustee or other officer with similar powers of itself or of any substantial part of its property, (E) be adjudicated insolvent or be liquidated or (F) take corporate action for the purpose of any of the foregoing.

(v) An order of a court having jurisdiction shall be made directing the sale, disposition or distribution of all or substantially all of the property belonging to the Grantee, which order shall remain undischarged or unstayed for an aggregate of thirty (30) days.

(vi) The Grantee abandons the Project prior to its completion.

(b) Upon the occurrence of a default by the Grantee and written notice by the Authority indicating the nature of the default, the Authority shall have the right to terminate this Agreement.

(c) Upon any such termination, the Authority may withhold any Grant proceeds not yet disbursed and may require repayment of Grant proceeds already disbursed. If the Authority determines that any Grant proceeds had previously been released based upon fraudulent representations or other willful misconduct, the Authority may require repayment of those funds and may refer the matter to the appropriate authorities for prosecution. The Authority shall be entitled to exercise any other rights and seek any other remedies provided by law.

10. Term of Agreement

Notwithstanding the provisions of Section 9 hereof, this Agreement shall terminate three (3) years after the latest date set forth on the front page hereof without any further notice to the Grantee. The Authority, in its sole discretion, may extend the term of this Agreement upon a showing by the Grantee that the Project is under construction and is expected to be completed within the succeeding twelve (12) months. All requisitions must be submitted to the Authority in proper form prior to the termination date in order to be reimbursed.

11. Project Audit

The Authority shall, upon reasonable notice, have the right to conduct, or cause to be conducted, one or more audits, including field inspections, of the Grantee to assure that the Grantee is in compliance with this Agreement. This right to audit shall continue for six (6) years following the completion of the Project or earlier termination of this Agreement.
12. **Survival of Provisions**

The provisions of Sections 3, 7, 8(n), 8(o) and 11 shall survive the expiration or earlier termination of this Agreement.

13. **Notices**

Each notice, demand, request or other communication required or otherwise permitted hereunder shall be in writing and shall be effective upon receipt if personally delivered or sent by any overnight service or three (3) days after dispatch by certified mail, return receipt requested, to the addresses set forth on this document’s cover page.

14. **Assignment**

The Grantee may not assign or transfer this Agreement or any of its rights hereunder.

15. **Modification**

This Agreement may be modified only by a written instrument executed by the party against whom enforcement of such modification is sought.

16. **Governing Law**

This Agreement shall be governed by and construed in accordance with the laws of the State of New York. This Agreement shall be construed without the aid of any presumption or other rule of law regarding construction against the party drafting this Agreement or any part of it. In case any one or more of the provisions of this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such provision(s) had never been contained herein.

17. **Confidentiality of Information**

Any information contained in reports made to the Authority or obtained by the Authority as a result of any audit or examination of Grantee’s documents or relating to trade secrets, operations and commercial or financial information, including but not limited to the nature, amount or source of income, profits, losses, financial condition, marketing plans, manufacturing processes, production costs, productivity rates, or customer lists, provided that such information is clearly marked “confidential” by the Grantee that concerns or relates to trade secrets, operations and commercial or financial information, including but not limited to the nature, amount or source of income, profits, losses or expenditures, financial condition, marketing plans, manufacturing processes, production costs, productivity rates, or customer lists, which is determined by the Authority to be exempt from public disclosure under the Freedom of Information Law, shall be considered business confidential and is not to be released to anyone, except the Authority and staff directly involved in assisting the Grantee, without prior written authorization from the Grantee, as applicable. Notwithstanding the foregoing, the Authority will not be liable for any information disclosed, in the Authority’s sole discretion, pursuant to the Freedom of Information Law, or which the Authority is required to disclose pursuant to legal process.
18. **Executory Clause**

This Agreement shall be deemed executory to the extent of monies available for the CCAP Program to the Authority.
County of Suffolk Department of Parks, Recreation and Conservation
Installation of a Concealed Fire Sprinkler System

This agreement is entered into as of the latest date written below:

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

[Signature]
Authorized Officer

[Signature]
(Printed Name)

Date: 9/4/09

GRANTEE: COUNTY OF SUFFOLK DEPARTMENT OF PARKS, RECREATION
AND CONSERVATION

[Signature]
(Printed name and title)

Date: 6/30/09

Approved as to Legality:
Christine Malafi, County Attorney

By: [Signature]
Dennis M. Brown
Assistant County Attorney

Date: 7/1/09

COUNTY OF SUFFOLK

By: [Signature]
Name: BENJAMIN ZWIRN

Title: Deputy County Executive

Date: 7/1/09

Updated 3/18/09
**GRANT DISBURSEMENT AGREEMENT**

**EXHIBITS**

<table>
<thead>
<tr>
<th>EXHIBIT</th>
<th>Description</th>
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<tbody>
<tr>
<td>A</td>
<td>Project Description</td>
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<tr>
<td>B</td>
<td>Project Budget</td>
</tr>
<tr>
<td>C</td>
<td>Opinion of Counsel</td>
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<td>D</td>
<td>Reserved</td>
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<tr>
<td>E</td>
<td>Disbursement Terms</td>
</tr>
<tr>
<td>F</td>
<td>Payment Requisition Form</td>
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<tr>
<td>F-1</td>
<td>Payment Requisition Cover Letter</td>
</tr>
<tr>
<td>F-2</td>
<td>Payment Requisition Back-up Summary</td>
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<tr>
<td>G</td>
<td>Non-Discrimination and Affirmative Action Policy</td>
</tr>
</tbody>
</table>
EXHIBIT A: Project Description

County of Suffolk Department of Parks, Recreation and Conservation
Installation of a Concealed Fire Sprinkler System

TASKS and TIMELINE

Include detailed task descriptions. Include dates of completion for each task.

<table>
<thead>
<tr>
<th>Task #</th>
<th>Task Description*</th>
<th>Anticipated Project Start and End Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Installation of a concealed fire sprinkler system at the Deepwells Farm Main House</td>
<td>11/14/09 - 5/31/11</td>
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</table>

Project Completion Date 5/31/2011

* Please note that the tasks set forth in this column must be those for which reimbursement or payment on invoice will be sought. Please ensure that the task list is complete and includes all the tasks for which you will be submitting requisitions. The failure to do so may delay payment.
EXHIBIT B: Project Budget

County of Suffolk Department of Parks, Recreation and Conservation
Installation of a Concealed Fire Sprinkler System

<table>
<thead>
<tr>
<th>USE OF FUNDS</th>
<th>SOURCES</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authority Eligible Expenses</td>
<td>In-Kind/Equity/Sponsor</td>
<td>Other Sources</td>
</tr>
<tr>
<td><strong>TASKS</strong></td>
<td><strong>Amount</strong></td>
<td><strong>Source Name</strong></td>
</tr>
<tr>
<td>Installation of a concealed fire sprinkler system at the Deepwells Farm Main House</td>
<td>$165,000</td>
<td>County of Suffolk Department of Parks, Recreation and Conversation</td>
</tr>
<tr>
<td>Total Project Cost</td>
<td>$165,000</td>
<td></td>
</tr>
</tbody>
</table>

* Please note that the tasks set forth in this column must be those for which reimbursement or payment on invoice will be sought. Please ensure that the task list is complete and includes all the tasks for which you will be submitting requisitions. The failure to do so may delay payment.
July 9, 2009

Dormitory Authority of the
State of New York
515 Broadway
Albany, New York 12207

Attention: Jeffrey Pohl, Esq.

Re: Community Capital Assistance Program ("CCAP") Grant
Installation of a Concealed Fire Sprinkler System

Ladies and Gentlemen:

I have acted as counsel to County of Suffolk (the "Grantee") in connection with the Project referenced above. In so acting, I have reviewed a certain Grant Disbursement Agreement between you and the Grantee, executed by the Grantee on June 24, 2009 (the "Agreement") and such other documents as I consider necessary to render the opinion expressed hereby.

Based on the foregoing, I am of the opinion that:

1. The Grantee is duly organized, validly existing and in good standing under the laws of the State of New York and has full power and authority to execute and deliver the Agreement and to perform its obligations thereunder; and

2. The Agreement was duly authorized, executed and delivered by the Grantee and is binding on and enforceable against the Grantee in accordance with the terms.

Thank you.

Very truly yours,

Christine Malafai
County Attorney
EXHIBIT D: Reserved
EXHIBIT E: Disbursement Terms

County of Suffolk Department of Parks, Recreation and Conservation
Installation of a Concealed Fire Sprinkler System

Subject to the terms and conditions contained in this Agreement, the Authority shall disburse the Grant to the Grantee as follows:

Standard Reimbursement

The Authority shall make payment to the Grantee, no more frequently than monthly, based upon Eligible Expenses (as set forth and in accordance with the budget in Exhibit B) actually incurred by the Grantee, in compliance with Exhibit A and upon presentation to the Authority of a Payment Requisition Form together with such supporting documentation as the Authority may require, in the form attached to this Agreement as Exhibit F and its attachments; or

The Authority may make payment directly to the Grantee upon presentation to the Authority of an invoice from the Grantee’s contractor and/or vendor evidencing the completion of work, upon presentation to the Authority of a Payment Requisition Form, together with such supporting documentation as the Authority may require, in the form attached to this Agreement as Exhibit F and its attachments. The Grantee must deposit all Grant proceeds paid on invoice into the Segregated Account established pursuant to Paragraph 4(d) of the Grant Disbursement Agreement. All Eligible Expenses incurred in connection with the Project to be financed with Grant funds that are to be paid on invoice must be paid out of the Segregated Account. The Grantee must provide proof of disbursement of Grant funds to the respective contractor and/or vendor in a form acceptable to the Authority, within sixty (60) days of the date that Grant funds are disbursed to the Grantee to pay for such costs. The Authority will not make any additional disbursements from Grant funds until such time as such proof of payment is provided.

Please note that documentation acceptable to the Authority must be provided prior to payment, including invoices and readable fronts and backs of canceled checks. *Quotes, proposals, estimates, purchase orders, and other such documentation do NOT qualify as invoices.*

In addition, if funds are requisitioned for the purchase of a vehicle, the New York State Vehicle Registration Documents and title must be submitted along with the requisition forms.
EXHIBIT F: Payment Requisition Form

County of Suffolk Department of Parks, Recreation and Conservation
Installation of a Concealed Fire Sprinkler System

For Office Use Only:
FMS#: 149780/149781  GranteeID: 2131  GrantID: 3354

Payment Request #___________, for $____________

For work completed between __________ and __________, for Task(s) #_________

THIS REQUEST

<table>
<thead>
<tr>
<th>Tasks*</th>
<th>A: the Authority SHARE</th>
<th>THE AUTHORITY APPROVED REVISIONS</th>
<th>C: THIS REQUEST</th>
<th>D: TOTAL REQUESTED TO DATE</th>
<th>E: A-C-D BALANCE</th>
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* Please note that the tasks set forth in this column must correspond to the tasks set forth in Exhibit B. When submitting a requisition for payment, please remember that the Authority can reimburse you for capital expenditures made by or invoiced to the Grantee only. Capital expenditures include the costs of acquisition, design, construction, reconstruction, rehabilitation, preservation, development, improvement, modernization and equipping of a Community Capital Assistance Program facility.

The Authority may not reimburse Grantees or make payments on invoice for costs including, but not limited to, the following: working capital, rent, utilities, salaries, supplies and other administrative expenses.

All costs for which reimbursement or payment on invoice is sought must have been incurred by the Grantee set forth on the cover page of this Agreement.
DUAL CERTIFICATION

This certification must be signed by two Authorized Officers of the County of Suffolk Department of Parks, Recreation and Conservation.

We hereby warrant and represent to the Dormitory Authority of the State of New York ("the Authority") that:

1. To the best of our knowledge, information and belief, the expenditures for which County of Suffolk Department of Parks, Recreation and Conservation, is seeking payment and/or reimbursement comply with the requirements of the Agreement between the Authority and County of Suffolk Department of Parks, Recreation and Conservation (the "Agreement"), are Eligible Expenses, and that the payment and/or reimbursement of expenditures for which it is seeking payment and/or reimbursement from the Authority does not duplicate reimbursement or disbursement of costs and/or expenses from any other source.

2. The warranties and covenants contained in Section 8 of the Agreement are true and correct as if made on the date hereof.

3. The Eligible Expenses for which reimbursement is sought in connection with this requisition were actually incurred by the Grantee named on the cover page of this Agreement, and/or will be paid by the Grantee solely from the Segregated Account established pursuant to paragraph 4(d) of the Grant Disbursement Agreement to the contractor named on the invoices submitted in connection with this requisition and shall not be used for any other purpose.

4. All Project costs described in any contractor/vendor invoice submitted pursuant the payment requisition form have been completely and fully performed prior to the date hereof.

5. Proof of disposition of funds from the Segregated Account to the contractor and/or vendors that are being paid on invoice, if any, will be provided to the Authority within sixty (60) days of the date that Grant funds are disbursed to the Grantee to pay for such costs. We understand that in the event that acceptable proof of payment is not provided, then the Authority will not make any additional disbursements from Grant funds until such time as such proof of payment is provided.

6. We have the authority to submit this requisition on behalf of County of Suffolk Department of Parks, Recreation and Conservation. The tasks have been completed in the manner outlined in the Agreement.

7. The following documents are hereby attached for Authority approval, in support of this requisition:

- Readable copies of both front and back of canceled Checks
- Copy of New York State Vehicle Registration and Title documents for all vehicles purchased with Grant funds
- Invoice/receipts for Eligible Expense goods/services received this pay period with Back-up Summary (Exhibit F-2)
- Other:

Authorized Officer Signature: ____________________________ Date: ________________
Print Name
Title:

Authorized Officer Signature: ____________________________ Date: ________________
Print Name
Title:

Updated 3/18/09 19
EXHIBIT F-I: Payment Requisition Cover Letter

ON GRANTEE'S LETTERHEAD

Date

Attention: Accounts Payable - Grants
Dormitory Authority of the State of New York
515 Broadway
Albany, New York 12207

Re: Community Capital Assistance Program ("CCAP") Grant
Installation of a Concealed Fire Sprinkler System

To Whom it May Concern:

Enclosed please find our request for payment/reimbursement. The package includes the following:

1. Completed Exhibit F: Payment Requisition Form, Dual Certification with original signatures of two authorized officers and Exhibit F-2: Payment Requisition Back-up Summary

2. Supporting documentation and invoices, as summarized on Exhibit F-2

3. Wire Instructions, if applicable

If any further information is needed, please give me a call at ( ) .

________________________________
Signature

________________________________
Print Name

Enclosures
### EXHIBIT F-2: Payment Requisition Back-up Summary

**Budget Category:**

<table>
<thead>
<tr>
<th>INVOICE</th>
<th>REFERENCE # (MARK ALSO ON INVOICE)</th>
<th>AMOUNT REQUESTED FROM GRANT FUNDS</th>
<th>COMMENT</th>
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TOTAL Request in Category: (Transfer to Exhibit E)

**Budget Category:**

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<th>INVOICE</th>
<th>REFERENCE # (MARK ALSO ON INVOICE)</th>
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<th>COMMENT</th>
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TOTAL Request in Category: (Transfer to Exhibit E)

**Budget Category:**

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TOTAL Request in Category: (Transfer to Exhibit E)
EXHIBIT G

NON-DISCRIMINATION AND AFFIRMATIVE ACTION POLICY FOR THE PROJECT

It is the policy of the State of New York and the Authority, to comply with all federal, State and local law, policy, orders, rules and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, and to take affirmative action to ensure that Minority and Women-owned Business Enterprises (M/WBEs), Minorities Group Members and women share in the economic opportunities generated by the Authority’s participation in projects or initiatives, and/or the use of the Authority funds.

1) The recipient of State funds represents that its equal employment opportunity policy statement incorporates, at a minimum, the policies and practices set forth below:

a) Grantee shall (i) not unlawfully discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, (ii) undertake or continue existing programs of affirmative action to ensure that Minority Group Members and women are afforded equal employment opportunities, and (iii) make and document its conscientious and active efforts to employ and utilize M/WBEs, Minority Group Members and women in its workforce on contracts. Such action shall be taken with reference to, but not limited to, solicitations or advertisements for employment, recruitment, job assignment, promotion, upgrading, demotion, transfer, layoff or termination, rates of pay or other forms of compensation, and selection for training or retraining, including apprenticeship and on-the-job training.

b) At the request of the AAO, the Grantee shall request each employment agency, labor union, or authorized representative of workers with whom it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union, or representative does not unlawfully discriminate, and that such union or representative will affirmatively cooperate in the implementation of the Grantee’s obligations herein.

2) The Grantee is encouraged to include minorities and women in any job opportunities created by the Project; and to solicit and utilize M/WBE firms for any contractual opportunities generated in connection with the Project.

3) Grantee represents and warrants that, for the duration of the Agreement, it shall furnish all information and reports required by the AAO and shall permit access to its books and records by the Authority, or its designee, for the purpose of ascertaining compliance with provisions hereof.

4) Grantee shall include or cause to be included, paragraphs (1) through (3) herein, in every contract, subcontract or purchase order with a Contracting Party executed in connection with the Project, in such a manner that said provisions shall be binding upon each Contracting Party as to its obligations incurred in connection with the Project.

NON-DISCRIMINATION AND AFFIRMATIVE ACTION DEFINITIONS

Affirmative Action
Shall mean the actions to be undertaken by the Borrower, Grantee and any Contracting Party in connection with any project or initiative to ensure non-discrimination and Minority/Women-owned Business Enterprise and minority/female workforce participation, as set forth in paragraph 2) herein, and developed by the Authority.

Affirmative Action Officer ("AAO")
Shall mean the Authority's Affirmative Action Officer or his/her designee, managing the affirmative action program for the Authority.
Contracting Party
Shall mean (i) any contractor, subcontractor, consultant, subconsultant or vendor supplying goods or services, pursuant to a contract or purchase order in excess of $1,500, in connection with any projects or initiatives funded in whole or in part by the Authority and (ii) any borrower or Grantee receiving funds from the Authority pursuant to a loan or Grant document.

Minority Business Enterprise (“MBE”)
Shall mean a business enterprise, including a sole proprietorship, partnership or corporation that is (i) a lease fifty-one percent (51%) owned by one or more Minority Group Members; (ii) an enterprise in which such minority ownership is real, substantial and continuing, (iii) an enterprise in which such minority ownership has and exercises the authority to control and operate, independently, the day-to-day business decisions of the enterprise; (iv) an enterprise authorized to do business in the State of New York and is independently owned and operated; and (v) an enterprise certified by New York State as a minority business.

Minority Group Member
Shall mean a United States citizen or permanent resident alien who is and can demonstrate membership in one of the following groups: (i) Black persons having origins in any of the Black African racial groups; (ii) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American descent of either Indian or Hispanic origin, regardless of race; (iii) Asian and Pacific Islander persons having origins in any of the Far East countries, South East Asia, the Indian subcontinent or the Pacific Islands; and (iv) Native American or Alaskan native persons having origins in any of the original peoples of North America.

Minority and Women-Owned Business Enterprise Participation
Minority and Women-owned Business Enterprise participation efforts are not limited to the efforts suggested herein, and the role of M/WBE firms should not be restricted to that of a subcontractor/subconsultant. Where applicable, M/WBE firms should be considered for roles as prime contractors. Such efforts may include but not be limited to:

(a) Dividing the contract work into smaller portions in such a manner as to permit subcontracting to the extent that it is economically and technically feasible to do so;
(b) Actively and affirmatively soliciting bids from qualified M/WBEs, including circulation of solicitations to Minority and Women’s trade associations;
(c) Making plans and specifications for prospective work available to M/WBEs in sufficient time for review;
(d) Utilizing the services and cooperating with those organizations providing technical assistance to the Contracting Party in connection with potential M/WBE participation on the Authority contract;
(e) Utilizing the resources of the Authority Affirmative Action Unit to identify New York State certified M/WBE firms for the purpose of soliciting bids and subcontracts;
(f) Encouraging the formation of joint ventures, associations, partnerships, or other similar entities with M/WBE firms, where appropriate, and
(g) The Contracting Party shall remit payment in a timely fashion.

Women-owned Business Enterprise (“WBE”)
Shall mean a business enterprise, including a sole proprietorship, partnership or corporation that is: (i) at least fifty-one percent (51%) owned by one or more citizens or permanent resident aliens who are women; (ii) an enterprise in which the ownership interest of such women is real, substantial and continuing, (iii) an enterprise in which such women ownership has and exercises the authority to control and operate, independently, the day-to-day business decisions of the enterprise; (iv) an enterprise authorized to do business in the State of New York and is independently owned and operated; and (v) an enterprise certified by New York State as woman-owned.
RESOLUTION NO. - 2010, AMENDING THE ADOPTED 2010 CAPITAL BUDGET AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH AND THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR CONSTRUCTION AND RENOVATIONS FOR THE MENTAL HEALTH INTEGRATION PROJECT (CP 4043)

WHEREAS, the Suffolk County Department of Health Services has applied for and received a $798,434 grant award from the New York State Department of Health and the Dormitory Authority of the State of New York for the Health Care Efficiency and Affordability Law for New Yorkers Grant Program (HEAL NY) Phase 18 for Mental Health Services-Mental Health Integration Project, for the period 10/01/10-09/30/12; and

WHEREAS, these grant funds will be used for new construction and renovations at the Marilyn Shellabarger South Brookhaven Family Health Center East in Shirley for additional counseling and examinations rooms; and

WHEREAS, this project will increase overall health care delivery to the community by allowing patients to receive both physical and behavioral health services in the same location; and

WHEREAS, the intended use of these funds are more appropriate to be included as a capital project; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the State portion; and

WHEREAS, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request under Capital Project 4043 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $798,434 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty (50) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further
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 © 2, 7, 20, 21, 25 and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 4043  
Project Title: Construction and renovations for the Mental Health Integration Project

<table>
<thead>
<tr>
<th></th>
<th>Current 2010</th>
<th>Revised 2010</th>
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<tbody>
<tr>
<td></td>
<td>Capital Budget &amp; Program</td>
<td>Capital Budget &amp; Program</td>
</tr>
<tr>
<td>1. Planning</td>
<td>$ 63,250</td>
<td>$ 63,250S</td>
</tr>
<tr>
<td>3. Construction</td>
<td>$695,750</td>
<td>$695,750S</td>
</tr>
<tr>
<td>5. Equipment</td>
<td>$ 39,434</td>
<td>$ 39,434S</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$798,434</td>
<td>$798,434</td>
</tr>
</tbody>
</table>

and be it further

4th RESOLVED, that State Aid in the amount of $798,434 be and it hereby is appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
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<tbody>
<tr>
<td>525-CAP-4043.110</td>
<td>20</td>
<td>Planning and Engineering for the Construction &amp; renovations for the Mental Health Integration Project</td>
<td>$ 63,250</td>
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<tr>
<td>525-CAP-4043.310</td>
<td>20</td>
<td>Construction &amp; renovations for the Mental Health Integration Project</td>
<td>$ 695,750</td>
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<tr>
<td>525-CAP-4043.510</td>
<td>20</td>
<td>Equipment for the Construction &amp; renovations for the Mental Health Integration Project</td>
<td>$ 39,434</td>
</tr>
</tbody>
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and be it further

5th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept State funding in the amount of $798,434; and be it further

6th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total State share of $798,434; and be it further

7th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Health Services and the Dormitory Authority of the State of New York and any and all contract documents related to this project.

DATED:
APPROVED BY:

County Executive of Suffolk County

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

1. Type of Legislation

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

2. Title of Proposed Legislation

Amending the 2010 Capital Budget and accepting and appropriating 100% State grant funds from New York State Department of Health and the Dormitory Authority of the State of New York to the Suffolk County Department of Health Services for Construction and Renovations for the Mental Health Integration Project (CP 4043).

3. Purpose or Proposed Legislation.

This legislation is needed to accept 100% State grant funds and create a capital project for these funds that will be used for new construction and renovations at the Marilyn Shellabarger South Brookhaven Family Health Center East in Shirley for the Mental Health Integration Project. This project will provide additional counseling and examination rooms increasing health care delivery to the community by allowing patients to receive both physical and behavioral health services in the same location.

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

6. If the answer to item 4 is “yes”, Provide Detailed Explanation of Impact:

Health Care Efficiency and Affordability Law for New Yorkers (HEAL NY) Grant Program has funds available. State grant funds in the amount of $798,434 have been awarded to the Suffolk County Department of Health Services for Construction and Renovations for the Mental Health Integration Project (CP 4043). Suffolk County must “first instance” fund the entire cost of the project. County Comptroller is authorized to issue bond anticipation notes for the state share. If the short term notes are issued, the county would incur minimal interest costs.

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

See attached Debt Schedule

8. Proposed Source of Funding

Serial Bonds to first fund the entire cost of the project then the project is reimbursable up to the grant award amount of $798,434 from the New York State Department of Health and the Dormitory Authority of the State of New York.

9. Timing of Impact

2011 for Suffolk County Serial Bonds

The appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the State Authorization for this project

10. Typed Name & Title of Preparer

Beth A. Reynolds
Principal Executive Analyst

11. Signature of Preparer

12. Date

November 29, 2010

SCIN FORM 175b (10/95)
<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/1/2010</td>
<td>3.50%</td>
<td>$40,822.05</td>
<td>$29,408.99</td>
<td>$70,231.04</td>
<td>$70,231.04</td>
</tr>
<tr>
<td>5/1/2011</td>
<td>3.50%</td>
<td>$42,325.66</td>
<td>$13,952.69</td>
<td>$13,952.69</td>
<td>$56,278.35</td>
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<tr>
<td>5/1/2012</td>
<td>3.50%</td>
<td>$43,884.66</td>
<td>$13,173.19</td>
<td>$12,364.98</td>
<td>$57,057.85</td>
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<tr>
<td>5/1/2013</td>
<td>3.50%</td>
<td>$45,501.08</td>
<td>$13,173.19</td>
<td>$11,527.00</td>
<td>$57,866.06</td>
</tr>
<tr>
<td>5/1/2014</td>
<td>3.50%</td>
<td>$47,177.03</td>
<td>$11,527.00</td>
<td>$10,658.16</td>
<td>$58,704.03</td>
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<tr>
<td>5/1/2015</td>
<td>3.50%</td>
<td>$48,914.72</td>
<td>$10,658.16</td>
<td>$9,757.31</td>
<td>$59,572.88</td>
</tr>
<tr>
<td>4/30/2016</td>
<td>3.50%</td>
<td>$50,716.41</td>
<td>$9,757.31</td>
<td>$8,823.28</td>
<td>$60,473.72</td>
</tr>
<tr>
<td>5/1/2017</td>
<td>3.50%</td>
<td>$52,584.47</td>
<td>$8,823.28</td>
<td>$8,823.28</td>
<td>$61,407.75</td>
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<tr>
<td>5/1/2018</td>
<td>3.50%</td>
<td>$54,521.33</td>
<td>$7,854.85</td>
<td>$7,854.85</td>
<td>$62,376.18</td>
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<tr>
<td>5/1/2019</td>
<td>3.50%</td>
<td>$56,529.53</td>
<td>$6,850.75</td>
<td>$6,850.75</td>
<td>$63,380.28</td>
</tr>
<tr>
<td>4/30/2020</td>
<td>3.75%</td>
<td>$58,611.70</td>
<td>$5,809.67</td>
<td>$5,809.67</td>
<td>$64,421.37</td>
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<tr>
<td>5/1/2021</td>
<td>4.00%</td>
<td>$60,770.56</td>
<td>$4,730.24</td>
<td>$4,730.24</td>
<td>$65,500.80</td>
</tr>
<tr>
<td>5/1/2022</td>
<td>4.50%</td>
<td>$63,008.95</td>
<td>$3,611.04</td>
<td>$3,611.04</td>
<td>$66,619.99</td>
</tr>
<tr>
<td>5/1/2023</td>
<td>4.50%</td>
<td>$65,329.78</td>
<td>$2,450.63</td>
<td>$2,450.63</td>
<td>$67,780.41</td>
</tr>
<tr>
<td>4/30/2024</td>
<td>4.50%</td>
<td>$67,736.09</td>
<td>$1,247.47</td>
<td>$1,247.47</td>
<td>$68,983.56</td>
</tr>
</tbody>
</table>

$798,434.00 $255,031.53 $1,053,465.53 $1,053,465.53
## FINANCIAL IMPACT
### 2011 PROPERTY TAX LEVY
### COST TO THE AVERAGE TAXPAYER

### 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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$70,231</td>
<td>$0.13</td>
<td></td>
<td>$0.000</td>
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</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

<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>
</tr>
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<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
<td></td>
<td>$0.000</td>
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</tbody>
</table>

### COMBINED

<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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$70,231</td>
<td>$0.13</td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

### NOTES:
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 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
Ms. Margaret Bermel  
Director of Health Administrative Services  
Suffolk County Department of Health Services  
225 Rabro Drive East  
Hauppauge, New York 11788

Re: Mental Health Integration Project

Dear Ms. Bermel:

We are pleased to inform you that your facility has been selected to receive an award under the Health Care Efficiency and Affordability Law for New Yorkers (HEAL NY) Grant Program, RGA #1006181048 – Mental Health Initiatives (HEAL NY Phase 18). Funds available under this grant program are for projects undertaken by the health care organizations that demonstrate a clear commitment to the mental health service delivery systems in the communities they serve and address identified capacity gaps in those communities. This award is contingent upon the approval of the Office of the State Comptroller (OSC).

Please note this letter is not a commitment to provide funds, but may assist you in finalizing other sources of funding required to complete your project. The amount of your award, including an explanation of any costs proposed in your application found to be ineligible, is shown on the enclosed form, “HEAL NY Phase 18 Grant Award Notification.”

A Grant Disbursement Agreement (GDA) package will be mailed to you under a separate cover. The Workplan, Budget and Timeline submitted with your grant application will become part of the GDA. Any costs the New York State Department of Health (Department of Health) has determined to be eligible and allowed for reimbursement within the contract period shall be finalized prior to the execution of a GDA with the Department of Health. The approved project budget and workplan will become an appendix in the executed GDA.

Please return the completed and signed GDA within 30 days after the date it is sent to you. Your grant award will not be final until your GDA has been approved by the Department of Health, the New York State Attorney General and the Office of the State Comptroller. This award letter will expire 90 days after issuance and, upon termination, the Department of Health and the Dormitory Authority reserve the right to reallocate the funds to other applicants.
Should you have any questions regarding this information, please contact Mr. Robert Schmidt, via e-mail at rgs05@health.state.ny.us or by phone at (518) 474-5565. Again, congratulations on the receipt of this grant award.

Sincerely,

[Signature]
Richard F. Daines, M.D.
Commissioner of Health

[Signature]
Paul T. Williams, Jr.
President, DASNY
HEAL NY Phase 18: Mental Health Services
Project Expenses and Justification

**Project Name:** Mental Health Integration Project

**Eligible Applicant Name:** Suffolk County Department of Health Services

*Each category of expenses (left column) should be accompanied by a written justification (right column). Each justification should include a discussion of how the expense will support the project, and state whether the applicant believes the expense is capitalizable.

### A. Project Budget

<table>
<thead>
<tr>
<th>Cost Category</th>
<th>Anticipated HEAL NY Funds</th>
<th>Total Expense</th>
<th>Capitalizable Expense</th>
<th>Choose YES or NO for each line</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Acquisition</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Costs</td>
<td>$</td>
<td>$</td>
<td></td>
<td>YES NO</td>
<td></td>
</tr>
<tr>
<td>Building Costs</td>
<td>$</td>
<td>$</td>
<td></td>
<td>YES NO</td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
<td>$</td>
<td>$</td>
<td></td>
<td>YES NO</td>
<td></td>
</tr>
<tr>
<td><strong>Capital Work</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Construction</td>
<td>$ 455,000</td>
<td>$</td>
<td></td>
<td>YES NO</td>
<td>Additional counseling rooms; exam room, medical assessment room, group room</td>
</tr>
<tr>
<td><strong>Equipment</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$ 39,434</td>
<td>$</td>
<td></td>
<td>YES NO</td>
<td>Furniture necessary to equip space</td>
</tr>
<tr>
<td><strong>Renovation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$ 77,500</td>
<td>$</td>
<td></td>
<td>YES NO</td>
<td>Additional individual and group counseling rooms, Includes all design and planning fees</td>
</tr>
<tr>
<td><strong>Other (specify)</strong></td>
<td>$ 163,250</td>
<td>$</td>
<td></td>
<td>YES NO</td>
<td>Site work &amp; move utilities ($100,000); contingency ($63,250)</td>
</tr>
<tr>
<td><strong>Fees</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Architectural/Design</td>
<td>$ 63,250</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td>Fees for planning and architects</td>
</tr>
<tr>
<td>Engineering</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Installation</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction Management</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Closure</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Discharge of LT Debt</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payment of Debt</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical Records storage</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Expenses</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td></td>
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<tr>
<td>Start-up/Transition</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
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<tr>
<td>Staffing Costs</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt Restructuring</td>
<td>$</td>
<td>$</td>
<td>YES NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Personnel Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$ 798,434</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
HEAL NY Phase 18 Grant Award Notification
NYS Department of Health

Mental Health Initiatives

Applicant Name: Suffolk County Department of Health Services
225 Rabro Drive East
Hauppauge, NY 11788

Applicant Contact: Ms. Margaret Bermel
Director of Health Administrative Services

Applicant Phone: (631) 853-3153
Applicant Fax: (631) 853-3188
Applicant Email: margaret.bermel@suffolkcountyny.gov

Application #: 13
Project Name: Mental Health Integration Project
Requested Grant Amount: $798,434
Disallowed Costs: $0

Grant Award: $798,434
I. Background Information

1. Grant Title

   HEAL NY Phase 18: Mental Health Services - Mental Health Integration Project

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)

   NYS Department of Health & Dormitory Authority of the State of New York

3. Grant / Contract Status (Check One Box)

   X  A. New Program Application
   _____ B. Renewal Application
   _____ C. Supplemental (Specify)
   _____ D. Extension of Funding Period
   _____ E. Contract

4. General Purpose of Grant / Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)

   These grant funds will fund new construction and renovations at the Shirley Health Center for additional counseling & exam rooms as well as furniture to equip the new space. This project will increase overall health care to the community by allowing patients to receive both physical and behavioral health services in the same location.

5. County Departments / Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

   NONE

II. BUDGET INFORMATION

1. Term of Contract

   From: 10/1/2010  To: 9/30/2012

2. Financial Assistance Requested

<table>
<thead>
<tr>
<th>Source</th>
<th>First Funding Cycle</th>
<th>Second Funding Cycle</th>
<th>Third Funding Cycle</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amount</td>
<td>Percent</td>
<td>Amount</td>
</tr>
<tr>
<td>Federal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State</td>
<td>$798,434</td>
<td>100.0%</td>
<td></td>
</tr>
<tr>
<td>Private</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>County</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$798,434</td>
<td>100.0%</td>
<td></td>
</tr>
</tbody>
</table>
3. Explanation of Requested County Financial Assistance

<table>
<thead>
<tr>
<th>Category</th>
<th>Total Requested</th>
<th>Personnel Costs Requested</th>
<th>Non-Personnel Costs Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL COUNTY SHARE</td>
<td>$</td>
<td>- $</td>
<td>-</td>
</tr>
<tr>
<td>A. Cash Contribution</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. In-Kind Contribution</td>
<td>$</td>
<td>- $</td>
<td>-</td>
</tr>
</tbody>
</table>

4. Total Number of New Positions Requested
   NONE

5. Can This program be Refunded by the Proposed Non-County Sources?
   Yes No X

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)
   NONE

7. What do you anticipate happening when the Federal, State and/or Private Financial Assistance is discontinued (That is, program termination, reduced services, financial implications, layoffs, etc.)?
   These are one time funds.

8. Attach as list of potential subcontractors, if any, outlining the purpose of each subcontract (that is, 456 and 490 account items; use an additional 8 1/2" by 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:
   Approved
   Disapproved

2. Signature of Coordinator

3. Date

4. Comments

5. Budget Office Review
   Approved
   Disapproved

6. Signature of Budget Director

7. Date

8. Comments
November 22, 2010

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 2010 Capital Budget and accepting and appropriating 100% State grant funds from New York State Department of Health and the Dormitory Authority of the State of New York to the Suffolk County Department of Health Services for Construction and Renovations for the Mental Health Integration Project (CP 4043). This legislation is needed to accept 100% State grant funds and create a capital project for these funds that will be used for new construction and renovations at the Marilyn Shellabarger South Brookhaven Family Health Center East in Shirley for the Mental Health Integration Project. This project will provide additional counseling and examination rooms increasing health care delivery to the community by allowing patients to receive both physical and behavioral health services in the same location.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Angela Kohl at 2-2812. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is “Reso-HSV-MH Heal 18.doc”.

Sincerely,

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

Enclosures

JLT/lw
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, Acting Director, Division of Community Mental Hygiene Services
   Evelyn Creen, Federal & State Aid Claims Examiner
   Angela Kohl, Accountant
   Diane E. Weyer, Principal Financial Analyst
RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF EQUIPMENT FOR THE JOHN J. FOLEY SKILLED NURSING FACILITY (CP 4041)

WHEREAS, the Commissioner of Health Services has requested funds for the Purchase of Equipment for the John J. Foley Skilled Nursing Facility; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request under Capital Program Number 4041; and

WHEREAS, these funds are needed to replace the Roam Alert Wander Guard system to prevent dementia patients from wandering off their unit and out of the facility; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $58,100 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994 amended by Resolution No. 453-2009 has established a priority ranking system as the basis for funding Capital Projects such as this project; now therefore, be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as amended by Resolution No. 453-2009; 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 © 20, 21, and 27 of Title 6 of New York Code of Rules and Regulations (“NYCRR”), and the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of $58,100 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-4041.513</td>
<td>40</td>
<td>Purchase of Equipment for the John J. Foley Skilled Nursing Facility</td>
<td>$58,100</td>
</tr>
</tbody>
</table>

DATED:

APPROVED BY:

_______________________________________
County Executive of Suffolk County

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

1. Type of Legislation
   Resolution X Local Law Charter Law

2. Title of Proposed Legislation
   Appropriating funds in connection with the purchase of equipment for the John J. Foley Skilled Nursing Facility (CP 4041).

3. Purpose of Proposed Legislation
   This legislation is needed to appropriate funds to Capital Project 4041 for the purchase of equipment at the John J. Foley Skilled Nursing Facility. These funds are needed to replace the Roam Alert Wander Guard system to prevent dementia patients from wandering off their unit and out of the facility.

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

5. If the answer to item 4 is “yes”, on what will it impact? (Circle appropriate category)
   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:
   Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the bonds.

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

8. Proposed Source of Funding
   Serial Bonds

9. Timing of Impact
   2011

10. Typed Name & Title of Preparer
    Diane E. Weyer
    Principal Financial Analyst

11. Signature of Preparer
    [Signature]

12. Date
    11/19/18

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

<table>
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<th>2011 COST TO AVG TAXPAYER</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 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Page 2 of 2

To be completed by the Executive Budget Office
## Suffolk County
General Obligation Serial Bonds
Level Debt

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<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
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<tr>
<td>11/1/2010</td>
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<td>2.50%</td>
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<td>5/1/2011</td>
<td>3.50%</td>
<td></td>
<td>$779.16</td>
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<td>$593.75</td>
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<td>5/1/2013</td>
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<td>5/1/2014</td>
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November 22, 2010

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 appropriate funds in connection with the purchase of equipment for the John J. Foley Skilled Nursing Facility (CP 4041). These funds are needed to replace the Roam Alert Wander Guard system to prevent dementia patients from wandering off their unit and out of the facility. The current system is more than ten (10) years old and obtaining parts to maintain the system is problematic as they are no longer being manufactured.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Barbara Russo at 2-4334. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is “Reso-HSV-CP4041 JJFSNF.doc”.

Sincerely,

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

Enclosures

JLT/1w

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
    Melvin Hitt, Administrator, JJFSNF
    Barbara Russo, Principal Financial Analyst
    Gary Vonatzski, Finance Director, JJFSNF
    Diane E. Weyer, Principal Financial Analyst
MEMORANDUM

TO: Diane Weyer, Principal Financial Analyst
FROM: Barbara J. Russo, Principal Financial Analyst
DATE: November 16, 2010
RE: REQUEST TO APPROPRIATE CAPITAL PROJECT FUNDS – CP 4041

The John J. Foley Skilled Nursing Facility respectfully requests a resolution be submitted to appropriate $58,100 for facility equipment funds adopted in 2010.

These funds will be used to purchase a critically needed replacement of the wander guard/roam alert system.

Thank you in advance for your time and assistance.

Cc: Margaret B. Bermel, Director of Health Administrative Services
    Janet DeMarzo, Deputy Commissioner
    Liza Wright, Budget & Purchasing Unit
    Mel Hitt, Administrator, JJFSNF
    Gary Vonatzski, Finance Director, JJFSNF
RESOLUTION NO. - 2010, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, TO THE DEPARTMENT OF HEALTH SERVICES FOR A DNA BURGLARY BACKLOG REDUCTION INITIATIVE

WHEREAS, the New York State Division of Criminal Justice Services has awarded 100% Federal grant funds to the Department of Health Services for a DNA Burglary Backlog Reduction Initiative in the amount of $104,309 for the period 10/01/10 - 09/30/11; and

WHEREAS, this grant provides funding for the analysis of DNA from a backlog of unsolved burglary cases; and

WHEREAS, these 100% Federal funds were not included in the 2010 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $104,309 in grant funds as follows:

REVENUES

001-4320 General Aid: Crime Control $ 104,309

APPROPRIATIONS

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
DNA Burglary Backlog Reduction Initiative
001-HSV-4735

Fees for Services $104,309
4560 Fees for Services, Non-employees $104,309

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to enter into contractual agreements for DNA laboratory testing services and temporary laboratory support staffing; and

3rd RESOLVED, that any unexpended appropriations will be re-appropriated to the subsequent fiscal year, until grant termination; and be it further

4th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.
DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date of Approval:
1. **Type of Legislation**

<table>
<thead>
<tr>
<th>Resolution</th>
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</table>

2. **Title of Proposed Legislation**
Accepting and Appropriating 100% Federal grant funds passed through the New York State Division of Criminal Justice Services, to the Department of Health Services for a DNA Burglary Backlog Reduction Initiative.

3. **Purpose of Proposed Legislation**
This legislation is needed to accept and appropriate 100% Federal grant funds passed through the New York State Division of Criminal Justice Services to the Department of Health Services for the analysis of DNA from a backlog of unsolved burglary cases.

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 Division of Criminal Justice Services

9. **Timing of Impact**
2010-2011

10. **Typed Name & Title of Preparer**

    - Diane E. Weyer
    - Principal Financial Analyst

11. **Signature of Preparer**

    - [Signature]

12. **Date**

    - 11/8/10

---

SCIN FORM 175b (10/95)
**FINANCIAL IMPACT**  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

### GENERAL FUND

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**NOTES:**
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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
November 15, 2010

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 and appropriate 100% Federal grant funds passed through the New York State Division of Criminal Justice Services, to the Department of Health Services for a DNA Burglary Backlog Reduction Initiative. This initiative provides funding for the analysis of DNA from a backlog of unsolved burglary cases.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Angela Kohl at 2-2812. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is “Reso-HSV-DNA Burglary Backlog Reduce.doc”.

Sincerely,

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

Enclosures

JLT/lw

C: Christopher E. Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations (2 copies)
Margaret B. Bemmel, M.B.A, Director of Health Administrative Services
Janet DeMarzo, Deputy Commissioner
Dr. Yvonne Milewski, Chief Medical Examiner
Evelyn Creen, Federal & State Aid Claims Examiner
Angela Kohl, Accountant
Diane E. Weyer, Principal Financial Analyst
MEMORANDUM

To: Liza Wright
From: Angela Kohl
Date: November 5, 2010
Subject: Request for resolution – DNA Backlog Reduction Initiative

DNA Backlog Reduction Initiative
Budget Period 10/01/10 - 09/30/11
001-4735
Revenue Code 4320

Please write a resolution to accept and appropriate 100% Federal grant funds from New York State Division of Criminal Justice Services for the above-mentioned program. The total award for the program is $104,309 and we need to appropriate the $104,309 under grant organization code 4735. The appropriations are as follows:

104,309

CONTRACTUAL SERVICES

104,309
4560 Fees for Services: Non-Employees

104,309

Thank you for your help. Backup is attached and will be emailed.
October 7, 2010

Mr. Robert E. Genna
Director
Suffolk County Crime Laboratory
Forensic Science Building #487
725 Veterans Memorial Highway, P.O. Box 6100
Hauppauge, New York 11787-0609

Dear Mr. Genna:

I am pleased to notify you that the Suffolk County Crime Laboratory has been awarded $104,309 in FY 2009 federal Byrne JAG funds to assist in the reduction of the backlog of Burglary DNA cases. This award will be for 1-year of project funding with a contract start date of October 1, 2010. Please be aware there is no guarantee of continued funding for this project.

As recipient of a contract supported by JAG funds you are responsible for additional federal reporting requirements. Awardees receiving federal funds will be required to report quarterly through the federal Performance Measure Tool (PMT) to the federal Bureau of Justice Assistance (BJA) on performance measures. The grantee will sign onto the PMT utilizing the ID, password and instructions provided by DCJS and follow appropriate procedures to report data within 15 days after the end of the calendar quarter. Finally, the standard quarterly progress report for DCJS contracts must be completed in the Grants Management System (GMS).

The Office of Program Development and Funding (OPDF) has assigned Ms. Victoria Milonovich, Criminal Justice Program Representative, to the project to assist your department in the development of the grant contract. Applications must be completed and submitted through the DCJS internet based automated Grants Management System (GMS) by November 1, 2010. Once the application is received, we will begin the grant contracting process. Should you have any questions, please have a member of your staff contact Ms. Milonovich at (518) 457-3497.

Very truly yours,

Sean M. Byrne
Acting Commissioner

SMB:is:kp

Enclosure
cc: Daniel Burhans, Assistant Chief
Additional back-up material regarding IR 2197 is on file in the Legislative Clerk's Office, Hauppauge.
RESOLUTION NO. – 2010, AMENDING THE 2010 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE CDC EXPANDED HIV TESTING PROGRAM

WHEREAS, these 100% Federal grant funds from the Centers for Disease Control and Prevention (CDC) will be passed through the New York State Department of Health to the Suffolk County Department of Health Services for the CDC Expanded HIV Testing program and the amount of the award is $150,000 for the period 09/30/10-09/29/11; and

WHEREAS, the purpose of this grant funding is to support expansion and integration of HIV testing, linkage to medical care, partner services and HIV prevention services; and

WHEREAS, a portion of these funds in the amount of $105,974 are already included in the 2010 Suffolk County Adopted Operating Budget and $44,026 needs to be appropriated; and

WHEREAS, these funds are 100% Federally funded; now, therefore be it

1ST RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $44,026 in grant funds as follows:

REVENUES

001-4401 Public Health

$44,026

APPROPRIATIONS

Department of Health Services (HSV)
Division of Patient Care Services
CDC Expanded HIV Testing Program
001-HSV-4145

Supplies, Materials & Other

$381

3010 Office Supplies

$381

Contractual Expenses

$43,645

4560 Fees for Services: Non-employee

$43,645

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute any contract(s) with vendor(s) chosen through the Request for Proposal process for this program; and
3rd RESOLVED, that any unexpended appropriations will be re-appropriated to the subsequent fiscal year, until grant termination; and be it further

4th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date of Approval:
1. Type of Legislation

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Title of Proposed Legislation
Amending the 2010 Adopted Operating Budget to accept and appropriate 100% Federal grant funds passed through the New York State Department of Health to the Suffolk County Department of Health Services for the CDC Expanded HIV Testing program.

3. Purpose of Proposed Legislation
This legislation is needed to accept and appropriate 100% Federal grant funds from the Center for Disease Control and Prevention (CDC) passed through the New York State Department of Health for the CDC Expanded HIV Testing program. The purpose of this grant funding is to support expansion and integration of HIV testing, linkage to medical care, partner services and HIV prevention services.

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

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

6. If the answer to item 4 is “yes”, Provide Detailed Explanation of Impact:
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 passed through the New York State Department of Health

9. Timing of Impact
2010-2011

10. Typed Name & Title of Preparer
    Diane E. Weyer
    Principal Financial Analyst

11. Signature of Preparer
    [Signature]
    Date
    11/17/10

    BETHA A. REYNOLDS
    Principal Executive Analyst

    [Signature]
    Date
    4/29/10
## GENERAL FUND

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### NOTES:

2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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
November 22, 2010

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 amend the 2010 Adopted Operating Budget to accept and appropriate 100% Federal grant funds passed through the New York State Department of Health to the Suffolk County Department of Health Services for the CDC Extended HIV Testing program. The purpose of this grant funding is to support expansion and integration of HIV testing, linkage to medical care, partner services and HIV prevention services.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Angela Kohl at 2-2812. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is “Reso-HSV-PC Extended HIV.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. Bermel, M.B.A, Director of Health Administrative Services
   Janet DeMarzo, Deputy Commissioner
   Shaheda Ifrihkar, M.D., Physician III
   Evelyn Creen, Federal & State Aid Claims Examiner
   Angela Kohl, Accountant
   Diane E. Weyer, Principal Financial Analyst
September 30, 2010

Dr. James Tomarken
Commissioner
Suffolk County Department of Health Services
225 Rabro Drive East
Hauppauge, NY 11778

Dear Dr. Tomarken:

Thank you for agreeing to participate in the funding application recently sent to the Centers for Disease Control and Prevention (CDC) in response to Program Announcement PS10-10138 "Expanded HIV Testing for Disproportionately Affected Populations." The New York State Department of Health, AIDS Institute was successful and recently received a notice of grant award from the CDC in support of the above referenced project.

Based on the amount as indicated in the notice of grant award, the AIDS Institute will be able to fund your organization to provide Expanded HIV Testing for Disproportionately Affected Populations services.

Pleased be advised that the initial contract period is from September 30, 2010 through September 29, 2011. The total amount of the contract is $150,000. This contract, supported by an allocation from the CDC, will be with Health Research, Inc. (HRI). Please note that the funding associated with this contract is for three years, however, future funding for years 2 and 3 is dependant on performance and availability of funds. The AIDS Institute may also find it necessary to establish maximum reimbursable amount on this contract. You will receive written notification if this measure is implemented.

Enclosed are the forms you must complete and submit in order to initiate the contract process. Also enclosed is a letter that was sent to all AIDS Institute contractors in October 2009. The letter provides important guidance regarding how to optimize grant funding and the policies regarding contract budget modification requests. It is highly recommended that you refer to this letter, and work closely with your contract manager, when developing the budget for your contract.
The AIDS Institute will be working with each you on administrative, clinical or non-clinical and programmatic issues so that, to the extent possible, start up delays are minimized.

The AIDS Institute staff person assigned to manage your contract is Megan Haseltine. Please e-mail the completed enclosed forms no later than Tuesday, October 19, 2010 to Ms. Haseltine at MCH10@health.state.ny.us.

Congratulations again and we look forward to working with you on this important initiative. If you have any questions, please feel free to call me at 212-417-4707.

Sincerely,

Alma R. Candelas
Director
Division of HIV Prevention
AIDS Institute

cc: Lisa Roland-Labiosa
    Megan Haseltine
Additional back-up material regarding IR 2198 is on file in the Legislative Clerk’s Office, Hauppauge.

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 Nos. 618-2007 and 350-2010, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of Brookhaven ("Town") has approved Resolution No. 2010-181 on February 9, 2010, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and further authorized the condemnation of all parcels identified and set forth in Exhibit "B" which is annexed hereto and thereafter the transfer of a fifty percent (50%) undivided ownership interest in the vested parcels to the County of Suffolk, as tenants in common, without consideration pursuant to General Municipal Law §72-h; and further authorized the transfer of a fifty percent (50%) undivided ownership interest to the County of Suffolk as tenants in common, in the parcels dedicated to the Town by the reputed owner herein, said parcels are identified and set forth in Exhibit "C" which is annexed hereto. The transfer shall be without consideration pursuant to General Municipal Law §72-h; and

WHEREAS, in consideration of the General Municipal Law §72-h transfers to be made by the Town as set forth above, the County of Suffolk will transfer to the Town a fifty percent (50%) undivided ownership interest, as tenants in common, in all parcels currently owned by the County of Suffolk identified and set forth in Exhibit "D", which is annexed hereto, said transfer to be without consideration pursuant to General Municipal Law §72-h; and

WHEREAS, upon a coordinated review with the State of New York and the Town of Brookhaven, the County of Suffolk has been established as SEQRA lead agency for this action; 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, the Town, 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 Twenty Million Dollars ($20,000,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling Ten Million Dollars ($10,000,000.00), for a fifty percent (50%) undivided interest; and the Town’s share, totaling Ten Million Dollars ($10,000,000.00), for a fifty percent (50%) undivided interest, 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:

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SEE EXHIBIT "A"

*includes 18.10 acres of paper streets to be abandoned.

; 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 as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for a total purchase price of Twenty Million Dollars ($20,000,000.00) of which the County contribution will be Ten Million Dollars ($10,000,000.00), subject to a final survey, said amount representing the County’s share of the total purchase price; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $10,000,000.00, 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 title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, each owning and undivided fifty percent (50%) interest; and, be it further
5th RESOLVED, that the County of Suffolk is authorized, empowered and directed to accept the transfer from the Town of a fifty percent (50%) undivided interest, as tenants in common, in the property set forth in Exhibits "B" and "C" annexed hereto. Said transfer shall be without consideration pursuant to General Municipal Law §72-h; and, be it further

6th RESOLVED, that the County of Suffolk is authorized, empowered and directed to take such actions as are necessary to transfer to the Town a fifty percent (50%) undivided interest, as tenants in common, in the property set forth in Exhibit "D" annexed hereto. Said transfer shall be without consideration pursuant to General Municipal Law §72-h; and, be it further

7th 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

8th RESOLVED, that pursuant to Section C12-2(A)(2)(c) the properties listed in Exhibits "A", "B", "C", and "D" are not to be developed and fifty (50) Workforce Housing Development Rights, representing the County's fifty percent (50%) interest in the total number of development rights allocated to the property, 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

9th RESOLVED, that the acquisition of such parcels listed in Exhibits "A", "B", "C", and "D" meet the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study; and

10th RESOLVED, that the subject parcels listed in Exhibits "A", "B", "C", and "D" shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

11th RESOLVED, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and to enter into any necessary collateral agreements with the Town to effectuate the terms of this resolution; and, be it further

12th RESOLVED, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks,
Recreation and Conservation, who is charged with the management and operation of said property; and, be it further

13th RESOLVED, that the above activity is an Type I action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

14th 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 parcels listed in Exhibits "A", "B", "C", and "D" is passive recreation; and

3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact that the proposed acquisition and preservation of the site would have; and, be it further

15th 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:
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**EXHIBIT “A” SUBTOTAL ACREAGE:** 72.26+/- acres  
**EXHIBIT “B” SUBTOTAL ACREAGE:** 4.88+/- acres  
**EXHIBIT “C” SUBTOTAL ACREAGE:** 49.38+/- acres  
**EXHIBIT “D” SUBTOTAL ACREAGE:** 0.55+/- acres  

**GRAND TOTAL ACREAGE:** 127.07+/- acres

**GRAND TOTAL ACREAGE including paper streets:** 149.45+/- acres
RESOLUTION SUBMISSION

MEETING OF: February 9, 2010

RESOLUTION NO. 2010-181

MOVED BY COUNCILMEMBER: Timothy Mazzei

REVISION: February 11, 2010

SHORT TITLE: AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN
SPACE PURSUANT TO PROGRAM WITH SUFFOLK COUNTY
FOR PROPERTY LOCATED AT MASTIC, NEW YORK –
OWNER: BEECHWOOD MORICHES BUILDING CORP.

DEPARTMENT: LAW

REASON: To partner with the County of Suffolk to acquire the above
property

PUBLIC HEARING REQUIRED: NO

DEPARTMENT OF FINANCE APPROVAL: YES NO

DOLLARS INVOLVED: Full Purchase Price $20,000,000.00; Town Share 50% ± $10,000,000 plus
acquisition costs; $2,000,000 Grant from New York State and $8,000,000 from Account No.
H 8510 3080 2009

SEQRA REQUIRED: Negative Declaration

DETERMINATION MADE: POSITIVE NEGATIVE

FEIS/FINDINGS FILED:

EXECUTION OF DOCUMENT REQUIRED:
AE:dlm

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Motion | Aye | No | Abstain | Not Voting |
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L:\TBM RESOLUTIONS\Resolutions 2010\TMB 2-9-10\2010-181 02-09-10 Reso purchase with county-
RESOLUTION NO. 2010-181
MEETING OF: February 9, 2010

AUTHORIZING THE ACQUISITION OF
PROPERTY FOR OPEN SPACE PURSUANT TO
PROGRAM WITH SUFFOLK COUNTY
FOR PROPERTY LOCATED AT MASTIC, NEW
YORK – OWNER: BEECHWOOD MORICHES
BUILDING CORP.

WHEREAS, at the general election held on November 6, 2007, the electorate approved the mandatory referendum on Resolution No. 770-2007 adopting a Charter Law extending and accelerating the existing Suffolk County ¼% Drinking Water Protection Program for Environmental Protection, Sewer District Tax Rate Stabilization and County-wide Property Tax Protection from December 31, 2013 to November 30, 2030 (Local Law No. 24-2007); and

WHEREAS, the intent of Local Law No. 24-2007 is to extend the ¼% Suffolk County Drinking Water Protection Program for 17 years and to accelerate the land acquisition component of the program by permitting borrowing of up to $322 million over the next four (4) years with the cost of the borrowing to be repaid from the ¼% Sales Tax Revenue Stream; and

WHEREAS, by Resolution No. 86-2008 the County Legislature appropriated $15 million for the Suffolk County Environmental Legacy Fund for the acquisition of environmentally sensitive lands denominated as open space, farmlands, historic properties and active parklands; and

generated each year for open space acquisitions, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 751-1997; pursuant to the traditional Suffolk County Open Space Program; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, the appropriation and expenditure of any such bond proceeds pursuant to Charter §C-12-A-1(A)(3)(a) shall be conditioned upon receipt by the County of Suffolk of a written binding pledge or commitment to provide fifty percent (50%) of the actual cost of the acquisition from the State of New York, local municipality, and/or federal government for each such parcel; and

WHEREAS, the Town of Brookhaven is desirous of acquiring open space with Suffolk County and shall provide fifty percent (50%) of the actual cost of acquisition; and

WHEREAS, the State of New York has indicated that they will give a grant of Two Million Dollars ($2,000,000.00) to the Town of Brookhaven for this acquisition; and

WHEREAS, pursuant thereto, the Environmental Bond Act Advisory Committee of the Town of Brookhaven reviewed and recommended for acquisition lands situated in the Town of Brookhaven, located on the north side of the North Sunrise Service Road, Mastic, New York, described in Exhibit "A" attached hereto; and

WHEREAS, the title to these acquisitions shall be held by the Town of Brookhaven (50%), the County of Suffolk (50%); and
WHEREAS, that if it is not contrary to any statute, the Suffolk County Charter, any local law, any regulation or other County policy, the Town of Brookhaven should be authorized to negotiate and to enter into a municipal cooperation agreement with the County for the management of said County acquisitions and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Suffolk County Director of Planning who would be charged with the management and operation of said property;

NOW, THEREFORE, BE IT RESOLVED, that the parcels listed in Exhibit "A" are hereby authorized to be acquired, and the Town's portion thereof shall be deemed to be included in the Town of Brookhaven Environmental Bond Act Open Space Preservation Program; and be it further

RESOLVED, that the Supervisor of the Town of Brookhaven, or his deputy, is hereby authorized, empowered and directed, to acquire said open space and passive park use; and be it further

RESOLVED, that the funding for the aforesaid acquisitions is hereby authorized and appropriated for payment of at least fifty percent (50%) of the actual costs of said acquisition and fifty percent (50%) of all appraisals, title costs, tax adjustment and environmental audits as noted above; and be it further

RESOLVED, that these proposed acquisitions may be consummated in accordance with the provisions of the Brookhaven Town Code in connection with such open space acquisitions; and be it further

RESOLVED, that the Town Attorney of the Town of Brookhaven or his designee is hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate to consummate such acquisitions, including, but not limited to,
securing appraisals, obtaining surveys, obtaining engineering reports, securing title
searches and insurance, and executing such other documents as are required to acquire
such interest in said lands; and be it further

RESOLVED, in the event a tax map number contained in Exhibit "A" has been
deleted or removed, or has been changed by either subsequent technical modification of
the Suffolk County tax map system, or prior technical modification that was unknown to
Suffolk County at the time this Exhibit was prepared, the tax map designation shall be
deemed to include such successor tax map number as represents the parcel to be
acquired, and certified in writing by the Assessor of the Town of Brookhaven; and be it
further

RESOLVED, that this acquisition shall be subject to a Two Million Dollar
($2,000,000.00) grant from New York State to the Town of Brookhaven for this acquisition;
and be it further

RESOLVED, that the title to these acquisitions shall be held by Town of Brookhaven
(50%), the County of Suffolk (50%); and be it further

RESOLVED, that if it is not contrary to any statute, the Suffolk County Charter, any
local law, any regulation or other County policy, the Town of Brookhaven is hereby
authorized to negotiate and to enter into a municipal cooperation agreement with the
County for the management of said County acquisitions and the terms and conditions
thereof shall be approved by the Suffolk County Attorney in consultation with the Suffolk
County Director of Planning who is hereby charged with the management and operation of
said property; and be it further

RESOLVED, that the County and the Town of Brookhaven shall be parties to the
purchase contract; and be it further
RESOLVED, that the Supervisor or Deputy Supervisor of the Town of Brookhaven is hereby authorized to negotiate and enter into any necessary collateral agreements, grant applications and/or agreements with the aforesaid participating governmental entities to effectuate the terms of this resolution; and be it further

RESOLVED, that the purchase contract and any collateral agreements shall reflect the terms specified in this resolution; and be it further

RESOLVED, that the terms and conditions of the purchase contract and any collateral agreements shall be reviewed and approved as to form by the Town Attorney; and be it further

RESOLVED, that the Town Attorney be and hereby is authorized to do all things necessary to acquire an unencumbered title to the subject parcels.
November 18, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Beechwood Moriches Building Corp. property (Forge River Watershed), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is $20,000,000.00 for 90.36± acres, of which the County’s 50% share will be $10,000,000.00

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

Att.
cc: Christopher E. Kent, Chief Deputy County Executive
Ed Dumas, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Brendan Chamberlain, Director, Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Bob Zaher, Acquisition Agent
CE Reso Review (e-mail copy only)
**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 acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Beechwood Moriches Building Corp. property (Forge River Watershed), SCTM# (See Schedule A), (Town of Brookhaven).

3. Purpose of Proposed Legislation

   See No. 2 above

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

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

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

6. If the answer to item 4 is “yes”, Provide Detailed Explanation of Impact:

   N/A

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

   N/A

8. Proposed Source of Funding

   New Suffolk County ¼% Drinking Water Protection Program

9. Timing of Impact

   N/A

10. **Typed Name & Title of Preparer**  
    Janet M. Longo
    Acquisition Supervisor

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

12. **Date**  
    November 18, 2010

SCIN FORM 175b (10/95)
RESOLUTION NO. -2010 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE FERGUS SHAW III AND ARTHUR SHAW PROPERTY – FORGE RIVER WATERSHED (TOWN OF BROOKHAVEN - SCTM NOS. 0200-675.00-04.00-019.000, 0200-675.00-04.00-032.000, 0200-675.00-04.00-033.000, 0200-675.00-04.00-035.001 AND 0200-675.00-04.00-035.002)

WHEREAS, Local Law No. 24-2007, “A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection,” Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 539-2009, 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 Two Million Nine Hundred Ninety Thousand Dollars ($2,990,000.00), 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:

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; 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 Two Million Nine Hundred Ninety Thousand Dollars ($2,990,000.00), 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 $2,990,000.00, 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 Twenty Six (26) 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:

b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study; 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.
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:
November 18, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Shaw property Forge River Watershed, in the Town of Brookhaven, under the New Suffolk County §4% Drinking Water Protection Program. The purchase price is $2,990,000.00 for 32.04± acres.

Please contact me if you require any additional information.

Sincerely,

[Signature]

Pamela J. Greene
Director

PGJ:pd

Att.

cc: Christopher E. Kent, Chief Deputy County Executive
    Ed Dumas, Chief Deputy County Executive
    Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
    Thomas A. Isles, Director, Planning Department
    Janet M. Longo, Acquisition Supervisor
    Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
    Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
    Brendan Chamberlain, Director, Intergovernmental Relations
    Tom Vaughn, County Executive Assistant
    Phyllis J. Benincasa, Acquisition Agent
    CE Reso Review (e-mail copy only)
### Statement of Financial Impact

**Title of Proposed Legislation**  
Authorizing the acquisition under the New Suffolk County 1/4% Drinking Water Protection Program, of the Shaw property (Forge River Watershed), SCTM#0200-675.00-04.00-019.000, 0200-675.00-04.00-032.000, 0200-675.00-04.00-033.000, 0200-675.00-04.00-035.001 & 0200-675.00-04.00-035.002, (Town of Brookhaven).

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

**Will the Proposed Legislation Have a Fiscal Impact?**  
YES ___  NO ___X__

**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

**If the answer to item 4 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**  
New Suffolk County 1/4% Drinking Water Protection Program

**Timing of Impact**  
N/A

**Typed Name & Title of Preparer**  
Janet M. Longo  
Acquisition Supervisor

**Signature of Preparer**  

**Date**  
November 18, 2010

SCIN FORM 175b (10/95)
RESOLUTION NO. - 2010 AUTHORIZING A LEASE AGREEMENT WITH JOE BURNS CONTRACTING FOR USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT

WHEREAS: Suffolk County owns and through its Department of Economic Development and Workforce Housing operates and maintains Francis S. Gabreski Airport in Westhampton; and

WHEREAS: there exist several former military buildings that the County has routinely leased out over the past 40 years; and

WHEREAS: Joe Burns Contracting has submitted an application to lease a 1,200 s/f building for the purpose of operating a construction business; and

WHEREAS: this project is in compliance with the adopted 1990 Airport Master Plan Update, the 2008 Airport Master Plan Draft Update, the 1995 Central Pine Barrens Comprehensive Land Use Plan, the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan, the 1999 Town of Southampton Comprehensive Update Implementation Strategies Plan and the Town of Southampton Aquifer Protection Overlay District requirements; and

WHEREAS: through Executive Order 26-2006 the County Executive created the Airport Conservation and Assessment Panel (ACAP), comprised mostly of local community group representatives, to evaluate applications for proposed leases, lease renewals, lease extensions, lease modifications and licenses and to issue formal recommendations to the County Executive, the CEQ and the County Legislature; and

WHEREAS: the Airport Conservation and Assessment Panel reviewed the proposed development and recommends that the lease be approved as noted in the Panel’s written recommendations attached as Exhibit A; and

WHEREAS: through resolution 597-2010 the Suffolk County Legislature as SEQRA Lead Agency determined that the proposed lease by Joe Burns Contracting constitutes an unlisted action pursuant to Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code and therefore SEQRA is complete; and

WHEREAS: the lease agreement, for 3 years at an initial annual lease rate of $7,326, is submitted for legislative consideration; now therefore be it

1st RESOLVED, that the County Executive or his designee, is authorized to execute a license agreement for the use of the above described property between Joe Burns Contracting and the County of Suffolk, in substantial accordance with the agreement annexed as Exhibit B.

APPROVED BY:

Steve Levy
County Executive of Suffolk County
Date:
MEMORANDUM

TO: Ken Crannell, Deputy County Executive
Connie Corso, Budget Director

FROM: Carolyn E. Fahey, Intergovernmental Relations Coordinator
Department of Economic Development & Workforce Housing

DATE: November 3, 2010

SUBJECT: RESOLUTION AUTHORIZING A LEASE OF AIRPORT PROPERTY TO JOE BURNS CONTRACTING

The Department of Economic Development and Workforce Housing requests the submittal of the attached resolution authorizing the lease of airport property to Joe Burns Contracting, for the purpose of operating a construction company.

Attached please find the draft resolution, signed lease agreement, written comments from the Airport Conservation and Assessment Panel (ACAP), SEQRA determination and the required SCIN 175a and 175b. Electronic copies have been filed as required.

Thank you.

CEF/kmb
Attachments

cc: Yves Michel, Commissioner
Brendan Chamberslain, Director Intergovernmental Relations
Anthony Ceglio, Francis S. Gabreski Airport Manager
## STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<table>
<thead>
<tr>
<th>1. Type of Legislation</th>
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<tbody>
<tr>
<td>Resolution <strong>X</strong></td>
<td>Local Law</td>
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### AUTHORIZING A LEASE OF AIRPORT PROPERTY TO JOE BURNS CONTRACTING

<table>
<thead>
<tr>
<th>2. Title of Proposed Legislation</th>
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### Purpose of Proposed Legislation

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<th>3. Purpose of Proposed Legislation</th>
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### Will the Proposed Legislation Have a Fiscal Impact?

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<th>4. Will the Proposed Legislation Have a Fiscal Impact?</th>
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### If the answer to item 4 is "yes", on what will it impact?

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<thead>
<tr>
<th>5. If the answer to item 4 is &quot;yes&quot;, on what will it impact? (circle appropriate category)</th>
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<tbody>
<tr>
<td>County</td>
<td>Town</td>
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<tr>
<td>Village</td>
<td>School District</td>
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<tr>
<td>Library District</td>
<td>Fire District</td>
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### If the answer to item 5 is "yes", Provide Detailed Explanation of Impact

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<tr>
<th>6. If the answer to item 5 is &quot;yes&quot;, Provide Detailed Explanation of Impact</th>
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<td>N/A</td>
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### Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

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<tr>
<th>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision</th>
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### Proposed Source of Funding

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<td>N/A</td>
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### Timing of Impact

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<th>9. Timing of Impact</th>
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### Typed Name & Title of Preparer

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<th>10. Typed Name &amp; Title of Preparer</th>
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### Signature of Preparer

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<th>11. Signature of Preparer</th>
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### Date

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<th>12. Date</th>
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SCIN FORM 175b (10/95)

Page 1 of 2
Airport Conservation and Assessment Panel
Report of
February 23, 2010

Joe Burns Contracting Corp.:

Airport Conservation and Assessment Panel Background:

On May 9, 2006, Suffolk County Executive Order No. 26-2006 created the Airport Conservation and Assessment Panel (ACAP). The panel is charged with evaluating applications for leases, lease renewals, extensions and modifications, licenses; and issuing recommendations to the County Legislature, the CEQ and County Executive on the environmental, economic and community impacts of a lease or license application at Gabreski Airport and to report its advisory findings and recommendations to the above parties.

The scope of the ACAP review shall be limited to assessing applications and proposals for the environmental compatibility and economic benefit to the people of the County of Suffolk and are in the public interest as a support, advance, or enhancement of a specifically articulated public policy objective.

A meeting of ACAP was held at 10:00 AM on February 23, 2010 to review the Joe Burns Contracting Corp. application submitted on September 3, 2009.

Summary of SEQRA Recommendations/ACAP Findings:

Based on our assessment of the rules governing the implementation of SEQRA, we find the subject application to be an unlisted action.

A Negative Declaration is recommended.

ACAP Recommendations:

ACAP’s approval of this application is contingent on the applicant's agreement to and/or meeting the following lease conditions:

1. The Pine Barrens Commission shall be notified prior to any clearing of the property.
2. Natural vegetation will be used to screen truck parking and storage areas.
(3) All lighting used on the premises shall be dark sky compliant and FAA compliant.
(4) Consult with PBC regarding paving of parking area vs. gravel/stone.
(5) Have Suffolk County Department of Health check the sanitary system.

Term of the lease is recommended to be 3 years.

Any modification or alteration of this space must have the prior approval of ACAP, CEQ, the County of Suffolk and/or any other entity endowed in the future with oversight of airport lease applications.

Any proposed reassignment of the lease requires review and approval by ACAP, CEQ, the County of Suffolk and/or any other entity endowed in the future with oversight of airport lease applications.

Tenants shall comply with Suffolk County Code Chapter 380 (L.L. 34-1999) which mandates the phase-out of pesticides in all County facilities, buildings and properties.
Exhibit B

FRANCIS S. GABRESKI

LEASE AGREEMENT

BETWEEN

COUNTY OF SUFFOLK

And

JOE BURNS CONTRACTING, LLC

Date: ____________________, 2010
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Exhibit A – Legal Description of Property
Exhibit B – Site Plan
Exhibit C – Legislative Requirements
Exhibit D – Construction Schedule
LEASE AGREEMENT

THIS LEASE AGREEMENT ("Lease") made as of the __ day of ____, 2010, between Joe Burns Contracting, LLC, whose address is 8 Corbett Court, East Quogue, NY 11942, (hereinafter "TENANT"), and the COUNTY OF SUFFOLK, a municipal corporation with an address at Francis S. Gabreski Airport, Administration Building #1., Westhampton Beach, NY 11978 ("COUNTY"), acting through its duly constituted Department of Economic Development and Work Force Housing, Division of Aviation ("Department"): 

SECTION 1: DESCRIPTION

Section 1.01 In consideration of the terms, conditions and covenants contained in this Lease, County grants to TENANT, and TENANT hereby accepts from County, the lease of a building and property located at the intersection of CR 104 and Lewis Road, Gabreski Airport, Westhampton Beach, NY 11978, and related facilities, improvements, and permanent installations constructed and installed or to be constructed and installed therein, thereon, or hereunder in accordance with this Lease and as further identified in the legal description attached hereto and made a part hereof as Exhibit A.

The property and any improvements (existing or to be constructed), appurtenances appertaining to the property, and the rights, easements, and privileges granted TENANT hereunder are collectively referred to as the "Premises."

Section 1.02 TENANT accepts the entire Space in its "as is" physical condition without any representation or warranty, expressed or implied, by the COUNTY as to any condition thereof, apparent or unknown, or as to the use or occupancy which may be made thereof under any existing or future law, rule, regulation, or ordinance.

SECTION 2: PURPOSE

Section 2.01 The parties hereto acknowledge that COUNTY is a municipal corporation and is entering into and executing this Lease by virtue of the authority of Resolution No. __________-2010 of the Suffolk County Legislature, dated the __ day of ____, 2010 (the "Resolution"), for the use, purpose and intent expressed in the Resolution, that the Resolution is incorporated herein by reference and further that TENANT has examined the Resolution and is fully aware of the intended purpose thereof.

Section 2.02 In accordance with applicable federal, state and local laws, rules and regulations, TENANT shall use and occupy the Premises for the following purposes only and for no other purpose whatsoever:

(1) Occupancy shall be for the sole purpose of using said Premises as an office; and

(2) for storage of residential building materials, construction related vehicles, equipment and trailers used in connection with TENANT's business operations.

SECTION 3: TERM

Section 3.01 The term of this Lease (the "Term") and TENANT's obligation to pay rent shall commence upon issuance of a building permit by the Suffolk County Department of Public Works (DPW) (the "Commencement Date"). The Term shall expire at 5:00 p.m. on the last day of the month on the third (3rd) anniversary of the Commencement Date (the "Expiration Date"), or on such earlier date that this Lease may terminate or expire as provided for herein; provided, however, that if such date does not fall on a "Business Day," defined below, then this Lease shall end on the next Business Day.
For the purposes of this Lease and all agreements supplemented to this Lease, the term "Business Day" shall mean any day except a Saturday, a Sunday or any day in which commercial banks are required or authorized to close in Suffolk County, New York.

Section 3.02 TENANT, provided it is not in default of any of the terms of this Lease, shall have the option to renew this Lease for one additional three (3) year period, commencing upon the expiration of the initial term ("Option"). Said Option shall be exercised upon TENANT notifying the COUNTY, in writing, by registered or certified mail, return receipt requested no less than one hundred eighty (180) days prior to the expiration of the then current term of its intention to exercise the Option. All of the terms and conditions of this Lease, other than Annual Rent, shall apply to the Option. If TENANT fails to notify COUNTY of its intent in accordance herewith, the Option shall be thereupon terminated. COUNTY shall be under no obligation to send any notice to the TENANT regarding its obligation to notify the COUNTY of its intent to exercise said Option.

SECTION 4: RENT AND SECURITY

Section 4.01 "Annual Rent" for the Premises for the first year of the Lease Term shall be $7,326.00 per year, payable by TENANT to COUNTY at COUNTY's address set forth herein, or at such other place designated by COUNTY in writing, in equal monthly installments of $610.50, payable within ten (10) days of TENANT's receipt of the invoice for each calendar month during the Term, with partial months prorated. Commencing on the first anniversary date of the Commencement Date, and on each anniversary date thereafter, Annual Rent shall increase by two and one-half percent (2.5%) over the Annual Rent in the preceding year.

Section 4.02 Annual Rent shall be adjusted in the first year of the Option period to an amount equal to the Annual Rent in effect the immediately preceding year, plus any cost of living adjustment greater than seven and one-half percent (7.5%) for the original three-year term, plus 2.5%. If the cost of living index for the original three-year term does not exceed 7.5% as measured by the Consumer Price Index (hereinafter called the "Index") applicable for Suffolk County, New York, for all items of the Bureau of Labor Statistics of the United States Department of Labor, Annual Rent for the first year of the Option period shall be increased by two and one-half (2.5%) over the prior year’s annual rent. Thereafter, Annual Rent during the Option Term shall increase by 2.5% over the Annual Rent in the preceding year.

Section 4.03 Annual Rent shall be adjusted by COUNTY to reflect the actual gross square footage of the Premises. The parties shall, at either party’s request, execute an agreement setting forth the gross square footage of the Premises and any adjustment to Annual Rent. The parties’ failure to execute such agreement shall in no way affect either party’s obligations to perform under this Lease. If there is any dispute as to the gross square footage of the Premises, TENANT shall continue to pay Annual Rent hereunder in accordance with the amounts set forth herein until any such dispute is resolved. If such dispute results in an increase in the gross square footage of the Premises, then TENANT shall immediately pay COUNTY the difference between (a) the Annual Rent payable by TENANT hereunder as increased to include the additional gross square footage of the Premises, from the Commencement Date through the date of such determination and (b) the Annual Rent paid by TENANT pursuant to Section 4.01 to such date of determination. If such dispute results in a decrease in the gross square footage of the Premises, then TENANT shall receive a credit against the Annual Rent to be paid hereunder equal to the difference between (a) the Annual Rent paid by TENANT pursuant to Section 4.01 to such date of determination (which shall be the date to which such Annual Rent has been paid) and (b) the Annual Rent payable by TENANT hereunder as decreased to the gross square footage of the Premises from the Commencement Date through the date of such determination.

Section 4.04 Upon execution of this Lease, TENANT agrees to deposit the amount of three months rent, in the sum of $1,831.50, representing security payment for the Premises, for rent and performance by TENANT and all other obligations under this Lease. The security deposit, less any monies due the COUNTY by reason of
violation of the terms of this Lease by the TENANT, shall be returned to the TENANT at the termination of the Lease, together with such interest, if any, as shall have accrued thereon.

Section 4.05 TENANT shall pay all rent without set-off, abatement, deductions, defense or claims, except as specifically set forth herein, to COUNTY at COUNTY’s address set forth herein or at such other place as COUNTY may designate in writing, in lawful currency of the United States of America.

Section 4.06 TENANT shall be liable for a penalty of one and one half percent (1.5%) per month for any part of the Rent required to be paid to COUNTY hereunder not paid within fifteen (15) days of the date it is due. In addition to the overdue rent, such penalty shall accrue on the unpaid balance, which includes any previously accrued and unpaid penalties and fees, until said unpaid balance is liquidated. For any payment which is less than a full month late, the penalty shall be assessed at the rate of five one hundredths of one percent (.05%) per day.

Section 4.07 Each late charge shall be payable immediately upon demand made at any time therefore by COUNTY. No acceptance by COUNTY of payment of any unpaid amount or of any unpaid late charge amount shall be deemed a waiver of the right of COUNTY to payment of any late charge or late charges payable under the provisions of this Section 4 with respect to such unpaid amount. Each late charge shall be and become additional fees, recoverable by COUNTY in the same manner and with like remedies as if it were originally a part of the Rent payable hereunder. Nothing in this Section 4 is intended to or shall be deemed to affect, alter, modify or diminish in any way (i) any rights of COUNTY under this Lease, including without limitation, County’s rights set forth in Section 18 of this Lease or (ii) any obligations of TENANT under this Lease. In the event that any late charge imposed pursuant to this Section 4 shall exceed a legal maximum, such late charge payable under this Lease shall be payable instead at such legal maximum.

Section 4.08 Any sums, charges, fees, expenses or amounts to be paid by TENANT pursuant to the provisions of this Lease other than Annual Rent, shall be designated as and deemed to be “Additional Rent” and shall be payable by TENANT to COUNTY within thirty (30) days after COUNTY gives TENANT written notice that such payment is due. COUNTY shall have the same rights against TENANT for default in the payment of Additional Rent as for default in the payment of Annual Rent.

SECTION 5: TAXES

Section 5.01 TENANT agrees to pay as Additional Rent, within ten (10) days of receipt of notice from COUNTY, any “Real Estate Taxes” or other payments in lieu of taxes, “PILOTS”, levied against TENANT’S occupancy or use of the Premises or any improvements placed thereon as a result of TENANT’S occupancy or use for other than public purposes. Any challenge to any assessment or tax shall be the obligation of TENANT and COUNTY’S responsibility shall be limited to sending to TENANT copies of any notice of assessment or tax bill actually received by COUNTY. In the event any tax paid by TENANT shall be refunded to COUNTY, the same shall be credited against Annual Rent installment next due.

The term “Real Estate Taxes” shall mean and be deemed to include all real estate taxes, assessments, county taxes, transit taxes or any other governmental charge of a similar nature whether general, special, ordinary or extraordinary, foreseen or unforeseen, of any kind or nature whatsoever including without limitation assessments for public improvements or benefits. If, due to a change in the method of taxation, any franchise, income, profit, sales, rental, use and occupancy or other tax shall be substituted for or levied against the COUNTY or any owner of the building and/or the land in lieu of Real Estate Taxes hereinabove defined, upon or with respect to the building or the land, such tax shall be included in the term “Real Estate Taxes”. Nothing contained herein shall be construed to include as “Real Estate Taxes” any inheritance, estate, succession, transfer, gift franchise, corporation, income or profit tax or capital levy that is or may be imposed upon COUNTY.
SECTION 6: UTILITIES

Section 6.01 In the event utilities are not presently available at the site, TENANT agrees that the installation of any utilities for its use shall be at TENANT's sole cost and expense and that TENANT shall assume and be responsible to pay for any utilities services, including the connections thereto, used by it with respect to its operations under this Lease.

Section 6.02 COUNTY shall have no liability to TENANT for any loss, damage or expense sustained or incurred by reason of any change, failure, inadequacy, unsuitability or defect in the supply or character of the utilities furnished to the Premises or if the quantity or character of the utilities are no longer available or suitable for TENANT's requirements. The provisions of this section shall survive the expiration of this Lease.

Section 6.03 In the event utility service is sub-metered, TENANT shall be responsible for payment of the actual cost as billed to the COUNTY, net of any credits, abatements or incentives.

Section 6.04 TENANT will be responsible for the maintenance and repair of all utility service lines placed on the Leased Premises and used by the TENANT exclusively.

SECTION 7: USE OF THE PREMISES

Section 7.01 TENANT may use the Premises as a business office and equipment storage facility for professional contracting in accordance with and subject to the terms of this Lease.

Section 7.02 TENANT's use of the Premises shall be subject to, and in accordance with, in all material respects, all rules, regulations, laws, ordinances, statutes, and requirements of all Governmental Authorities, including the American Disabilities Act, and the requirements of any fire insurance rating organization and all insurance companies writing policies covering the Premises or any part or parts thereof and any Fire Insurance Rating Organization, Board of Fire Underwriters and/or similar bodies having jurisdiction thereof, whether the same now are in force or at any time in the future may be passed, adopted, enacted, or directed (collectively, "Requirements").

For purposes of the Lease, "Governmental Authority" shall mean, the United States of America, the State of New York, the County of Suffolk, and any other city, state, municipality, village, county, town, department, board or instrumentality of any and/or all of the foregoing, or any quasi-governmental authority, now existing or hereafter created, and any officer thereof, having jurisdiction over the Building.

Section 7.03 TENANT shall pay all costs, expenses, claims, fines, penalties, and damages that may in any manner arise out of or be imposed because of the failure of TENANT to comply with Section 7.02 and shall indemnify and save COUNTY harmless against and from all costs, expenses, liabilities, losses, damages, suits, fines, penalties, claims, and demands because of TENANT's failure to comply with the foregoing, and TENANT shall not call upon COUNTY for any disbursement or outlay whatsoever in connection therewith, and hereby expressly releases and discharges COUNTY, its officers, employees, agents, servants, and contractors of and from any liability therefore. TENANT, at its sole cost and expense, may, by appropriate legal proceedings conducted in good faith and with due diligence, contest the amount or validity or application, in whole or in part, of any Requirement, provided that if a lien is filed against the Premises by reason of any failure of TENANT to comply with such Requirement pending such contest, TENANT shall have furnished such security, if any, as may be required in the proceedings or which will discharge such lien (by substitution or otherwise) against the Premises, or is otherwise reasonably satisfactory to COUNTY.
Section 7.04 TENANT will not suffer any act to be done or condition to exist on the Premises, or any part thereof, or any article to be brought thereon which may be dangerous unless safeguarded as required by law, or which may, in law, constitute a nuisance, public or private.

Section 7.05 TENANT shall not suffer or permit the Premises or any portion thereof to be used by the public as such, without restriction or in such manner as might reasonably tend to impair the interest of COUNTY in the Premises or any portion thereof, or in such manner as might reasonably make possible a claim or claims of adverse usage or adverse possession by the public, as such, or of implied dedication of the Premises or any portion thereof.

Section 7.06 TENANT agrees not to permit the accumulation (unless concealed in appropriate containers) or burning of any rubbish or garbage in, on or about any part of the Premises. TENANT shall cause and pay for all garbage and rubbish to be collected or disposed of from the Premises.

SECTION 8: NO WARRANTIES BY COUNTY

Section 8.01 TENANT acknowledges that TENANT is leasing the Premises “AS IS” and COUNTY shall not be required to perform any work or furnish any materials in connection with the Premises.

Section 8.02 Except as otherwise set forth in this Lease, (i) COUNTY makes no warranty of any kind or nature, express, implied or otherwise, or any representations or covenants of any kind or nature in connection with the conditions of the Premises or any part thereof, and (ii) COUNTY shall not be liable for any latent or patent defects therein or be obliged in any way whatsoever to correct or repair any such latent or patent defects.

Section 8.03 Except as may be otherwise expressly provided in the Lease, COUNTY shall not be obligated to provide any services to TENANT.

SECTION 9: CARE AND REPAIR OF PREMISES

Section 9.01 It shall be TENANT’S sole obligation to take good care of the Premises and make and be responsible for any and all repairs, maintenance, replacements or renovations required. TENANT shall perform any work required to accommodate the needs of TENANT. All work is to be conducted in a good and workmanlike manner, in accordance with Section 14 below, at TENANT’s sole cost and expense. Such repairs and replacements, ordinary as well as extraordinary, shall be made promptly as and when necessary. All repairs and replacements shall be of good workmanship and of quality and class at least equal to the original work or equal to the subsequently renovated and improved work.

Section 9.02 On default of TENANT in making such repairs or replacements, upon ten (10) days written Notice to TENANT, COUNTY may, but shall not be required, to make such repairs and replacements for TENANT’s account. The expenses thereof shall be a cost to TENANT, payable in accordance with Section 4.07 above.

Section 9.03 TENANT agrees to perform maintenance and make repairs and replacements in any case where County, in its reasonable judgment, determines that it is necessary to do so in order to preserve the safety of the Leased Premises, or to correct any condition which reasonably could cause injuries or damages to persons or property.

SECTION 10: RIGHTS OF ENTRY RESERVED

Section 10.01 The COUNTY, by its officers, employees, agents, representatives and contractors shall have the
right at any reasonable time to enter upon the Premises for the purpose of inspecting the same, for observing the performance by TENANT of its obligations under this Agreement and for the doing of any act or thing which the COUNTY may be obligated or have the right to do under this Agreement, or otherwise. In the event of a question of a contractor’s authority to enter upon the Premises, TENANT shall contact the COUNTY. Nothing in this Section 10.01 shall be construed to create a duty on the COUNTY to inspect the Premises.

Section 10.02 Without limiting the generality of the foregoing, the COUNTY by its officers, employees, agents, representatives and contractors and by the employees, agents, representatives and contractors of any furnisher of utility services in the vicinity, shall have the right, for its own benefit, for the benefit of TENANT, or for the benefit of others at the Airport, to maintain existing and future utilities systems or portions thereof on the Premises, including therein, without limitation thereto, systems for the supply of heat, water, gas, fuel, electricity and for the furnishing of fire-alarm, fire-protection, sprinkler, sewerage, drainage, telegraph and telephone services; including all lines, pipes, mains, wires, conduits and equipment connected with or appurtenant to such systems, and to enter upon the Premises at all reasonable times to make such repairs, replacements or alterations as may, in the opinion of the COUNTY, be deemed necessary or advisable and, from time to time, to construct or install over, in or under the Premises new systems or parts thereof, including lines, pipes, mains, wires, conduits and equipment; provided, however, that in the exercise of such rights of repair, alteration or new construction the COUNTY shall not unreasonably interfere with the use and occupancy of the Premises by TENANT.

Section 10.03 The COUNTY shall, as an additional remedy, upon the giving of a Notice of Termination as provided in Section 18 below, have the right to re-enter the Premises and every part thereof upon the effective date of termination without further notice of any kind, and may regain and resume possession either with or without the institution of summary or any other legal proceedings or otherwise. Such re-entry or regaining or resumption of possession, however, shall not in any manner affect, alter or diminish any of the obligations of TENANT under this Lease, and shall in no event constitute an acceptance of surrender.

Section 10.04 The exercise of any or all of the foregoing rights by the COUNTY or others shall not be or be construed to be an eviction of TENANT nor be made the grounds for any abatement of rent, nor any claim or demand for damages, consequential or otherwise.

Section 10.05 Nothing in this Section 10 shall impose or shall be construed to impose upon the COUNTY any obligation so to construct or maintain or to make repairs, replacements, alterations or additions, nor shall it create any liability for any failure so to do.

SECTION 11: LIENS

Section 11.01 In the event it is permissible for any mechanics’ or other liens to be filed against any portion of the Premises by reason of TENANT’s acts or omissions or because of a claim against TENANT, TENANT shall cause the same to be cancelled or discharged of record by bond or otherwise within ninety (90) days after notice from COUNTY. If TENANT shall fail to cancel or discharge said lien or liens within said 90-day period, COUNTY may cancel or discharge the same and upon COUNTY’s demand, TENANT shall reimburse COUNTY for all costs incurred in canceling or discharging such liens together with an administrative fee equal to 5% of all such costs, such reimbursement to be paid as Additional Rent.

SECTION 12: PREVAILING WAGE

Section 12.01 TENANT agrees to comply with the prevailing wage requirements of Section 220 of the Labor Law in connection with any Alterations, defined at Section 14 below, including, but not limited to, the building, land, parking lot, and all other portions of the Premises.
Section 12.02 No person performing, aiding in, or assisting in TENANT's construction of any Alterations, defined below at Section 14.01, shall be paid less than the said prevailing rates as defined and utilized under Section 220 of the Labor Law.

Section 12.03 TENANT, its contractors, and subcontractors shall file transcripts of original payrolls for the construction of any Alterations under this Lease, with the Department, within ten (10) days after its first payroll, and every thirty days thereafter, said payroll transcripts to be subscribed and affirmed as true under penalty of perjury. TENANT, its contractors and subcontractors, shall keep their books open for inspection by representatives of the Suffolk County Department of Audit and Control and/or its representatives, including the Office of the District Attorney, on a monthly basis during the construction of the Alterations, to ensure that TENANT, its contractors and subcontractors are in compliance with these terms and conditions, provided that twenty-four (24) hour-notice is given to TENANT, its contractors and/or subcontractors prior to the inspection.

Section 12.04 TENANT agrees that it shall include clauses in all of its agreements with its contractors and subcontractors for the construction of any Alterations stating that: (i) said contractors and subcontractors shall pay prevailing wages, as agreed to in this Lease between County of Suffolk and TENANT; (ii) said contractors and subcontractors shall file transcripts of original payrolls for all work performed in connection with the construction and preparation of the Improvements under this Lease with the Department within ten (10) days after its first payroll, and every thirty days thereafter, said transcripts to be subscribed and affirmed as true under penalty of perjury and (iii) TENANT, its contractors, and subcontractors shall keep their books open for inspection by representatives of the Suffolk County Department of Audit and Control and/or its representatives, including the Office of the District Attorney, on a monthly basis during the construction of the Alterations to ensure that TENANT, its contractors and subcontractors are in compliance with these terms and conditions, provided that twenty-four (24) hour-notice is given to TENANT, its contractors and/or subcontractors prior to the inspection.

Section 12.05 During the construction of any Alterations, TENANT shall maintain at the job site, and with County Department of Labor, a copy of all payrolls or transcripts thereof as would be required to be maintained pursuant to Section 220 of the New York Labor Law.

Section 12.06 During the construction of any Alterations, TENANT shall provide to County employment attendance sheets for all employees, including employees of subcontractors, for each day on which work is performed on the site, upon a form reasonably acceptable to County, containing such information as the Commissioner of the Department of Labor reasonably deems appropriate, including job classification, hours of employment, wage rate and supplements payable, and employer.

SECTION 13: LAWFUL HIRING OF EMPLOYEES LAW IN CONNECTION WITH CONTRACTS FOR CONSTRUCTION OR FUTURE CONSTRUCTION

This Lease is subject to the Lawful Hiring of Employees Law of the County of Suffolk, Suffolk County Code Chapter 234, as more fully set forth in the Exhibit C entitled "Suffolk County Legislative Requirements." In accordance with this law, Contractor or employer, as the case may be, and any subcontractor or owner, as the case may be, agree to maintain the documentation mandated to be kept by this law on the Construction Site at all times. Contractor or employer, as the case may be, and any subcontractor or owner, as the case may be, further agree that employee sign-in sheets and register/log books shall be kept on the Construction Site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign-in sheets/register/log books to indicate their presence on the Construction Site during such working hours.
SECTION 14: ALTERATIONS

Section 14.01 TENANT shall not make any renovations or "Alterations," meaning any alterations, installations, improvements, additions, renovations or physical changes made by TENANT to the Premises or any part or portion thereof of the Premises, without the prior written approval of COUNTY. TENANT shall, before making any Alterations, at its expense, obtain all permits, approvals and certificates required by any "Legal Requirement" or Governmental Authority any (upon completion) certificates of final approval thereof and shall promptly deliver to COUNTY duplicates of all such permits, approvals and certificates. TENANT agrees to carry, and to cause TENANT’s contractors, sub-contractors, sole-proprietors and sole-proprietors’ sub-contractors to carry such insurance as set forth under Section 16 hereunder.

For the purposes of this Lease, the term "Legal Requirements" shall mean laws, statutes and ordinances (including building codes and zoning regulations and ordinances) and the orders, rules, regulations, directives and requirements of all federal, state, county, city and borough departments, bureaus, boards, agencies, offices, commissions and other subdivisions thereof, or of any official thereof, or of any other governmental, public or quasi-public authority, whether now or hereafter in force, and all requirements, obligations and conditions of all instruments of record which may be applicable to the Premises or any part thereof or the sidewalks, curbs, or areas adjacent thereto. Any work previously done by TENANT during their occupancy of the Premises was done in conformity with all Legal Requirements.

Section 14.02 Alterations made by TENANT shall be complete and erected wholly according to the "Site Plan" attached hereto as Exhibit B. TENANT reserves the right to submit proposals for changes to the site Plan to the COUNTY for its prior written approval, as the Interim Plans and Specifications are completed, and that the square footages set forth may be modified by TENANT with the prior written approval of the COUNTY, with the caveat that modifications shall not deviate in any substantial form with the Site Plan. Such design construction and installation shall be performed and completed in accordance with the "Construction Schedule" attached hereto as Exhibit D. By executing this Agreement, TENANT confirms that the Construction Schedule sets forth a reasonable time period for performing the Construction Work. Any Alterations made by TENANT shall be complete and erected wholly within the boundary lines of the Premises and shall be and become a part of the Premises under this Lease. Any alterations shall be made and performed in a good and workman like manner and shall be in compliance with all Legal Requirements. TENANT agrees that all Alterations shall be promptly commenced and completed and shall be performed so as not to unreasonably delay, hinder or interfere with COUNTY’s management, or operations of Gabreski Airport.

Section 14.03 All Alterations and/or improvements made by the TENANT to the Premises which are so attached to the Premises that they cannot be removed without material injury to the Premises, shall become the property of the COUNTY upon installation, as part of the Premises and shall remain upon and be surrendered with the Premises upon the expiration or earlier termination of this Lease, in which event, the same shall be removed from the Premises by TENANT at TENANT’s cost and expense. Nothing in this section shall be construed to give COUNTY title to or to prevent TENANT’s removal of trade fixtures, moveable office furniture, equipment and other personal property. TENANT shall, at TENANT’s sole cost and expense, remove all of the TENANT’s personal property and those improvements made by the TENANT which have not become the property of the COUNTY and surrender the Premises in a broom-clean condition, reasonable wear and damage by fire, the elements, casualty, or other cause not due to the misuse of neglect by TENANT or TENANT’S agents, servants, or visitors excepted. COUNTY is under no obligation to repair, rebuild or replace any real and/or personal property in the event of loss.

SECTION 15: NEGATIVE COVENANTS

Section 15.01 TENANT shall not use, occupy, maintain or operate the Premises, nor suffer or permit the Premises or any part thereof to be used, occupied, maintained or operated, nor bring into or keep at the
Premises, nor suffer or permit anything to be brought into or kept therein, which would in any way (a) violate any term, covenant or condition of this Lease; (b) violate any restrictive covenant, operating covenant, encumbrance or easement affecting the Premises; (c) violate any Legal Requirements; (d) make void or voidable any insurance policy then in force with respect to the Premises or make any such insurance unobtainable or increase the rate of any insurance with respect to the Premises; (e) cause physical damage to the Premises or any part thereof; (f) permit the excess accumulation of waste or refuse matter; (g) constitute a public or private nuisance; (h) not conform to all applicable federal, state and local laws and regulations regulating toxic waste and discharge, including, but not limited to, Articles VII and XII of the Suffolk County Sanitary Code.

Section 15.02 TENANT shall commit no act of waste and shall take good care of the Premises and the fixtures and appurtenances therein.

Section 15.03 TENANT shall not, without COUNTY’S written consent: (a) do or suffer anything to be done on the Premises which will increase the rate of fire insurance on the building, (b) permit the creation or imposition of any liens or encumbrances upon the Premises except as expressly permitted herein.

SECTION 16: IDEMNITY AND INSURANCE

Section 16.01 TENANT shall indemnify and hold harmless the County of Suffolk, the COUNTY’s officers, agents, employees or any other person against all claims, expenses (including attorney’s fees), losses and liabilities of whatsoever nature by reason of the liability imposed by law upon the COUNTY, except in cases of County’s sole negligence, for damage because of bodily injury, including death at any time resulting there from or sustained by any person or persons, or on account of damage to property arising out of or in consequence of this Lease, whether such injuries to persons or damage to property are due or claim to be due to any passive negligence of the COUNTY, its employees or agents or any other person. TENANT shall keep in full force and effect Commercial General Liability Insurance, including contractual coverage, in accordance with the provisions of Section 16.04.

Section 16.02 The risk of loss or destruction from any peril to the furniture, fixtures, equipment of other personal property of TENANT while on the Premises shall be borne by the TENANT. It is further understood that the TENANT waives any right to subrogation against the COUNTY for loss or destruction or from any period to the furniture, fixtures, equipment or other personal property of the TENANT while on the said Premises except in cases due to any active or passive negligence of the County, its employees, officers and agents.

Section 16.03 If all or any part of the Premises is destroyed by fire or other casualty, the County shall have no obligation to restore the Premises. In such event, TENANT may elect to terminate this Lease.

Section 16.04 TENANT further agrees to procure, pay the entire premium for, and maintain throughout the term of this Lease insurance in amounts and types specified by the COUNTY. Unless otherwise required by the COUNTY, in writing, such insurance will be as follows:

i. Commercial General Liability insurance in an amount not less than Two Million Dollars ($2,000,000.00) per occurrence for bodily injury and Two Million Dollars ($2,000,000.00) per occurrence for property damage.

ii. Workers Compensation and Employer’s Liability Insurance in compliance with all applicable New York State laws and regulations and Disability Benefits Insurance if required by law. TENANT shall furnish to COUNTY, prior to its execution of this Lease, the documentation required by the State of New York Workers’ Compensation Board of coverage or exemption
from coverage pursuant to §§ 57 and 220 of the Workers' Compensation Law. In accordance with General Municipal Law, § 108, this Lease shall be void and of no effect unless TENANT shall provide and maintain coverage during the term of this Lease for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

iii. Automobile Liability Insurance (if any vehicles are used by the TENANT in the performance of this Agreement) in an amount not less than Five Hundred Thousand Dollars ($500,000) per person, per accident for bodily injury and not less than One Hundred Thousand Dollars ($100,000) for property damage per occurrence.

Section 16.05 Any contractor, subcontractor, sole-proprietor, or sole-proprietor's subcontractor, who may at any time be involved with construction or reconstruction of the Premises on behalf of TENANT shall be required to procure and maintain throughout the term of construction insurance in the amounts and types specified in Section 16.04 and submit to County prior to construction.

Section 16.06 All insurance required by this agreement shall be maintained with insurance underwriters authorized to do business in the State of New York with an A.M. Best Rating of A- or better.

Section 16.07 TENANT shall furnish COUNTY Declaration Pages for each such policy of insurance, and, upon request, a true and certified original copy of each such policy, evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, the County of Suffolk shall be named as an additional insured and TENANT shall furnish a Declaration Page and endorsement page evidencing the COUNTY's status as an additional insured on said policy.

Section 16.08 All such Declaration Pages, certificate, and other evidence of insurance shall provide for the County of Suffolk to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in said policy.

Section 16.09 In the event that any of the insurance required by this agreement ceases to be in full force and effect, TENANT agrees to cease all operations covered by the terms of this Lease.

Section 16.10 COUNTY shall not be obligated to maintain insurance for loss from fire or other peril causing damage or destruction to the real property of the COUNTY or to rebuild in the event of a partial or complete loss at the Premises. In the event of such a loss, this Lease shall terminate unless TENANT shall promptly restore the Premises. Rent shall in any event abate for the period the Premises are uninhabitable. TENANT may at its option obtain fire and other peril insurance for said Premises. Such insurance shall name COUNTY as an additional insured and shall contain a waiver of subrogation against COUNTY.

SECTION 17: SIGNS

Section 17.01 TENANT shall not, without the prior written approval of the COUNTY, which approval shall not unreasonably be withheld, erect, maintain or display any advertising, signs, posters or similar devices at or on the Premises or elsewhere at the facility; provided, however, that on interior portions of the Premises which are not visible from the public roadways, TENANT may install necessary directional and identification signs.

SECTION 18: DEFAULT REMEDIES/DAMAGES

Section 18.01 The occurrence of any one or more of the following events shall constitute an "Event of Default" by TENANT under this Lease:
(i) If TENANT shall default in the payment when due of any installment of Total Annual, and any such default continues for ten (10) Business Days after COUNTY has given TENANT a written notice specifying such default; or

(ii) If TENANT defaults in the keeping, observance or performance of any covenant or agreement (other than a default of the character referred to in (i) above), and if such default continues and is not cured within fifteen (15) days after COUNTY gives TENANT written notice specifying same, or, in the case of a default which for causes beyond TENANT’s reasonable control cannot, with reasonable diligence be cured within such 15-day period, if TENANT shall not immediately upon the giving of such written notice, (a) advise COUNTY of TENANT’s intention duly to institute all steps necessary to cure such default and (b) institute and thereafter diligently prosecute to completion all steps necessary to cure the same, or:

1. Filing by or the final adjudication against TENANT of any petition in bankruptcy, or in the final adjudication of any petition for the appointment of a receiver or trustee for the assets or business of TENANT; or
2. The making by the TENANT of any general assignment for the benefit of creditors; or
3. The occurrence of any act which operates to deprive TENANT permanently of the rights, powers and privileges necessary for the proper conduct and operation of its business granted herein; or
4. The abandonment and discontinuance of the operation of TENANT; or
5. The failure of TENANT to maintain all required insurance and to furnish evidence of same within ten (10) days of written demand by COUNTY; or
6. In the event of partial or complete loss to the Premises rendering it uninhabitable and, at the discretion of COUNTY, the Premises will not be restored;

then, in any such case or upon such occurrence, in addition to any other remedy available to COUNTY at law or in equity, COUNTY may give to TENANT a notice of intention of COUNTY to end the Term of this Lease (the "Termination Notice") specifying a day not less than seven (7) Business Days thereafter and, upon the giving of the Termination Notice, this Lease and the Term and estate hereby granted shall expire and terminate upon the day so specified in the Termination Notice as fully and completely and with the same force and effect as if the day so specified were the Expiration Date and all rights of TENANT shall terminate and TENANT shall remain liable for damages as hereinafter provided.

Section 18.02 From and after any date upon which COUNTY gives a Termination Notice, COUNTY, without further notice, may enter upon, re-enter, possess and repossess itself of the Premises, by force, summary proceedings, ejectment or otherwise, and may dispossess and remove TENANT and all other persons and property from the Premises and may have, hold and enjoy the Premises and the right to receive all rental and other income of and from the same. As used in this Lease the words “enter” and “re-enter” are not restricted to their technical legal meanings. Upon and after such entry into possession, the COUNTY may, but shall have no obligation to re-let the Premises, or any part thereof, for the account of TENANT.

Section 18.03 If this Lease and the Term shall expire and come to an end as provided in Section 18.01, or by or under any summary proceeding or any other action or proceeding, TENANT shall pay to COUNTY Total Annual Rent and Additional Rent payable under this Lease by TENANT to COUNTY to the date upon which this Lease and the Term shall have expired and come to an end or to the date of re-entry by the COUNTY, as the case may be. Nothing herein contained shall be construed as limiting or precluding the recovery by COUNTY against TENANT of any damages to which COUNTY may lawfully be entitled in any case other than those particularly provided for above.
Section 18.04 Except for the monetary obligations of either party, COUNTY and TENANT shall not be in default of this Lease because of such party’s inability to perform the covenants and obligations set forth herein during the continuance of any period of Force Majeure, except as may otherwise be expressly specified in this Lease.

Section 18.05 Notwithstanding anything to the contrary hereinafore or hereafter set forth, in the event that COUNTY, by other act sells, assigns, transfers, conveys, leases or by any other act or agreement grants occupancy, management or control of the Premises or a portion thereof, in which this leasehold is located to an entity other than a unit of Federal, State or Local Government, or wishes to demolish the Premises, then COUNTY or its successor/assignee shall have the right to terminate this Lease, upon ninety (90) days written notice to TENANT, such 90- days to mean three (3) entire months under the Lease, not including the portion of the month in which the notice is given.

Section 18.06 The exercise of any remedies herein provided shall be cumulative and shall in no way affect any other remedy available to COUNTY at law or in equity.

Section 18.07 The acceptance of charges and fees by the COUNTY for any period or periods after a default in the performance of any of the terms, covenants and conditions herein contained to be performed, kept and observed by the TENANT, shall not be deemed a waiver of any rights on the part of the COUNTY to terminate this agreement for failure by the TENANT so to perform, keep or observe any of the terms, covenants or conditions hereof to be performed, kept and observed.

Section 18.08 Failure of COUNTY to declare this Lease terminated upon the default of TENANT for any of the reasons set out shall not operate to bar or destroy the right of COUNTY to cancel this Lease by reason of any subsequent violation of the terms hereof.

Section 18.09 Any and all rental amounts due shall be payable to through the date of termination and any period of continued use and occupancy of the Premises by TENANT.

SECTION 19: SURRENDER OF PREMISES; HOLDOVER

Section 19.01 This Lease and the tenancy hereby created shall cease and terminate at the end of the Term, without the necessity of any further notice from either the TENANT or the COUNTY to terminate the same and that continued occupancy of the Premises by the TENANT after the expiration of said Term shall not operate to renew the Lease for a new term or any part thereof.

Section 19.02 On the Expiration Date or upon the earlier termination of this Lease or upon any re-entry by COUNTY, TENANT shall at its expense, quit, surrender, vacate and deliver the Premises to COUNTY in good order, condition and repair, ordinary wear, tear and damage by the elements, fire or other casualty beyond TENANT’s reasonable control excepted, together with all improvements and fixtures therein. TENANT shall, at its expense, remove from the Premises all of TENANT’s personal property and any personal property of persons claiming by, through or under TENANT and all non- COUNTY approved Alterations, and shall repair or pay the cost of repairing all damage to the Premises occasioned by such removal. Any TENANT’s personal property or Alterations of TENANT remaining in the Premises after the termination of this Lease shall be deemed to have been abandoned and either may be retained by COUNTY as its property or may be stored or disposed of as COUNTY may see fit, without insurance or liability for any damage which may occur. If such property not so removed shall be sold, COUNTY may receive and retain the proceeds of such sale and apply the same, at COUNTY’s option, against the reasonable expenses of the sale, moving and storage, arrears of rent and any damages to which COUNTY may be entitled. Any excess proceeds shall be the property of COUNTY. TENANT shall reimburse COUNTY its removal and disposal costs if not otherwise recouped by sale. Notwithstanding the foregoing, COUNTY shall have no obligation to sell the property.
Section 19.03 If TENANT shall remain in possession of the Premises after the termination of this Lease without the execution of a new lease, TENANT, subject to all of the other terms of this Lease insofar as the same are applicable to a month-to-month tenancy, and without waiving TENANT’s default or preventing COUNTY from suing to obtain possession, shall be deemed to be occupying the Premises as a TENANT from month to month, at a monthly rental equal to 112.5% the total monthly installment of Annual Rent last payable by TENANT under the Lease.

Section 19.04 The provisions of this Section shall survive the expiration or earlier termination of this Lease.

SECTION 20: NO COUNTY LIABILITY FOR TENANT’S FAILURE

Section 20.01 Failure of the TENANT to perform any or all of its obligations hereunder shall not give rise to any liability on the part of the County or any of the County’s departments, officers, officials, bureaus, agencies, employees, agents or representatives.

SECTION 21: EMINENT DOMAIN

Section 21.01 If the Premises or any part of thereof or any estate therein, or any other part of the building materially affecting TENANT’S use of the Premises, be taken by virtue of eminent domain, this Lease shall terminate on the date when title vests pursuant to such taking, the Annual Rent and any Additional Rent shall be apportioned as of said date and any rent paid for any period beyond said date shall be repaid to TENANT. TENANT shall not be entitled to any part of the award or any payment in lieu thereof, but TENANT may file a claim for any taking of fixtures and improvements owned by TENANT, and for moving expenses.

SECTION 22: NOTICES

Section 22.01 Operational Notices: Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this Lease shall be in writing and shall be given to the COUNTY or TENANT or their designated representative at the following addresses or at such other address that may be specified in writing by the parties and must be delivered as follows: (a) if to the COUNTY, to the Department, by First Class or Certified Mail, Return Receipt Requested in Postpaid Envelope or by Courier Service or by Fax to the address first set forth above; (b) if to the TENANT, First Class or Certified Mail, Return Receipt Requested in Postpaid Envelope, or by Courier Service, or by Fax at the address set forth on page one of this Lease, attention of the person who executed this Lease or such other designee as the parties may agree in writing.

Section 22.02 Notices Relating to Termination, Insurance and/or Litigation: Any communication or notice regarding indemnification, termination, or in the event the TENANT receives a notice or claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to a lawsuit or any legal proceeding related to this Lease notice shall be deemed to be duly given only if delivered: (i) personally (personal service on COUNTY must be pursuant to New York Civil Practice Law and Rules Section 311) and by first Class Mail; (ii) by nationally recognized overnight courier; or (iii) by First Class or Certified Mail, Return receipt Requested in a postpaid envelope addressed: (a) if to COUNTY, to Suffolk County Department of Economic Development and Workforce Housing, Aviation Division, Attention Airport Business Manager, Francis S. Gabreski Airport, Westhampton Beach, NY 11978, with a copy to the Suffolk County Department of Law, Attention Suffolk County Attorney, 100 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, New York 11788-0099; and (b) if to TENANT, at TENANT’s address first above set forth, or at such other address as TENANT or COUNTY, respectively, may designate in writing.

Section 22.03 Notices shall be deemed to have been duly delivered (i) if mailed, upon the seventh business day after the mailing thereof; or (ii) if by nationally recognized overnight courier service, upon the first business day
subsequent to the transmittal thereof; or (iii) if personally, pursuant to New York Civil Practice Law and Rules Section 311; or (iv) if by fax or email, upon the transmittal thereof. "Business Day" shall be defined as any day except a Saturday, a Sunday, or any day in which commercial banks are required or authorized to close in Suffolk County, New York.

Section 22.04 Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

Section 22.05 Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this Lease, except as otherwise provided in Section 19.02, shall be given to the COUNTY or TENANT or their designated representative, by regular or certified mail in postpaid envelope or by Courier Service at the following addresses or at such other address that may be specified in writing by the parties: (a) if to TENANT, at TENANT’s address first set forth above, and (b) if to COUNTY, Suffolk County Department of Economic Development and Workforce Housing, Aviation Division, Attention Airport Manager, Francis S. Gabreski Airport, Westhampton Beach, NY 11978.

Section 22.06 Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

SECTION 23:  
FIRE, FLOOD OR STRIKE

Section 23.01 Neither party shall be liable for failure to perform its part of this Lease when such failure is due to fire, flood, strikes or similar labor disturbances, industrial disturbances, wars, riots, insurrection, Acts of God and/or other causes beyond the control of the parties.

SECTION 24:  
ENVIRONMENTAL RESPONSIBILITIES

Section 24.01 TENANT shall not deposit, dump, store or pour any Hazardous Substances on any part of the soil of the Premises or otherwise introduce any Hazardous Substances in, on or under the Premises, including the air and water above and the ground and water below and surrounding the Premises, nor shall TENANT permit its Subtenants, guests, contacts or any other person to do any of the foregoing. TENANT, at its expense, shall promptly remove or cause the removal of, or if permitted by any Environmental Law (as hereinafter defined), encapsulate, all Hazardous Substances introduced in, on, or under the Premises by TENANT, its guests, contractors, employees, or its Subtenants, in compliance with this Lease and all applicable Environmental Laws.

The term “Hazardous Substances”, as used in this Lease shall mean medical waste, flammables, explosives, radioactive materials, asbestos, chlorofluorocarbons (CFCs), polychlorinatedbiphenyls (PCBs), chemicals known to cause cancer or reproductive toxicity, pollutants, contaminants, hazardous wastes, toxic substances or related materials, petroleum and petroleum products and other substances defined as dangerous, hazardous or toxic under any Environmental Law. Notwithstanding anything to the contrary set forth in this Article, cleaning fluids, detergents and other supplies customarily used in connection with the maintenance and repair of real property similar to the Premises in comparable areas shall be permitted to be stored and used for such purposes in compliance with all Environmental Law, and all substances consistent with all permitted uses under this Lease so long as used, stored and disposed of in accordance with all applicable Environmental Law.

The term “Environmental Law” as used in this Lease means all applicable present and future federal, state, local and other governmental statutes, ordinances, codes, rules, regulations, orders, directives and other requirements, and all present and future requirements of applicable common law, concerning the environment, including, without limitation, those relating to the generation, use, handling, treatment, storage, transportation, release, emission, disposal, remediation or any other regulation of any Hazardous Substance.
Section 24.02 TENANT shall, at TENANT’s own expense:

(1) Comply with all Environmental Laws regulating the use, generation, storage, removal, transportation, disposal, encapsulation or remediation of Hazardous Substances, to the extent relating to Hazardous Substances introduced by TENANT, or its agents, employees, contractors, subcontractors, invitees or guests, in, on or under the Premises.

(2) Make all submissions to, provide all information required by, and comply with all Environmental Laws to the extent relating to Hazardous Substances introduced in, on, or under the Premises by TENANT or its agents, employees, contractors, subcontractors, invitees or guests;

(3) Prepare and submit the required plans and all related bonds and other financial assurances and carry out all such cleanup plans should any Governmental Authority asserting appropriate jurisdiction demand that a cleanup plan be prepared and that a cleanup be undertaken because of any deposit, spill, discharge or other release of Hazardous Substances at or from the Premises, only if introduced by TENANT or its agents, employees, contractors, subcontractors, invitees or guests its agents or employees; provided, however, notwithstanding any provision of this Lease to the contrary, TENANT shall not be precluded from lawfully contesting any such demand; and

(4) Promptly provide all information in TENANT’s possession regarding the use, generation, storage, transportation or disposal of Hazardous Substances that is requested by County.

Section 24.03 If a Hazardous Substance is detected on the Premises for which TENANT is liable under this Lease, and TENANT shall not, within thirty (30) days following notice from County, commence to comply with its obligations under this Lease and thereafter diligently prosecute the performance of such obligations, County shall have the right to perform such obligations on behalf of TENANT, and TENANT shall pay to County the reasonable fees incurred by County for the cost of such compliance, including the reasonable fees of attorneys, consultants, contractors, experts, laboratories and all other reasonable costs incurred in connection with the performance of such obligations by County, including, - the preparation of any feasibility studies or reports and the performance of any required cleanup, remediation, removal, abatement, containment, closure, restoration, or monitoring work.

Section 24.04 In addition to, and without limiting the generality, TENANT shall indemnify, and hold harmless County, and its officials, officers, agents and employees, from and against all claims which may be imposed upon, incurred by or asserted against County, arising out of (i) the use, generation, storage, release, or disposal of Hazardous Substances introduced in, on or about the Premises during the Term by TENANT, its contractors, agents, invitees, and, any Subtenants, including, without limitation, the cost of any required or necessary decommissioning, repair, cleanup, or remediation and the preparation of any closure or other required plans, whether such action is required or necessary prior to or following the termination of this Lease, (ii) any release or threatened release of such Hazardous Substances at, on, to, or into the Premises, including groundwater, or from the Premises on, to, or into any adjoining property or other property, including groundwater, (iii) the failure of TENANT, any Subtenant or any person claiming under TENANT to comply with any of the obligations of TENANT, or (iv) any and all damage to natural resources or real property and/or harm or injury to any person resulting or alleged to have resulted from (A) any release or threatened release of such Hazardous Substances, and/or (B) failure to comply with TENANT’s obligations.

Section 24.05 TENANT’s obligations and liabilities under this Section 24 shall survive the expiration or earlier termination of this Lease.
Section 24.06  Notwithstanding any other provision of this Lease to the contrary, TENANT shall have no obligation with respect to Hazardous Substances, including but not limited to underground storage tanks, that are not introduced by TENANT, or any contractor, agent, Subtenant, licensee or invitee of TENANT, including, but not limited to, Hazardous Substances that existed on the Premises prior to the Commencement Date, whether or not yet discovered; provided, however, TENANT shall exercise due care to avoid exacerbating any conditions relating to Hazardous Substances existing at the Premises which are discovered by TENANT and TENANT will not take any action in violation of any Environmental Law with respect to such Hazardous Substances.

Section 24.07  To the fullest extent permitted by law, County shall keep, save and hold harmless TENANT of and from any and all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorney's fees, for anything and everything whatsoever to the extent arising from or incident to underground storage tanks not introduced by TENANT.

Section 24.08  The TENANT shall not generate, treat, release, store, discharge, dispose of, transport, recycle, use, reuse, or handle hazardous substances or waste on the Premises. As used herein, “hazardous substances or waste” shall include, but not be limited to, any flammable explosives, gasoline, petroleum products, polychlorinated biphenyl, radioactive materials, hazardous wastes, hazardous or toxic substances, or related or similar materials, asbestos or any material containing asbestos, or any other substance or material as defined by any federal, state or local environmental law, ordinance, rule, or regulation including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. Section 9601, et. seq.), the Hazardous Materials Transportation Act, as amended (49 U.S.C. Section 5101, et. seq.), the Solid Waste Disposal Act, as amended (42 U.S.C. Section 6901, et. seq.), and the regulations adopted and publications promulgated pursuant thereto.

SECTION 25:  QUIET ENJOYMENT

Section 25.01  COUNTY covenants that if, and so long as TENANT pays the rent and any additional amounts owed pursuant to the terms of this Lease, and performs the covenants hereof, TENANT shall peaceably and quietly have, hold and enjoy the Premises for the term herein mentioned, subject to the provisions of this Lease.

SECTION 26:  TRANSFERS OF LEASE

Section 26.01  TENANT shall not, without the prior written consent of the COUNTY, sell, assign, mortgage, pledge, hypothecate, encumber, or permit any lien to attach to, or otherwise transfer, this Lease or any interest hereunder; shall not permit any assignment or other such foregoing transfer of this Lease or any interest hereunder by operation of law; shall not sublet the Premises or any part thereof; and shall not permit the use of the Premises by any persons other than TENANT and its employees (all the foregoing are hereinafter referred to collectively as "Transfers" and any person to whom any Transfer is made or sought to be made is hereinafter referred to as a "Transferee"). If TENANT shall desire COUNTY's consent to any Transfer, TENANT shall notify COUNTY in writing, which notice (the "Transfer Notice") shall include (i) the proposed effective date of the Transfer, which shall not be less than ninety (90) days nor more than One hundred eighty (180) days after the date of delivery of the Transfer Notice; (ii) a description of the portion of the Premises to be transferred (the "Subject Space"); (iii) all the terms of the proposed Transfer and the consideration therefor, the name and address of the proposed Transferee, and a copy of all existing and/or proposed documentation pertaining to the proposed Transfer, including all existing operative documents to be executed to evidence such Transfer or the agreements incidental or related to such Transfer; (iv) current financial statements of the proposed Transferee certified by an officer, partner or owner thereof, and any other information required by COUNTY, which will enable COUNTY to determine the financial responsibility, character, and reputation of the proposed Transferee, nature of such Transferee’s business and proposed use of the Subject Space; (v) an executed estoppel certificate
from TENANT; and (vi) such other information as the COUNTY may reasonably require. Any Transfer made without the COUNTY’s prior written consent shall, at the COUNTY’s option, constitute a default by TENANT under Section 18 of this Lease.

Section 26.02 COUNTY shall not unreasonably withhold its consent to any proposed Transfer of the Subject Space to the Transferee on the terms specified in the Transfer Notice. The parties hereby agree that it shall be deemed to be reasonable under this Lease and under any applicable law for COUNTY to withhold consent to any proposed Transfer where one or more of the following apply, without limitation as to other reasonable grounds for withholding consent:

1. The Transferee is of a character or reputation not acceptable to the COUNTY, or is engaged in a business which is not consistent with the intended use of the Premises or the Permitted Use thereof;

2. The Transferee’s is not a party of reasonable financial worth and/or financial stability in light of the responsibilities involved under the Lease on the date consent is requested;

3. The Transferee does not intend to occupy the entire Premises and conduct its business there from for a substantial portion of the term of the Transfer;

4. Either the proposed Transferee, or any person or entity which directly or indirectly, controls, is controlled by, or is under common control with, the proposed Transferee, (i) occupies space in the Building at the time of the request for consent, (ii) is negotiating with the COUNTY to lease space at the Airport, or (iii) has negotiated with the COUNTY during the twenty-four (24)-month period immediately preceding the Transfer Notice.

Section 26.03 If COUNTY consents to a Transfer, (i) the terms and conditions of this Lease shall in no way be deemed to have been waived or modified, (ii) such consent shall not be deemed consent to any further Transfer by either TENANT or a Transferee, (iii) TENANT shall deliver to COUNTY, promptly after execution, an original executed copy of all documentation pertaining to the Transfer in form reasonably acceptable to COUNTY, (iv) no Transfer relating to this Lease, or any other agreement entered into with respect thereto, whether with or without COUNTY’s consent, shall relieve TENANT or any guarantor of the Lease from liability under this Lease. COUNTY or its authorized representatives shall have the right at all reasonable times to audit the books, records and papers of TENANT relating to any Transfer, and shall have the right to make copies thereof.

Section 26.04 For purposes of this Lease, the term “Transfer” shall also include (i) if TENANT is a partnership, the withdrawal or change, voluntary, involuntary or by operation of law, of twenty-five percent (25%) or more of the partners, or transfer of twenty-five percent (25%) or more of partnership interests, within an eighteen (18)-month period, or the dissolution of the partnership without immediate reconstitution thereof, and (ii) if TENANT is a closely held corporation (i.e. whose stock is not publicly held and not traded through an exchange or over the counter), (A) the dissolution, merger, consolidation or other reorganization of TENANT, the sale or other transfer of more than an aggregate of twenty-five percent (25%) of the voting shares of TENANT (other than to immediate family members by reason of gift or death), within an eighteen (18)-month period, or (C) the sale, mortgage, hypothecation or pledge of more than an aggregate of twenty-five percent (25%) of the value of the unencumbered assets of TENANT within an eighteen (18) month period.

Section 26.05 If TENANT assigns, mortgages, pledges, hypothecates, encumbers, or permits any lien to attach to, or otherwise transfers, this Lease or any interest hereunder, in violation of the foregoing provisions of this Section 26, or if the Premises occupied by anyone other than TENANT, the COUNTY may collect from any assignee, sub-tenant or anyone who claims a right to this Lease, or who occupies the Premises any rents, charges or fees payable by said assignee, sub-tenant, or other and no such payment shall be deemed a waiver by the
COUNTY of the covenants or agreements contained in this Section 26, nor of acceptance by the COUNTY of any assignee, claimant, or occupant, nor as a release of TENANT by the COUNTY from the further performance by TENANT of the agreements contained herein, including but not limited to the payment of rent.

SECTION 27: SUSPENSION OF LEASE

Section 27.01 During a time of war, national emergency, or other public necessity, COUNTY shall have the right to suspend this Lease temporarily so that the Premises may be used for governmental purposes which are in the best interest of the County. If any such suspension is exercised, upon the mutual consent of the Parties, this Lease may be terminated.

Section 27.02 In the event that this Lease is suspended pursuant to Section 28.01, but not terminated, payments under this Lease shall be reduced in a pro rata amount for the period of such suspension.

SECTION 28: PARKING

Section 28.01 During the term of this Lease, parking by the TENANT shall be limited to areas designated by Airport Management.

SECTION 29: LIMITATION OF RIGHTS AND PRIVILEGES GRANTED

Section 29.01 No exclusive rights at the Airport are granted by this Lease and no greater rights or privileges with respect to the use of the Premises or any part thereof are granted or intended to be granted to the User by this Lease, or by any provision thereof, than the rights and privileges expressly and specifically granted hereby.

SECTION 30: GENERAL PROVISIONS

Section 30.01 Attorney's Fees: In any action brought by COUNTY for the enforcement of the obligations of TENANT, COUNTY shall be entitled to recover interest at the statutory rate and reasonable attorney’s fees.

Section 30.02 Subordination of Lease: This Lease shall be subordinate to the provisions of any existing or future agreement between COUNTY and the United States or the State of New York relative to the operation and maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal or state funds for the development of the Airport. Should the effect of any such agreement be to take so much of the premises under this Lease or substantially destroy the commercial value of such improvements, COUNTY shall terminate this lease. Nothing hereunder shall impair the rights of TENANT to seek compensation from the United States or the State of New York, in the event of a taking pursuant to the preceding sentence.

Section 30.03 Federal, State and Local Law: TENANT shall comply at its own cost and expense, with all federal, state, county and town statutes, local laws, ordinances, rules or regulations, now or hereinafter in force, which may be applicable to the operation of its business at the Airport, including obtaining and paying for all Leases and charges and taxes (whether real property or otherwise) assessed under state, federal, county or local statutes or ordinances, insofar as they are applicable thereto.

Section 30.04 Common Usage: TENANT shall have the right, in common with others authorized so to do, subject to and in accordance with the laws of the United States of America, the State of New York, and the County of Suffolk, and airport regulations, to use the common areas of the Airport, including roadways, floodlights, signals and other conveniences of COUNTY.
Section 30.05 Future Acts of Legislature: TENANT agrees to be bound by any and all future recommendations, policies, local laws, resolutions and requirements as demanded, passed and promulgated by the Suffolk County Legislature or any municipal or federal authorities which provide for the growth of the Airport in general, advance the progress of the County and Airport and would reasonably better the interests of the County of Suffolk, provided that if such action shall materially interfere for a period of more than 30 consecutive days with the operation of the TENANT, TENANT'S only recourse shall be an appropriate adjustment in the rent and if no agreement can be reached on such adjustment, the same shall be determined by a court of competent jurisdiction.

Section 30.06 General Event Use: COUNTY or any successor there to, reserves the right to hold or to approve the holding of special events at the Airport by the COUNTY or other entities. The holding or the approval to hold such events shall not be deemed to be adverse to the rights of TENANT as a leaseholder and shall be at the sole discretion of COUNTY.

Section 30.07 Legislative Approval: This Lease is subject to the approval of the Suffolk County Legislature and shall not become effective until fully executed.

SECTION 31: NO IMPLIED WAIVER

Section 31.01 No failure by COUNTY or TENANT to insist upon strict performance of and compliance with any term, covenant or condition hereof or to exercise or enforce any right, power or remedy consequent upon a breach thereof, and no submission by TENANT or acceptance by COUNTY of full or partial rent during the continuance of any such breach, shall constitute a waiver of any such breach or of any such term, covenant or condition, as to either party. No waiver of any breach of any term, covenant or condition of this Lease shall affect or alter this Lease, which shall continue in full force and effect, or the respective rights, powers or remedies of COUNTY or TENANT with respect to any other then existing or subsequent breach.

SECTION 32: BROKER

Section 32.01 COUNTY and TENANT, each to the other, represent and warrant that no broker brought about this Lease and COUNTY and TENANT hereby agree to indemnify and hold the other party harmless against any claim, demand and judgment which may be made or obtained against the other party by any broker claiming a commission for representing COUNTY or TENANT, respectively, for bringing about this Lease. COUNTY or TENANT shall forthwith notify the other of any such claim, demand or legal action and the indemnifying party shall be entitled to defend the other party against any such claim, demand or legal action.

SECTION 33: NOT A CO-PARTNERSHIP OR JOINT VENTURE

Section 33.01 Nothing herein contained shall create or be construed as creating a co-partnership between COUNTY and TENANT or to constitute TENANT or TENANT'S employees as agents or employees of the COUNTY.

SECTION 34: COUNTY REPRESENTATIVES

Section 34.01 It is expressly understood and agreed by and between the parties hereto that the officers, officials, employees and agents of the COUNTY and Airport Management are acting in a representative capacity for the County of Suffolk and not for their own benefit, and that neither TENANT nor any of its guests or invitees shall have any claim against them or any of them as individuals in any event whatsoever.

SECTION 35: CAPACITY TO CONTRACT
Section 35.01 TENANT warrants that its entry into this Lease was duly considered and authorized by its organizational body and pursuant to its by-laws and/or internal procedures, and such authorization has not been rescinded or otherwise modified.

SECTION 36: NO REPRESENTATIONS

Section 36.01 Neither party has made any representations or promises, except as contained herein, or in some further writing signed by the parties, making such representation or promise.

SECTION 37: NO CREDIT

Section 37.01 The TENANT agrees that this Lease shall not be pledged, hypothecated, or put up as security for a loan, credit or for any reason whatsoever.

SECTION 38: CERTIFICATION

Section 38.01 The parties to this Lease hereby certify that, other than the funds provided in this Lease and other valid agreements with the COUNTY, there is no known relationship within the third degree of consanguinity, life partner, or business, commercial, economic, or financial relationship between the parties, the signatories to this Lease, and any partners, members, directors, or shareholders of more than five per cent (5%) of any party to this Lease.

SECTION 39: ARREARS TO COUNTY

Section 39.01 TENANT warrants that it is not, and shall not be during the Term of this Lease, in arrears to the County for taxes or upon debt or contract and is not, and shall not be during the Term of this Lease, in default as surety, contractor or otherwise on any obligation to or contract with the COUNTY.

SECTION 40: WAIVER OF JURY TRIAL

Section 40.01 It is mutually agreed by and between TENANT and COUNTY that the respective parties hereto shall and they hereby do waive any right to trial by jury in any action, proceeding or in any other matter in any way connected with this Lease, the relationship of TENANT and COUNTY, the Premises, and/or any claim of injury or damage, or for the enforcement of any remedy under any statute, emergency or otherwise.

SECTION 41: INDEPENDENT CONTRACTOR

Section 41.01 It is expressly agreed that TENANT’S status hereunder is that of an independent contractor. Neither TENANT nor any person authorized by TENANT to use the Premises shall be considered employees of the COUNTY for any purpose. The relationship of the COUNTY to TENANT is that of landlord-tenant and TENANT, in accordance with its status as such, covenants and agrees that it shall conduct itself consistent with such status, that it will neither hold itself out as nor claim to be an officer or employee of the COUNTY by reason hereof, and that TENANT, its owners and employees, shall not, by reason hereof, make any claims, demands or application to or for any right of privilege including, but not limited to, workers’ compensation coverage, unemployment insurance benefits, social security coverage or retirement membership of credit as officers, employees or agents of the COUNTY.

SECTION 42: SUCCESSORS BOUND
Section 42.01 This Lease shall bind, and inure to the benefit of, the parties and their respective heirs, executors, administrators, successors and assigns.

SECTION 43: SET-OFF RIGHTS

Section 43.01 The COUNTY shall have all of its common law, equitable, and statutory rights of set-off. These rights shall include, but not be limited to, the COUNTY’s option to withhold, for the purposes of set-off, any moneys due to the TENANT under this contract up to any amounts due and owing to the COUNTY with regard to this Lease and/or any other contract with any COUNTY 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 COUNTY for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The COUNTY shall exercise its set-off rights in accordance with normal COUNTY practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the COUNTY agency, its representatives, or the County Comptroller, and only after legal consultation with the County Attorney.

SECTION 44: SUFFOLK COUNTY LOCAL LAWS WEB SITE

Section 44.01 Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County web site at www.co.suffolk.ny.us. Click on “Laws of Suffolk County” under “Suffolk County Links”.

SECTION 45: ORAL MODIFICATIONS

Section 45.01 This Lease cannot be modified or terminated orally but only by an agreement in writing signed by TENANT and COUNTY.

SECTION 46: PARAGRAPH HEADINGS

Section 46.01 The paragraph headings in this Lease are included for convenience only and shall not be taken into considerations in any construction or interpretation of this Lease or any of its provisions.

SECTION 47: SEVERABILITY

Section 47.01 It is expressly agreed that if any term or provision of this Lease and or any amendment(s) hereto, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this Lease and any amendment hereto, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this Lease and any amendment hereto shall be valid and shall be enforced to the fullest extent permitted by law.

SECTION 48: GOVERNING LAW

Section 48.01 This Lease shall be governed by the laws of the State of New York. In the event of any dispute or litigation, the venue of any proceeding to determine the rights and liabilities of the respective parties arising under this Lease shall be in the New York Supreme Court, Suffolk County; or, in the event of a proceeding in the federal courts, in the District Court for the Eastern District of New York.

SECTION 49: EXECUTION BY LESSOR

Section 49.01 When the LESSOR is a partnership, the names of the partners composing the firm must be stated in the Statements required under Section 1 of Exhibit C of this Lease. The Lease must be signed with the partnership name, followed by the name of the partner signing the Lease.
Section 49.02  Where the LESSOR is a corporation, the Lease must be signed with the corporate name, followed by the signature and title of the officer or other authorized person signing the Lease on its behalf, and if requested by the COUNTY, the corporate seal.

Section 49.03  LESSOR warrants that its entry into this Lease was duly considered and authorized by its organizational body and pursuant to its by-laws and/or internal procedures.

SECTION 50:  INTERPRETATION

Section 50.01  This Lease is to be construed and interpreted without regard to any presumption or other rule requiring construction or interpretation against the party causing this Lease to be drafted.

SECTION 51:  PRESERVATION OF FEATURES/ SOIL AND VEGETATION REMOVAL

Section 51.01  In conducting its activities under this Lease, TENANT shall preserve and avoid damage to and destruction of natural, historic or cultural features, including, but not limited to, waterways, rare or endangered plants or animals, habitats, trees, shrubs and other vegetation.

Section 51.02  TENANT shall not remove soil, vegetation, or any other natural resources without the approval of the Airport Management and in accordance with the Airport Development Guidelines. It is understood that the COUNTY reserves title to all natural resources located on the Premises.

- Signature Page Follows -
IN WITNESS WHEREOF, the parties hereto have caused this Lease to be executed and delivered as of the date first set forth above.

COUNTY OF SUFFOLK
As LANDLORD

By: ____________________________
Name: Christopher E. Kent
Title: Deputy County Executive
Date: ____________________________

DEPARTMENT OF ECONOMIC
DEVELOPMENT AND
WORKFORCE HOUSING

By: ____________________________
Name: Yves R. Michel
Title: Commissioner
Date: ____________________________

Recommended By:

By: ____________________________
Name: Anthony C. Ceglio
Title: Airport Manager
Date: ____________________________

JOE BURNS CONTRACTING,
LLC
As TENANT

By: ____________________________
Name: ____________________________
Title: ____________________________
Date: 11/3/10

APPROVED AS TO LEGALITY
CHRISTINE MALAFI, ESQ.
Suffolk County Attorney

By: ____________________________
Name: Basia Deren Braddish
Title: Asst. County Attorney
Date: ____________________________

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STATE OF NEW YORK\}  
COUNTY OF SUFFOLK\}  

On the 3rd day of November in the year 2010 before me, the undersigned, personally appeared \[name\], \[Title\] personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\[Signature\]  
Notary Public

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STATE OF NEW YORK\}  
COUNTY OF SUFFOLK\}  

On the ___ day of ________ in the year 2010 before me, the undersigned, personally appeared \[Name\], \[Title\], personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\[Signature\]  
Notary Public
EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

District 900, Section 249.00, Block 01.00 p/o Lot 15.000

Vacant 1,326 square foot building and its supporting acreage of 16,710 square feet (or .38 acre).
EXHIBIT C

LEGISLATIVE REQUIREMENTS

1. Contractor's/Vendor's Public Disclosure Statement

The Contractor represents and warrants that it has filed with the Comptroller of Suffolk County the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the said Comptroller on or before the 31st day of January in each year of this Agreement's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of this Agreement, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Agreement.

Required Form: Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. Living Wage Law

This Agreement is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

The Contractor represents and warrants that it has read and shall comply with the requirements of Suffolk County Code Chapter 347, Suffolk County Local Law No. 12-2001, the Living Wage Law.

Required Forms: Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"

Suffolk County Living Wage Form LW-38; entitled "Suffolk County Department of Labor – Living Wage Unit Living Wage Certification/Declaration – Subject To Audit"

3. Use of County Resources to Interfere with Collective Bargaining Activities

Local Law No. 26-2003
The Contractor represents and warrants that it has read and is familiar with the requirements of Chapter 466, Article 1 of the Suffolk County Local Laws, "Use of County Resources to Interfere with Collective Bargaining Activities". County Contractors (as defined) shall comply with all requirements of Local Law No. 26-2003 including the following prohibitions:

a. The Contractor shall not use County funds to assist, promote, or deter union organizing.

b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.

c. The County of Suffolk shall not use County funds to assist, promote, or deter union organizing.

d. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If Contractor services are performed on County property the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, non-intimidation agreement and a majority authorization card agreement.

If Contractor services are for the provision of human services and such services are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Local Law No. 26-2003, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

Required Form: Suffolk County Labor Law Form DOL-LO1; entitled "Suffolk County Department of Labor – Labor Mediation Unit Union Organizing Certification/Declaration – Subject to Audit"

4. Lawful Hiring of Employees Law

This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk (Local Law 52-2006). It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.
All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than January 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of this agreement.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate this Agreement for violations of this Law and to seek other remedies available under the law.

The Contractor represents and warrants that it has read, is in compliance with, and shall comply with the requirements of Suffolk County Code Chapter 234, Suffolk County Local Law No. 52-2006, the Lawful Hiring of Employees Law.

Required Forms: Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled “Suffolk County Department of Labor –‘Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees’"

“Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees” Form LHE-2.

5. Gratuities

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

The Contractor represents that it is in compliance with Suffolk County Administrative Code Article IV, §§A4-13 and A4-14, found in Suffolk County Local Law No. 20-2004, entitled “A Local Law To Amend Local Law No. 5-1993, To Prohibit The County of Suffolk From Contracting With Corporations That Reincorporate Overseas.” Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.
7. Child Sexual Abuse Reporting Policy

The Contractor agrees to comply with Chapter 577, Article IV, of the Suffolk County Code, entitled “Child Sexual Abuse Reporting Policy”, as now in effect or amended hereafter or of any other Suffolk County Local Law that may become applicable during the term of this Agreement with regard to child sexual abuse reporting policy.

8. Non Responsible Bidder

The Contractor represents and warrants that it has read and is familiar with the provisions of Suffolk County Code Chapter 143, Article II, §§143-5 through 143-9. Upon signing this Agreement the Contractor certifies that he, she, it, or they have not been convicted of a criminal offense within the last ten (10) years. The term “conviction” shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of Section 143-5 of the Suffolk County Code under “Non-responsible Bidder.”

9. Use of Funds in Prosecution of Civil Actions Prohibited

Pursuant to the Suffolk County Code Section §590-3, the Contractor represents that it shall not use any of the moneys received under this Agreement, either directly or indirectly, in connection with the prosecution of any civil action against the County of Suffolk or any of its programs, funded by the County, in part or in whole, in any jurisdiction or any judicial or administrative forum.

10. Chemicals, Fungicides, Herbicides and Pesticides

All chemicals, fungicides, herbicides and pesticides (if any) applied to the Space shall be approved by the Commissioner of prior to use. TENANT shall comply with Suffolk County Code Chapter 380 (Pest Control) and any other applicable federal, state, and local laws. TENANT shall apply for any necessary exemptions from Suffolk County Code Chapter 380. All notice and reporting requirements shall be adhered to.

TENANT shall comply with all Federal, State and local laws, rules, regulations, codes and ordinances in the performance of this Agreement and shall obtain, pay for, and comply with any conditions contained in any permits, approvals and renewals thereof which are required to be obtained in the legal performance of this Agreement. Such laws and regulations include, but are not limited to:

Suffolk County Code Chapter 380 (Pest Control) and any other County policies relating to pesticides.

11 Suffolk County Local Laws

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County website at [www.co.suffolk<http://www.co.suffolk.ny.us>]. Click on “Laws of Suffolk County” under “Suffolk County Links.”
## EXHIBIT D

### CONSTRUCTION SCHEDULE

**Joe Burns Contracting – Building Renovations CR 104**

<table>
<thead>
<tr>
<th>Task</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Site work</td>
<td>30 days after building permit</td>
</tr>
<tr>
<td>Site grading/Landscaping</td>
<td>1 Week</td>
</tr>
<tr>
<td>Renovation of interior building</td>
<td>3 Weeks</td>
</tr>
<tr>
<td>Site utilities</td>
<td>1 Week</td>
</tr>
<tr>
<td>Finish work and final inspections</td>
<td>2 months</td>
</tr>
<tr>
<td>Completion of building</td>
<td>3 months after building permit issued</td>
</tr>
</tbody>
</table>
RESOLUTION NO. --2010, APPROPRIATING FUNDS IN CONNECTION WITH REHABILITATION OF PLUMBING SYSTEM AT THE SUFFOLK COUNTY VANDERBILT MUSEUM (CP 7447)

WHEREAS, the Executive Director of the Suffolk County Vanderbilt Museum has requested planning funds for the rehabilitation of the plumbing system at the Suffolk County Vanderbilt Museum; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $50,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

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

2nd RESOLVED, that the proceeds of $50,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-7447.111</td>
<td>Rehabilitation of Plumbing System At Suffolk County Vanderbilt Museum</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, for the rehabilitation of the plumbing system at the Suffolk County Vanderbilt Museum; and be it further

4th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(C) (21), (22) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:                           

APPROVED BY:                   
RESOLUTION NO. -2010, APPROPRIATING FUNDS IN
CONNECTION WITH THE REWIRING OF HISTORIC
STRUCTURES AT THE SUFFOLK COUNTY VANDERBILT
MUSEUM (CP 7445)

WHEREAS, the Executive Director of the Suffolk County Vanderbilt Museum has
requested construction funds for the rewiring of historic structures at the Suffolk County
Vanderbilt Museum; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and
Program to cover the cost of said request; and

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

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998,
Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking
system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital
projects such as this project; now, therefore be it

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

2nd RESOLVED, that the proceeds of $150,000 in Suffolk County Serial Bonds
be and they hereby are appropriated as follows:

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-7445.312</td>
<td>Rewiring of Historic Buildings At Suffolk County Vanderbilt Museum</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

and be it further

3rd RESOLVED, that the County Department of Public Works is hereby
authorized, empowered and directed to take such action as may be necessary, pursuant to the
rewiring of historic structures at the Suffolk County Vanderbilt Museum; and be it further

4th RESOLVED, that this Legislature, being the State Environmental Quality
Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is
a Type II action, pursuant to Title 6 NYCRR Part 617.5(C) (21), (22) and (27), since it
constitutes a local legislative decision in connection with the maintenance, repair, replacement,
rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including
upgrading buildings to meet building or fire codes. As a Type II action, the Legislature has no
further responsibilities under SEQRA.

DATED:

APPROVED BY:
RESOLUTION NO. -2010, APPROPRIATING FUNDS IN CONNECTION WITH RESTORATION OF FAÇADES AT THE SUFFOLK COUNTY VANDERBILT MUSEUM (CP 7441)

WHEREAS, the Executive Director of the Suffolk County Vanderbilt Museum has requested construction funds to restore damaged, unstable and unsafe building façades at the Suffolk County Vanderbilt Museum; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $300,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

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

2nd RESOLVED, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-7441.313</td>
<td>Restoration of Facades At Suffolk County Vanderbilt Museum</td>
<td>$300,000</td>
</tr>
</tbody>
</table>

and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to restore damaged, unstable and unsafe building façades at the Suffolk County Vanderbilt Museum; and be it further

4th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(C) (21), (22) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:
RESOLUTION NO. - 2010, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH HERITAGE-RIVERHEAD RETAIL DEVELOPERS, LLC AND ACCEPTING A PAYMENT OF MONEY IN LIEU OF PERFORMANCE OF CERTAIN MITIGATION MEASURES, CONSTRUCTED UNDER CAPITAL PROJECT 5529, OLD COUNTRY ROAD, RIVERHEAD, AND PLACING THIS PAYMENT INTO A DEBT RESERVE ACCOUNT TO PAY DOWN THE DEBT SERVICE ON CAPITAL PROJECT 5529

WHEREAS, the Heritage-Riverhead Retail Developer, LLC (Owner) of premises constituting approximately 42.05 acres in the Town of Riverhead, County of Suffolk, desires to construct a retail shopping center at the site; and

WHEREAS, the County and the Owner have identified mitigation measures to be performed by the Owner; and

WHEREAS, the mitigation measures that Owner would have performed have been made by the County under Capital Project No. 5529, CR 58, Old Country Road, Riverhead; and

WHEREAS, these measures were performed by the County in order to expedite the necessary work along CR 58, Old Country Road, Riverhead; and

WHEREAS, the County and the Owner have agreed to a payment of cash in lieu of the performance of certain mitigation measures; and

WHEREAS, Resolution No. 1421-2007 appropriated $4,500,000 ($500,000 for engineering and design and $4,000,000 for construction) under Capital Project No. 5529 for the "Reconstruction of CR 58 Old Country Road from Ostrander Avenue to a Point approximately 700 feet west of the existing Traffic Circle," Riverhead, (Phase I); and

WHEREAS, Resolution No. 1072-2008 appropriated $8,150,000 ($150,000 for engineering and design and $8,000,000 for construction) under Capital Project No. 5529 for the "Reconstruction of CR 58, Old Country Road, Town of Riverhead, Phase II"; and

WHEREAS, the combined amount of $12,650,000 appropriated for Capital Project No. 5529 is one hundred (100%) percent funded with County General Obligation Serial Bonds; and

WHEREAS, the Owner has agreed to make a payment of cash in lieu of performance of certain mitigation measures in the amount of $1,955,720 to the County for work that has already been done under Capital Project No. 5529, Old Country Road, Riverhead; and

WHEREAS, this amount of $1,955,720 can be accepted and used to pay down the County's debt service for Capital Project No. 5529, Reconstruction of CR 58 Old Country Road, Riverhead, Phase I & II; now, therefore, be it
1st RESOLVED, that Suffolk County accepts the amount of $1,955,720 from the Owner in lieu of any obligation of the Owner to perform any improvements relating to CR 58, Old Country Road, Riverhead, necessitated as a result of the construction and operation of the facility as per the agreement/memorandum of understanding, attached hereto and hereby made a part of this resolution as Exhibit A; and be it further

2nd RESOLVED, that the County Treasurer and the County Comptroller are hereby authorized to accept payment in the amount of $1,955,720 in connection with the Capital Project No. 5529 and in accordance with Exhibit A; and be it further

3th RESOLVED, that the payment made to the County in the amount of $1,955,720 be accepted and placed into the Reserve for Bonded Debt (8840) account for the purpose of paying down the debt services on Capital Project No. 5529, Reconstruction of CR 58, Old Country Road, Riverhead, Phase I & II; and be it further

4th RESOLVED, that the County Executive or designee is hereby authorized and directed to execute an agreement/memorandum of understanding, in substantial conformance with the form attached as Exhibit A, on behalf of the County of Suffolk; and be it further

5th RESOLVED, This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
1. Type of Legislation

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

2. Title of Proposed Legislation

AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH HERITAGE-RIVERHEAD RETAIL DEVELOPERS, LLC AND ACCEPTING A PAYMENT OF MONEY IN LIEU OF PERFORMANCE OF CERTAIN MITIGATION MEASURES, CONSTRUCTED UNDER CAPITAL PROJECT 5529, OLD COUNTRY ROAD, RIVERHEAD, AND PLACING THIS PAYMENT INTO A DEBT RESERVE ACCOUNT TO PAY DOWN THE DEBT SERVICE ON CAPITAL PROJECT 5529.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

Heritage-Riverhead Retail Developer, LLC (Owner) of premises constituting approximately 42.05 acres in the Town of Riverhead, County of Suffolk, desires to construct a retail shopping center at the site. The County and the Owner have identified mitigation measures to be performed by the Owner. These mitigation measures that Owner would have performed have been made by the County under Capital Project No. 5529, CR 58, Old Country Road, Riverhead. The County and the owner have agreed to a payment of cash in lieu of the performance of these mitigation measures. The Owner has agreed to make a payment in the amount of $1,955,720 to the County for work that has already been done under Capital Project No. 5529. This amount of $1,955,720 can be accepted and used to pay down the County’s debt service for Capital Project No. 5529, Reconstruction of CR 58 Old Country Road, Riverhead, Phase I & II.

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

County could use the $1,955,720 to Pay down debt service on Capital Project 5529.

8. Proposed Source of Funding

NA

9. Timing of Impact

Upon Adoption

10. Typed Name & Title of Preparer
    Nicholas Paglia
    Executive Technician

11. Signature of Preparer

12. Date
    11/9/10

SCIN FORM 175b (10/95)
### 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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$1,955,720</td>
<td>-$3.52</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### POLICE DISTRICT AND DISTRICT COURT

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<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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$3</td>
<td>$0.00</td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

### COMBINED

<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>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>-$1,955,720</td>
<td>-$3.52</td>
<td></td>
<td>-$0.006</td>
</tr>
</tbody>
</table>

**NOTES:**


2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.

3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: June 23, 2010

RE: Authorizing the County Executive to Enter into an Agreement with Heritage-Riverhead Retail Developers, LLC and Accepting a Payment of Money in Lieu of Performance of Certain Mitigation Measures, Amending the 2010 Capital Budget and Program and Appropriating these Funds in Connection with Mitigation Measures

Attached is a draft resolution and duplicate copy to authorize the County Executive to enter into an agreement with Heritage-Riverhead Retail Developers, LLC for the County to accept money in lieu of mitigation measures. This resolution will accept the sum of $1,955,720 from Heritage-Riverhead Retail Developers, LLC and amend the 2010 Capital Budget and Program and appropriate these funds into CP 5014 for mitigation measures.

The Suffolk County Council on Environmental Quality has reviewed this project and determined that it is an unlisted action and no further review is required. The Suffolk County Legislature concurred with this finding pursuant to Resolution 887-2008.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “Reso-DPW-Heritage Agreement.doc”.

TL/WH/td
attach.
cc: Chris Kent, Chief Deputy County Executive
    Brendan Chamberlain, County Executive Assistant
    Carmine Chiusano, Principal Financial Analyst
    William Hillman, P.E., Chief Engineer
    Laura Conway, CPA, Chief Accountant
    Linda Brandolf, CPA, Capital Accounting
    Theresa D'Angelo, Principal Clerk
    James Bagg, Chief Environmental Analyst
AGREEMENT

FOR THE PAYMENT OF MONEY

IN LIEU OF PERFORMANCE OF

MITIGATION MEASURES

— between —

HERITAGE-RIVERHEAD RETAIL DEVELOPERS, LLC (as OWNER)

— and —

COUNTY OF SUFFOLK

Dated:  December 14, 2009
This Agreement for the Payment of Money in Lieu of Performance of Mitigation Measures (this "Agreement") is made as of this _14_ day of _December______, 2009, by, between and among HERITAGE-RIVERHEAD RETAIL DEVELOPERS, LLC, a limited liability company duly organized under, and existing by virtue of, the laws of the State of Delaware, with an address at c/o Developers Realty Corporation, Corporate Center West, 433 South Main Street, Suite 310, West Hartford, Connecticut 06110, hereinafter referred to as the "OWNER," and

COUNTY OF SUFFOLK ("COUNTY"), a municipal corporation of the State of New York, having its principal office at the County Center Riverhead, New York 11901, acting through its duly constituted Department of Public Works, ("DPW"), located at 335 Yaphank Avenue, Yaphank, New York 11980-9744.

WITNESSETH:

WHEREAS, OWNER is the owner of approximately 42.05 acres of property with access to County Road 58, hereinafter referred to as CR 58, in the Town of Riverhead, County of Suffolk, and further identified as SCTM# 0600-10100-0100-003000 and #0600-11900-0000-00600, attached hereto and made a part hereof; and

WHEREAS, OWNER desires to construct building space and related facilities, improvements, and permanent installations for a retail shopping center at the property (such property, building space and related facilities, improvements and permanent installations hereinafter referred to as the "Premises"); and

WHEREAS, if the Premises is constructed, pursuant to applicable law, the OWNER is required to either (i) make improvements to certain of the county roads of the County of Suffolk (the "County Roads"), in order to mitigate the impacts that the construction and operation of the Premises will have on the County Roads (all required improvements of any kind to the County Roads, the widening, reconfiguring, or improving of any County Road, the installing and modifying of traffic signals, lights, signs or road striping or markings relating to any County Road, and intersection improvements relating to any County Road, being herein collectively referred to as the "Improvements"), or (ii) in lieu of performing the Improvements, pay to the COUNTY a sum of money sufficient to reimburse the COUNTY for the cost of the COUNTY's performance of the Improvements, which sum the COUNTY and the OWNER have agreed is in the amount of Two Million One Hundred Thousand ($2,100,000.00) Dollars; and
WHEREAS, the COUNTY and the OWNER desire that the OWNER remit to the COUNTY the Payment instead of the OWNER performing the Improvements;

NOW THEREFORE, in consideration of the individual mutual covenants, promises and representations herein contained, the Parties hereto due hereby agree as follows:

1. **Whereas Clauses**
   The "Whereas" clauses are an integral part of this Agreement and shall have meaning and effect as though they were set forth at length in numbered paragraphs herein.

2. **Obligation of OWNER**
   OWNER agrees to prepare and complete the design and construction documents ("Design") for the Improvements described in Schedule A, attached hereto and made a part hereof. In furtherance of such preparation, the Owner and its contractor(s) shall coordinate the Design with DPW and their consultant bi-weekly or as otherwise required by DPW until the completed Design is approved by DPW.

3. **In Lieu Payment**
   The OWNER and the COUNTY hereby agree that the cost of designing and performing any and all Improvements to be performed by the OWNER with respect to any County Roads, as may be required by any applicable law, rule, or regulation, is in the amount of Two Million One Hundred Thousand ($2,100,000.00) Dollars (the "Mitigation Amount"). The OWNER and the COUNTY hereby agree that the OWNER shall pay the Mitigation Amount to the COUNTY as provided for herein, in lieu of any obligation of the OWNER to perform any Improvements, as described in Schedule A, relating to any County Road necessitated as a result of the construction or operation of the Premises. The OWNER shall pay directly to the COUNTY an amount (the "Direct Payment Amount") equal to Two Million One Hundred Thousand ($2,100,000.00) Dollars less ($144,280.00) design cost incurred by OWNER to third parties for the Design and Construction Documents (the "Design Costs"). Provided that the OWNER remits the Direct Payment Amount to the COUNTY as provided for herein, the OWNER shall have no obligation to perform any Improvements necessitated by the construction or operation of the Premises. The Direct Payment Amount less ($144,280.00) design cost, shall be paid in full by the OWNER to the Suffolk County Department of Public Works, at such place designated by the County
by the County within [REDacted] days after (i) receipt of the requisite building permits to commence construction of the Premises ("Permits") and (ii) all requisite and applicable appeal periods having expired with no appeals having been taken by any third party. For purposes of this Agreement, the definition of permits shall include any and all Federal, State, County and local permits and approvals necessary for OWNER to begin construction of the Project.

4. **Failure to Obtain Permits**

Upon COUNTY’s receipt of the approved Design, the COUNTY will commence planning for the construction of the Improvements, as detailed in the Design, the attachments, and the exhibits to this Agreement for incorporation in Capital Project 5529 (the “Project”). In the event that the Permits to build the Premises are not obtained within a reasonable time and, in the sole reasonable opinion of the COUNTY, Owner is not diligently pursuing the issuance of the requisite Permits, then the COUNTY shall have the right to terminate this Agreement. In the event that the Permits to build the Premises are obtained and Payment received by the COUNTY, once the COUNTY has let the Project, and provided the Improvements are part of the Project that is let, no refund of the Payment will be made to the OWNER from the COUNTY, regardless of whether construction of the Premises is delayed and/or cancelled.

5. **Completion of Mitigation Measures**

The COUNTY anticipates commencement of the Project in the fall of 2009 with all of the Improvements completed on or about June 2010. Upon the completion of the Improvements, this Agreement shall be deemed satisfied.

6. **Modification**

This Agreement may not be modified or repealed without the prior written consent of both the OWNER and the COUNTY.

7. **OWNER’s Representation**

OWNER covenants, warrants and represents that OWNER’s entry into, and execution of this Agreement was duly considered and authorized by its organizational body/bodies and pursuant to its/their by-laws and/or internal procedures to sign this Agreement. OWNER further covenants, warrants and represents that this Agreement is signed with the corporate name, followed by the signature and title of an officer or other authorized person signing this Agreement on behalf of the
OWNER. A copy of the OWNER's resolutions authorizing the OWNER to enter into this Agreement are attached hereto as Exhibit "B".

8. **COUNTY's Representation**
   The parties acknowledge that COUNTY is a municipal corporation and is entering into and executing this Agreement by virtue of the authority of Suffolk County Resolution No. _____-2009, dated the ___ day of __________, 2009 (the "Resolution"), for the purpose and intent expressed in the Resolution, that the Resolution is incorporated herein by reference, and further a copy of such Resolution is annexed hereto and marked "Exhibit C". This Agreement has been authorized by all requisite actions of the COUNTY and constitutes a legally binding agreement of the COUNTY enforceable in accordance with its terms.

9. **Bankruptcy, Insolvency, Etc.**
   The filing of an insolvency or bankruptcy petition by the OWNER, whether voluntary or involuntary, or the making by the OWNER of an assignment for the benefit of creditors, except in connection with any financing of the Premises, shall be deemed to be an automatic and immediate default hereunder by the OWNER.

10. **Merger; No Oral Changes**
   This Agreement supersedes any contract(s), agreement(s), or understanding(s), written or oral, heretofore made by, between or among any one or more of the parties hereto, and/or any one or more of their predecessors in interest, title or otherwise, concerning the subject matter hereof, and any such contract, agreement or understanding is hereby deemed to be null and void and of no further force or effect, and no party to any such contract, agreement or understanding shall have any rights against, or liabilities to, any other such party as a result thereof.

11. **Severability**
   If any section, subsection, paragraph, clause, phrase or provision of this Agreement shall, by a court of competent jurisdiction, be adjudged or determined to be illegal, unlawful, invalid or unconstitutional, the same shall not affect the validity of this Agreement as a whole, or any part or provision hereof, other than the part so adjudged or determined to be illegal, unlawful, invalid or unconstitutional.
12. **Notice**

A. **Operational Notices** - Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this Agreement shall be in writing and shall be given to the COUNTY or the OWNER or their designated representative at the following addresses or at such other address that may be specified in writing by the parties and must be delivered as follows:

**For the COUNTY:**
By Certified Mail, Return Receipt Requested in Prepaid Envelope or by Nationally Recognized Courier Service:

Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, New York 11980
Attention: Justin Hipperling Suffolk County Highway Planning and Permits

**For the OWNER**
By Certified Mail, Return Receipt Requested in Prepaid Envelope or by Courier Service or by Fax or by E-Mail:

At the address set forth on page one of this Agreement, attention of the person who executed this Agreement or such other designee as the parties may agree in writing.

B. **Notices Relating to Termination and/or Litigation** In the event the OWNER receives a notice or claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to a lawsuit or any legal proceeding related to this Agreement, the OWNER shall immediately deliver to the COUNTY Attorney, at the address set forth below, copies of all papers filed by or against the OWNER. Any communication or notice regarding termination shall be in writing and shall be given to the COUNTY or the OWNER or their designated representative at the following addresses or at such other addresses that may be specified in writing by the parties and must be delivered as follows:

**For the COUNTY:**
By Certified Mail, Return Receipt Requested in Postpaid Envelope or by Nationally Recognized Courier Service:

Suffolk County Department of Public Works, Attn. Commissioner
335 Yaphank Avenue
Yaphank, New York 11980
and

Suffolk County Department of Law
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

For the OWNER

By Certified Mail, Return Receipt Requested in Postpaid Envelope or
by Nationally Recognized Courier Service:

At the address set forth on page one of this Agreement, attention of the person who executed this
Agreement or such other designee as the parties may agree in writing.

C. Delivery - Notices shall be deemed to have been duly delivered (i) if mailed by certified mail, upon the
third business day after the mailing thereof; or (ii) if by nationally recognized overnight courier service,
upon the first business day subsequent to the transmittal thereof. “Business Day” shall mean any day
except a Saturday, a Sunday, or any day in which commercial banks are required or authorized to close
in Suffolk County, New York.

D. Notice of Successors - Each party shall give prompt written notice to the other party of the appointment
of successor(s) to the designated contact person(s) or his or her designated successor(s).

13. Rights Cumulative
Each right and remedy of the COUNTY or the OWNER under this Agreement shall be in addition to
every other right and remedy of the COUNTY or the OWNER and such rights and remedies may be
enforced separately or in any combination.

14. Applicable Law
This Agreement shall be governed by and construed in accordance with the laws of the State of New
York, without regard to conflict of laws. Venues shall be designated in Suffolk County, New York or
the United States District Court for the Eastern District of New York.

15. No Implied Waiver
No waiver shall be inferred from any failure or forbearance of the COUNTY to enforce any provision of
this Agreement in any particular instance or instances, but the same shall otherwise remain in full force
force and effect notwithstanding any such failure or forbearance.

16. **Counterparts**
The parties hereto have duly executed this Agreement in counterparts, any one of which may be considered an original.

17. **Assignment**
This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

18. **Gratuities**
OWNER represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

19. **Contractor’s/Vendor’s Public Disclosure Statement**
OWNER represents and warrants that it has filed with the Comptroller of Suffolk County the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the said Comptroller on or before the 31st day of January in each year of this Agreement's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of this Agreement, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Agreement.

*Required Form:* Suffolk County Form SCEX 22; entitled “Contractor’s/Vendor’s Public Disclosure Statement”

20. **Suffolk County Local Laws**
Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County website at www.co.suffolk.ny.us. Click on “Laws of Suffolk County” under “Suffolk County Links.”

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the last date written below:

Heritage-Riverhead Retail Developers, LLC
By: Riverhead Retail Developers, LLC
Its Manager
By: ____________________________
Joseph R. Baranowski
Member
Date: ____________________________
Approved as to Legality:
Christine Malafi
Suffolk County Attorney
By: ____________________________
Basia Deren Braddish
Assistant County Attorney
Date: ____________________________
County of Suffolk
By: ____________________________
Name: ____________________________
Deputy County Executive
Date: ____________________________
Approved:
Department of Public Works
By: ____________________________
Gilbert Anderson, P.E.
Commissioner of Public Works
Date: ____________________________
Recommended:
Highway Division
By: ____________________________
William Hillman
Title: ____________________________
Date: ____________________________

MUNICIPAL ACKNOWLEDGMENT

STATE OF NEW YORK )
) ss.:  
COUNTY OF SUFFOLK )
On the __________ day of ____________________________, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared __________________________, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

__________________________________
Notary Public

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF CONNECTICUT )
COUNTY OF HARTFORD ) ss.: ________

On the __________ day of __________, 2009, before me, the undersigned, personally appeared Joseph R. Baranowski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument and that such individual made such appearance before the undersigned in the Town of West Hartford, State of Connecticut.

__________________________________
Notary Public/Commissioner of the Superior Court for the State of Connecticut

Kevin M. Dowd, Esq.
Schedule A

Party obligations under this document:

The owner through its consultants agrees to provide the following:

1. Existing conditions survey of CR 58 right-of-way from approximately Kroemer Avenue to Mill Road hereinafter known as "Kroemer-Mill"
2. Approved construction documents, coordinated with the County and their consultant(s), for the construction of the Kroemer-Mill 5 lane highway section. These documents shall include the following:
   a. Drainage and grading plans.
   b. Utility relocation plans.
   c. Roadway construction plans.
   d. Pavement marking plans.
   e. Traffic signal improvements plans for the intersections of CR 58/Kroemer Avenue and CR 58/Mill Road
3. Coordination with Suffolk County and their consultant(s) with C.P. 5529 the Project including design support during the construction process of Kroemer-Mill.

The County agrees to provide the following:

1. Construction of Kroemer-Mill in conjunction with the construction of C.P. 5529, the Project per the provided and County approved Kroemer-Mill construction documents including, but not limited to, all required improvements of any kind to the County Roads, the widening, reconfiguring, or improving of any County Roads, the installing and modifying of traffic signals (not inclusive of site access signal), lights, signs or road striping or markings relating to any County Road, and intersection improvements relating to any County Roads.
2. Issuance of all necessary County permits for the construction of the premises consisting of access driveway and access traffic signal permits.
3. Coordination with OWNER providing reasonable accommodation for future access driveway for the premises.
4. Coordination with Owner to permit Owner, at Owner’s option, to install a sewer lateral under CR 58 during the construction of the Kroemer-Mill 5 lane highway section. Nothing herein is intended to require the County to delay or accelerate such construction in order to accommodate the Owner with respect to installation of the contemplated sewer lateral.
Exhibit B

HERITAGE-RIVERHEAD RETAIL DEVELOPERS, LLC

RESOLUTIONS

The undersigned, Joseph R. Baranowski, as Member of Riverhead Retail Developers, LLC, as Manager of Heritage-Riverhead Retail Developers, LLC (the “Company”), does hereby certify that the following are true and correct Resolutions duly adopted by all of the Members of the Company by written consent in lieu of meeting in writing on the 17th day of February 2008.

RESOLVED, that Riverhead Retail Developers, LLC and Bradley Operating Limited Partnership, the sole members of the Company, hereby authorized Riverhead Retail Developers, LLC to enter into, on behalf of and in the name of the Company, into a certain agreement between the Company and the County of Suffolk, New York entitled Agreement For The Payment Of Money In Lieu Of Performance Of Mitigation Measures, in a form dated as of February 17, 2008, and as may be further revised and amended.

RESOLVED, THAT THE Company has authorized Riverhead Retail Developers, LLC as its Manager acting through Joseph R. Baranowski as its member, to execute the subject agreement with Suffolk County.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 17th day of February 2008 pursuant to the authority granted by the two Managers and the Company.

Dated: February 17, 2008

Heritage-Riverhead Retail Developers, LLC

By: Riverhead Retail Developers, LLC
   Its Manager

By: 
   Joseph R. Baranowski
   Member
STATE OF CONNECTICUT
COUNTY OF HARTFORD

I, Joseph R. Baranowski, being duly sworn say:

I am a Member of Riverhead Retail Developers, LLC, the Manager of Heritage-Riverhead Retail Developers, LLC.

The attached Resolutions are in full force and effect.

Sworn to before me this 17th day of February, 2005

[Signature]

Joseph R. Baranowski

Notary Public/Commissioner of the Superior Court for the State of Connecticut

EXHIBIT C
Pursuant to Section A5-7 of the Suffolk County Administrative Code, this Public Disclosure Statement must be completed by all contractors/vendors that have a contract with Suffolk County, with the exception of hospitals; educational or governmental entities; not-for-profit corporations; and contracts providing foster care, family day care providers, or child protective consulting services, who do not have to fill out this form at all.

1. Contractor's/Vendor's Name: Heritage-Riverhead Retail Developers, LLC e/o Developers Realty Corp.
   Address: 433 South Main Street, Suite 310
   City and State: West Hartford, CT
   Zip Code: 06110

2. Contracting Department's Name: Suffolk County Dept. of Public Works
   Address: 335 Yaphank Avenue, Yaphank, NY 11980

3. Payee Identification or Social Security No.: 51-0574365

4. Type of Business: Corporation __ Partnership __ Sole Proprietorship X Other (limited Liability)

5.a Is contractor/vendor entering into or has contractor/vendor entered into a contract with Suffolk County in excess of $1,000? __ Yes X No.

5.b Has contractor/vendor entered into three or more contracts, including the one for which you are now completing this form, with Suffolk County, any three of which, when combined, exceed $1,000? __ Yes X No.

6. Table of Organization. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, names and addresses of all partners, and names and addresses of all corporate officers. Conspicuously identify any person in this table of organization who is also an officer or an employee of Suffolk County. (Attach additional sheet if necessary.)

   See attached schedule
   No one is an officer or employee of Suffolk County

7. List all names and addresses of those individual shareholders holding more than five percent (5%) interest in the contractor/vendor. Conspicuously identify any shareholder who is also an officer or an employee of Suffolk County. (Attach additional sheet if necessary.)

   See attached schedule
   No one is an officer or employee of Suffolk County

8. Does contractor/vendor derive 50% or more of its total revenues from its contractual or vendor relationship with Suffolk County? __ Yes X No.

9. If you answered yes to 8 above, you must submit with this disclosure statement, a complete financial statement listing all assets and liabilities as well as a profit and loss statement. These statements must be certified by a Certified Public Accountant. (Strike this out if not applicable.) N/A
10. The undersigned shall include this Contractor’s/Vendor’s Public Disclosure Statement with the contract. (Describe general nature of the contract.) See Memorandum of Understanding

11. Remedies. The failure to file a verified public disclosure statement as required under local law shall constitute a material breach of contract. Suffolk County may resort, use or employ any remedies contained in Article II of the Uniform Commercial Code of the State of New York. In addition to all legal remedies, Suffolk County shall be entitled, upon a determination that a breach has occurred, to damages equal to fifteen percent (15%) of the amount of the contract.

12. Verification. This section must be signed by an officer or principal of the contractor/vendor authorized to sign for the company for the purpose of executing contracts. The undersigned being sworn, affirms under the penalties of perjury, that he/she has read and understood the foregoing statements and that they are, to his/her own knowledge, true.

Dated: 2/17/10
Signed: By: Riverhead Retail Developers, LLC
Member: Joseph Samovsk

Heritage Retail Developers, LLC

UNIFORM CERTIFICATE OF ACKNOWLEDGMENT
(Within New York State)

STATE OF NEW YORK)
COUNTY OF ) ss:

On the ___ day of ________, in the year ___ before me, the undersigned, personally appeared ______________ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(Signature and office of individual taking acknowledgement)
UNIFORM CERTIFICATE OF ACKNOWLEDGEMENT
(Without New York State)

STATE OF Connecticut  ss.: West Hartford

COUNTY OF Hartford

On the 19th day of February in the year 2012 before me, the undersigned, personally appeared Joseph<redacted> personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual(s) made such appearance before the undersigned in West Hartford, Connecticut.

(Insert the city or other political subdivision and the state or country or other place the acknowledgement was taken)

[Signature]

(Signature and office of individual taking acknowledgement)

Kevin M. Dowd, Esq.
Commissioner of the Superior Court
State of Connecticut
Heritage-Riverhead Retail Developers, LLC
(a Delaware Limited Liability Company)

50%  50%

<table>
<thead>
<tr>
<th>D/B/A Centro Properties Group</th>
<th>Riverhead Retail Developers, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>131 Dartmouth Street 6th Floor</td>
<td>D/B/A Developers Realty, Inc.</td>
</tr>
<tr>
<td>Boston, MA 02116</td>
<td>Corporate Center West</td>
</tr>
<tr>
<td>Barry Rodenstein</td>
<td>433 South Main Street Suite 310</td>
</tr>
<tr>
<td>Senior Vice President, Northern Region</td>
<td>West Hartford, CT 06110</td>
</tr>
<tr>
<td>Centro Properties Group</td>
<td>Joseph R. Baranowski President and COO</td>
</tr>
<tr>
<td>131 Dartmouth Street, 6th Floor</td>
<td>Corporate Center West</td>
</tr>
<tr>
<td>Boston, MA 02116</td>
<td>433 South Main Street Suite 310</td>
</tr>
<tr>
<td>Haig Buchakjian, P.E.</td>
<td>West Hartford, CT 06110</td>
</tr>
<tr>
<td>Director of Construction, Northeast Region</td>
<td>Kevin M. Dowd General Counsel and Senior Vice President</td>
</tr>
<tr>
<td>Centro Properties Group</td>
<td>Corporate Center West</td>
</tr>
<tr>
<td>420 Lexington Avenue</td>
<td>433 South Main Street Suite 310</td>
</tr>
<tr>
<td>New York, NY 10170</td>
<td>West Hartford, CT 06110</td>
</tr>
</tbody>
</table>
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

BARBARA SUKOWA
0500-497.00-03.00-048.000

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 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 497.00, Block 03.00, Lot 048.000, and acquired by tax deed on June 25, 2005, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2005, in Liber 12397, at Page 973, and otherwise known and designated by the Town of Islip, as Lots 593 to 595, Inclusive, as shown on the “Map of Sea View”, Sections A & B, filed in the Office of the Suffolk County Clerk on August 4, 1927 as Map Number 841; 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 June 25, 2005, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2005 in Liber 12397 at Page 973.

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, BARBARA SUKOWA has made application of said above described parcel and BARBARA SUKOWA has paid the application fee and has paid $4,325.23, 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 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
2\textsuperscript{nd} - 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 BARBARA SUKOWA, 205 Rugby Road, Brooklyn NY 11226, 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: ______________________________
Ken Crannell, Deputy County Executive  
H. Lee Dennison Bldg. – 12th Floor  
Hauppauge, New York 11788-0099

Re: Tax Map No. 0500-497.00-03.00-048.000  
BARBARA SUKOWA

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:
Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy  
Eric C. Naughton, Budget Director  
Thomas A. Isles, Director, Planning Dept.  
Lauretta Fischer, Principal Planner, Planning Dept.  
Alice Kubicsko, Inventory

53
Tax Map No.: 0500-497.00-03.00-048.000
Name of Last Legal Fee Owner: BARBARA SUKOWA

TREASURER'S COMPUTATION.......................... $4,325.23
Taxes........2009/2010.................................. OPEN
License/Storage Fee.................................. OPEN
Repairs.................................................. OPEN
Miscellaneous Expenses............................ OPEN

TOTAL.................................................. $4,325.23

Monies Received...................................... $4,325.23

RESOLUTION AMOUNT......................... $4,325.23

APPROVED:

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

Accounting
LS:lag
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
Resolution X
Tax Map Number 0500-497.00-03.00-048.000

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
     Village

     Town
     School District

     Economic Impact
     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
2010

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

2706
RESOLUTION NO. 2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH EXPANSION OF THE SHERIFF’S ENFORCEMENT DIVISION AT THE CRIMINAL COURT BUILDING (CP 3013)

WHEREAS, the expansion of the Sheriff’s Enforcement Division at the Criminal Court Building is nearing completion; and

WHEREAS, it has been recently determined that two specific areas of the existing building designated as add alternates will not be refurbished unless an offset can be provided; and

WHEREAS, the twelve (12) existing locking mechanisms in the secure detention area should be replaced during this construction period to avoid future disruption and as a cost savings measure; and

WHEREAS, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $125,000 in Suffolk County Serial Bonds; 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)(1),(2),(20) and (27) of Title 6 of the New York State Code of Rules and Regulations (6 NYCRR) and Chapter 279 of the Suffolk County Administrative Code, as the administration and adoption of this legislative decision involves the maintenance, repair and replacement of a structure or facility, in kind, on the same site involving no substantial changes in an existing structure or facility; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further
4th RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

<table>
<thead>
<tr>
<th>Cost Elements</th>
<th>Total Estimated Cost</th>
<th>Current 2010 Capital Budget &amp; Program</th>
<th>Revised 2010 Capital Budget &amp; Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Furniture &amp; Equipment</td>
<td>$2,254,000</td>
<td>$228,000</td>
<td>$103,000 B</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$2,254,000</td>
<td>$228,000</td>
<td>$103,000</td>
</tr>
</tbody>
</table>

5th RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

<table>
<thead>
<tr>
<th>Cost Elements</th>
<th>Total Estimated Cost</th>
<th>Current 2010 Capital Budget &amp; Program</th>
<th>Revised 2010 Capital Budget &amp; Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Construction</td>
<td>$125,000</td>
<td>$0</td>
<td>$125,000 B</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$125,000</td>
<td>$0</td>
<td>$125,000</td>
</tr>
</tbody>
</table>

and be it further

6th RESOLVED, that the proceeds of $125,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project Number</th>
<th>J.C.</th>
<th>Project Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>525-CAP-3013.311</td>
<td>25</td>
<td>Expansion of the Sheriff’s Enforcement Division at the Criminal Court Building</td>
<td>$125,000</td>
</tr>
</tbody>
</table>

and be it further

7th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of the funding forthwith.

DATED:

APPROVED BY:

County Executive of Suffolk County
Date:
# Statement of Financial Impact

## Type of Legislation

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

## Title of Proposed Legislation

AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH EXPANSION OF THE SHERIFF'S ENFORCEMENT DIVISION AT THE CRIMINAL COURT BUILDING (CP 3013).

## Purpose of Proposed Legislation

See number 2 above.

## Will the Proposed Legislation Have a Fiscal Impact?

Yes [x] No

## 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

## Description of Impact

Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the Bonds.

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

See attached debt schedule.

## Proposed Source of Funding

Serial Bonds

## Timing of Impact

FY 2011

## Typed Name & Title of Preparer

Michael P. Sharkey
Chief of Staff

## Signature of Preparer

[Signature]

## Date

11/22/2010
<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
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## FINANCIAL IMPACT
### 2011 PROPERTY TAX LEVY
#### COST TO THE AVERAGE TAXPAYER

### GENERAL FUND

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<tr>
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<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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<tr>
<td>TOTAL</td>
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### POLICE DISTRICT AND DISTRICT COURT

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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>$9,137</td>
<td>$0.02</td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

### NOTES:
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office
To: Ken Crannell, Deputy County Executive
From: Michael P. Sharkey, Chief of Staff
Date: 11/22/2010
Re: CP 3013 – Expansion of the Sheriff’s Enforcement Division at the Criminal Court Building – CP 3013

The expansion and renovation of the Sheriff’s Enforcement Division at the Criminal Court Building is nearing completion. The Capital Budget for this project was extremely tight from the start and, consequently, some of the areas of concern had to be classified as add alternates. It has recently been determined that two specific areas designated as add alternates will not be refurbished unless additional funds are obtained from an offset of another Capital Project. Moreover, during the construction it was determined that the twelve (12) existing locking mechanisms in the secure detention area should be replaced during the construction to avoid future disruption and as a cost savings measure.

We are therefore requesting that an offset in the amount of $125,000 be appropriated in order for this project to be fully completed.

An e-mail version of the resolution was sent to CE RESO REVIEW, saved under the title:

“Reso-Sheriff-2010 Additional funds for CP 3013 – Expansion of the Sheriff’s Enforcement Division at the Criminal Courts Building”

Thank you for your consideration in reviewing this draft resolution.

MPS/jfr

cc: Christopher Kent, Chief Deputy County Executive

Att.
RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW IMPLEMENTING THE CHARTER COMMISSION'S RECOMMENDATION REGARDING THE TERMS OF THE PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010, a proposed local law entitled, "A LOCAL LAW IMPLEMENTING THE CHARTER COMMISSION'S RECOMMENDATION REGARDING THE TERMS OF THE PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER"; now, therefore be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW IMPLEMENTING THE CHARTER COMMISSION'S RECOMMENDATION REGARDING THE TERMS OF THE PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER

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 ten (10) years a Charter Review Commission convenes to examine the Suffolk County Charter and provide recommendations to improve the document.

This Legislature finds that the Charter Review Commission submitted its report and recommendations to the County Executive and the County Legislature on June 12, 2009, outlining twelve (12) recommended changes to the County Charter.

This Legislature also finds that the Commission recommended that the Presiding Officer and Deputy Presiding Officer be elected to terms of two years to provide greater continuity and stability in County government. Presently, the Presiding Officer and his deputy are selected on an annual basis.

This Legislature also finds that by establishing a two-year term for the Presiding Officer and Deputy Presiding Officer, legislators will be free to focus more on substantive policy and less on politics.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY ADMINISTRATIVE CODE to increase the terms of the Presiding Officer and Deputy Presiding Officer from one to two-years.

Section 2. Amendments.

I. Section A2-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:
§A2-2. Organization of County Legislature.

A. The members of the County Legislature shall hold an organization meeting on the first business day in January in each year unless the first business day in January falls on a Friday, in which case the County Legislature shall hold its organization meeting on the following Monday.

B. At the organization meeting in even numbered years (held following a general election at which County Legislators are elected) the County Legislature shall elect from its own members a Presiding Officer and Deputy Presiding Officer in accordance with the provisions of section A2-3 of this Administrative Code. The Presiding Officer and Deputy Presiding Officer so elected shall serve until the end of the subsequent calendar year.

C. At all organization meetings, the County Legislature shall adopt the rules of its own proceedings and conduct such other business as may be authorized under the Legislature’s rules.

II. Section A2-3 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

§A2-3. Election of Presiding Officer and Deputy Presiding Officer.

A. The Presiding Officer and Deputy Presiding Officer shall be elected by not less than a majority of the total membership of the County Legislature.

B. The Legislator serving as Presiding Officer at the end of the preceding calendar year shall preside at any organization meeting at which a Presiding Officer shall be elected until such time as the Presiding Officer has been elected, whereupon such newly elected Presiding Officer shall preside. In the event that such former Presiding Officer is unable to preside at such meeting due to death, disability, incapacity or any other cause, the Deputy Presiding Officer of the preceding year shall preside at the organization meeting until such time as the Presiding Officer has been elected. In the event that such former Deputy Presiding Officer is unable to preside at such meeting due to death, disability, incapacity or any other cause, then the most senior member of the Legislature, calculated on the basis of total number of years of service as a member of the County Legislature, consecutive or otherwise, shall preside at the organization meeting until the Presiding Officer has been elected.

C. In the event no Legislator is elected Presiding Officer and/or Deputy Presiding Officer by a majority of the total membership of the County Legislature, the Legislature shall continue in session and conduct as many roll call votes as shall be necessary to elect a Presiding Officer and Deputy Presiding Officer.

D. In the event the County Legislature is unable to elect a Presiding Officer on or before January 15 of any even numbered year, the County Clerk of the County of Suffolk shall appoint a member of the County Legislature as Presiding Officer, who shall serve until the end of the subsequent calendar year. The Clerk will also appoint a member of the County Legislature to serve as Deputy Presiding Officer who shall serve until the end of the subsequent calendar year.

E. In the event a Presiding Officer is elected by a majority of the total membership of the County Legislature on or before January 15 of any even numbered year but no Deputy
Presiding Officer is elected by that date, the duly elected Presiding Officer will select a Deputy Presiding Officer who shall serve until the end of the subsequent calendar year.

Section 3. Applicability.

This law shall apply to the election of the Presiding Officer and Deputy Presiding Officer beginning January 1, 2012.

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 its filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:laws\efile 1778-09 PO Term
DATE: DECEMBER 2, 2010
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. 1-2010; A LOCAL LAW IMPLEMENTING THE CHARTER COMMISSION’S RECOMMENDATION REGARDING THE TERMS OF THE PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER

SPONSOR: LEGISLATOR ROMAINE

DATE OF RECEIPT BY COUNSEL: 12/1/2010  PUBLIC HEARING: 12/21/2010  DATE ADOPTED/NOT ADOPTED:  CERTIFIED COPY RECEIVED: _____________

This proposed local law would increase the terms of the Presiding Officer and Deputy Presiding Officer of the County Legislature from one to two years.

This law will take effect on January 1, 2012.

GEORGE NOLAN
Counsel to the Legislature

GN:js
s:\rule28\28-refile-po-term
RESOLUTION NO. -2010, APPOINTING A MEMBER OF THE
SUFFOLK COUNTY VOCATIONAL, EDUCATION, AND
EXTENSION BOARD (DR. ALAN B. GROVEMAN)

WHEREAS, a Suffolk County Resolution of May 24, 1943, created a Suffolk
County Vocational, Education, and Extension Board for the purpose of giving instruction to the
volunteer firemen of the County of Suffolk; and

WHEREAS, appointments to said Board are authorized to be made by the
Suffolk County Legislature pursuant to Section 1101(2) of the NEW YORK EDUCATION LAW;
and

WHEREAS, there exists a vacancy due to the death of Pascal M. Covello; now,
therefore be it

RESOLVED, that Dr. Alan B. Groveman, currently residing in East Northport,
New York 11731, be and he hereby is appointed to the Suffolk County Vocational, Education,
and Extension Board to fill the unexpired term of Pascal M. Covello, said term of office to expire
on July 31, 2015, said appointment having been made pursuant to the provisions of Section
1101(2) of the NEW YORK EDUCATION LAW.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER.

S:\res\r-appt-veeb-groveman
ALAN B. GROVEMAN
EAST NORTPORT, NY 11731

EDUCATION

<table>
<thead>
<tr>
<th>Institution</th>
<th>Major</th>
<th>Degree</th>
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<td>City University of NY</td>
<td>Psychology/Math</td>
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<tr>
<td>University of Rhode Island</td>
<td>School Psychology</td>
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<tr>
<td>Columbia University Teachers College</td>
<td>Education</td>
<td>M.Ed.</td>
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<td>Columbia University Teachers College</td>
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EDUCATION EXPERIENCE

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<td>2004</td>
<td>Superintendent of Schools</td>
<td>Connetquot CSD, NY</td>
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<tr>
<td>2002 - 2004</td>
<td>Assistant Superintendent for Administration and Personnel</td>
<td>Levittown UFSD, NY</td>
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<tr>
<td>1994 - 2002</td>
<td>Assistant Superintendent for Business and Finance</td>
<td>Levittown UFSD, NY</td>
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<td>1990 - 1994</td>
<td>Assistant Superintendent for Curriculum and Instruction</td>
<td>Plainview-Old Bethpage CSD, NY</td>
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<td>1989 - 1991</td>
<td>Adjunct Professor, Department of Social Science</td>
<td>Stony Brook College of SUNY</td>
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<td>1985 - 1990</td>
<td>Director of Pupil Personnel</td>
<td>Plainview-Old Bethpage CSD, NY</td>
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<td>1983 - 1985</td>
<td>Director of Special Services, Acting Elementary Principal (3 months)</td>
<td>Marlboro Public Schools, NJ</td>
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<td>1978 - 1983</td>
<td>Director — National Training Project</td>
<td>Lexington School, NY</td>
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<tr>
<td>1976 - 1977</td>
<td>Dean of Students, H.S.</td>
<td>Lexington School, NY</td>
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<tr>
<td>1973 – 1973</td>
<td>Title I Reading Teacher</td>
<td>Campbell J.H.S., NY</td>
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CERTIFICATIONS

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<td>New York. ASBO</td>
<td>Registered School Business Administrator</td>
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<td>New York SED/VESID</td>
<td>Impartial Hearing Officer (Expired)</td>
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<td>New York SEMO</td>
<td>Public Information Officer- Basic</td>
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<td>New York</td>
<td>EMT, Fire Police, Safety Officer, Technical Rescue, Fire Officer</td>
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EMERGENCY SERVICES

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<td>2009 – 2010</td>
<td>Technical Rescue Team Leader</td>
<td>Suffolk USAR, NY</td>
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<td>2006 – 2010</td>
<td>Suffolk County Fire Safety Officer</td>
<td>Commack/Smithtown, NY</td>
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<td>2006 – 2010</td>
<td>Suffolk County Fire Police</td>
<td>Commack, NY</td>
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<td>1997 – 2010</td>
<td>Technical Rescue Team Leader</td>
<td>Commack VFD, NY</td>
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<td>2003 – 2010</td>
<td>Emergency Medical Tech, Officer</td>
<td>Commack VAC, NY</td>
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<tr>
<td>1994 – 2010</td>
<td>Firefighter, Officer, Training Officer</td>
<td>Commack VFD, NY</td>
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## CONSULTANTSHIPS/ACTIVITIES

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<td>2007 - 2010</td>
<td>Contingency Planning Exchange, Board of Dir.</td>
<td>Suffolk, NY</td>
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<td>2000 - 2010</td>
<td>ASBO/SED Summer Business Management Institute - Critical Services Coordinator</td>
<td>Albany, NY</td>
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<td>2004 – 2008</td>
<td>Connetquot Foundation for the Advancement of Children, Board of Dir.</td>
<td>Connetquot, NY</td>
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<td>2005 – 2010</td>
<td>BOCES S.E. Space Planning Committee Chair</td>
<td>E.S. BOCES, NY</td>
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<td>2005 – 2010</td>
<td>Section XI Finance Committee Chair</td>
<td>Suffolk, NY</td>
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<td>1999 - 2003</td>
<td>Nassau ASBO Quadrant Coordinator</td>
<td>Nassau, NY</td>
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<td>1996 - 2009</td>
<td>Training Officer - Commack FD</td>
<td>Commack, NY</td>
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<td>1993 - 1994</td>
<td>Chamber of Commerce - Board of Directors</td>
<td>Plainview/Old Bethpage, NY</td>
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<td>1989 –1990</td>
<td>Syosset Hospital Advisory Council</td>
<td>Syosset, NY</td>
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<tr>
<td>1986 - 1990</td>
<td>Nassau BOCES Advisory Council on Shared Services</td>
<td>Nassau County, NY</td>
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<td>1984 - 1986</td>
<td>Five Day Residential Program Advisor</td>
<td>Lexington School, NY</td>
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<td>1984 - 1988</td>
<td>Impartial Hearing Officer</td>
<td>New York State SED</td>
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<td>1982 - 1984</td>
<td>Micro-Computer Specialist</td>
<td>Queens College, CUNY, NY</td>
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## PUBLICATIONS/PRESENTATIONS

Executive Seminars, Stony Brook University, “School Safety and Security”, 2007-2010
New York State ASBO, “Critical Services”, Annual Summer Workshop Series, 2004-2010
“Public relations- Before, During, After the Crisis”: Adelphi University Workshop December 15, 2008,
Emergency Planning and Management
“Local Dimensions of Immigration”: Hofstra Law School Conference Nov., 2007 Immigrant Children’s Right to Education
“Working with your Superintendent and School Board,” School Business Affairs Institute, Nassau BOCES 2003
“Public School Responsibilities under Section 504 and ADA,” panel presentation for the Farmingdale USFD, New York, May 1993
“Issues of Inclusion for Primary Educators,” New York State Reading Association Conference~ New York, 1992
Video Tape - “Parent/Child Activities for Preschool Children,” (Groves & Israel, Producers and Editors, Nassau County 1989
“The Role of the Building Administrator in Special Education Programming, SETRC, BOCES Workshop, Nassau County, 1988
RESOLUTION NO. 1372 -2006, REAPPOINTING PASCAL M. COVELLO AS A MEMBER OF THE SUFFOLK COUNTY VOCATIONAL, EDUCATION, AND EXTENSION BOARD

WHEREAS, a Suffolk County Resolution of May 24, 1943, created a Suffolk County Vocational, Education, and Extension Board for the purpose of giving instruction to the volunteer firemen of the County of Suffolk; and

WHEREAS, appointments to said Board are authorized to be made by the Suffolk County Legislature pursuant to Section 1101(2) of the NEW YORK EDUCATION LAW; and

WHEREAS, the term of office of Pascal M. Covello expired on July 31, 2006, and he is currently in holdover status as a member of the Board; now, therefore be it

RESOLVED, that Pascal M. Covello, currently residing in Westhampton Beach, New York 11978-0525, be and he hereby is reappointed to the Suffolk County Vocational, Education, and Extension Board for a term of office to expire on July 31, 2015, said appointment having been made pursuant to the provisions of Section 1101(2) of the NEW YORK EDUCATION LAW.

DATED: December 5, 2006

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER.
RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW TO BAN THE SALE OF ENERGY DRINKS TO MINORS IN SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on 2010, a proposed local law entitled, "A LOCAL LAW TO BAN THE SALE OF ENERGY DRINKS TO MINORS IN SUFFOLK COUNTY" now, therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO BAN THE SALE OF ENERGY DRINKS TO MINORS IN SUFFOLK COUNTY

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that energy drinks are very popular, particularly among young people.

This Legislature also finds and determines that most energy drinks claim to target their marketing to consumers aged 18 to 30, but are being consumed predominantly by children in middle and high school.

This Legislature further finds and determines that energy drinks contain up to 800 milligrams of caffeine per serving, the equivalent of eight cups of coffee. The exact caffeine content of these drinks is not required to be disclosed as nutritional information.

This Legislature determines that energy drinks also contain a blend of herbal supplements, vitamins and amino acids, such as glucose, guarana, taurine, vitamin B6, vitamin B12, yerba mate, bitter orange, ginger, ginkgo, St. John's wort, and ginseng, the exact contents of which are also not disclosed.

This Legislature finds that consumption of energy drinks by minors has been associated with hyperactivity, lack of concentration, poor nutrition and dental problems.

This Legislature also finds that consumption of energy drinks can cause serious adverse effects: aggravating heart conditions, headaches, rapid heartbeat, nervousness, irritability, sleeplessness, dehydration, abnormal heart rhythms, and stomach upset and even death. These effects may be exacerbated in minors and occur after consuming smaller amounts of caffeine or other stimulants.

This Legislature further finds that some energy drinks are labeled with explicit warnings against consumption by children.
This Legislature also determines that, in an effort to curb minors' use of these dangerous beverages, some states, including Maine, Kentucky and Michigan, have considered banning the sale of energy drinks to minors.

This Legislature further determines that Suffolk County should protect the health and welfare of children by restricting their ability to purchase energy drinks.

Therefore, the purpose of this law is to ban the sale of energy drinks to minors in Suffolk County.

Section 2. Definitions.

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

"ENERGY DRINK" shall mean a soft drink that is classified as a dietary supplement not regulated by the Food and Drug Administration and that contains 80 or more milligrams of caffeine per 8 fluid ounces and generally includes a combination of methylxanthines, B vitamins, herbal ingredients and other ingredients which are advertised as being specifically designed to provide or increase energy.

"MINOR" shall mean any natural person or individual under the age of nineteen (19).

"PERSON" shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association, or other entity or business organization of any kind.

Section 3. Prohibition.

No person shall sell energy drinks to minors in Suffolk County.

Section 4. Penalties.

Violation of this law shall be punishable by a civil fine of up to five hundred dollars ($500) for a first violation, with subsequent violations punishable by a fine of up to one thousand dollars ($1,000).

Section 5. Enforcement.

This law shall be enforced by the Department of Health Services.

Section 6. Authority to Promulgate Rules and Regulations.

The Commissioner of the Suffolk County Department of Health Services is hereby authorized and empowered to promulgate such rules and regulations as he or she deems necessary to implement this law.

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 immediately upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:lawnv-ban energy drinks minors
DATE: DECEMBER 2, 2010
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. 2210-2010; A LOCAL LAW TO BAN THE SALE OF ENERGY DRINKS TO MINORS IN SUFFOLK COUNTY

SPONSOR: LEGISLATOR NOWICK

DATE OF RECEIPT BY COUNSEL: 12/1/2010 PUBLIC HEARING: 12/21/2010

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED: 

This proposed local law would ban the sale of energy drinks\(^1\) to persons under the age of 19.

The Department of Health Services will enforce this law. Violation of this law shall be punishable by a civil fine of up to five hundred dollars ($500) for an initial violation and a fine of up to one thousand dollars ($1,000) for any subsequent violations.

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-ban-energy-drinks-minors

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\(^1\) "Energy Drink" is defined as "a soft drink that is classified as a dietary supplement not regulated by the Food and Drug Administration and that contains 80 or more milligrams of caffeine per 8 fluid ounces and generally includes a combination of methylxanthines, B vitamins, herbal ingredients and other ingredients which are advertised as being specifically designed to provide or increase energy."
INTRODUCTORY TAX RESOLUTIONS FOR DECEMBER 7, 2010
GENERAL MEETING OF THE SUFFOLK COUNTY LEGISLATURE

IR 2211  Levying Unpaid Water Rents.

IR 2212  Implementing Budget, Staff, and Taxes for the year 2011
          (Discretionary)

IR 2213  Implementing Budget, Staff, and Taxes for the year 2011 (Mandated)

IR 2214  Authorizing that the Tax Warrants be signed by the Presiding Officer
          and Clerk of the County Legislature and that they be annexed to the
          tax rolls for the collection of taxes.

IR 2215  Approving the return of the fund balance of the general fund, police
          district fund, and District Court District Fund to the taxpayers of the
          towns of Suffolk County

IR 2216  Approving the tabulations of Town Charges and fixing the tax levies
          and charges to the towns under the County Budget for fiscal year
          2011

IR 2217  Amending Resolution No. 1061-2010, Determining Equalized Real
          Property Valuations for the Assessment Rolls of the 10 Towns
RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW REQUIRING THE POSTING OF "CASH ONLY" SIGNS AT RESTAURANTS

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on __________, 2010, a proposed local law entitled, "A LOCAL LAW REQUIRING THE POSTING OF "CASH ONLY" SIGNS AT RESTAURANTS;" 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. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW REQUIRING THE POSTING OF "CASH ONLY" SIGNS AT RESTAURANTS

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 many restaurants are cash only establishments, but do not disclose that fact clearly or at the time that patrons place their orders. A patron may then be left without the cash means to pay for the meal served when the check arrives.

This Legislature also finds and determines that this causes great inconvenience to the patron and the restaurant while arrangements are made to obtain payment for the meal served.

Therefore, the purpose of this law is to require restaurants that do not accept credit or debit cards to clearly post at each entrance way "Cash Only" signs.

Section 2. Amendment.

Chapter 407 of the Suffolk County Regulatory Local Laws is hereby amended as follows by adding a new subsection to section 407-3:

Chapter 407
Restaurants

***


***
C.) Restaurants that do not accept credit cards or debit cards shall have posted at all entrances conspicuous signs stating "Cash Only" in all capital lettering not less than two inches in height on a contrasting background. Said signs shall be posted by the restaurant operator.

Section 3. Applicability.

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

Section 4. SEQRA Determination.

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

Section 5. 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:
DATE: December 2, 2010
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 2010

TITLE: I.R. NO. -2010; A LOCAL LAW REQUIRING THE POSTING OF "CASH ONLY" SIGNS AT RESTAURANTS

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 12/1/10 PUBLIC HEARING: 12/21/10
DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED: 

This proposed local law would require Suffolk County restaurants that do not accept credit cards or debit cards to post "Cash Only" signs at all their entrances.

Restaurants violating this law would be subject to a civil penalty of not less than $50 and no more than $500. The Department of Consumer Affairs will enforce this law.

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

GEORGE NOLAN
Counsel to the Legislature

GN:mjk
s:rule28\28-cash-only
RESOLUTION NO. -2010, ADOPTING LOCAL LAW
NO. -2010, A LOCAL LAW REQUIRING STORE
CLOSURE ON THANKSGIVING DAY

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2010, a proposed Local Law entitled "A LOCAL LAW REQUIRING STORE CLOSURE ON THANKSGIVING DAY," 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. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW REQUIRING STORE CLOSURE ON THANKSGIVING DAY

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 County desires to promote the values that have become the basis for holidays such as Thanksgiving by recognizing the day as a time for contemplation, giving back to the community, rest and relaxation with friends and family.

The Legislature finds and determines that even employees who may wish to spend a holiday in contemplation, giving back to the community, or in rest and relaxation with friends and family will not be able to do so because they are compelled to work despite overwhelming sentiment that Thanksgiving Day should be set aside as a day off from work.

The Legislature finds and determines that small businesses feel the pressure of having to open and take time away from their families, or lose business to bigger box stores that are more routinely opening on the holiday.

Therefore, the purpose of this law is to require that stores in Suffolk County close, for at least part of the day, on Thanksgiving Day.

Section 2. Definitions.
“Commissioner” means the Commissioner of the Suffolk County Department of Consumer Affairs.

“Department” means the Suffolk County Department of Consumer Affairs.

A "store" is a retail business operation conducted within one building advertising as, and representing itself to the public to be, one business enterprise regardless of internal departmentalization. All subleased departments of any store for the purpose of this section are considered to be operated by the store in which they are located. Contiguous stores owned by the same proprietor or operated by the same management for the purpose of this section are considered to be a single store.

Section 3. Restriction.

A store shall not be open to the public between the hours of noon and 5:00 P.M. on Thanksgiving Day.

Section 4. Exceptions.

This law shall not apply to

A.) Stores that have no more than 7,500 square feet of interior customer selling space, excluding back room storage, office and processing space;

B.) Restaurants;

C.) Pharmacies;

D.) Farm stands; and

E.) Stores in which no more than 5 full-time persons, including the proprietor, are employed in the usual and regular conduct of business.

F.) Entertainment venues.

Section 4. Penalty.

Any person that violates any provisions of this law shall be subject to the imposition of a civil penalty by the Commissioner of the Department of a minimum of $300.00, but not to exceed $1,000.00 for a first violation, and a minimum of $500.00, but not to exceed $1,500.00 for each subsequent violation.

Section 5. Enforcement.

The provisions of this law shall be enforced by the Department.

Section 6. Hearing.

A.) A hearing held on any alleged violation or violations of the provisions of this chapter shall be scheduled on a date not less than ten days after notification of
such hearing, in writing, to the manager of the store involved. The hearing shall be conducted by an officer or employee designated by the Commissioner for such purpose. The person conducting the hearing shall make a written determination. Such determination may be appealed to the Commissioner who, after due deliberation, shall issue an order accepting, modifying or rejecting such determination.

B.) Notice shall be served upon such manager, either personally or by certified mail, and shall contain a concise statement of the facts constituting the alleged violation or violations, as well as setting forth the date, time and place the hearing will be held.

C.) The store against whom the charges are pending has the right to be heard, call witnesses and produce evidence, be represented by counsel, or have counsel appear on its behalf.

D.) The Department is authorized to recover from the store any penalty imposed as the result of a finding of a violation of the provisions of this law.

E.) For the purpose of this law, the Commissioner, or any officer or employee designated by him or her, may administer oaths, take testimony, subpoena witnesses and compel the production of books, papers, records and documents pertinent to the subject of the investigation, pursuant to § C31-2B and C of the Suffolk County Charter.

Section 7. Applicability.

This law shall apply to store closings on Thanksgiving Day 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) 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 10. Effective Date.

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

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date:
OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
email: george.nolan@suffolkcountyny.gov

DATE: DECEMBER 2, 2010
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A LOCAL LAW REQUIRING STORE CLOSURE ON THANKSGIVING DAY

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 12/1/10
PUBLIC HEARING: 12/21/10
DATE ADOPTED/NOT ADOPTED: ____________________________
CERTIFIED COPY RECEIVED: ____________________________

This proposed local law would prohibit retail business operations, that have more than 7,500 square feet of interior customer selling space, from opening to the public between the hours of 12:00 noon and 5:00 p.m. on Thanksgiving Day. Restaurants, pharmacies, farm stands, entertainment venues and stores which have five (5) or fewer full-time employees are exempted from the law's provisions.

Persons violating this law will be subject to a penalty of between $300 and $500 for a first violation and a penalty between $500 and $1,500 for any subsequent violation. This law will be enforced by the Department of Consumer Affairs.

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-store closure on Thanksgiving